

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
March 9, 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, Esposito and Olive. Also present: Attorney Mike Fitzgerald

APPROVAL OF THE WORKSHOP MINUTES FROM FEBRUARY 9, 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 FEBRUARY 9, 2011

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

There was a roll call vote with ayes all

Guest Speaker Mr. Garguilo, Superintendent of Folsom Elementary School, gave a presentation on the current status of the school. He gave a chronological review of the activities of the school and students. He finished with a review of the school's financial status including a comparative guide to Folsom's expenses.

ORDINANCE: (Introduction)

02-2011 AN ORDINANCE ESTABLISHING AND FIXING SALARIES FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE BOROUGH OF FOLSOM, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

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

Section 1. The annual salaries of the officials, officers, and employees of the Borough of Folsom listed below shall be as follows:

Salaried Positions

Borough Clerk	\$25,000	-	\$39,988
Building Sub-Code Official	\$1,000	-	\$3,677

Chief Financial Officer	\$4,000	-	\$12,240
Construction Official	\$2,500	-	\$3,520
Council Member	\$1,700	-	\$2,500
Court Administrator	\$20,000	-	\$40,721
Deputy Emergency Management Coordinator	\$500	-	\$1,500
Electrical Sub-Code Official	\$1,000	-	\$3,677
Emergency Management Coordinator	\$500	-	\$1,500
Fire Safety Officer	\$1,000	-	\$1,632
Fire Sub-Code Official	\$1,000	-	\$3,677
Judge	\$1.00	-	\$9,004
Mayor	\$2,200	-	\$3,300
Plumbing Sub-Code Official	\$1,000	-	\$3,677
Public Defender	\$1.00	-	\$3,152
Tax Assessor	\$6,500	-	\$12,942
Tax Collector	\$6,500	-	\$14,286
Zoning Officer	\$1,800	-	\$4,000
<u>Hourly Positions:</u>		-	
Clerical Assistant	\$ 7.00	-	\$10.50
Deputy Clerk	\$10.00	-	\$13.95
Deputy Court Administrator	\$8.50	-	\$13.95
Municipal Administrative Asst	\$25.00	-	\$75.00 per session
Part-time Laborer	\$7.00	-	\$10.00
Public Works Laborer	\$7.50	-	\$17.01
Supervisor Public Works	\$10.00	-	\$22.73
UCC Technical Asst/Planning & Zoning	\$10.00	-	\$13.50
Secretary			
Interpreter	\$25.00	-	\$45.00 per session

Section 2. The salaries and wages hereby established shall be on a bi-weekly basis with the exception of Mayor and Council, EMC, Deputy EMC and Fire Inspector, which shall be quarterly.

Section 3. The provision of this Ordinance shall be retroactive to January 1, 2011.

Section 4. Any Ordinance or part of Ordinance inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall become effective immediately upon final passage and publication according to law.

A motion to approve was made by Councilman Schenker and Seconded by Councilman Esposito. There was a roll call vote with ayes all.

2011-03 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Folsom in the County of Atlantic finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$13,951.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Folsom, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Borough of Folsom shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$890,807.00, and that the CY 2011 municipal budget for the Borough of Folsom be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion to approve was made by Councilman Olive and Seconded by Councilman Eckhardt. There was a roll call vote with ayes all.

ORDINANCE: (Second and Final Reading)

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

OPEN TO PUBLIC: There was no public comment

A motion to approve was made by Councilman Kemmerer and Seconded by Councilman Olive. There was a roll call vote with ayes all.

MEETING OPEN TO PUBLIC: There was no public comment

CLERK'S CORRESPONDENCE: Ms. Bradley conveyed general information regarding the 2011 Rabies clinic and auction of surplus property.

RESOLUTIONS:

2011-37 INTRODUCTION OF THE 2011 MUNICIPAL BUDGET

A motion to approve was made by Councilman Gazzara and Seconded by Councilman Esposito. There was a roll call vote with ayes all.

