

January 28, 2008

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY, WAS HELD IN THE CONFERENCE ROOM OF THE SCHOOL BOARD ADMINISTRATIVE BUILDING, 225 GROVE AVENUE, WEST BERLIN, NEW JERSEY ON MONDAY, JANUARY 28, 2008 AT 6:30 P.M.

Mayor Magazzu opened the meeting and stated that pursuant to the requirements of the Open Public Meetings Law, notice of this meeting was advertised in the Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag

ROLL CALL: Present- Councilman McIntosh, Councilman Morris, Council President DiGangi, Mayor Magazzu

Also Present- Lori Campisano, CFO; Engineer, Charles Riebel, Jr.; Solicitor, Donafaye Zoll; Michael Hayden, Police Chief; Michael Laginestra, Property Maintenance/Zoning Officer

Absent - Councilman Batten on Vacation

GOOD AND WELFARE #1

Motion by Council President DiGangi, second by Councilman McIntosh to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for comments.

Brian Betz, Township School Superintendent asked for support for the Health Fair and Blood Drive on February 23, 2008. Also we will be having a breakfast with Bunny on March 8th at the Eisenhower School and on March 15th there will be a St. Patty's Day social at Shannon's Caterers. If anyone would like to participate in one of these events please let us know.

Mr. Betz spoke about the State Funding for the Schools this year and said that they will be getting a 10% increase. He said we will be okay for this year but next year we will be losing some funds.

The School still has a desire to work with the township council as far as shared services. The State Department of Community Affairs has grants for shared services and perhaps we can help each other with some type of services. We would like to sit down with you to discuss what services we may be able to share. Mr. Betz gave us a list of shared services from the State DCA. Mr. Betz also talked about the possibility of getting a price on the property behind the Kennedy school.

Motion by Council President DiGangi, second by Councilman Morris to close the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu closed the meeting to the public.

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RESOLUTION 2008-69 APPOINTMENT OF TAX ASSESSOR

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that **ANTHONY J. COLAVECCHIO** be and is hereby appointed Tax Assessor effective January 28, 2008 for the remaining term of Gilbert Goble, till June 30, 2008.

BE IT ALSO RESOLVED by the Mayor and Council of the Township of Berlin that **ANTHONY J. COLAVECCHIO** may be reappointed July 1, 2008 for a term of four years.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-69. Resolution adopted by call of the roll, four members present voting in the affirmative.

DEPARTMENTAL REPORTS

ENGINEER'S REPORT

A. CHANGE ORDER(S) AND/OR VOUCHER(S)

- **Cushman Avenue:** We expect to submit Change Order No. 1 and Voucher No. 2 for consideration and approval by the Governing Body at the Council Meeting on January 14, 2008.
- **Grove Avenue:** We expect to submit Voucher No. 2 for consideration and approval by the Governing Body at the Council Meeting on January 14, 2008.

B. ENGINEER'S REPORT

1. 2007 CAPITAL IMPROVEMENTS PROGRAM (KEI #458BT0506):

- a. **Krisanna Construction Contract – Veteran's Avenue (N.J.D.O.T. Funding) and Minck Avenue:** The contractor has completed the majority of the projects. We have taken elevations and issued grade sheets for the corrective work to be performed at the intersection of Veteran's Avenue with Thurman and Cleveland Avenues.

We will be issuing the punch list in the near future.

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We have requested the testing company to perform asphalt cores tests for Veteran's Avenue, as required by the New Jersey Department of Transportation.

b. American Asphalt Company, Inc. – Cushman Avenue (C.D.B.G.Funded) and Grove Avenue:

Cushman Avenue: The contractor has completed construction.

We expect to submit Change Order No. 1 and Voucher No. 2 for consideration and approval by the Governing Body at the Council Meeting on January 14, 2008.

Grove Avenue: The contractor has completed the construction and the roadway has been opened. We have informed the contractor of the ponding areas in the pavement and the unacceptable topsoil.

We will be issuing a punch list, for both streets, in the near future.

We expect to submit Voucher No. 2 for consideration and approval by the Governing Body at the Council Meeting on January 14, 2008.

