

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
November 10, 2020**

MEETING CALLED TO ORDER: 7:05 PM

SALUTE TO THE FLAG LED BY Mayor Greg Schenker

OPENING STATEMENT: Adequate notice of this meeting has been given in accordance with the directives of the "Open Public Meetings Act", pursuant to Public Law 1975, Chapter 231. Said notice of this meeting has been advertised in the Hammonton Gazette and has been posted on the Borough Hall bulletin board showing the time and place of said meeting.

ROLL CALL: Councilpersons: Conway, Porretta, Arena, and Blazer

Also present: Mayor Greg Schenker, Attorney Kris Facenda and Jen Heller (Vince Poistina & Assoc.)

Absent: Councilman Hoffman and Councilman Jantz

APPROVAL OF THE WORKSHOP MEETING MINUTES from October 13, 2020

A motion to approve the minutes was made by Councilman Blazer and seconded by Councilman Porretta

There was a roll call vote with ayes all.

APPROVAL OF THE REGULAR MEETING MINUTES from October 13, 2020

A motion to approve the minutes was made by Councilman Porretta and seconded by Councilman Arena

There was a roll call vote with ayes all.

APPROVAL OF THE SPECIAL MEETING MINUTES from November 4 2020

A motion to approve the minutes was made by Councilman Conway and seconded by Councilman Porretta

There was a roll call vote with ayes all with one correction. Council President Conway did not lead the flag salute.

MEETING OPEN TO PUBLIC: No Comments

CLERK'S CORRESPONDENCE:

Last E-Waste Drop-off day this year is November 14, 2020 from 8:00am to 1:00pm

Borough Hall Offices will be closed on November 11, 2020 in observance of Veteran's Day and November 26, and November 27 in observance of Thanksgiving.

The Annual Christmas Tree Lighting will be held on December 3, 2020 at 7:00PM at Borough Hall.
(No refreshments)

Council voted on approval of Consent Agenda .All in favor.

Consent Agenda: All matters listed under Consent Agenda, are considered to be routine by this Borough Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

RESOLUTIONS:

**BOROUGH OF FOLSOM
RESOLUTION NO. 2020-86**

**A RESOLUTION AUTHORIZING A CONTRACT WITH CHERRY VALLEY
TRACTOR SALES FOR THE PURCHASE OF TRACTOR, LOADER AND BOOM
MOWER**

WHEREAS, the Borough of Folsom, pursuant to N.J.S.A. 40A:11-11(5) may by resolution and without advertising for bids, purchase any goods or services from any Cooperative Purchasing Program authorized by the New Jersey State Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Folsom is a member of the Educational Services Commission of New Jersey Cooperating Pricing System #65MCESCCPS; and

WHEREAS, the Borough of Folsom intends to enter into ESCNJ 18/19-22 & ESCNJ 18/19-25 with Cherry Valley Tractor Sales through this resolution and properly executed contract, which shall be subject to all the condition applicable to the current cooperative contract; and

WHEREAS, that pursuant to N.J.A.C 5:30-5.5(b), the certification of available funds has been received by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Folsom that a contract for the purchase of a New Holland, Tractor, Loader and Alamo Boom Mower in the amount of \$90,114.26 be awarded to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, NJ 08053-3099.

BE IT FURTHER RESOLVED that the governing body off the Borough of Folsom authorizes the Purchasing Agent/Chief Financial Officer to enter into a contract with Cherry Valley Tractor Sales pursuant to all the conditions of Bid #ESCNJ 18/19-22 & ESCNJ 18/19-25, and to sign the necessary agreements as the representative of the Borough of Folsom.

