

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES**

February 09, 2011

MEETING CALLED TO ORDER:

SALUTE TO THE FLAG:

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.

ROLL CALL: Councilpersons Eckhardt, Gazzara, Schenker, Kemmerer, and Esposito. Also present: Attorney Mike Fitzgerald and Engineer Vince Polistina
Absent: Councilman Olive

APPROVAL OF THE REORGANIZATION MINUTES FROM JANUARY 5, 2011

A motion to approve the minutes was made by Councilman Esposito seconded by Councilman Eckhardt.

There was a roll call vote with ayes all

APPROVAL OF THE WORKSHOP MINUTES FROM JANUARY 26, 2011

A motion to approve the minutes was made by Councilman Schenker seconded by Councilman Gazzara.

There was a roll call vote with ayes all.

APPROVAL OF THE MINUTES FROM JANUARY 26, 2011

A motion to approve the minutes was made by Councilman Gazzara seconded by Councilman Eckhardt.

There was a roll call vote with ayes all

**Borough of Folsom
Proclamation**

**PROMOTING READING AND FAMILY LITERACY THROUGH
READ ACROSS AMERICA**

WHEREAS, the citizens of the Borough of Folsom stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Folsom has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, "NEA's **Read Across America**," a national celebration of Dr. Seuss's 107th birthday on March 2, 2011, promotes reading and adult involvement in the education of our community's students;

WHEREAS, **Read Across America – NJ** is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Folsom calls on the citizens of Folsom to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA's **Read Across America** and **Read Across America-NJ**, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

ORDINANCE: (Introduction)

**01-2011 AN ORDINANCE OF THE BOROUGH OF FOLSOM
REQUIRING SNOW REMOVAL**

WHEREAS, the failure of owners and tenants to remove accumulated snow from the sidewalks on or abutting their properties represents a serious danger to public safety.

NOW, THEREFORE, be it ordained by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, as follows:

1. Every owner or tenant of any property containing, abutting or bordering upon any paid public sidewalk shall remove or cause to be removed from the public sidewalk all snow and ice within six (6) hours of daylight after the snow has stopped falling or the ice has formed.

2. In the event that snow and ice on a sidewalk has become so hard that it cannot be removed without the likelihood of damage to the sidewalk, the owner or tenant shall within the time set forth above cause enough sand or other abrasive to be put on the sidewalk to make travel thereon reasonably safe and shall then, as soon thereafter as weather reasonably permits, cause said sidewalk to be cleared.
3. In a case of an owner or tenant refusing or neglecting to remove said snow or ice or to apply the required sand or other abrasive, as required above, the Borough may cause the snow or ice to be removed or may cause sand or other abrasive to be applied and charge the cost thereof against the property and said amount shall be a lien on said premises and shall be added to and form a part of the taxes next to be assessed and levied upon said property and shall be certified to the Borough Tax Collector. The Borough shall have the right, but not the obligation, to undertake such removal of snow or ice or the application of sand or other abrasive.
4. Any person, firm or corporation violating this Ordinance shall, upon conviction, be subject to a fine not exceeding \$500.00 and each and every day that such violation continues shall be a separate and distinct violation.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey held on the 9th day of February, 2011 and said Ordinance will be further considered for final passage, and adoption at a public hearing to be held in the Borough of Folsom Municipal Building, 1700 12th Street, Folsom, New Jersey on the 9th day of March, 2011 at 7pm or as soon thereafter as the matter may be reached.

A motion to approve was made by Councilman Kemmerer seconded by Councilman Schenker. There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC: There was no public comment

CLERK'S CORRESPONDENCE: Ms. Bradley relayed information regarding the rabies clinic that is scheduled for March 12th at the Department of Public Works maintenance yard. Information was also conveyed regarding the closure of the Borough offices for the Presidents Day holiday.

RESOLUTIONS:

**2010-36 A RESOLUTION AUTHORIZING THE FORECLOSURE OF IN REM
TAX SALE CERTIFICATE**

WHEREAS, N.J.S.A.54:5-104.29 authorizes a municipal government to foreclosure in rem Tax Sale Certificates held by the municipality; and

WHEREAS, the Borough of Folsom holds a Tax Sale Certificates which is eligible for in rem tax foreclosure; and

WHEREAS, it is to the benefit of the Borough of Folsom to foreclose such Tax Sale Certificate; and

WHEREAS, funds have been provided for the expense of said foreclosures;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, as follows:

1. Michael J. Fitzgerald, Esquire, Municipal Attorney for the Borough of Folsom, is hereby authorized as special counsel to foreclose certain Tax Sale Certificates held by the Borough of Folsom;
2. Said Certificate to be foreclosed is particularly described and set forth on the in rem Tax Foreclosure list attached hereto.

A motion to approve was made by Councilman Schenker and Seconded by Councilman Kemmerer to approve resolution 2010-36. There was a roll call vote with ayes all.

SOLICITOR'S REPORT: Mr. Fitzgerald did not have a report.

FIRE CHIEF'S REPORT: No one present from the Fire Company.

ENGINEER'S REPORT: Mr. Polistina reported on the status of the 8th Street and Memory Lane Project. He conveyed that the core samples have been collected and when the results are in and submitted to the State DOT the balance of the funding will be released. He also discussed researching the possibility of other sources of grant funding for upgrades to the 13th Street Parks.

MAYOR'S REPORT: Mr. Ballistreri reported the status of the budget process. He indicated that the Borough is well positioned to deal with the 2% cap and any other financial obstacles that may arise in the 2011 year.

COUNCIL MEMBER'S REPORTS:

Councilman Esposito reported on the status of the problem with the fire truck. Previously the water tanker had an issue with the pump and this has since been repaired. Also, he reported that the fire company will be welcoming two new members. He also gave an update on the possible grant for a new pumper truck and stated that this possibility was still alive. He finished his report by acknowledging the great job that is being done around Folsom by the Atlantic County Sheriff's department.

Councilman Kemmerer reported on the status of repairs to a sink hole on E. Collings Drive. He stated that it would likely be taken care of during the next week. He further conveyed that if any resident was to see anything like this sink hole outside of normal Borough operating hours to contact the police. He finished by thanking South Jersey Industries for the nice job that they have done addressing the flooding issue on 11th Street.

Councilman Schenker thanked CFO Dawn Stollenwerk in advance for her efforts and outstanding job on this year's budget. He conveyed that the Fire Auxiliary will be host a benefit at Café San Rocco on February 26, 2011.

Councilman Gazzara thanked CFO Dawn Stollenwerk in advance for her efforts and outstanding job on this year's budget. He further acknowledged her continuing diligence with the municipal budget. He finished by conveying happy Valentine's Day wishes.

Councilman Eckhardt reported on the progress of the new round of Smart Start grants that will cover upgrades to the public works garage and the fire house.

Public Comment on the Council Members Reports: No Public Comment

Mayor Ballistreri asked for a motion to pay the bills in the amount of \$193,840.02

A motion was made by Councilman Gazzara and seconded by Council Schenker. There was a roll call vote with ayes all.

Mayor Ballistreri reminded the public that all other monthly reports are on file in the minute book.

The next regular meeting of Mayor and Council will be held on Wednesday, March 09, 2011 starting with a 1 hour workshop meeting at 6:30 pm and continuing with the regular meeting at 7:30 pm in Borough Hall, 1700 12th Street, Folsom, NJ

Respectfully Submitted,

Paula Bradley
Acting Municipal Clerk