2. N.J.D.O.T. FY2008 MUNICIPAL AID APPLICATION:

The New Jersey Department of Transportation has informed Mayor Magazzu that they have allotted \$150,000.00 for the construction of concrete sidewalk along N.J.S.H. Route 73, northbound (Jackson Road to Edgewood Avenue). The estimated construction cost is \$289,000.00 and estimated construction, engineering and inspection cost is \$381,000.00.

It will be necessary to obtain approval from The Pinelands Commission for said construction. The matters of wetlands, in some areas, must also be addressed with The Pinelands Commission. It will also be necessary to obtain the approval from the New Jersey Department of Transportation, to permit the construction within their right-of-way.

If the Governing Body decides to proceed with the project, we will contact the design engineer for the Route 73 project to see if their approval from the New Jersey Department of Transportation and

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Pinelands Commission included the construction of the sidewalk. If the sidewalk was approved by those agencies, we will discuss the use of the previous approvals with those governing agencies.

The New Jersey Department of Transportation did not fund the following applications:

Priority 1: Improvements to McClellan Avenue
Haddon Avenue to Pine Avenue
\$374,615.00

Priority 2: Improvements to Larch Avenue
Chesilhurst Avenue to Cushman Avenue
\$130,000.00

Priority 4: Traffic Signal and Geometric Improvements
At the Intersection of Cooper Road and Taunton
Avenue \$691,940.00

We will contact the New Jersey Department of Transportation Local Aid Office to obtain the reasons for not funding those projects.

If the Governing Body desires, application(s) could be submitted for the unfunded portion of Route 73 and the other projects.

3. HADDON AVENUE STREETScape IMPROVEMENTS (KEI #430BT1104 and #431BT1104):

a. **Phase 2 – Franklin Avenue to Bate Avenue (N.J.D.O.T. Discretionary Fund – \$200,000.00) (KEI #431BT0105):** Asphalt Paving Systems has completed the project with the exception of punch list items requiring rework and/or correction. We have, again, advised the contractor of the items requiring rework and/or correction. We anticipate this corrective work being completed this month, weather permitting.

Upon completion of the project and final payment, we will assist Ms. Campisano with the reimbursement from the New Jersey Department of Transportation.

b. **Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (KEI #29-430BT1104):** The N.J.D.O.T., Office of Local Aid recently advised our office that the Earmark Funds are available for authorization from the F.H.W.A. We attended a workshop

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meeting with the Department, on December 17, 2007, to review the Earmark Funding Process. We have attached a copy of the meeting minutes.

The Department of Transportation anticipates scheduling the kick-off meeting this month. We are currently preparing a Funding/Construction Cost Analysis for review and consideration by the Governing Body.

4. **N.J.D.O.T. MATTERS:**

a. **Request for Traffic Signal at N.J.S.H. Route 73 and D'Angelo Drive:**

I believe that a meeting with the New Jersey Department of Transportation is being scheduled with the Township Officials.

b. **Request to N.J.D.O.T. for Payment of Additional Inspection Costs for Sanitary Sewer Work:** It is our understanding that the New Jersey Department of Transportation has agreed to reimburse the Township for the additional inspection costs, to date, in the amount of \$32,000.00.

c. **Sidewalk along Northbound N.J.S.H. Route 73 – Cushman Avenue to Jackson Road:** See Item No. 2 of this report.

5. **REQUEST FOR COUNTY ASSISTANCE FOR IMPROVEMENTS ALONG COUNTY ROADS:**

As requested by Mayor Magazzu, I contacted Freeholder Greco's Office to request for the scheduling of a meeting with the Freeholder. The meeting has been scheduled for January 29, 2008 at 4:30 pm.

I have submitted the following listing of projects, requesting the assistance of the Freeholders:

- a. Traffic signal and geometric improvements at the intersection of Cooper Road and Taunton Avenue.
- b. Traffic signal and geometric improvements at the intersection of Franklin Avenue and Clifton Avenue/Egg Harbor Road.
- c. Traffic signal and geometric improvements for the reconfiguration of the intersection of Haddon/Walker Avenues and Bate/Veteran's Avenues for the town center.