**BOROUGH OF FOLSOM
RESOLUTION #2020-87**

**Support Submission of Application for New Jersey Department of Transportation
"Transportation Alternatives Set-Aside" Program**

WHEREAS, the Borough of Folsom is applying for funding to provide a new bike path extension from the proposed end of the new bikeway to be constructed along 13th Street to Borough Hall and the recreation fields within the Borough of Folsom; and

WHEREAS, the project will help to continue to improve the promotion and encouragement of pedestrian and bicycle access and safety for residents utilizing the bike path and traveling to the recreation fields and Borough Hall located on 12th Street; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Folsom with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Folsom that it hereby supports the submission of a grant application for the Transportation Alternatives Set-Aside Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Manager and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

**RESOLUTION 2020-88
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR
CURB-SIDE COLLECTION OF SOLID WASTE**

WHEREAS, the Borough of Folsom sought bids for curb-Side Collection of Solid Waste;

WHEREAS, sealed bids were received by the Borough of Folsom pursuant to N.J.S.A. 40A:11-1 et seq., the New Jersey Local Public Contracts Law; and

WHEREAS, on October 29, 2020 the following sealed bids were received, opened and publically read;

1. Waste Management of New Jersey, Inc.
2. Atlantic County Utility Authority

WHEREAS, all bids were received conditioned upon full review by the Borough Clerk and by the Supervisor of Public Works as to compliance with both statutory and specification requirements; and

WHEREAS, the Borough has determined that the bids received substantially exceed the cost estimate and amount budgeted for the purchase; and

WHEREAS, it is in the best interest of the Borough of Folsom that it reject all bids;

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

1. All bids received for the Curb-Side Collection of Solid Waste are rejected in accordance with N.J.S.A. 40A:11-13.2a, b

2. The Mayor, the Borough Clerk, the Supervisor of Public Works and the Borough Attorney, together with all other officers, professionals and employees of the Township, are hereby authorized and directed to take such action as is reasonably necessary to effectuate the purposes of this Resolution.

**BOROUGH OF FOLSOM
RESOLUTION NO 2020-89**

ROCK SALT CONTRACT AWARD

WHEREAS, pursuant to the Lead Agency of the Atlantic County Cooperative, advertising for sealed bids to be publicly opened and read aloud for furnishing and delivering Rock Salt was received August 2020

WHEREAS, the winning bid was submitted by Atlantic Salt, Inc., 134 Middle St. Ste. 210, Lowell, MA at a price of \$53.90 per ton.

WHEREAS, participating members of the Cooperative must award and execute a new contract with the winning bidders;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Folsom that a contract for Rock Salt is awarded to Atlantic Salt Inc. for Rock Salt at a price of \$53.90 per ton. The term of the contract shall be for a period commencing September 1, 2020 and terminating May 31, 2021.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to enter into a contract with Atlantic Salt Inc. and sign the necessary agreements as representatives of Borough of Folsom.

There is no certification of the Chief Financial Officer attached hereto because this contract was bid as an open-ended contract and, pursuant to N.J.A.C. 5:30-14.5(c)(2)(ii), funds will be certified and encumbered on individual purchase order forms when submitted to the Purchasing Agent.

**BOROUGH OF FOLSOM
RESOLUTION NO. 2020#-90**

A RESOLUTION IN SUPPORT OF SECOND AMENDMENT RIGHTS

WHEREAS, the Constitution of the United States of America is the supreme law of our nation, and

WHEREAS, the Second Amendment to the Constitution provides for the right of the people to keep and bear arms which right shall not be infringed.

WHEREAS, case law has established that the right to keep and bear arms is further secured by the Due Process and the Privileges and Immunities clauses of the Fourteenth Amendment.

WHEREAS, the Fourteenth Amendment provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of the law; nor deny to any person within its jurisdiction the equal protections of the law.

WHEREAS, New Jersey's Gun Control Law is highly purposed and conscientiously designed toward preventing criminal and other unfit persons from acquiring firearms while enabling the fit persons to obtain them with minimal burdens and inconveniences.

WHEREAS, a law abiding citizen of the State of New Jersey who possess a N.J. Firearms Purchaser Identification card has met the burden of proof to be a law-abiding citizen and should be immune from further legislation and laws that violate the Constitution of the United States of America.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Folsom supports citizens' Second Amendment rights as set forth herein; supports the rights of lawful gun owners to lawfully use firearms hunt in order to provide sustenance for their families and to lawfully participate in shooting sports.

BE IT FURTHER RESOLVED that the Borough of Folsom opposes legislation by the State of New Jersey abridging of the rights of lawful gun owners and contrary to the provisions of the Constitution of the United States of America.

BE IT FURTHER RESOLVED that the Borough of Folsom recognizes that the Borough and its residents are not immune from past, present or future laws and/or legislation passed by the N.J. legislature regarding State firearms laws or statutes and that all residents of the Borough of Folsom can be duly prosecuted for violating any of said laws.

**BOROUGH OF FOLSOM
RESOLUTION NO. 2020-91**

Resolution Approving Title VI Nondiscrimination Policy Statement

WHEREAS, it is the policy of the Borough of Folsom, New Jersey to abide by Title VI of the Civil Rights Act of 1964, the Uniform Relocation and Real Property Acquisition Policies Act of 1970, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, 42 U.S.C. 4601, 23 U.S.C. Section 324, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, Executive Order 11246 for Equal Employment Opportunity, the Vietnam Era Veterans Readjustment Assistance Act of 1972, N.J.S.A. 52:32-31.1 et. seq., New Jersey Law against Discrimination N.J.S.A. 10:5-1 et. seq. and implementing regulations at N.J.A.C. 17:27 et. seq., and other related nondiscrimination laws, statutes, Executive Orders, or policies.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Folsom adopts the Title VI Nondiscrimination Policy Statement attached hereto as Exhibit "A".

I, PATRICIA GATTO, Municipal Clerk of the Borough of Folsom, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the Borough of Folsom, held this 10th day of November, 2020.

**Borough of Folsom
RESOLUTION NO. 2020-92**

**RESOLUTION OF COUNCIL AUTHORIZING THE MAYOR TO EXECUTE A
LICENSE AGREEMENT**

WHEREAS, the City is the owner of certain parcels of real property in the Borough of Folsom.

WHEREAS, American Recycling Resources, Inc. (“ARR”) is in the business of recycling clothing and textile items and has requested a Revocable License Agreement in order to place Clothing Recycling Bins (“Bins”) on certain City Property; and

WHEREAS, the ARR requires, and the City agrees to provide, temporary rights of vehicular and pedestrian access, ingress and egress over and upon certain City Property in order to place and locate a maximum of two (2) Bins.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the City agrees that ARR is hereby granted temporary rights of vehicular and pedestrian access, ingress and egress over and upon certain City Property in order to place, locate, empty and maintain two (2) Bins in accordance with the terms and conditions of the Agreement attached as Exhibit "A".

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Folsom in the County of Atlantic, New Jersey, duly assembled in public session, that the Mayor is hereby authorized and directed to execute the Revocable License Agreement attached hereto on behalf of the Borough of Folsom.

I, PATRICIA GATTO, Municipal Clerk of the Borough of Folsom, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the Borough of Folsom, held this 10th day of November, 2020.

**Borough of Folsom
RESOLUTION NO. 2020-93**

**A RESOLUTION EXTENDING TERM OF A SHARED SERVICES AGREEMENT
BETWEEN ATLANTIC COUNTY UTILITIES AUTHORITY
AND BOROUGH OF FOLSOM FOR SOLID WASTE COLLECTION SERVICES**

WHEREAS, on November 12, 2015, the Borough of Folsom and the Atlantic County Utilities Authority entered into a Shared Services Agreement for Solid Waste Collection as more specifically described in Borough of Folsom Resolution 2015-97 (“Agreement”); and

WHEREAS, the Borough of Folsom desires to extend the Term of the Agreement from November 24, 2020 to December 31, 2020 with no other changes to the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the Borough of Folsom that the term of the Agreement memorialized in Resolution 2015-97 be and is hereby extended from November 24, 2020 to December 31, 2020 with no other changes to the Agreement.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby duly authorized, empowered and directed to execute any required documentation to effectuate the extension of the Agreement memorialized in Resolution 2015-97.

I, PATRICIA GATTO, Municipal Clerk of the Borough of Folsom, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the Borough of Folsom, held this 10th day of November, 2020.

**RESOLUTION 2020-94
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2020 MUNICIPAL BUDGET

WHEREAS, N.J.S.A.40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Folsom in the County of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$22,843.00, which is now available from the State of New Jersey Community Affairs LGEF Program

BE IT FURTHER RESOLVED, that the like sum of \$22,843.00 is hereby appropriated under the caption LGEF Program

A motion to approve Resolutions #2020-86 through #2020-94 was made by Councilman Blazer and seconded by Councilman Arena

There was a roll call vote with ayes all

APPROVAL FOR JOHN LAPOLLO, SUPERINTENDENT OF PUBLIC WORKS AND PATTI GATTO, MUNICIPAL CLERK TO NEGOTIATE A SHARED SERVICES AGREEMENT WITH ATLANTIC COUNTY UTILITY AUTHORITY FOR CURB-SIDE COLLECTION OF SOLID WASTE

All in favor vote

FIRE CHIEF REPORT: no fire report

ENGINEER'S REPORT:

NJDOT Transportation Set-Aside 2020:

The NJDOT has announced the grant applications for the 2020 Transportation Set-Aside grants, which are due by November 24, 2020. On tonight's agenda, there is a resolution authorizing the submission of the grant. A potential project for submission is continuing the proposed pedestrian path (from where it is projected to end at the Borough-owned parcel on 13th Street) to Borough Hall.

Penny Pot Park Senior Exercise Equipment:

The contractor has installed the footings and the equipment. The contractor has provided samples for color for the rubber surfacing for approval. The weather is favorable for curing and we anticipate the project being completed this month.

NJDOT FY2020 - Resurfacing of Lake Drive:

We are currently working on design. Last week, our office met with Public Works and officials from the DOT District 4 office to address the issues regarding the traffic calming and speed control along Lake Drive. DOT recommended removing the existing speed bumps and installing the solar speed signs and possibly adding striping for crosswalks to help deter speeding along Lake Drive in front of Penny Pot Park. In addition to resurfacing Lake Drive and N. Pinewood Drive, the project will include the cleaning of inlets at the request of Public Works, replacing non-compliant castings per the DOT, replacing two crossings at Laurel Lane and N. Pinewood Drive and widening the cartway on the curve on N. Pinewood Drive. Plans and specifications will be sent to the DOT for review and approval and we anticipate having the project out to bid in January 2021.

SOLICITOR'S REPORT: NO REPORT

MAYORS REPORT: Mayor Schenker recognized all the Veterans' in honor of Veterans Day and wished everyone a Happy Thanksgiving.

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Conway: Greg wished everyone a safe Thanksgiving. Councilman Conway asked everyone to remember our Veterans'. Greg thanked Council for moving forward with the Clothing Bins. Greg asked Council what logo they want on the bins. Councilman Conway asked Council to think about extending the leaf pickup by one week. A discussion ensued. Council agreed.

Councilman Jantz: ABSENT

Councilman Porretta: NO REPORT

Councilman Arena: NO REPORT

Councilman Hoffman: ABSENT

Councilman Blazer: Jake reported that the playground equipment has been ordered for Falcon's Nest. The delivery time is four to six weeks. Jakes wished everyone a Happy Thanksgiving.

Mayor Schenker reported that the Sheriff's department was interested in our old Playground equipment at Falcon's Nest.

PUBLIC COMMENTS: NONE

OPEN TO THE PUBLIC: No comments

PAYMENT OF BILLS IN THE AMOUNT OF: \$462,499.33 minus \$1059.31 (Sir Speedy Invoice)
PO# 20-00416

A motion to approve payment was made by Councilman Arena and seconded by Councilman Porretta.

There was a roll call vote with ayes all.

Mayor Greg Schenker 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 Tuesday, December 8, 2020 starting at 6:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 7:33PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

