

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
February 9, 2021**

MEETING CALLED TO ORDER: 7:50 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 Atlantic City Press (Teleconference) and has been posted on the Borough Hall bulletin board showing the time and place of said meeting.*

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

Absent: Councilman Porretta

Also present: Mayor Greg Schenker, Attorney Angela Costigan (Zoom) and Jen Heller (Vince Poistina & Assoc.)

APPROVAL OF THE RE-ORGANIZATION MEETING MINUTES from January 5, 2021

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

There was a roll call vote with ayes all

APPROVAL OF THE WORKSHOP MEETING MINUTES from January 12, 2021

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

There was a roll call vote with ayes all

APPROVAL OF THE REGULAR MEETING MINUTES from January 12, 2021

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

MEETING OPEN TO PUBLIC: No Comments

CLERK'S CORRESPONDENCE:

Borough Hall will be closed on February 15, 2021 in observance of Presidents' Day

Next E-Waste day is March 13, 2021 at the Borough Garage

Free Rabies Clinic will be held on March 20, 2021 from 9:00AM until 11:00AM at the Borough Garage. We will be renewing dog/cat licenses at the Clinic.

ORDINANCES: (FIRST READING/INTRODUCTION)

**BOROUGH OF FOLSOM
ORDINANCE # 01-2020**

**AN ORDINANCE AMENDING PART II GENERAL LEGISLATION CHAPTER 129,
MERCANTILE LICENSES OF THE CODE OF THE BOROUGH OF FOLSOM**

WHEREAS, the Mayor and Council of the Borough of Folsom have reviewed the existing provisions of Chapter 129, titled Mercantile Licenses, and have determined that it is in the best interests of the residents of the Borough of Folsom to amend the Code; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough is authorized to enact ordinances for protection of persons and property and for the preservation of public health, safety and general welfare of the municipality and its residents.

NOW THEREFORE, BE IT RESOLVED that Chapter 129 of the Code of the Borough of Folsom be amended as follows:

SECTION I:

§129-7. All licenses shall be renewed by January 15 following termination.

§129-9. An annual fee of \$50.00 shall be paid to the Borough. An additional fee of \$25.00 shall be paid to the Borough for any application submitted after January 31.

SECTION II:

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III:

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV:

This ordinance shall take effect on January 1, 2022, after adoption and final publication as provided by law.

A motion to approve Ordinance#1-2021 was made by Councilman Conway and seconded by Councilman Norman

There was a roll call vote with ayes all.

BOROUGH OF FOLSOM

ORDINANCE NO. 02-2021

AN ORDINANCE REQUIRING THE
REGISTRATION AND MAINTENANCE OF
CERTAIN REAL PROPERTY BY MORTGAGEES;
PROVIDING FOR PENALTIES AND
ENFORCEMENT, AS WELL AS THE
REGULATION, LIMITATION AND REDUCTION
OF ABANDONED REAL PROPERTY WITHIN
THE MUNICIPALITY; PROVIDING FOR
SEVERABILITY, REPEALER, CODIFICATION,
AND AN EFFECTIVE DATE.

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties; and

WHEREAS, the Borough of Folsom (hereinafter referred to as "Municipality") recognizes an increase in the number of vacancies and abandoned properties located throughout the Municipality; and

WHEREAS, the Municipality is challenged to identify and locate owners or foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Municipality finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetics; and

WHEREAS, the Municipality has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Municipality desires to amend the Municipality's Code in order to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures; and

WHEREAS, the Municipality has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the Municipality; and

WHEREAS, upon passage, duly noticed public hearings, as required by law will have been held by the Municipality, at which public hearings all residents and interested persons were given an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FOLSOM that:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

SECTION 2. That the Mayor and Council hereby amends the Municipal Code, Chapter 151 by creating Article 11 entitled "Abandoned Real Property," to read as follows:

CHAPTER 151 ARTICLE 11 ABANDONED REAL PROPERTY

SECTION 151-11-A PURPOSE AND INTENT

It is the purpose and intent of the Municipality to establish a process to address the deterioration and blight of Municipality neighborhoods caused by an increasing amount of abandoned, foreclosed or distressed real property located within the Municipality, and to identify, regulate, limit and reduce the number of abandoned properties located within the Municipality. It is the Municipality's further intent to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

SECTION 151-11-B- DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Real Property - means any real property located in the Municipality, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens

filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessor's lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes - means to include, but not be limited to, the Municipality's Zoning Code, the Municipality's Code of Ordinances ("Municipality Code"), and the New Jersey Building Code.

Blighted Property - means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
- c) Properties cited for a public nuisance pursuant to the Municipality Code; or

d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Municipality and Zoning Codes.

Enforcement Officer - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Municipality to enforce the applicable code(s).

Owner - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

Property Management Company - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

Vacant - means any building or structure that is not legally occupied.

SECTION 151-11-C- APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Municipality above and beyond any other state, county or local provisions for same.

SECTION 151-11-D- ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of Section 151-11-E-the Municipality or designee shall participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation cataloging each Abandoned Property within the Municipality, containing the information required by this Article.

SECTION 151-11-E- REGISTRATION OF ABANDONED REAL PROPERTY

- (a) Any mortgagee who holds a mortgage on real property located within the Municipality of Folsom shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within ten (10) days of the inspection, register the property with the Division of Code Enforcement, or designee, on forms or website access provided by the Municipality, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- (b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Municipality.
- (c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact

telephone number of the property management company responsible for the security and maintenance of the property.

- (d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration.
- (e) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.
- (f) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- (g) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.
- (h) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- (i) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.
- (j) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the Municipality may take the necessary action to ensure

compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

SECTION 151-11-F-MAINTENANCE REQUIREMENTS

- (a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- (b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- (d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).

(g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with Chapter 151-7 of the Borough of Folsom Code of Ordinances. Pursuant to a finding and determination by the Municipality's Code Enforcement Officer/Board, Hearing Officer/Special Magistrate or a court of competent jurisdiction, the Municipality may take the necessary action to ensure compliance with this section.

(h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s).

SECTION 151-11-G- SECURITY REQUIREMENTS

(a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

(c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws.

SECTION 151-11-H- PUBLIC NUISANCE.

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Municipality.

SECTION 151-11-I-PENALTIES; SCHEDULE OF CIVIL PENALTIES.

Any person who shall violate the provisions of this article may be cited and fined as provided in Chapter 151-7 of the Code of the Borough of Folsom and New Jersey Statutes. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the Municipality Code sections, except to the extent that different types of violations of the Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the "Description of Violation" column. To determine whether a particular activity is prescribed or required by this Code, the relevant Municipality Code section(s) shall be examined.

Description of Violation	Civil Penalty
Failure to register abandoned real property on annual basis and/or any violation of the sections stated within.	\$ _1000 _____

SECTION 151-11-J-INSPECTIONS FOR VIOLATIONS

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable code(s) and the owner shall be responsible for meeting with the Municipality's Code Enforcement Division within forty-five (45) days for a final courtesy inspection report.

SECTION 151-11-K-ADDITIONAL AUTHORITY

- (a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the Municipality's code enforcement board or code enforcement special magistrate as soon as possible to address the conditions of the property.
- (b) The Code Enforcement Board or Hearing Officer/special magistrate shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the code enforcement board or special magistrate may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.

(d) If the mortgagee does not reimburse the Municipality for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Municipality sending the mortgagee the invoice then the Municipality may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

SECTION 151-11-L- OPPOSING, OBSTRUCTING ENFORCMENT OFFICER; PENALTY.

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

SECTION 151-11-M-IMMUNITY OF ENFORCEMENT OFFICER

Any enforcement officer or any person authorized by the Municipality to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

SECTION 3. AMENDMENTS. Registration and Penalty Fees outlined in this article may be modified by a Resolution, passed and adopted of the Mayor and Council of the Borough of Folsom.

SECTION 4. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

SECTION 6. CODIFICATION. It is the intention of the Mayor and Council of the Borough of Folsom, New Jersey, that the provisions of this Ordinance shall become and be made a part of the Borough of Folsom Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon adoption and final publication as provided by law.

A motion to approve Ordinance#2-2021 was made by Councilman Blazer and seconded by Councilman Whittaker

There was a roll call vote with ayes all.

**CALENDAR YEAR 2021
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 1.0% 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 2021 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 \$9,198.61 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 2021 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 \$952,056 and that the CY 2021 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.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council in the Borough of Folsom, County of Atlantic and State of New Jersey, held on February 09, 2020 and said Ordinance was approved for final adoption at a public hearing held in the Borough of Folsom Municipal Building, 1700 12th St., Folsom, NJ on March 09, 2021 at 6:00 P.M.

A motion to approve Ordinance#3-2021 was made by Councilman Hoffman and seconded by Councilman Conway

There was a roll call vote with ayes all.

RESOLUTIONS:

**RESOLUTION NO. 2021-36
BOROUGH OF FOLSOM**

**RESOLUTION ACCEPTING THE RESIGNATION OF PUBLIC WORKS DEPARTMENT EMPLOYEE
KEVIN STADTMUELLER**

WHEREAS, the Borough Council of the Borough of Folsom having received notification from Kevin Stadtmueller by way of letter as to his intent to resign from the Public Works Department laborer position effective January 29, 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Folsom, County of Atlantic and State of New Jersey that the resignation from Kevin Stadtmueller (copy attached) is hereby accepted.

A motion to approve Resolution #2021-36 was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

BOROUGH OF FOLSOM

RESOLUTION #2021-37

**AUTHORIZING THE MAYOR TO EXECUTE THE SHARED SERVICES
AGREEMENT WITH THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
FOR THE PURPOSE OF ESTABLISHING THE VACANT FORECLOSED HOME
REGISTRY SYSTEM WITH COMMUNITY CHAMPIONS CORPORATION**

WHEREAS, the Borough of Folsom, recognizes an increase in the number of vacancies and abandoned properties located throughout the municipality; and

WHEREAS, the Atlantic County Improvement Authority has established a county-wide registration program to be administered by the Community Champions Corporation, who will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts that occur as a result of foreclosures and vacant properties; and

WHEREAS, the Borough of Folsom wishes to join the Atlantic County Improvement Authority in a Shared Services Agreement to participate in the county-wide registration program with Community Champions Corporation to facilitate communication with the contact person responsible for abandoned and foreclosed homes.

WHEREAS, the Borough of Folsom, introduced Ordinance #02 of 2021 on February 9, 2021, requiring the registration and maintenance of certain real property by mortgages and providing for penalties, the Public Hearing on Ordinance #02-2021, will be on March 9, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Folsom that the Mayor is authorized to execute the Shared Services Agreement with the Atlantic County Improvement Authority for the purpose of participating in the county-wide registration program with Community Champions Corporation.

A motion to approve Resolution #2021-37 was made by Councilman Norman and seconded by Councilman Whittaker

There was a roll call vote with ayes all.

**RESOLUTION 2020-38
BOROUGH OF FOLSOM**

**A RESOLUTION AUTHORIZATION AN AGREEMENT FOR THE PROVISION OF
BASIC LIFE SUPPORT EMERGENCY MEDICAL SERVICES (EMS) RESPONSE AND
TRANSPORTATION SYSTEM SERVICES**

WHEREAS, the Agreement between the Borough of Folsom with AtlantiCare Regional Medical Center Emergency Medical Services was heretofore accepted and approved by the Borough Council to provide basic life support (“EMS”) services.

WHEREAS, the Borough Council desires to renew and extend such agreement for a term retroactively commencing January 1, 2018 through December 31, 2021

NOW, THEREFORE, BE IT RESOLVED, that the attached Agreement with AtlantiCare is hereby approved and authorized for execution by the appropriate Borough Officials, forthwith after the adoption hereof for a term retroactively commencing January 1, 2021 through December 31, 2021.

A motion to approve Resolution #2021-38 was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2021-39**

**A RESOLUTION SUPPORTING THE EXPLORATION OF FEASIBILITY FOR A
SHARED MUNICIPAL COURT**

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., any local unit of the State may enter into a contract with any other local unit or units for the joint provision within their jurisdiction; and

service which any party to the agreement is empowered to render within its own jurisdiction; and service which any party to the agreement is empowered to render within its own jurisdiction: and

WHEREAS, the Governor of the State of New Jersey is committed to supporting and advancing local government shared service solutions to enhance the provision of local services and alleviate the property tax burden on the State's residents and business; and

WHEREAS, the Governor of the State of New Jersey, with the support of the State Legislature, has authorized State funding to support Shared Services initiatives: and

WHEREAS, the governing body of the **Borough of Folsom** recognizes that shared services may result in property tax relief and enhanced services for its constituents; and,

WHEREAS, the **Borough of Folsom** wishes to explore the possibility of sharing services in the area of a shared municipal court; and

WHEREAS, the **Borough of Folsom** wishes to join in the exploration of a feasibility study of the potential for a successful shared services to be conducted by the County of Atlantic, New Jersey for a county-wide shared municipal court system; and

WHEREAS, the **Borough of Folsom** seeks assistance from the County of Atlantic to conduct a financial and operational review identifying source of revenues and the potential for a successful share county-wide court operation

NOW THEREFORE BE IT RESOLVED that the **Borough of Folsom** hereby endorses the undertaking a shared services study; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to take all necessary actions to allow for and support **Borough of Folsom**'s participation in this assessment.

A motion to approve Resolution #2021-39 was made by Councilman Blazer and seconded by Councilman Norman

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2021-40**

**A RESOLUTION AUTHORIZING THE BOROUGH OF FOLSOM TO AWARD THE
BID FY 2020 STATE AID PROJECT RESURFACING OF LAKE DRIVE
CONTRACT NO. 25**

WHEREAS, bids were accepted on February 5, 2021 at 10:00 AM at the Borough Hall in the Borough of Folsom; and

WHEREAS, all bids were opened and announced to those in attendance; and

WHEREAS, the apparent lowest responsible Bidder, as determined by the Borough Engineer, is Arawak Paving; and

WHEREAS, the amount of the Base Bid submitted by **Arawak Paving**, is \$291,700.00;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that Arawak Paving is hereby awarded the contract for the 2020 Resurfacing of Backline Rd., Contract No. 25 for the amount of \$291,700.00

Award of this contract is subject to the certification of availability of funds

Approval of the New Jersey Department of Transportation Bureau of Local Aid

- The duration of the contract is sixty days from the contractor's receipt of the written notice to proceed.

A motion to approve Resolution #2021-40 was made by Councilman Hoffman and seconded by Councilman Conway

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2021-41**

A RESOLUTION APPROVING PARTICIPATION IN THE MUNICIPAL AERIAL MOSQUITO SPRAYING

WHEREAS, the Council of the Borough of Folsom has determined that aerial mosquito spraying should be instituted with Atlantic County.

WHEREAS, to be in compliance with section 9.10 of the New Jersey Pesticide Control Code (N.J.A.C. Title 7, Chapter 30). The Atlantic County Dept. of Public Works, Office of Mosquito Control will be applying pesticides for the control of adult populations on an area-wide basis, as needed, throughout Atlantic County during the period of April 2021 through November 2021.

NOW THEREFORE, by the Council of the Borough of Folsom that the mosquito is declared to be a public nuisance and can act as a vector or transmitter of diseases to humans and animals this application will be authorized.

A motion to approve Resolution #2021-41 was made by Councilman Blazer and seconded by Councilman Norman

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: Ms. Costigan discussed Community Champion Ordinance with Mayor and Council.

FIRE CHIEF REPORT: No report

ENGINEER'S REPORT: Jen Heller read report

NJDOT FY2020 - Resurfacing of Lake Drive

The bid opening for the NJDOT FY202 Resurfacing of Lake Drive project was held on Friday, February 5, 2021. Five (5) contractors submitted bids and the lowest responsible bidder was Arawak Paving Company with a bid of \$291,700.00. The NJDOT awarded a grant of \$305,000.00 to the Borough for the construction, inspection and materials testing for the project.

We recommend awarding the contract for the Resurfacing of Lake Drive to Arawak Paving Company for \$291,700.00.

If the contract is awarded at this meeting, we anticipate construction beginning in March, providing the weather is ideal. The drainage work will be completed, and upon the minimum 30 days of settlement, the contractor will mill and pave the roadway.

MAYORS REPORT: Mayor Schenker reminded everyone to take care of their sweethearts on Valentine's Day. Greg reported that the Borough is in the process of updating old ordinances. Greg thanked the road crew.

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Conway: Greg asked Council to review the handout he gave to them regarding the Adopt-A-Spot Program. Greg would like to have that voted on next month. Greg also discussed the Shade Tree Commission membership.

Councilman Norman: Al read the Public Works Department report and thanked the Road Crew for their work during the last storms.

Councilman Porretta: Absent

Councilman Whitaker: Jim thanked the Public Works Department for their work during the storms. Jim met with the State Police Station Commander for Folsom and will a safety report from them next month.

Councilman Hoffman: Jim thanked John and Chris for their work clearing the roads after the last storms. Jim also thanked Clerk Patti Gatto for getting the County to respond to a down tree on Mays Landing Road.

Councilman Blazer: Jake reminded residents to be cautious with this weather.

PUBLIC COMMENTS: NONE

PAYMENT OF BILLS IN THE AMOUNT OF: \$644,100.00

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

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, March 9, 2021 starting at 6:00 pm in Borough Hall, 1700 12th Street, Folsom, NJ

With no other discussion the meeting was adjourned at 7:51PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

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