

January 4, 2010

**REORGANIZATION OF THE TOWNSHIP MAYOR AND COUNCIL  
TOWNSHIP OF BERLIN  
JANUARY 4, 2010**

Mayor Magazzu opened the meeting at 5:00 p.m. and stated that pursuant to the requirements of the Open Public Meetings Law, notice of this meeting was advertised in the Courier Post newspapers and posted on the bulletin board.

ROLL CALL: Mayor Magazzu, Councilman Batten, Councilman President DiGangi, Councilman Morris, Councilman McIntosh.

Also Present: Lori Campisano, Chief Financial Officer and Charles Riebel, Jr., Township Municipal Engineer, Donafaye Zoll, Solicitor, Judge Trabosh

All in attendance joined in the Salute to the Flag.

The Township Clerk presented the Certificates of Election.

Judge Nicholas Trabosh administered the Oath of Public office to Phyllis Magazzu who was then seated as Mayor of Berlin Township.

Judge Nicholas Trabosh administered the Oath of Public office to Thomas DiGangi who was then seated as Member of Council.

Judge Nicholas Trabosh administered the Oath of Public office to Jerome McIntosh who was then seated as Member of Council.

Mayor Magazzu opened the floor for Council President Nominations

Motion by Councilman DiGangi, second by Councilman McIntosh to open the floor for nominations for Council President.

Motion carried by voice vote, all present voting in the affirmative.

Council President DiGangi nominated Councilman Morris, seconded by Councilman McIntosh. Motion carried by voice vote, all present voting in the affirmative

**RESOLUTION 2010 - 1 PRESIDENT OF COUNCIL**

**WHEREAS**, N.J.S.A. 40:69A-120 provides that the Council shall select from among its members a President of the Council who shall serve in place of the Mayor in the event of his absence disability or refusal to act;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Berlin that **Christopher Morris**, having been selected by the Council, shall serve as

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President of the Council of the Township of Berlin from January 1, 2010 until December 31, 2010.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-1. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 2 APPOINTMENT OF SOLICITOR**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:1-11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" under the fair and open process must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **DONAFAYE ZOLL, ESQUIRE**, of , CHATZINOFF & ZOLL, PC. of Haddonfield NJ be appointed the Municipal Attorney of the Township of Berlin for a period of one year (1) commencing January 1, 2010 until December 31, 2010 to perform professional services ordinarily provided by and required of a Municipal Attorney, and to receive such compensation as may be reasonable for such services.

Said **DONAFAYE ZOLL, ESQUIRE**, is a person authorized by law to practice a recognized profession in the State of New Jersey, which practice is regulated by the laws of this State; to wit, the profession of Municipal Attorney. These professional services are necessary and are required by this municipality.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2009-2. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 3 APPOINTMENT OF MUNICIPAL ENGINEER**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" " under the fair and open contract provisions of N.J.S.A.19:44A-20.4 et seq; and must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **CHARLES J. RIEBEL, JR.** of KEI ASSOCIATES, 80 S. White Horse Pike, Berlin, New Jersey, be appointed the registered Municipal Engineer of the Township of Berlin for a term commencing January 1, 2010 until December 31, 2010, to perform professional services ordinarily provided by and required of a Municipal Engineer and to receive such compensation as may be reasonable for such services. Said **CHARLES J. RIEBEL, JR.** is a person authorized by law to practice a recognized profession in

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the State of New Jersey, which practice is regulated by the laws of the State; to wit, the profession of registered Municipal Engineer. These professional services are necessary and are required by this municipality.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-3. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 4 APPOINTMENT OF REGISTERED MUNICIPAL ACCOUNTANT**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" under the fair and open contract provisions of N.J.S.A.19:44A-20.4 et seq; and must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **JOSEPH HOFFMAN, C.P.A.** of BOWMAN AND COMPANY, 601 White Horse Road, Voorhees, New Jersey 08043 be appointed the Registered Municipal Auditor of the Township of Berlin commencing January 1, 2010, until December 31, 2010 to perform the professional services ordinarily provided by a Registered Municipal Auditor of the State of New Jersey, and to receive such compensation as may be reasonable for such services. Said **JOSEPH HOFFMAN, C.P.A.** is a person authorized by law to practice a recognized profession in the State of New Jersey, said practice is regulated by the laws of this State; to wit, the profession of Registered Municipal Auditor. These professional services are necessary and are required by this Municipality.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-4. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 5 APPOINTMENT OF BOND COUNSEL**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" under the fair and open contract provisions of N.J.S.A.19:44A-20.4 et seq; and must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the mayor and Council of the Township of Berlin, County of Camden, that **PHILIP A. NORCROSS** of Parker McCay , 7001 Lincoln Drive West, Marlton, NJ 08053 be appointed Financial Consultant for the Sale of Bonds of the Township of Berlin for a period of one

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year (1) commencing **January 1, 2010 until December 31, 2010** to perform the professional services ordinarily provided by a Financial Consultant of the State of New Jersey, and to receive such compensation as may be reasonable for such services.

Said **PHILIP A. NORCROSS** is the person authorized by law to practice a recognized profession in the State of New Jersey, said practice is regulated by the laws of this State; to wit, the profession of registered Attorneys. These professional services are necessary and are required by this municipality.

Motion by Councilman DiGangi, second by Councilman Batten to adopt Resolution 2009-5. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 6 COMMITTEES OF COUNCIL (FINANCE)**

**WHEREAS**, N.J.S.A. 40:69A-123 et seq., provides for the appointment and designation of Committees of Council;  
**NOW, THEREFORE, I PHYLLIS A. MAGAZZU**, Mayor of the Township of Berlin, hereby appoint **LORI A. CAMPISANO, CHRISTOPHER MORRIS** to serve on said Finance Committee.

Motion by Councilman DiGangi, second by Councilman Batten to adopt Resolution 2009-6. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 7 APPOINTMENT OF IMPROVEMENT SEARCH CLERK**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **CATHERINE UNDERWOOD** be and is hereby appointed Improvement Search Clerk effective January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2009-7. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 8 APPOINTMENT OF SEWER DEPARTMENT CLERK**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **DIANE M. ZOPPEL** be and is hereby appointed Sewer Clerk for the Township of Berlin, effective January 1, 2010 and terminating December 31, 2010

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Motion by Councilman McIntosh, second by Councilman Batten to adopt Resolution 2009-8. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010 - 9 APPOINTMENT OF TAX SEARCH CLERK**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **DIANE M. ZOPPEL** be and is hereby appointed **Tax Search Clerk** for the Township of Berlin, effective January 1, 2010 and terminating December 31, 2010.

Motion by Councilman McIntosh, second by Councilman Batten to adopt Resolution 2009-9. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 10 APPOINTMENT OF C-2 OPERATOR**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, Camden County, New Jersey that **J. MICHAEL McGEE** be and is hereby appointed the C-2 Operator of the Sewer Department of the Township of Berlin, effective January 1, 2010 until December 31, 2010.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-10. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 11 APPOINTMENT OF AN INSURANCE BROKER**

**WHEREAS**, there exists a need for the appointment of an Insurance Broker to provide insurance coverage to the Township of Berlin; and

**WHEREAS**, the maximum of the insurance premium is \$ 270,000.00 and funds are available in an appropriation entitled Insurance and have been certified by the Local Finance Officer; and

**WHEREAS**, the Local Public Contracts Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself to be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that:

1. The Mayor be authorized to execute the Agreement with **COMMERCE BANC INSURANCE SERVICES, INC.**, as Broker of Record to the Township for a period commencing January 1, 2010 until December 31, 2010.

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2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contract Law.
3. A notice of this action shall be printed once in the designated legal newspaper of the Township of Berlin.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-11. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 12 APPOINTMENT OF COMMISSIONER AND ALTERNATE FOR JOINT INSURANCE FUND**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the following appointments to the Joint Insurance Fund Committee be and they are hereby made as follows, commencing January 1, 2010

<b>CATHERINE UNDERWOOD</b>	-	<b>FUND COMMISSIONER</b>
<b>THOMAS J. DiGANGI</b>	-	<b>ALTERNATE FUND COMMISSIONER</b>
<b>MICHAEL McGEE</b>	-	<b>SAFETY DELEGATE</b>
<b>CHRISTOPHER MORRIS</b>	-	<b>ALTERNATE SAFETY DELEGATE</b>
<b>MICHAEL C. AVALONE</b>	-	<b>RISK MANAGEMENT CONSULTANT</b>

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-12. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-13 APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that it hereby appoints **CATHERINE UNDERWOOD** as the Public Agency Compliance Officer until December 31, 2010.

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Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-13. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 14 APPOINTMENT OF ZONING OFFICER**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor, with the advice and consent of the Council, shall appoint such other officers as may be provided for the Office of Zoning Officer;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **MIKE LAGINESTRA** be appointed the Zoning Officer, commencing January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2009-14. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-15 APPOINTMENT OF LIBRARIAN**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **MARY HOLT** be and is hereby appointed Librarian effective January 1, 2010 until December 31, 2010.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-15. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 16 APPOINTMENT OF PUBLIC DEFENDER**

**WHEREAS**, N.J.S.A. 40:69a-122 provides that the Mayor with the advice and consent of the Council shall appoint such other officers as may be provided by ordinance; and

**WHEREAS**, Section 3-2E of the Code of the Township of Berlin provides for the office of the Municipal Court;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the following appointment be made for the year commencing January 1, 2010 until December 31, 2010.

**PUBLIC DEFENDER - ROBERT E. DEPERSIA, II**

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-16. Resolution adopted by call of the roll five members present voting in the affirmative.

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**RESOLUTION 2010- 17 APPOINTMENT OF MUNICIPAL PROSECUTOR**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor, with the advice and consent of the Council, shall appoint such other officers as may be provided by Ordinance; and

**WHEREAS**, Section 3-2E of the Code of the Township of Berlin provides for the office of the Municipal Court;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the following appointment be made for the year commencing January 1, 2010 until December 31, 2010

**PROSECUTOR - DONNA SIGEL PLATT**

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-17. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 18 APPOINTMENT OF DEPUTY COURT ADMINISTRATOR**

**WHEREAS**, N.J.S.A. 40-69a-122 provides that the Mayor with advice and consent of the Council, shall appoint such other officers as may be provided by Ordinance;

**WHEREAS**, Section 3-2E of the Code of the Township of Berlin provides for the Office of the Municipal Court;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, in the County of Camden, State of New Jersey, that the following appointments be made as follows:

**DEPUTY COURT ADMINISTRATOR - VICKI TAYLOR** until December 31, 2010

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-18. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-19 APPOINTMENT OF EMERGENCY MANAGEMENT DEPUTY COORDINATORS**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of Council, shall appoint such officers as may be provided by ordinance; and

**WHEREAS**, 3-2 of the Code of the Township of Berlin provides for the appointment of Emergency Management Deputy Coordinators;

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **MICHAEL SCHAFFER, JOSEPH JACKSON SR. and JOSEPH CORNFORTH** be and hereby appointed Emergency Management Deputy Coordinators for the Township of Berlin for a term commencing January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-19. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-20 APPOINTMENT OF LOCAL EMERGENCY PLANNING COMMITTEE**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of the Council, shall appoint such other officers as may be provided by ordinance;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, that the following persons be and they are hereby appointed Emergency Management Advisory Council members until December 31, 2010.

**JOSEPH JACKSON SR.  
PHYLLIS MAGAZZU  
CHRIS MORRIS  
DONAFAYE ZOLL  
CHARLES J. RIEBEL, JR.  
CATHERINE UNDERWOOD  
ANTHONY COLAVECCHIO  
MICHAEL MCGEE  
WALTER SHENDOCK  
LEONARD CHECK  
MELLISSA DILUZIO  
SHERI DIMEO  
LOUIS DE MARCO JR.  
JOSEPH CORNFORTH  
MICHAEL SCHAFFER  
ROBERT JOHNSON  
JOSEPH M. JACKSON JR.  
MICHAEL LAGINESTRA  
WILLIAM PUFTA  
BRIAN BETZE  
GALEN GIOSA**

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-20. Resolution adopted by call of the roll five members present voting in the affirmative.

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**RESOLUTION 2010- 21 APPOINTMENT OF A MUNICIPAL COORDINATOR FOR DISABLED**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **MICHAEL LAGINESTRA** be and is hereby appointed the Municipal Coordinator for the Disabled commencing January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-21. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 22 APPOINTMENT OF COORDINATOR ON AGING**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of the Council, shall appoint such other officers as may be provided by ordinance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **MICHAEL LAGINESTRA** be and is hereby appointed Coordinator on Aging for the Township of Berlin commencing January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-22. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 23 APPOINTMENT OF SECRETARY BOARD OF HEALTH**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of Council, shall appoint such other officers as may be provided by ordinance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **MIKE LAGINESTRA** be and is hereby appointed for the Township of Berlin as Secretary of the Board of Health Commencing January 1, 2010 until December 31, 2010

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-23. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 24 APPOINTMENT OF PROPERTY MAINTENANCE INSPECTOR**

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**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **MIKE LAGINESTRA** be and is hereby appointed as Property Maintenance Inspector for a term commencing January 1, 2010 until December 31, 2010.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-24. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 25 APPOINTMENT OF ADMINISTRATIVE SECRETARY  
LAND USE OFFICE**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **KELLEY McCAULEY** be and is hereby appointed Administrative Secretary Land Use Office effective January 1, 2010 until December 31, 2010.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2009-25. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 26 APPOINTMENT OF MEMBERS TO THE PLANNING  
BOARD**

**WHEREAS**, N.J.S.A. 30:44-1.4 provides for the creation, membership and terms of a PLANNING BOARD; and

**WHEREAS**, Section 20-2 et seq., of the Code of the Township of Berlin provides for the creation of a PLANNING BOARD shall consist of the following;

**ANDREW SIMONE** – Class IV Chairman to 12-31-11

**FRANK MCHENRY** - Class IV Vice-Chairman to 12-31-11

**CRAIG DEGEORGE** – Class IV Member 12-31-11

**MICHAEL DEPALMA** – Class II Construction Code Official until  
December 31, 2009

**CHRISTOPHER MORRIS** – Class III Councilperson to 12-31-2009

**PHYLLIS MAGAZZU** – Class I Mayor to 12-31-09

**CHARLES RIEBEL, JR.** – Engineer to 12-31-09

**DAVID CARLAMERE** – Solicitor to 12-31-09

**DAVID ROWAN** – Solicitor to 12-31-09

**JOHN SOUDERS-** Alternate (1) 12-31-10

**JOE PANTANO-** Alternate (2) 12-31-10

**NOW, THEREFORE, BE IT RESOLVED** that the above named individual shall serve his respective term pursuant to the provisions set forth in the New Jersey Statutes Annotated 40:55-1 et seq., and pursuant to the Code of the Township of Berlin, Section 20-1 et seq.

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Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2009-26. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-27 APPOINTMENT OF FIRE SUB-CODE OFFICIAL/FIRE INSPECTOR**

**WHEREAS**, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of the Council, appoint such other officers as may be provided by ordinance; and

**WHEREAS**, Section 3-3 of the Code of the Township of Berlin provides for a Department of Public Safety, and 3-30 provides for the enforcement of the fire regulations of the Township of Berlin;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, that pursuant to N.J.S.A. 52:27D-126 **JOSEPH JACKSON, SR.** be and is hereby appointed FIRE SUB-CODE OFFICIAL for a one year term commencing January 1, 2010 and terminating December 31, 2010.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2009-27. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 28 APPOINTMENT OF COORDINATOR FOR CLEAN COMMUNITIES MODEL PROGRAM**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **J. MICHAEL MCGEE** is hereby appointed as Coordinator for the Clean Communities Model Program I and that the Public Works Department of the Township of Berlin, be designated the Agency responsible for grant implementation effective January 1, 2010.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2009-28. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 29 RESOLUTION AUTHORIZING THE APPOINTMENT OF REPRESENTATIVE AND ALTERNATE TO THE CAMDEN COUNTY COMMUNITY DEVELOPMENT ADVISORY BOARD**

**WHEREAS**, there is hereby established an annual requirement of a Municipality to appoint a voting representative, and alternate to the Camden County Community Development Advisory Board; and

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**WHEREAS**, the Township of Berlin wishes to continue to be a voting member of said board in conjunction with the existing Cooperation Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **RONALD CONKLIN** is hereby appointed to serve as the representative from the Township of Berlin to the Camden County Community Development Advisory Board and

**FURTHER, JEROME McINTOSH** is hereby appointed to serve as the alternate member,

**FURTHER**, a certified copy of this Resolution is to be submitted to the County Community Development Office.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2009-29. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 30 APPOINTMENT OF PLANNING BOARD SOLICITOR**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **DAVID CARLAMERE, ESQUIRE**, of CARLAMERE, ROWAN AND SCHEMANSKI of Cherry Hill, NJ be appointed the Planning Board Attorney of the Township of Berlin for a period of one year (1) commencing **January 1, 2010 until December 31, 2010** to perform professional services ordinarily provided by and required of a Planning Board Attorney, and to receive such compensation as may be reasonable for such services. Said **DAVID CARLAMERE, ESQUIRE**, is a person authorized by law to practice a recognized profession in the State of New Jersey, which practice is regulated by the laws of this State; to wit, the profession of Planning Board Attorney. These professional services are necessary and are required by this municipality.

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-30. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 31 APPOINTMENT OF ENGINEER TO THE PLANNING BOARD**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that **CHARLES J. RIEBEL, JR.** of KEI

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ASSOCIATES, 80 S. White Horse Pike, Berlin, New Jersey, be appointed the registered Planning Board Engineer of the Township of Berlin for a term commencing **January 1, 2010 until December 31, 2010**, to perform professional services ordinarily provided by and required of a Planning Board Engineer and to receive such compensation as may be reasonable for such services. Said **CHARLES J. RIEBEL, JR.** is a person authorized by law to practice a recognized profession in the State of New Jersey, which practice is regulated by the laws of the State; to wit, the profession of registered Planning Board Engineer. These professional services are necessary and are required by this municipality.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-31. Resolution adopted by call of the roll five members present voting in the affirmative

**RESOLUTION 2010-32 AUTHORIZING PURCHASES THROUGH STATE CONTRACTS**

**WHEREAS**, the Township of Berlin may, pursuant to N.J.S.A.40A:11-12, purchase materials, supplies and equipment under contracts entered into on behalf of the State of New Jersey by the Division of Purchases and Property in the Department of the Treasury; and

**WHEREAS**, purchases under the aforesaid State Contracts may be made by the Township without the necessity of advertising for bids or may be made in cases where advertisements for bids have produced either no bids or have produced rejected bids; and

**WHEREAS**, it is contemplated that it will be necessary or desirable to obtain materials, supplies, and equipment under said State Contracts, during the year 2010;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that Department Heads are hereby authorized to purchase, without the necessity of a separate resolution, such materials, supplies, and equipment as shall be available under State Contract, to the Township pursuant to N.J.S.A.40A:11-12, in those cases 1) where it is desirable and in the best interests of the Township of Berlin to make such purchases and 2) where the amount of the purchase, with regard to the aggregation of like purchases made at separate times in the year 2010, is less than the threshold set in accordance with N.J.S.A. 40A:11-3; and

**BE IT FURTHER RESOLVED** that all purchases by the Township of Berlin pursuant to N.J.S.A. 40A:11-12 which are, with regard to aggregation, in excess of the bid limit established pursuant to N.J.S.A. 40A:11-3, shall be the subject of a separate authorizing resolution by the Mayor and Council of the Township of Berlin

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Motion by Councilman Batten, second by Council President Morris to adopt Resolution 2009-32. Resolution adopted by call of the roll five members present voting in the affirmative

**RESOLUTION 2010-33 DESIGNATION OF OFFICIAL DEPOSITORY FOR THE YEAR 2009**

**WHEREAS**, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state;

**NOW, THEREFORE, BE IT RESOLVED** on the 4th day of January, 2010, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that **BANK OF AMERICA** be and is hereby designated as depositories for the Township of Berlin for the year 2010.

Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (RS. 17:9-41).

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-33. Resolution adopted by call of the roll five members present voting in the affirmative

**RESOLUTION 2010- 34 DESIGNATION OF BANKS FOR INVESTMENT PURPOSES**

**WHEREAS**, there will be excess Berlin Township funds from time to time; and **WHEREAS**, it is in the best interest of the Township of Berlin to invest these funds at the highest rate of interest available;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the Treasurer be and hereby authorized to invest these funds in the following banks:

**BANK OF AMERICA**

**SOVEREIGN BANK**

**WACHOVIA BANK  
BERLIN NJ**

**STATE OF NEW JERSEY CASH MANAGEMENT FUND**

Any other banks with GUDPA certification

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Motion by Councilman Batten, second by Councilman DiGangi to adopt Resolution 2009-34. Resolution adopted by call of the roll five members present voting in the affirmative

**RESOLUTION 2010- 35 DESIGNATION OF OFFICIAL NEWSPAPERS**

**WHEREAS**, Section 3 of the Open Public Meetings Act, Chapter 231, P.L., 1975, requires that certain notice of meetings be submitted to two (2) newspapers, one of which shall be the official newspaper; and

**WHEREAS**, the second newspaper designated by this body must be the one which has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and council of the Township of Berlin, County of Camden, State of New Jersey as follows:-

1. **COURIER POST**, Cherry Hill, New Jersey, and **RECORD BREEZE**, Blackwood, New Jersey are hereby designated as the official newspaper of the township. The designation of the newspapers shall be for a period of one (1) year commencing January 1, 2010 until December 31, 2010.
2. It is the opinion of this body that the above named newspapers have the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-35. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 36 RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE TOWNSHIP OF BERLIN**

**WHEREAS**, N.J.S.A.40A:5-14 requires every municipality to adopt a Cash Management Plan;

**WHEREAS**, the attached plan, which has been prepared pursuant to the provisions of N.J.S.A.40A:5-14, sets forth the basis for the deposits and investments of certain public funds of the Township of Berlin;

**NOW, THEREFORE, BE IT RESOLVED** that the Cash Management Plan be adopted and in effect for the period January 1, 2010 through December 31, 2010. A copy of said plan is on file in the office of the Township Clerk.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2009-36. Resolution adopted by call of the roll five members present voting in the affirmative.

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**RESOLUTION 2010- 37 AUTHORIZING CONTRACT FOR EXTRAORDINARY, UNSPECIFIED SERVICES**

**WHEREAS**, there exists a need for prescription insurance coverage; and

**WHEREAS**, the maximum amount of the contract is \$450,000.00 and said funds are available in an appropriation entitled Group Insurance and have been certified by the local finance officer, said certification being attached; and

**WHEREAS**, N.J.S. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with Bollinger, Inc.
2. This contract is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with 40A:11-5(l)(a) of the Local Public Contracts Law because it cannot be reasonably described in written specifications and insurance qualifies as a EUS under the provisions of the statute.

Motion by Council President Morris, second by Councilman Batten to adopt Resolution 2009-37. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 38 AUTHORIZING CONTRACT FOR EXTRAORDINARY, UNSPECIFIED SERVICES**

**WHEREAS**, there exists a need for dental insurance coverage; and

**WHEREAS**, the maximum amount of the contract is \$ 50,000.00 and said funds are available in an appropriation entitled Group Insurance and have been certified by the local finance officer, said certification being attached; and

**WHEREAS**, N.J.S. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

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**WHEREAS**, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin as follows:

3. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with Delta Dental Plan of NJ.
4. This contract is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with 40A:11-5(l)(a) of the Local Public Contracts Law because it cannot be reasonably described in written specifications and insurance qualifies as a EUS under the provisions of the statute.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-38. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 39 AUTHORIZING CONTRACT FOR EXTRAORDINARY, UNSPECIFIED SERVICES**

**WHEREAS**, there exists a need for dental insurance coverage; and

**WHEREAS**, the maximum amount of the contract is \$ 5,000.00 and said funds are available in an appropriation entitled Group Insurance and have been certified by the local finance officer, said certification being attached; and

**WHEREAS**, N.J.S. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin as follows:

5. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with Assurant Employee Benefits Insurance Company
6. This contract is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with 40A:11-5(l)(a) of the Local Public Contracts Law because it cannot be reasonably

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described in written specifications and insurance qualifies as a EUS under the provisions of the statute.

Motion by Council President Morris, second by Councilman Batten to adopt Resolution 2009-39. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 40 RESOLUTION TO SET THE INTEREST RATE CHARGES ON DELINQUENT TAXES**

**WHEREAS**, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

**WHEREAS**, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% on the first \$1,500.00 of the delinquency and 18% on any amount in excess of \$1,500.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% on the first \$1,500 of taxes becoming delinquent after due date and 18% on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date, subject to any abatement or discount for the late payment of taxes as provided by law.
2. There will be a ten (10) day grace period for quarterly tax payments made by cash, check or money order.
3. This resolution shall be published in its entirety once in the Record Breeze Newspaper.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Tax Collector
  - b) Township Attorney
  - c) Township Auditor
  - d) Department of Financial Services

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-40. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 41 RESOLUTION TO SET THE INTEREST RATE CHARGED ON DELINQUENT SEWER BILLS**

**WHEREAS**, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of sewer bills subject to any abatement or discount for the late payment of sewer bills as provided by law; and

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**WHEREAS**, R.S. 54:4-67 has been amended to permit the fixing of said rate of 18% per annum.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge 18% per annum of sewer bills becoming delinquent after due date, subject to any abatement or discount for the late payment of sewer bills as provided by law.
2. There will be a ten (10) day grace period for quarterly sewer payments made by cash, check or money order.
3. This resolution shall be published in its entirety once in the Record Breeze Newspaper.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Tax Collector
  - b) Township Attorney
  - c) Township Auditor
  - d) Department of Financial Services

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-41. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 42 RESOLUTION TO ADD SURCHARGE ON DELINQUENT REAL ESTATE TAXES OVER \$10,000.00**

**WHEREAS**, pursuant to N.J.S.A. 54:4-67, , the Governing Body of a Municipality may establish a penalty to be assessed to a taxpayer with a delinquency in excess of \$10,000.00 and who fails to pay that delinquency prior to the end of the fiscal year.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes a 6% penalty to be assessed on any tax delinquency in excess of \$10,000.00 where said delinquency has not been paid prior to the end of the fiscal year.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective on the date of its adoption.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-42. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-43 RESOLUTION SETTING FEE FOR EXECUTION OF DUPLICATE TAX SALE CERTIFICATE NJSA 54:5-52-1**

January 4, 2010

**WHEREAS**, in case of the destruction or loss of a tax title certificate which was issued by the Township of Berlin in the State of New Jersey held in the municipality, the collector of taxes in said municipality shall issue and execute a new certificate of tax sale in place of the one which has been destroyed or lost, and;

**WHEREAS**, the tax collector shall be duly authorized to do so by resolution of the governing body of said municipality, and;

**WHEREAS**, the municipality may charge a fee not to exceed \$100 for such a duplicate certificate, so;

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the costs for such duplicate certificate is set at \$100.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-43. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-44 RESOLUTION AUTHORIZING THE TAX COLLECTOR TO SET UP PARTIAL PAYMENT AGREEMENTS FOR CURRENT TAXES**  
**N.J.S.A. 54:5-68**

**WHEREAS**, the owners of property located in the Township of Berlin, would like the opportunity to pay taxes on a timely basis in monthly installments, and;

**WHEREAS**, no delinquencies are recorded and current year real estate taxes are being paid in these monthly payments, and;

**WHEREAS**, payments will be due the first day of each month with a ten day grace period, so;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that pursuant to New Jersey Statutes Annotated, authorization is granted to allow the Tax Collector to enter into an agreement for monthly installments upon request of the owner on any property within the Township of Berlin for the payment of current taxes through monthly installments, and;

**BE IT FURTHER RESOLVED**, that if these monthly installments fall delinquent more than ten days after the due date, then such agreement shall be void and the delinquency will revert back to the original date and the Township shall enforce the delinquency allowed by statute.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-44. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-45 RESOLUTION TO SET A SERVICE CHARGE FOR RETURNED CHECKS**

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**WHEREAS**, N.J.S.A. 40:5-18 states that a governing body may provide for the imposition of a service charge to be added for a check returned for insufficient funds not to exceed \$20.00.

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that in accordance with the above stated statute the fee of \$20.00 will be assessed for each check returned for insufficient funds.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-45. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-46 RESOLUTION TO SET MEETING TIMES AND DATES**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the regular meetings of the Mayor and Council shall be held at the Board of Education Building, 225 Grove Avenue, Berlin Township, New Jersey on the Second and Fourth Monday of the month at 6:30 p.m., except when said Monday shall fall upon a legal holiday, meeting will be cancelled for that week: The meetings for the 2010 will be held as follows:

<b>January</b>	<b>4</b>	<b>(reorganization)</b>
<b>January</b>	<b>25</b>	
<b>February</b>	<b>8</b>	
<b>February</b>	<b>22</b>	
<b>March</b>	<b>8</b>	
<b>March</b>	<b>22</b>	
<b>April</b>	<b>26</b>	
<b>May</b>	<b>10</b>	
<b>May</b>	<b>24</b>	
<b>June</b>	<b>28</b>	
<b>August</b>	<b>2</b>	
<b>September</b>	<b>13</b>	
<b>September</b>	<b>27</b>	
<b>October</b>	<b>25</b>	
<b>November</b>	<b>8</b>	
<b>November</b>	<b>22</b>	
<b>December</b>	<b>13</b>	

Motion by Councilman Batten, second by Councilman DiGangi to adopt Resolution 2009-46. Resolution adopted by call of the roll five members present voting in the affirmative.

January 4, 2010

**RESOLUTION 2010-47 AUTHORIZING THE FILING OF TAX APPEALS**

**WHEREAS**, there exists a need for filing of Tax Appeals for the Township of Berlin; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that authorization is given to **Anthony Colavecchio**, Tax Assessor to file these Tax Appeals on behalf of the Township of Berlin in all property tax matters

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-47. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-48 RESOLUTION OF THE TOWNSHIP OF BERLIN APPOINTING MEMBERS OF THE TOWNSHIP OF BERLIN OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION ADVISORY COMMISSION**

**WHEREAS**, the Governing Body of the Township of Berlin previously adopted Resolution No. 99:104, Resolution 2002-28, and Resolution 2007-196, creating the aforementioned Advisory Commission and appointing members thereto; and

**WHEREAS**, the terms of certain appointments have expired; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, that the appointments be made as follows:

<b>Ronald Odegaard</b>	Athletic Association	to 12/31/12
<b>Leonard Check</b>	Athletic Association	to 12/31/12
<b>Linda Fabrico</b>	Township resident	to 12/31/11
<b>Phyllis Magazzu</b>	Mayor	to 12/31/12
<b>Thomas DiGangi</b>	Council President	to 12/31/12

**NOW BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the above are hereby appointed as members of the Advisory Commission in accordance with the terms and conditions outlined in Resolution 2007-196.

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2009-48. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 49 CONTINUING RESOLUTION**

**WHEREAS**, it is the policy of the Mayor and Council of the Township of Berlin to review and examine all previously adopted Resolutions;

January 4, 2010

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, that all appointments, ordinances, amendments and supplements thereto, including all resolutions of the Township of Berlin heretofore in existence as of December 31, 2009, may continue for a period of sixty (60) days or at the pleasure of the Mayor and Council except in so far as they may be inconsistent with any and all appointments, ordinances, amendments and supplements adopted by the Mayor and Council of the Township of Berlin on this date, January 4, 2010.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-49. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 50 RESOLUTION AUTHORIZING ADVERTISEMENT OF RFQ'S FOR LABOR COUNSEL SERVICES**

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that the Municipal Clerk is hereby authorized to advertise for RFQ's for Labor Counsel Services for the calendar year 2010 for a professional service contract, in the 1/7/10 issue of the Record Breeze.

Motion by Councilman DiGangi, second by Councilman Batten to adopt Resolution 2009-50. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 51 RESOLUTION APPOINTMENT OF COUNCIL LIAISON FOR NEIGHBORS HELPING NEIGHBORS**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **JEROME McINTOSH** be and is here by appointed liaison for neighbors helping neighbors effective January 1, 2010 until December 31, 2010

Motion by Councilman DiGangi, second by Councilman Batten to adopt Resolution 2009-51. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010- 52 RESOLUTION FOR APPOINTMENT FOR BERLIN TOWNSHIP LIAISON FOR CHANNEL 19**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin, that **JEROME McINTOSH** be and is here by appointed liaison for Channel 19, effective January 1, 2010 until December 31, 2010

Motion by Councilman DiGangi, second by Councilman Batten to adopt Resolution 2009-52. Resolution adopted by call of the roll five members present voting in the affirmative.

January 4, 2010

**PUBLIC HEARING ON SFY 2010 BUDGET**

Motion by Council President Morris, seconded by Councilman Batten to open the meeting to the public for comments 2010 SFY budget. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for questions or comments on the budget.

Carol Picciotti, Hudson Avenue, asked if we had heard back yet, to see if the Township was going to receive any aid.

Lori Campisano, CFO replied that we are not going to receive any aid this year.

No more comments we to be heard.

Motion by Councilman Batten, seconded by Councilman DiGangi to close the meeting to the public. Motion carried by voice vote, all present voting in the affirmative.

**RESOLUTION 2010- 53 RESOLUTION TO AMEND BUDGET**

**WHEREAS**, the local municipal budget for the fiscal year 2010 was approved on the 3rd day of August, 2009 and amended on the 14<sup>th</sup> day of December, 2009,

**WHEREAS**, the public hearings on said budget and subsequent budget amendment have been held as advertised, and

**WHEREAS**, it is desired to amend said amended budget,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and members of Township Council of the Township of Berlin, County of Camden, that the following amendment to the amended budget of fiscal year 2010 be made:

**Recorded Vote**

Aye Councilman Joseph Batten  
Councilman Thomas DiGangi  
Councilman Jerome McIntosh  
Council President Christopher Morris  
Mayor Phyllis Magazzu

Nay

Abstained

Absent

January 4, 2010

General Budget

	<u>From</u>	<u>To</u>
<b>GENERAL REVENUES</b>		
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes Municipal Budget	\$4,525,393.29 <u>4,525,393.29</u>	\$4,503,583.20 <u>4,503,583.20</u>
7. Total General Revenues	<u>\$7,704,239.41</u>	<u>\$7,682,429.32</u>
<b>(A) OPERATIONS - WITHIN "CAPS"</b>		
Public Safety Functions Police Salary and Wages	   \$1,766,640.00	   \$1,744,830.00
<b>Total Operations within CAPS</b>	<u>5,442,590.00</u>	<u>5,420,780.00</u>
<b>Total Operations Including Contingent – Within CAPS</b>	<u>5,442,590.00</u>	<u>5,420,780.00</u>
Detail Salaries and Wages	 3,119,840.00	 <u>3,098,030.00</u>
<b>(E) Deferred Charges and Statutory Expenditures – Municipal-     Within CAPS</b>		
<b>Statutory Expenditures:</b> Contribution to:		
Public Employees Retirement System	118,402.00	117,835.00
Police and Firemen’s Retirement System	<u>335,541.00</u>	<u>333,928.00</u>
<b>Total Deferred Charges and Statutory Expenditures – Municipal-     Within CAPS</b>	<u>689,410.47</u>	<u>687,230.47</u>
<b>(H-1) Total General Appropriations for Municipal     Purposes within CAPS</b>		<u>6,132,000.47</u> 6.1
<b>(A) Operations - Excluded from "CAPS"</b>		
Public Employees Retirement System	16,484.00	17,051.00
Police and Firemen’s Retirement System	<u>21,598.00</u>	<u>23,211.00</u>
<b>Total Other Operations – Excluded from CAPS</b>	<u>242,332.00</u>	<u>244,512.00</u>
Total Operations - Excluded from "CAPS"	<u>406,670.94</u>	<u>408,850.94</u>

January 4, 2010

Detail:		
Other Expenses	<u>347,632.00</u>	<u>349,812.00</u>

**General Budget (Cont'd)**

**GENERAL APPROPRIATIONS**

	<b><u>From</u></b>	<b><u>To</u></b>
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$1,515,670.94	\$1,517,850.94
(O) Total General Appropriations - Excluded from "CAPS"	<u>1,515,670.95</u>	<u>1,517,850.94</u>
(L) Subtotal General Appropriations	7,647,671.41	7,625,861.41
(M) Reserve for Uncollected Taxes <u>56,567.91</u>	<u>56,568.00</u>	
9. Total General Appropriations	<u>\$7,704,239.41</u>	<u>\$7,682,429.32</u>

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget adopted by the Mayor and members of Township Council on the 4th day of January, 2010.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2009-53. Resolution adopted by call of the roll five members present voting in the affirmative.

**RESOLUTION 2010-54 RESOLUTION TO FINALLY ADOPT THE SFY 2010 BUDGET**

BE IT RESOLVED, by the Mayor and Township Council of the Township of Berlin, County of Camden that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes states of the sums therein set forth as appropriations, and authorization of the amount of:

- a) \$4,503,583.20 (Item 2 below) for municipal purposes, and
- d) \$137,042.00 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

**January 4, 2010**

1. General Revenues		
Surplus Anticipated	08-100	\$
682,000.00		
Miscellaneous Revenues Anticipated	13-099	
2,496,846.12		
2. Amount Raised by Taxation for Municipal Purposes		
(Item 6(a), Sheet 11)	07-190	
4,503,583.20		
Total Revenues	13-299	
\$7,682,429.32		
5. General Appropriations:		
Within "CAPS"		
(a & b) Operations Including Contingent	34-201	
\$5,420,780.00		
(e) Deferred Charges and Statutory Exp	34-209	
689,410.47		
Excluded from "CAPS"		
(a) Operations – Total Operations Excluded	34-305	
406,670.94		
(c) Capital Improvements	44-999	
180,000.00		
(d) Municipal Debt Service	45-999	
929,000.00		
(m) RESERVE for Uncollected Taxes	50-899	
56,567.91		
Total Appropriations	34-499	
\$7,682,429.32		

**Recorded Vote**

Aye Councilman Joseph Batten  
Councilman Thomas DiGangi  
Councilman Jerome McIntosh  
Council President Christopher Morris  
Mayor Phyllis Magazzu

Nay

Abstained

Absent

**January 4, 2010**

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2009-54. Resolution adopted by call of the roll five members present voting in the affirmative.

Greetings and Statements of Council

Councilman Batten congratulated the mayor and council for their reappointments.

Council President Morris stated as we continue to face the many challenges of governing during the worst economic crisis since The Great Depression, we realize one of the keys to our success is open and straight forward communication. We realize and understand that many of our residents are losing their jobs and many families are forced to cut their household budgets just to make their next mortgage payment. We not only face the same challenges on a personal level but also face them as your Governing Body. At the same time, we know that Government is not the solution to all problems, but it can do less to compound the problems facing us in our daily lives. We must continue to provide vital services to our residents with greater efficiency and less resources. We must continue to expect greater accountability, transparency and community involvement. We must continue to work together to build a better and affordable place for our families to live, work and play. We must continue to keep Berlin Township First and strive to do our part by working as a team to proudly serve our hometown with honor, honesty and enthusiasm.

Congratulations to Phyllis, Tom and Jerome on their well deserved reelection victories. I know I can work with each of these fine folks for the good of our great little community. Thanks to Tom as our outgoing Council President for his top notch level of service. And with Phyllis as our Team Leader, I trust we'll be able to face our many challenges in a compassionate and caring way much the same way that a mother cares for her children with an unconditional sense of love and discipline aimed at keeping the family together and on the right track.

All the best for a Happy & Healthy 2010 and God Bless.

Councilman McIntosh thanked the governing body and said that he is looking forward to working with everyone this coming year. