

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
July 9, 2024**

MEETING CALLED TO ORDER: 6:11 PM

SALUTE TO THE FLAG LED BY MAYOR GLENN SMITH

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 Atlantic City Press and has been posted on the Borough Hall bulletin board showing the time and place of said meeting.*

ROLL CALL: Councilpersons: Conway, Whittaker, Norman, Hoffman and Blazer

Absent: Councilman Porretta

Also present: Mayor Glenn Smith, Clerk Patti Gatto, Solicitor Angela Costigan, and CJ Kaenzig from Polistina & Assoc.

APPROVAL OF THE WORKSHOP MEETING MINUTES June 11, 2024

A motion to approve the minutes was made by Councilman Norman and seconded by Councilman Whittaker

There was a roll call vote with ayes all.

APPROVAL OF THE COUNCIL MEETING MINUTES June 11, 2024

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

There was a roll call vote with ayes all.

There was an aye all vote to approve moving forward with the concrete curbing on Pinewood Dr.

MEETING OPEN TO THE PUBLIC:

CLERK'S CORRESPONDENCE: None

Next E-Waste Day is scheduled for July 13, 2024 from 8:00Am to 1:00PM at the Borough Garage.

Annual Shred Day is scheduled for September 28, 2024 from 9:00AM to 12:00PM.

ORDINANCES: None

RESOLUTIONS:

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.

**RESOLUTION 2024-65
BOROUGH OF FOLSOM**

A RESOLUTION AMENDING THE 2024 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 2024 in the sum of \$8,302.36, which is now available from the NJ Department of Environmental Protection Clean Communities Grant Fund.

BE IT FURTHER RESOLVED, that the like sum of \$8,302.36 is hereby appropriated under the caption Clean Communities Grant

BOROUGH OF FOLSOM

RESOLUTION # 2024-66

**RESOLUTION OF SUPPORT FOR SUITABILITY OF A STATE LICENSED CANNABIS
BUSINESS BY NICE DREAMZ, LLC**

WHEREAS, operators of a proposed cannabis business are required by the Cannabis Regulatory Commission to demonstrate local support for the suitability and appropriateness of its business location from a municipality pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:6I-7.2(4); and

WHEREAS, pursuant to the provisions of N.J.S.A. 17:30-5.1(g), the Borough of Folsom has adopted Ordinance #9 of 2021 amending Chapter 200 of the Code of the Borough of Folsom to license and regulate cannabis businesses in designated zoning districts; and

WHEREAS, the applicant, NICE DREAMZ, LLC (the “License-Applicant”) has sought local support to apply for a state license to operate a licensed cannabis retail facility at Block 2402, Lot 3, located in the Forest Commercial Receiving Zone in the Borough of Folsom; and

WHEREAS, the Borough has reviewed and considered the request of the License-Applicant to conduct the cannabis business at the location described above; and

WHEREAS, the Borough has determined that it has authorized the type of cannabis business license being sought by the License-Applicant to operate within its jurisdiction; and

WHEREAS the Borough has determined that the proposed location is suitable and appropriate for the proposed activity related to the operations of the proposed cannabis business to be conducted by the License-Applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom County of Atlantic, State of New Jersey, that the Mayor and Council hereby support the operation of a state licensed cannabis retail facility by NICE DREAMZ, LLC within the Borough of Folsom; the intended location is zoned by the municipality for the proposed use.

Borough of Folsom

Resolution

No. 2024-67

Calling for the Restoration of Energy Tax Receipts

WHEREAS, the Energy Tax Receipts Property Tax Relief program is the direct descendant of the Public Utility Gross Receipts and Franchise Tax (PU-GRAFT), which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980's, when at the request and for the convenience of the taxpaying utilities, the State became the collection agent for this assessment, the law that effected this change promised that the proceeds would be distributed back to the municipalities which provide services to utility facilities and are the source of the utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major State "reform" of utility taxes in the mid-1990's, which legislation validated and supposedly capped the State's annual skim, and which included a "poison pill," requiring the State to annually increase the municipal distribution of Energy Tax proceeds or to risk the forfeiture of the State's authority to collect the tax; and

WHEREAS, in the late 1990's, a state law was passed requiring the Energy Tax distribution to be annually increased by the rate of inflation; and

WHEREAS, when the State budget-makers viewed this situation, the problem was not how to comply with this requirement, but rather how State officials might evade compliance; and

WHEREAS, in order for the State to increase Energy Tax distribution by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, State officials reduced the Consolidated Municipal Property Tax Receipts Aid (CPMTRA) distribution by the same amount that it increased the Energy Tax distribution; and

