

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES (Revised)
September 11, 2013**

MEETING CALLED TO ORDER: 7:28 PM

SALUTE TO THE FLAG LED BY MAYOR TOM BALLISTRERI

OPENING STATEMENT: Adequate notice of this meeting has been given in accordance with the open public meeting act, pursuant to Public Law 1975, Chapter 231. Said meeting has been advertised in the Hammonton News and has been posted on the Borough Hall bulletin board showing the time and place of said meeting.

MAYOR TOM BALLISTRERI ASKED FOR A MOMENT OF SILENCE IN MEMORY OF THE 9/11 VICTIMS.

ROLL CALL: Councilpersons Gazzara, Kemmerer, Schenker, Gummoe and Smith

Absent: Councilman Greg Schenker

Also present: Solicitor Mike Fitzgerald and Engineer Vince Polistina

APPROVAL OF WORKSHOP MINUTES FROM August 14, 2013

A motion to approve the minutes was made by Councilman Esposito and seconded by Councilman Smith There was a roll call vote with ayes all and abstention by Councilman Kemmerer and Councilman Gummoe

APPROVAL OF THE MINUTES FROM August 14, 2013

A motion to approve the minutes was made by Councilman Gazzara and seconded by Councilman Esposito. There was a roll call vote with ayes all and abstention by Councilman Kemmerer and Councilman Gummoe

MEETING OPEN TO PUBLIC:

CLERK' CORRESPONDENCE: Folsom Community Day will be held on September 28, 2013 from 10:00AM until 2:00PM

MAYOR BALLISTRERI ASKED RESIDENTS TO SUPPORT COMMUNITY DAY ON SEPTEMBER 29 AT FOLSOM SCHOOL.

RESOLUTIONS:

**RESOLUTION 2013-59
BOROUGH OF FOLSOM**

A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSE

WITHIN THE BOROUGH OF FOLSOM

WHEREAS, the following Alcoholic Beverage Licensees have made their application for the renewal of their respective licenses term nunc pro tunc 2009-2010

0110-33-002-009	Tim Buck 2 LLC 40 East Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2009-2010 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said license, nunc pro tunc July 1, 2009.

**RESOLUTION 2013-60
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF A RETAIL
PLENARY CONSUMPTION LICENSE**

#0110-33-002-009 Tim Buck 2, LLC to Stern Light Inn, Inc.

WHEREAS, an application has been filed for Person-to-Person Transfer of Plenary Retail Consumption License Number 0110-33-002-009, heretofore issued to Tim Buck 2, LLC, with a mailing address of 40 East Black Horse Pike, Folsom, NJ 08037; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Folsom, does hereby approve effective nunc pro tunc June 30, 2010 the Person-To-Person Transfer of Plenary Retail Consumption License No. 0110-33-002-009 heretofore issued to Stern Light Inn, Inc., 40 E. Black Horse Pike, Folsom, New Jersey 08037 and does hereby direct the Alcoholic Beverage Control Secretary to endorse the license certificate to the new ownership.

**RESOLUTION 2013-61
BOROUGH OF FOLSOM**

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSE WITHIN THE
BOROUGH OF FOLSOM**

WHEREAS, the following licensee has received a Special Ruling from the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.18 relief for license term 2010-2011

0110-33-002-009	Stern Light Inn, Inc. 40 E. Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2010-2011 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said licenses, all of which to become effective nunc pro tunc July 1, 2010

**RESOLUTION 2013-62
BOROUGH OF FOLSOM**

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSES
WITHIN THE BOROUGH OF FOLSOM**

WHEREAS, the following Alcoholic Beverage Licensees have made their application for the renewal of their respective license for the year 2011-2012;

0110-33-002-009	Stern Light, Inc. 40 E. Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2011-2012 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said licenses, all of which to become effective nunc pro tunc July 1, 2011

**RESOLUTION 2013-63
BOROUGH OF FOLSOM**

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSE WITHIN THE
BOROUGH OF FOLSOM**

WHEREAS, the following licensee has received a Special Ruling from the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 relief for Stern Light, Inc. for license term 2012-2013 for an inactive license.

0110-33-002-009	Stern Light Inn, Inc. 40 E. Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2012-2013 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said licenses, all of which to become effective nunc pro tunc July 1, 2012

**RESOLUTION 2013-64
BOROUGH OF FOLSOM**

**A RESOLUTION RENEWING ALCOHOLIC BEVERAGE LICENSE WITHIN THE
BOROUGH OF FOLSOM**

WHEREAS, the following licensee has received a Special Ruling from the Director of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 for the relief for Stern Light Inc. for license term 2013-2014 for an inactive license.

0110-33-002-009	Stern Light Inn, Inc. 40 E. Black Horse Pike Folsom, NJ 08037	\$420.00
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WHEREAS, the Borough of Folsom Council have no objection to the 2013-2014 renewal of said license and is not aware of any circumstances or provisions of law or local Ordinance which would prohibit the issuance of said license.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, that the Borough Clerk be hereby authorized to issue and deliver said licenses, all of which to become effective July 1, 2013

**RESOLUTION 2013-66
BOROUGH OF FOLSOM**

AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS.

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD)- 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75A et. seq, and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Atlantic and other municipalities including (but not limited to) municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the **BOROUGH OF FOLSOM**

County of ATLANTIC, and State of New Jersey as follows:

A. That the Borough of Folsom is hereby authorized and directed to enter into the Atlantic County Mutual Aid and Assistance Agreement between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.

B. That the Mayor and Clerk

Of the Borough of Folsom are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Borough of Folsom.

- C. That the Borough of Folsom is hereby authorized and directed to forthwith forward a copy of this Resolution and an executed copy of Schedule A of the agreement to the offices of the Atlantic County Office of Emergency Management for review and filing by the appropriate Fire, EMS and County Prosecutor or his designee as appropriate.

**BOROUGH OF FOLSOM
RESOLUTION No.2013-67**

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT;
WITH THE NJDOT FOR THE RECONSTRUCTION OF 8TH STREET PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Folsom Borough formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED, that the Council and Clerk are hereby authorized to submit an electronic grant application identified as MA_2014-Folsom Borough -00281 to the NJDOT on behalf of Borough of Folsom.

BE IT FURTHER RESOLVED, that Council and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Folsom and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF FOLSOM
RESOLUTION NO. 2013-68**

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NJDOT FOR THE RESTRUCTION OF 15TH STREET PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Folsom formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Folsom Borough-00280 to the NJDOT on behalf of the Borough of Folsom

BE IT FURTHER RESOLVED that Council and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Folsom and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF FOLSOM
RESOLUTION NO. 2013-69**

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NJDOT FOR THE PEDESTRIAN PATH AND BICYCLE PATH PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Folsom formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Council and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2014-Folsom Borough-00032 to the NJDOT on behalf of the Borough of Folsom

BE IT FURTHER RESOLVED that Council and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Folsom and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF FOLSOM
RESOLUTION NO. 2013-70**

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJDOT FOR THE PEDESTRIAN PATH AND BICYCLE PATH PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Folsom formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Council and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2014-Folsom Borough-00043 to the NJDOT on behalf of the Borough of Folsom

BE IT FURTHER RESOLVED that Council and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Folsom and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

A motion to approve Resolutions 2013-59 through 2013-70 was made by Councilman Esposito and seconded by Councilman Smith

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: Mike Fitzgerald reported there has been no response on the Kerr Concrete Tax Appeal.

FIRE CHIEF'S REPORT: Councilman Esposito read fire report. There were three (3) incidents that incurred in Folsom for the month of August. The Fire Company is asking that if any residents need smoke detectors to please stop by or call them. The Fire Company will be visiting the Folsom School on October 1st for Fire Prevention week. October 4th will be the Open House at the Firehouse and everyone is invited to come and see live demonstrations. There will be fire prevention literature and refreshments.

ENGINEER'S REPORT: Vince Polistina updated Mayor and Council on the following:

IBEW

Most of the site work has been completed. The stormwater management areas must still be completed along with the final improvements.

Reconstruction of 14th Street (FY 2013 Municipal Aid)

We are finalizing the design for the project and expect to send it to the DOT by the end of the month.

FY14 State Aid Project

The applications for state aid for funding next year are due on September 20th. The Borough will be submitting applications for the repaving of 15th Street from Mays Landing Road to Backline Road and 8th Street from the bridge to Buena Vista Township.

Safe Streets to Transit / Bikeway Grants

The applications for funding for the pedestrian / bicycle path along Mays Landing Road that would connect

the Folsom Municipal Building / Folsom School / 13th Street recreation will also be submitted to the DOT.

MAYOR'S REPORT: Mayor Ballistreri stated that he will be attending the League of Municipalities in Atlantic City in November.

COUNCIL MEMBER'S REPORTS:

Councilman Byron Gummoe: reminded residents to remember the victims of 9/11 and all the troops that serve our country. Councilman Gummoe also reminded residents of the ongoing ewaste problem the Borough is having regarding the dumping of broken TV's. Councilman Gummoe asked all residents to take discarded TV's to Best Buy or Goodwill and also asked residents to report any illegal dumping.

Councilman Gary Kemmerer: Gave condolences to the families of 9/11.

Mayor Ballistreri stated that the new Train Station and 9/11 Memorial in New York City is something to see if you get the chance to visit New York

Councilman Ron Esposito: congratulated the Borough in the IBEW building and the new business that is opening soon; Bleachers Sports Bar.

Councilman Greg Schenker: Absent

Councilman Butch Gazzara: asked residents to be extra cautious around the Penny Pot area during the construction.

Councilman Kyle Smith: asked residents to come out and support the Folsom Community Day is an enjoyable event for everyone and is being held on September 28 at Folsom School.

PAYMENT OF BILLS IN THE AMOUNT OF \$178,495.46

A motion to approve payment was made by Councilman Gazzara and seconded by Councilman Smith.

There was a roll call vote with ayes all.

The next regular meeting of Mayor and Council will be held on Wednesday, October 9,2013 starting with a half hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 7:56 PM with ayes all.

Respectfully submitted,

Patricia M. Gatto
Acting Municipal Clerk