2011-38 RESOLUTION APPOINTING ASSESSOR AS AGENT FOR THE BOROUGH OF FOLSOM

WHEREAS, from time to time the Assessor discovers an error in calculation, transposing, measurement, computer or typographical errors in the Tax Assessments on the Tax List after the time the County Board of Taxation has certified the tax rate for the year; and

WHEREAS, the governing body of the taxing district of the Borough of Folsom is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected the taxpayers affected would be paying more than their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a petition of appeal for the current year with the Atlantic County Board of Taxation; and

WHEREAS, the error was not caused by the tax payer;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Folsom that the assessor is hereby authorized to act as an agent for the Taxing District and file a Petition of Appeals for the year 2011 with the Atlantic County Board of Taxation to correct such errors and lower such assessments to the current value.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Borough of Folsom Tax Assessor to forward to the Atlantic County Board of Taxation with any such Petition of Appeal.

A motion to approve was made by Councilman Eckhardt and Seconded by Councilman Esposito. There was a roll call vote with ayes all.

2011-39 A RESOLUTION AUTHORIZING A CREDIT AND REFUND FOR OVERPAYMENT OF 2010/2011 PROPERTY TAXES

WHEREAS, it has come to the attention of the Tax Collector that overpayments for the 2010/2011 tax year have been made to the properties listed below; and

WHEREAS, an over payment in the amount of \$3516.39 was applied to Block 1602 Lot 2 per resolution 2011-32; and

WHEREAS, subsequent taxes have been paid against said property taxes in the amount of \$3,885.05; and

WHEREAS, total taxes for the first half of 2011 due to 2010 tax appeal only total \$1,977.26,

NOW THEREFORE BE IT RESOLVED; that overpayment in the amount of \$5424.18 shall be applied to the following:

<u>NAME</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>
Barnhill, David (2010)	1601/1	151.36
Barnhill, David (2010)	3202/5	209.02
Barnhill, David (2011)	1601/1	145.90
Barnhill, David (2011)	1602/1	113.24
Barnhill, David (2011)	3202/5	201.48

BE IT FURTHER RESOLVED, that the overpayment shall be refunded with respect to the following property and amount:

<u>NAME</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>
Core Logic (2011)	1602/2	4,603.18

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey, that the overpayment of 2010/2011 taxes will be credited and refunded appropriately

A motion to approve was made by Councilman Olive and Seconded by Councilman Kemmerer. There was a roll call vote with ayes all.

2011-40 RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, the Borough of Folsom is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each member shall appoint one (1) Fund commissioner to the Fund. Each Fund commissioner shall be either a member of the local unit's governing body or one of its employees and that no individual may serve as Fund commissioner for more than one (1) member; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is an employee of the appointing member shall hold office at the pleasure of the member and can be removed by the member at any time without cause; and

WHEREAS the Borough of Folsom recommends the appointment of Greg Schenker to serve as Fund Commissioner in accordance with the FUND Bylaws;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Folsom that it does hereby appoint Greg Schenker as Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

A motion to approve was made by Councilman Gazzara and Seconded by Councilman Kemmerer. There was a roll call vote with ayes all.

**2011-41 A RESOLUTION TO AMEND COMMISSION APPOINTMENTS FOR
2011**

Planning/Zoning Board	3 year	Joel Spiegel	12/31/12
	3 year	Rich Levey	12/31/11
	3 year	Charles Pitale	12/31/13
	3 year	Harold Parker	12/31/12
	3 year	Joe Pino	12/31/12
	3 year	Glen Smith	12/31/11

Alternate I	2 year	John Hehre	12/31/11
Alternate II	1 year	Michael Yip	12/31/11
Class I	1 year	Tom Ballistreri	12/31/11
Class II	1 year	John LaPollo	12/31/11
Class III	1 year	Gary Kemmerer	12/31/11

Environmental Commission

Chairman	3 year	Joel Spiegel	12/31/13
	3 year	Joe Haug	12/31/13
	3 year	Charles Pitale	12/31/11
	3 year	Keith Killian	12/31/11
	3 year	Greg Conway	12/31/13

Advisory Panel

Class I	3 year	Tom Ballistreri	12/31/13
Class II	3 year	Greg Schenker	12/31/13

Board of Recreation Commissioners

Chairman	5 year	Joe Pino	12/31/14
	5 year	Mike Earling	12/31/15
	5 year	Ron Esposito	12/31/15
	5 year	Larry Delfico	12/31/15
	5 year	Vacant	12/31/15
Council Rep.	5 year	Matt Olive	12/31/15
Council Rep.	5 year	George Eckhardt	12/31/15