WHEREAS, it is well past time for the diversion by state officials of this municipal funding intended for local property tax relief to end with municipal governments currently facing stark financial challenges and difficulties, including the dramatic hike in healthcare premium costs for our employees, pension increases, skyrocketing costs for solid waste collection and disposal, increased insurance costs,

newly mandated state environmental costs, and much more — all driving costs that will ultimately be borne by property taxpayers without relief.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Folsom urges the New Jersey State Senate and the New Jersey State Assembly to immediately restore in full the Energy Tax Receipts Property Tax Relief Act funding in the State Fiscal Year 2025 Budget.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to New Jersey Governor Philip J. Murphy, New Jersey State Senate President Nicholas Scutari, New Jersey District 2 State Senator Vincent J. Polistina, Assembly Speaker Craig Coughlin, District 2 Assemblywoman Claire Swift, District 2 Assemblymen Don Guardian, and to the New Jersey State League of Municipalities as well as the surrounding municipalities.

A motion to approve Resolutions #2024-65 thru #2024-67 was made by Councilman Norman and seconded by Councilman Hoffman

There was a roll call vote with ayes all

SOLICITOR’S REPORT: No report

MAYOR’S REPORT: No report

FIRE REPORT: *Al Norman read Fire Chief report*

ENGINEER’S REPORT: CJ read report

NJDOT FY 2023 Resurfacing of Erie Road, Cherokee Road, Mohawk Drive & Seneca Lane

Construction on the project began on July 1. The drainage improvements and concrete work will be completed this week. Arawak is scheduled to return the first week of August to complete milling, paving, and all other work.

NJDOT FY 2024 Resurfacing of Fenimore Drive, Lenape Terrace & Mohawk Drive

Think Pavers has completed all work on the project including drainage, concrete, milling, paving, and punchlist work. We have recommended issuing a partial payment to Think Pavers in the amount of \$183,609.32 for the work completed through June 25.

NJDOT FY 2025 Municipal Aid Application

We have submitted a grant application for the Department of Transportation's FY 2025 Municipal Aid Program. We requested \$480,000.00 to resurface the remainder of Fenimore Drive and Lupin Lane. Grant recipients are expected to be announced in November.

NJDCA Local Recreation Improvement Grant Projects

The Borough has received \$110,000 in Local Recreation Improvement Grant funding for improvements to Falcon's Nest Park (\$50K in 2023 and \$60K in 2024). After awarding the Field Improvements project and the Dugout Improvements project, approximately \$18,000 remains in available grant funding for further improvements to the Park. We recommend soliciting informal quotes to repair and restore the

existing asphalt walkway.

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Conway:

Councilman Norman: *Al discussed removing the 30-day waiting period to pave in our construction contracts.*

Councilman Porretta: *No report.*

Councilman Whittaker: *Jim read the State Police Incident Report. Jim discussed the ATV riding throughout the Borough.*

Councilman Hoffman: *Jim stated that he received a request from the Public Works Department to change their summer work hours to 6:00AM to 2:30PM due to the heat. A discussion ensued.*

Councilman Blazer: *Jake reported that the concrete that is going in at Falcon's Nest Park is going to be extended at a small cost.*

MEETING OPEN TO THE PUBLIC: NO COMMENTS

PAYMENT OF BILLS IN THE AMOUNT OF: \$257,197.95

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

There was a roll call vote with ayes all

RESOLUTION:

BOROUGH OF FOLSOM

RESOLUTION # 2024-68

RESOLUTION AMENDING THE WORK HOURS OF THE BOROUGH OF FOLSOM'S DEPARTMENT OF PUBLIC WORKS EMPLOYEES

WHEREAS, the Mayor and Council of the Borough of Folsom wish to amend the work hours of the employees in the Department of Public Works to 6:00 am to 2:30 pm Monday through Friday until Labor Day, September 2, 2024; and

WHEREAS, the recent rise in hot temperatures throughout the region has made it unsafe and unhealthy for the employees to work outside in the intense heat; and

WHEREAS, the Mayor and Council therefore believes that a change in work hours will better safeguard the health, safety and welfare of its employees.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Folsom that the work hours of the employees in the Borough of Folsom's Department of Public Works shall be amended to 6:00 am to 2:30 pm Monday through Friday, beginning on July 10, 2024 through Labor Day September 2, 2024

A motion to approve Resolution 2024-68 was made by Councilman Norman and seconded by Councilman Blazer

There was a roll call vote with ayes all.

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

Please visit the Borough of Folsom website at folsomborough.com for updated Borough information and the Borough of Folsom Facebook page.

The next regular meeting of Mayor and Council will be held on Tuesday, **August 13, 2024** starting with a workshop meeting at 6:00 pm and continuing immediately thereafter with the regular meeting in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 6:45 PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

