

**BOROUGH OF FOLSOM
COUNCIL MEETING
MINUTES
May 13, 2025**

MEETING CALLED TO ORDER: 6:32 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: Ballistreri, Whittaker, Porretta, Norman, Hoffman and Blazer*

Absent: Councilman Whittaker

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

APPROVAL OF THE WORKSHOP COUNCIL MEETING MINUTES April 8, 2025

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

There was a roll call vote with ayes all

APPROVAL OF THE COUNCIL MEETING MINUTES, April 8, 2025

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

Approval for plans and specs for 2025 Municipal Aid Project-Resurfacing of Fenimore Dr. and Lupin Lane. All in favor.

MEETING OPEN TO THE PUBLIC: *Diane Eby came before Mayor and Council to express her concerns over speeding on Mays Landing Road.*

CLERK'S CORRESPONDENCE:

Memorial Day Service to honor Veterans, Sunday, June 1, 2025 at 9:00am

Borough Hall will be closed on Monday, May 26, 2025 in observance of Memorial Day

ORDINANCES: (None)

Councilman Ballistreri asked the mayor to not do Consent Agenda and to vote on each resolution separately.

RESOLUTIONS:

**BOROUGH OF FOLSOM
RESOLUTION 2025-59**

**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 2025 through November 2025.

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 #2025-59 was made by Councilman Norman and seconded by Councilman Hoffman

There was a roll call vote with ayes all.

BOROUGH OF FOLSOM

RESOLUTION # 2025-60

**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 and # 4 of 2025 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

2511 Lot 13 and Lots 14,14.01 and 15 located in the Rural Development (RD) 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.

A motion to approve Resolution #2025-60 was made by Councilman Blazer and seconded by Councilman Norman

Ballistreri-N Whittaker-A Porretta-Y Norman-Y Hoffman-Y Blazer-Y

BOROUGH OF FOLSOM

RESOLUTION# 2025-61

RESOLUTION OF SUPPORT FOR SUITABILITY OF A STATE LICENSED CANNABIS BUSINESS BY BROTHERLY BUD

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 and # 4 of 2025 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, BROTHERLY BUD(the "License-Applicant") has sought local support to apply for a state license to operate a licensed cannabis retail facility at Block 2511 Lot 13 and Lots 14,14.01 and 15 located in the Rural Development (RD) 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 BROTHERLY BUD within the Borough of Folsom; the intended location is zoned by the municipality for the proposed use.

A motion to approve Resolution #2025-61 was made by Councilman Hoffman and seconded by Councilman Norman

Ballistreri-N Whittaker-A Porretta-Y Norman-Y Hoffman-Y Blazer-Y

**RESOLUTION 2025-62
BOROUGH OF FOLSOM**

A RESOLUTION ACCEPTING THE 2024 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as

stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to with:

R.S. 52: 27BB-52: “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Folsom, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

A motion to approve Resolution #2025-62 was made by Councilman Hoffman and seconded by Councilman Norman

There was a roll call vote with ayes all.

**BOROUGH OF FOLSOM
RESOLUTION 2025-63**

**A RESOLUTION AUTHORIZING THE BOROUGH OF FOLSOM TO
PARTICIPATE IN THE ATLANTIC COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

WHEREAS, the Mayor and Borough Council of the Borough of Folsom have opted to participate in the Atlantic County Community Development Grant (CDBG) Program; and

WHEREAS, as a participant, the Borough of Folsom desires to apply for and obtain a grant for FY 2025 for approximately \$122,535.00; and

WHEREAS, in order to be allocated CDBG funds, the Borough of Folsom must enter into an interlocal service agreement with the Atlantic County Improvement Authority, which is the Administrator of the Atlantic County CDBG Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and the Mayor and Borough Council of the Borough of Folsom, which is attached hereto, is hereby approved and the Mayor and Borough Clerk are hereby authorized to sign said agreement.

A motion to approve Resolution #2025-63 was made by Councilman Norman and seconded by Councilman Blazer

There was a roll call vote with ayes all.

**RESOLUTION 2025-64 (revised)
BOROUGH OF FOLSOM**

**A RESOLUTION ACCEPTING THE ENGINEER’S PROPOSAL FOR PROFESSIONAL
ENGINEERING SERVICES FOR THE RENEWABLE ENERGY PROGRAM
BACKLINE RD. LANDFILL SOLAR CONVERSION**

WHEREAS, a proposal for Professional Engineering Services for the Back Line Rd Landfill Solar Conversion has been submitted by Polistina & Associates, LLC for approval of the council.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom, County of Atlantic, State of New Jersey, that the proposal for Professional Engineering services submitted by Polistina & Associates LLC is accepted;

A motion to approve Resolution #2025-64 was made by Councilman Norman and seconded by Councilman Blazer

There was a roll call vote with ayes all.

**RESOLUTION 2025-65
BOROUGH OF FOLSOM**

**A RESOLUTION AMENDING SALARY RESOLUTION SETTING THE SALARIES OF
THE EMPLOYEES AND OFFICIALS OF THE BOROUGH OF FOLSOM**

WHEREAS, the Council of the Borough of Folsom has adopted a salary ordinance setting salary ranges for the various positions in the Borough set said salaries in resolution 42-2025; and

WHEREAS, The Borough of Folsom will be entering into a shared service agreement with the Township of Mullica and wishes to compensation the employees in the Clerk’s office for additional duties;

WHEREAS, all employment costs shall be paid for by the Township of Mullica.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Folsom that the following employees shall be compensated for work performed for Mullica Township as follows:

<u>Employee</u>	<u>Position</u>	
Gatto, Patricia	Borough Clerk	\$65.00/hr
Brooke Sedeyn	Deputy Clerk	\$37.00hr

A motion to approve Resolution #2025-65 was made by Councilman Norman and seconded by Councilman Porretta

There was a roll call vote with ayes all.

RESOLUTION # 2025-66

RESOLUTION OF SUPPORT FOR SUITABILITY OF A STATE LICENSED CANNABIS BUSINESS BY HIGH EXPECTATIONS 4 U

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 and # 4 of 2025 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, HIGH EXPECTATIONS 4 U (the “License-Applicant”) has sought local support to apply for a state license to operate a licensed cannabis retail facility at Block 2511 Lot 13 and Lots 14,14.01 and 15 located in the Rural Development (RD) 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 HIGH EXPECTATIONS 4 U within the Borough of Folsom; the intended location is zoned by the municipality for the proposed use

A motion to approve Resolution #2025-66 was made by Councilman Norman and seconded by Councilman Blazer

**BOROUGH OF FOLSOM
RESOLUTION NO: 2025-67**

**RESOLUTION REQUESTING THE PLANNING AND ZONING BOARD TO PREPARE
A NEW HOUSING ELEMENT AND FAIR SHARE PLAN AND
SPENDING PLAN TO ADDRESS THE BOROUGH OF FOLSOM'S
4TH ROUND AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, on March 20, 2024, the New Jersey Legislature adopted legislation known as P.L.2024, c.2, which set forth a procedure for calculating the 4th Round affordable housing obligation for municipalities, and which required this calculation to be adopted by the governing body of a municipality by way of Resolution; and

WHEREAS, N.J.S.A. 52:27D-304.2(b)(1) provides that the Fourth-Round municipal affordable housing obligations shall run from the period of July 1, 2025 through June 30, 2035, and Region 6, which encompasses Atlantic County, Ocean County, Cumberland County and Salem County ("Region 6"); and

WHEREAS, in accordance with N.J.S.A. 52:27D-304.1(f)(1)(b), on January 14, 2025, the Borough of Folsom adopted Resolution No. 2025-38, which set the Borough's 4th Round affordable housing obligation as: (1) Present Need – 0 units; and (2) Prospective Need – 11 units; and

WHEREAS, on January 22, 2025, the Borough filed the Resolution with the newly created Affordable Housing Dispute Resolution Program (the "Program") created pursuant to N.J.S.A. 52:27D-313.2, in a Declaratory Judgment action under the caption, In the Matter of the Borough of Folsom's Determination of 4th Round Affordable Housing Obligations, Docket No.: ATL-L-000084-25 ("DJ Action"); and

WHEREAS, N.J.S.A. 52:27D-304.1(f)(2)(a), requires a municipality participating in the Program must adopt and submit to the Program a Housing Element and Fair Share Plan on or before June 30, 2025; and

WHEREAS, the 4th Round Housing Element and Fair Share Plan must contain:

1. Descriptions of all of the compliance mechanisms to ensure full compliance with the Borough's 4th Round obligations and its prior round obligations;
2. Assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing obligations and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its prior round obligations;

3. If any prior round obligation remains unfulfilled, a description of how the unfulfilled obligation will be addressed, except that the Housing Element and Fair Share Plan shall retain any sites from prior round obligations that are subject to a contractual agreement with a developer, or for which the developer has filed a complete application seeking subdivision or site plan approval prior to adoption of the Housing Element and Fair Share Plan;
4. A detailed site suitability analyses, based on the best available data, for each of the un-built inclusionary or 100 percent affordable housing sites in the plan (including unbuilt sites from prior rounds);
5. Identification of each of the sites that were proposed for such development in the 4th Round and rejected, along with the reasons for such rejection;
6. A concept plan for the development of each of the selected sites should be overlaid on the most up to date environmental constraints map for that site as part of its analysis;
7. Documentation as to the start dates and lengths of affordability controls, income and bedroom distributions, and all affordable housing agreements or deed restrictions for all existing affordable units;
8. Drafts of proposed zoning or other ordinances and resolutions to implement the compliance mechanisms;
9. Spending Plan for the 4th Round; and
10. All other required components of a housing element as set forth in N.J.S.A. 52:27D-310; and

WHEREAS, the Housing Element and Fair Share Plan is an element of the Borough Master Plan, which the Planning and Zoning Board has the authority to prepare, adopt or amend pursuant to N.J.S.A. 40:55-28; and

WHEREAS, the Mayor and Borough Council of the Borough of Folsom request that the Planning and Zoning Board prepare and adopt a Housing Element and Fair Share Plan before June 30, 2025 in order to implement and comply with the Borough's 4th Round affordable housing obligations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Folsom, as follows:

1. The foregoing recitals are incorporated herein by reference as if fully set forth at length.

2. Mayor and Borough Council hereby requests that the Planning Board prepare and adopt a Housing Element and Fair Share Plan before June 30, 2025 in order to implement and comply with the Borough's 4th Round affordable housing obligations.
3. Mayor and Borough Council further request that the Planning and Zoning Board submit to the Borough's Counsel, Angela Costigan, a copy of the adopted Housing Element and Fair Share Plan, and the Planning and Zoning Board's resolution approving the same within twenty-four (24) hours of adoption.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Certified to be a true copy of a Resolution adopted by the Council of the Borough of Folsom, County of Atlantic, State of New Jersey on the 13th day of May, 2025.

A motion to approve Resolution #2025-67 was made by Councilman Porretta and seconded by Councilman Norman

There was a roll call vote with ayes all.

SOLICITOR'S REPORT: *No report.*

MAYOR'S REPORT: *Mayor Smith reported that the 8th Street bridge is open with some minor items that need to be addressed. Glenn also stated that he contacted the County regarding the bumps on the other 8th Street Bridge that the resident complained about at the previous meeting.*

FIRE REPORT: *Councilman Norman read report.*

ENGINEER'S REPORT: *CJ read report*

FY 2025 Municipal Aid: Resurfacing of Fenimore Drive

Council's approval of the plans and specs has been included on tonight's agenda. Once approved, we will proceed with design submission to NJDOT. This process usually takes 2 to 4 weeks, so we anticipate receiving bids in June and awarding the contract in July.

FY 2026 Municipal Aid Application

Applications for NJDOT's FY 2026 State Aid Programs are due by July 1, 2025. The Borough will need to include a Resolution for the grant submission on the June agenda.

We are planning on applying for funding to resurface Lupin Lane and the remainder of Fenimore Drive from Mohawk Drive to dead-end.

FY 2025 CDBG Applications

We have submitted two applications to ACIA for the Community Development Block Grant. One application for FY 2025 is to construct ADA, parking, walkway, and lighting improvements at 13th Street Park, for which we requested \$122,535.00. The second application is to repurpose previous CDBG funding from 2020, 2021, 2022, and 2023 for ADA, walkway, and lighting improvements at 13th Street Park, for which we requested to use the Borough's remaining balance of \$36,886.62. We expect grant recipients to be announced within the next 3 months.

Back Line Road Landfill Solar Conversion

Our proposal is on tonight's agenda for approval by Council. We expect to get underway on the RFP in the next few weeks, and anticipate submitting to Council and the Solicitor's office for review by the July Council meeting.

Lake Drive & Laurel Lane Repairs

Mathis Construction was on site on Friday, May 2 to address a settlement issue on Lake Drive and to repair a void that formed near a stormwater inlet on Laurel Lane. Mathis was the drainage subcontractor for the FY 2022 Municipal Aid project, and this work was covered at no cost under the maintenance period.

We have inspected the condition of the completed repairs and found the work to be adequate.

Eighth Street Bridge (BV-02) Replacement

We are getting reports that the Eighth Street Bridge Replacement project is complete and the road closures are no longer in place.

COUNCIL MEMBER'S COMMITTEE REPORTS:

Councilman Ballistreri: *Tom gave the Parks & Rec report. Tom stated that they replaced several bleachers that were not in compliance. Tom also reported that he had John clean up the community garden and have it ready for the Boy Scouts who are going to be growing different things so they can earn their badges. Tom stated that he had the clerk submit a request to the electric company to see if they can help out with the lighting at the 13th Street Park instead of using our grant money for that, Tom reminded Council to do the JIF training.*

Councilman Norman: *Al reported that on the single lane bridge on 8th Street the sign stating that it's a single lane bridge is missing.*

Councilman Porretta: *No report*

Councilman Whittaker: *absent*

Councilman Hoffman: *Jim thanked the new owner of 14th Street for cleaning up the property. Jim also asked the mayor to speak with the County regarding the tree on Mays landing Road that is leaning into the road. Jim also asked that residents not put their trash/recycling out on windy days the night before. If you do and it spills out, please pick it up.*

Councilman Blazer: *Jake thanked the Public Works Dept. for replacing the speed limit sign on Park Ave and fixing the digital speed sign. Jake stated that there is a lot of speeding throughout the Borough and that Council is working on this issue.*

MEETING OPEN TO THE PUBLIC: *no comment*

PAYMENT OF BILLS IN THE AMOUNT OF: \$202,721.78 and \$26,606.35

School Portion: **\$173,816.00**

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

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, June 17, 2025** starting with the workshop meeting at 6:00 pm and continuing immediately thereafter with the regular meeting at Borough Hall, 1700 12th Street, Folsom, NJ.*

With no other discussion the meeting was adjourned at 7:18 PM.

Respectfully submitted,

Patricia M. Gatto
Municipal Clerk