Shade Tree Commission

Chairman	3 year	Jack Anastasia	12/31/13
	3 year	Charles Pitale	12/31/13
	3 year	Pam Costa	12/31/13
	3 year	Harold Parker	12/31/13
Council Rep.	1 year	George Eckhardt	12/31/11
	1 year	Greg Schenker	12/31/11

Emergency Management

Coordinator	3 year	Tom Ballistreri	12/31/13
Deputy Coordinator	3 year	John LaPollo	12/31/13
Emergency Management Council	3 year	Mike Veneziani	12/31/13
	3 year	Ronald Esposito	12/31/13
	3 year	George Eckhardt	12/31/13
	3 year	Dave Cappuccio	12/31/13
	3 year	Gary Kemmerer	12/31/13
	3 year	Matthew Olive	12/31/13
	3 year	Jack Anastasia	12/31/13
	3 year	Greg Schenker	12/31/13
	3 year	Larry Smith	12/31/13
Recycling Coordinator	1 year	John LaPollo	12/31/11
Animal Control	3 year	Tri County	12/31/13
Zoning Officer	1 year	John LaPollo	12/31/11

NOW, THEREFORE BE IT RESOLVED, that the foregoing appointments were adopted at the regular meeting of Mayor and Council on March 9, 2011 in the Borough of Folsom, County of Atlantic, State of New Jersey

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

2011-42 RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS ASSETS AND GRANTING AUTHORITY TO HOLD AN ONLINE AUCTION

WHEREAS, the Borough of Folsom has surplus property that is no longer needed for public use. The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties; and

WHEREAS, the auction of surplus property will be conducted at www.govdeals.com; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9; and

WHEREAS, The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967-T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Municipal Clerk at the Borough Municipal Building; and

WHEREAS, The list of surplus property to be sold is as follows:

1. Miscellaneous used computer equipment dell computer set 2 monitors, 4 towers, 3 mice, 4 key boards, 1 set of speaker's
2. Various used landscape equipment, 21inch push mower mtd model, little wonder edger, bill goat blower, ariens string trimmer and power washer and a set of home made ladders for the side of a truck, Three weed wackers parts only
3. 1968 Jeep Fire Truck Vin # jee3425269
4. Fire Truck 1973 GMC pumper fire truck Vin# thv73dv602704
5. Trailer 3 axle 18 foot long deck Vin# hmdwt199219

6. Trailer 1974, single axle tilt trailer hmdwt99220
7. John Deer Lawn Mower 265, 48" cutting deck with bagger attachment
8. One kerosene ready torpedo heater
9. One motor hoist that needs hydraulic piston
10. Sentry Fire Safe

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that the auction of surplus property at an online auction is authorized and will be advertised in the Hammonton News.

NOW, THEREFORE, BE IT FURTHER RESOLVED, The Borough reserves the right to accept or reject any bid submitted.

A motion to approve was made by Councilman Olive and Seconded by Councilman Schenker. 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: No Report

MAYOR'S REPORT: Mayor Ballistreri reported the status of the budget process. He indicated that the Borough is well positioned to deal with the 2% cap with no loss of services and no employee furloughs. Mayor Ballistreri thanked council and CFO Dawn Stollenwerk for their work on the budget.

COUNCIL MEMBER'S REPORTS:

Councilman Esposito reported that the problem with the tanker truck was fixed. He addressed a recent PEOSH citation for the Fire Company indicating there would be a meeting with the Fire Company to discuss compliance options.

Councilman Kemmerer reported on the inlet repair on E. Collings Drive.

Councilman Schenker commended the road crew and CFO for jobs well done. He conveyed that Fire Auxiliary raised \$2500.00 at the recent fund raiser.

Councilman Gazzara thanked CFO Dawn Stollenwerk for her hard work on the budget and wished everyone a happy St. Patrick's day.

Councilman Eckhardt conveyed that trees will be planted to replace the ones removed in 2010. He also conveyed that the state Shade Tree Commission will letting the Borough know when the seeds for the white pines that flew on the shuttle will arrive.

Public Comment on the Council Members Reports: No Public Comment

Mayor Ballistreri asked for a motion to pay the bills in the amount of \$244,035.58

A motion was made by Councilman Esposito and seconded by Councilman Eckhardt.

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, April 13, 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