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- d. Creation of four lanes of traffic along portions of Haddon Avenue.
- e. Coordination of traffic signals along Haddon Avenue.
- f. Additional upgrades for stormwater management for the southwestern portion of the Township.
- g. Extension of Lafayette Avenue to Egg Harbor Road.
- h. Construction of sidewalks along Haddon and Franklin Avenues (in fill).
- i. Traffic calming measures along Franklin Avenue.
- j. Vehicle Wash Facility.

6. IMPROVEMENTS TO THE INTERSECTION OF HADDON AND FRANKLIN AVENUES:

Mr. Kelly, County Engineer has informed me that their consultant would like to meet with the Township Officials, in January, to discuss their latest report. They would like to meet at the County Complex in Lindenwold. I request that the interested Township Officials inform me of their availability. I will, then, pass this information to Mr. Kelly, for the scheduling meeting.

7. INTERSECTION OF COOPER ROAD AND TAUNTON AVENUE (KEI #393BT0203):

We have submitted the cost estimate for the improvements, in the amount of \$847,189.00, to the County Engineer for the, hopeful, funding by the Freeholders in 2008. We will be discussing the funding of this project, by the Freeholders, at the meeting with Freeholder Greco.

We are coordinating the construction of the roadway improvements along the proposed self-storage parcels with the design engineer.

We are completing the construction plans and specifications.

8. AMENDMENTS TO THE STORMWATER MANAGEMENT ORDINANCE:

We have received a copy of the correspondence from The Pinelands Commission to Ms. Zoll, dated December 20, 2007. The Pinelands Commission has granted the extension of the adoption of the ordinance to February 29, 2008. The Commission is also requiring that the Planning Board adopt a resolution for the amended Stormwater Management Plan (and, I believe the Stormwater Control Ordinance). I have contacted Ms. McCauley and

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requested that the public hearing and, hopeful, adoption, be held at the Planning Board Meeting on January 15, 2008.

9. **REQUEST FOR ADDITIONAL SANITARY SEWER ALLOCATION (KEI #467BT0407):**

I have contacted Mr. Kricun from the C.C.M.U.A., requesting an update on his discussions with the N.J.D.E.P. He has informed me that he has been waiting for a written response, from the N.J.D.E.P., since October, 2007. He believes that the N.J.D.E.P. will approve the increase in the allocation to 225,000 and, which was the request made many years ago. It does not include the recent request, which was made to increase it to 1.6 million gallons per day.

10. **CAMDEN COUNTY OPEN SPACE, ROUND 9:**

I mentioned, last month, that the County is accepting applications for the next round of funding. We have heard that they will be increasing the limit of the grant from \$25,000.00 to \$50,000.00. I had mentioned that the Governing Body discussed, in the past, the irrigation of the multi-purpose field at the Robert T. Clyde Memorial Park. The Governing Body has requested that a listing of potential projects, which are eligible for these funds, be submitted to them for their review and consideration.

11. **MONTEBELLO AGE RESTRICTED DEVELOPMENT**

Under the initial submission for street lighting, by Atlantic Electric Company, I had recommended several additional street lights. Even though, the electric company was unable to install these additional lights, at that time, they submitted a supplement request for the additional lights. I recommend that the Township authorize the installation of these additional lights.

The developer is responsible for the installation of the street lights and the operation until certificates of occupancy are issued for 50 percent of the homes in that section.

12. **EXPANSION OF WAL*MART:**

No update to report.

13. **IMPROVEMENTS TO KELLEY DRIVE STORMWATER BASIN (KEI #64BT3187):**

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We are, currently, determining the lots, which drain to the basin and the respective proportion of the contributing stormwater runoff.

14. CAPITAL IMPROVEMENT PROGRAM:

The following projects have been discussed for improvements:

- a. McClellan Avenue (N.J.D.O.T. application – not funded)
- b. The streets within the East Berlin Section (multi-year project)
- c. Clarence Avenue – Haddon Avenue to Veterans Avenue including the reconstruction of the intersections at First and Second Avenue
- d. Intersection of Warren and Lucas Avenue
- e. Intersection of Patton and Warren Avenues
- f. Briarwood Road – Peppermill Road to Centaurian Drive
- g. Storm drainage at the end of Pine Avenue to the storm drainage at Heights and Atlantic Avenues

We recommend that the Governing Body consider these projects for 2008 and authorize our office to perform the engineering and prepare the bid documents so that bids can be received early in the year.

15. MEETING WITH BERLIN BOROUGH PLANNING BOARD:

The Planning Board Reorganization Meeting is January 14, 2008. I will contact the Planning Board Secretary, after that meeting, to discuss the possibility of scheduling a meeting.

16. REQUEST FOR BOND RELEASE FOR TRI-BOROUGH SAND AND STONE:

Ms. Trout has provided me with a copy of the bond, which was posted in December, 2007.

17. PINELANDS MAINTENANCE AGREEMENT WITH CURRENT DEVELOPERS:

As discussed in November, 2007, I will notify the developers, which have posted cash guarantees to provide them with the opportunity to develop agreements, in lieu of the posted cash. The agreements must be approved by The Pinelands Commission, before the cash guaranty is released

18. COUNCIL ON AFFORDABLE HOUSING, PROPOSED ROUND 3 REGULATION:

On December 17, 2007, COAH issued the revised third round regulations. The regulations will be published on January 22, 2008, with a 60 day comment period to follow. I believe that the feeling is that some type of appeal will be filed.

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The new regulations include: a) extension of the period of affordable housing need from 2014 to 2018; b) the number of needed, affordable housing units is more than double the previous figure; c) one affordable housing unit will be required for every four rather than the previous eight market rate residential units; d) one affordable housing unit will be required for every 16 jobs created, rather than the previous requirement of 25 jobs. The new rates are still retroactive to January 1, 2004; e) The age restricted limitation has been reduced from 50 percent to 25 percent; f) expanded compliance options allowing municipalities to use bonus credits for special needs housing and housing in redevelopment areas; g) changing the cost for Regional Contribution Agreement (RCA's), by region, ranging from \$67,000.00 to \$80,000.00 from the previous \$35,000.00 (Assembly Speaker Roberts has introduced legislation to eliminate RCA's); h) increasing the developer fee contribution from 1 percent to 1.5 percent for residential development and from 2 percent to 3 percent for non-residential development.

19. PRE-DISASTER MITIGATION – COMPETITIVE GRANT:

Our office attended a meeting conducted by the County of Camden to discuss requirements of the Pre-disaster Mitigation – Competitive Grant that has been received by Camden, Gloucester, Salem and Cumberland Counties.

The grant provides funds for hazardous mitigation planning and the implementation of mitigation projects prior to a disaster event.

The purpose of the meeting was to inform all the municipalities of the importance of preparing individual hazard mitigation plans to be included in the Four County Pre-Disaster Mitigation Plan. By completing a mitigation plan, the Township will be eligible to receive funding in the future for projects that are related to flooding and stormwater repairs.

We will keep the Governing Body informed as more information develops regarding the new program.

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough
2. Increase in Sewer Allocation/Buildout Analysis ó No update.
3. Vacation of a Portion of Kelley Drive ó No update.
4. Haddon Avenue Redevelopment Plan/New Municipal Building
5. Stormwater Control Ordinance ó Extension was granted until February 28, 2008, to adopt the Ordinance and Plan
6. Kelley Drive Basin ó Waiting for information so notice can be sent to property

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Owners.

7. Amendments to Ordinance on Business License and Registration ó Changed expiration date to September 30 of each year to conform to the actual practice of the Township.
8. Tree Removal in Right of Way Areas ó Suggest we amend Ordinance.

POLICE DEPARTMENT

Mike Hayden reported that he submitted his year end reports. There was a decrease in the number of accidents for 2007. The Officers that were working on the robbery case, that took place at Burger King on Rt. 73, did a great job and three men were arrested.

PROPERTY MAINTENANCE

Mike Laginestra reported he is still working on the maintenance problems at Haddon and McCellan.

The dog and cat rabies clinic on January 19th went well, but we ran out of rabies vaccine for the first time. The County was only able to give us 100 vaccines instead of 125 as requested.

FIRST READING OF ORDINANCE 2008-4 Ordinance Canceling Certain Unfunded Appropriation Balances for Capital Improvements and Reappropriating such Unfunded Appropriation Balances for Other Capital Improvements.

Motion by Councilman Morris, second by Council President DiGangi to adopt Ordinance 2008-4 on first reading by title. Ordinance adopted by call of the roll, four members present voting in the affirmative.

FIRST READING OF ORDINANCE 2008-5 Ordinance Amending Ordinance 2007-27 Fixing and Determining Salary Ranges for the Officers and Employees at the Township of Berlin Township

Motion by Council President DiGangi second by Councilman Morris to adopt Ordinance 2008-5 on first reading by title. Ordinance adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-68 RESOLUTION FOR BERLIN TOWNSHIP INTERVENTION TEAM

WHEREAS, the Mayor and Council of the Township of Berlin have determined that it is in the best interest of the public health, safety and welfare that the Township maintain a Crisis Intervention Team; and

WHEREAS, the Crisis Intervention Team must be staffed with volunteers who have expressed an interest in volunteering their services as members of the Berlin Township Crisis Intervention Team; have successfully completed forty (40) hours of domestic violence training through the YWCA Counselor Training Program and have been certified by the YWCA to act as Crisis Intervention Counselor; and

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WHEREAS, in order for such volunteers to have the benefit of the Township's Insurance Protections in performing their duties on the Crisis Intervention Team, these members must be appointed to the team in accordance with set procedures;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Voorhees Township Police are hereby authorized and directed to appoint, remove, and reappoint to the Police Department in compliance with its policies and procedures affecting domestic violence cases, members who have been certified by the YWCA under the Counselor Training Program, to serve on the Voorhees Township Crisis Intervention Team with each specific case team to be determined by the Police Department pursuant to its policies and procedures.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2008-68. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-70 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to 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 regulations 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 wit:

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 (\$1,000.00) or

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imprisoned for not more than one year, or both, in addition shall forfeit his/her office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Berlin 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.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-70. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008:71 AUTHORIZING MAYOR TO EXECUTE AGREEMENT WITH THE COUNTY OF CAMDEN FOR A RECYCLING REBATE

WHEREAS, the County of Camden has proposed an Interlocal Services Agreement for a Recycling Tonnage Rebate; and

WHEREAS, the Governing Body determined that the agreement and rebate would be useful to the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to execute the attached Agreement on behalf of the Township of Berlin.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2008-71. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-72 RESOLUTION OF LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dated July 24, 2008

Diane Zoppel, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT
REASON			
Michael Brummell Veteran	2007	1405-6.02	250.00
Michael Brummell Veteran	2008	1405-6.02	250.00
TOTAL			\$500.00

\$250.00 to Feb/May 2008

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\$250.00 to Aug/Nov 2008

By resolution of the Mayor and Council of the Township of Berlin, the taxes listed above have been ordered remitted and the Collector relieved thereof.

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2008-72. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-73 RESOLUTION TO ADOPT CORRECTIVE ACTION PLAN FOR THE AUDIT FOR THE YEAR ENDING JUNE 30, 2007

WHEREAS, a corrective action plan for the audit for the year ending June 30, 2007 has been submitted by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the corrective action plan be adopted and filed with the Division of Local Government Services.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-73. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-74 RESOLUTION AMENDING SALARY RESOLUTION 2007: 223 ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, the Mayor and Council of the Township of Berlin adopted Resolution 2007: 223 on December 10, 2007, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2008; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective January 28, 2008:

POSITION	AMOUNT PER YEAR
Tax Assessor	\$ 20,000.00

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salaries effective February 4, 2008:

POSTION	AMOUNT PER YEAR
Chief Financial Officer	\$ 73,024.00
Tax Collector	52,142.00
Sewer Clerk	3,593.00
Finance Clerk	35,207.00
Municipal Court Administrator	48,100.00
Deputy Court Administrator	30,269.00
Administrative Secretary ó Land Use	41,669.00

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Property Maintenance/Board of Health/
Zoning Officer

42,378.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the above mentioned salary is amended as stated.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-74. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-75 RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF CAMDEN AND THE VARIOUS COUNTY MUNICIPALITIES WHICH TOGETHER COMPRISE THE CAMDEN COUNTY ANIMAL SHELTER CONSORTIUM FOR THE PROVISION OF ANIMAL SHELTER SERVICES

WHEREAS, there is a need for a coordinated, long-term solution for animal control and impoundment services in the County of Camden that requires a coordinated approach and offers a cost-effective solution which benefits the residents of each municipality and the Camden County as a whole; and

WHEREAS, an interlocal services agreement has been drafted and presented to each municipality in Camden County through the Camden County Mayors Association on 12/17/07; and

WHEREAS, the agreement shall be for the period commencing upon the acceptance and execution of the agreement, by each member of the Consortium: and

WHEREAS, the agreement shall continue for as long as services are required or until terminated by the parties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden that the Mayor is hereby authorized to sign the agreement presented by the Camden County Mayors Association.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-75. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2008-76
Resolution Releasing Performance Guarantee and Authorizing the Reallocation of Funds for Sahara Sams (Sambe Construction) from Cash Performance Guarantee to Professional Fees Escrow (\$11,500.00 plus interest)**

WHEREAS, Sahara Samø Indoor Water Park previously posted a cash performance guarantee in the amount of \$11,500 for completion of certain specific site improvements, pursuant to Resolution #2007-92; and

WHEREAS, Sahara Samø will be proceeding with complete site improvements and is required to post a performance guarantee in the sum of \$2,033,000, as well as professional review fee escrows; and

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WHEREAS, Sahara Samø has requested that the prior cash performance guarantee be released and posted for professional review fees to be incurred.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the request for the release of the cash performance guarantee in the sum of \$11,500 and posting of this sum to the professional review fee escrow account be granted, provided Sahara Samø first posts the appropriate, acceptable performance guarantee in the sum of \$2,033,000.

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-76. Resolution adopted by call of the roll, four members present voting in the affirmative.

Resolution 2008:77

Payment of bills January 28, 2008

WHEREAS, the Code of the Township of Berlin, Chapter 7-1 et seq., provides payment of claims after certification by the Treasurer and consideration by Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the following claims are hereby approved and the bills be paid.

TO	ACCOUNT	AMOUNT
Animal Welfare of CC	Dog Trust	440.00
CC Div of Health	Dog Trust	865.73
Camden County Clerk	Berlin Twp Rehab Trust	8.00
New Jersey Legal Copy	Berlin Twp Rehab Trust	450.00
William Austin Company	Berlin Twp Rehab Trust	1,850.00
Robert DePersia	Mun Public Defender	300.00
John Iannelli	Mun Public Defender	450.00
David F. Carlamere	Planning Board Esc # 243	75.00
David F. Carlamere	Planning Board Esc # 286	50.00
	Planning Board Esc # 287	75.00
	Planning Board Esc # 308	110.00
	Planning Board Esc # 331	110.00
	Planning Board Esc # 333	95.00
KEI Associates	Planning Board Esc # 192	86.25
	Planning Board Esc # 199	1,306.25
	Planning Board Esc # 230	590.00
	Planning Board Esc # 243	1,052.50
	Planning Board Esc # 308	3,812.50
	Planning Board Esc # 311	285.00
	Planning Board Esc # 330	426.25
	Planning Board Esc # 333	970.00

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Lawmen Supply	Police Forfeiture-State	3,061.90
Townsend Property Mgmt	Planning Board Esc # 311	8,385.19
Blast to the Past	Street Opening Bond	10,805.80
CONFIRMING		
American Asphalt Company	01-213-80-024-3000	8,736.31
America on Line	01-201-20-120-2105	32.90
	01-201-20-120-2105	32.90
Borough of Berlin Water	01-201-31-445-2072	1,432.05
	01-201-20-110-2158	1,461.48
Comcast	01-201-20-120-2105	100.19
	01-201-26-310-2020	60.15
	01-201-43-490-2105	60.15
Eil Investments, LP	01-201-55-020-3000	140,000.31
Fat Tomato	01-163-05-010-3000	129.00
	01-163-05-010-3000	335.25
Ikon Financial	01-201-20-145-2023	77.94
	01-201-43-490-2023	77.94
	01-201-29-390-2105	74.97
	01-201-25-240-2033	74.97
	01-201-26-310-2020	74.97
	01-201-22-195-2023	74.97
Nextel	01-201-31-440-2076	444.32
	01-201-31-440-2076	705.06
Mary Trout, Petty Cash	01-201-20-120-2036	6.38
	01-201-20-120-2023	3.00
	01-201-20-120-2036	6.99
	01-201-20-120-2026	11.70
	01-201-20-110-2105	54.00
Verizon	01-201-31-440-2076	1,108.12
Verizon Wireless	01-201-25-240-2028	291.06
Xtel Communications	01-201-31-440-2076	653.48
Commerce Bank	07-201-55-520-2105	15,709.38
	07-240-55-540-3000	1,413.33
	07-201-55-522-2105	50,173.29
Commerce Bank	07-201-55-520-2105	170,000.00
	07-201-55-522-2105	119,290.00
	07-168-05-540-3000	59,670.00
Borough of Berlin Water	07-201-55-502-2072	1,232.60
Mary Trout, Petty Cash	07-201-55-502-2026	11.47
Verizon	07-201-55-502-2076	248.56

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American Asphalt Company	04-204-55-868-70806	61,041.88
S & H Electrical	04-215-55-860-07094	975.00
Tullia's Restaurant	NPP-Old West Berlin Assoc	334.49
State of New Jersey	01-201-23-220-2092	40,225.85
State of New Jersey	01-201-23-220-2092	13,126.41
Payroll, Current Fund	12/6/2007	154,550.37
Payroll, Sewer	12/6/2007	5,642.50
Payroll, Current Fund	12/13/2007	60,786.05
Payroll, Sewer	12/13/2007	4,675.76
Payroll, Current Fund	12/20/2007	67,015.31
Payroll, Sewer	12/20/2007	4,741.15
Payroll, Current Fund	12/27/2007	75,565.78
Payroll, Sewer	12/27/2007	4,426.88

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-77. Resolution adopted by call of the roll, four members present voting in the affirmative.

BUSINESS LICENSES FOR APPROVAL

- a. **Roma's Pizza, 840 So. Rt. 73, West Berlin**
This license was tabled on January 14, 2008 until further investigation was done on the ownership of the business. Investigation revealed that the correct ownership was not put on application. The business is currently operating without a business license.
Motion by Councilman McIntosh, second by Council President DiGangi to deny license for Roma's Pizza due to misrepresentation on their application and must discontinue operation in 30 days. License denied by call of the roll, four members present voting in the affirmative.

- b. **Diamond Technologies LLC, 1040 Industrial Drive, Ste. 8, Warehouse and storage of equipment with no outdoor storage.**
Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for Diamond Technologies LLC. License approved by call of the roll, four members present voting in the affirmative.

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CONSENT AGENDA

Motion by Council President DiGangi, second by Councilman McIntosh to receive and file the monthly reports on the consent agenda. Motion carried by voice vote, all present in the affirmative.

APPROVAL OF MINUTES

Motion by Council President DiGangi, second by Councilman McIntosh to approve the minutes of January 14, 2008. Motion carried by voice vote, all present voting in the affirmative.

GOOD AND WELFARE #2

Motion by Councilman Morris, second by Councilman McIntosh to open the meeting to the public. Motion carried by voice vote, all members present voting in the affirmative. Mayor Magazzu opened the meeting to the public for questions or comments.

Mr. McShea asked where we stood on the new Municipal Building. Mayor Magazzu indicated that we are still working on the location. We are investigating another location and we will be able to inform you soon

Motion by Council President DiGangi, second by Councilman Morris to close the meeting to the public. Motion carried by voice vote, all members present voting in the affirmative.

ALL OTHER BUSINESS

Discussed where to use the CDBG YR 30 (2008-2009) for \$32,454. Discussed the possibility of using it for East Berlin, Section 1, Larch Avenue. We will have to sit down with Township Engineer to discuss further.
CFO, Lori Campisano received and reviewed the audits from the Borough Water Department.

ADJOURNED

Motion by Council President DiGangi, second by Councilman Morris to adjourn the meeting at 8 p.m. Motion carried by voice vote, all members present voting in the affirmative.

Jamey Eggers
Township Clerk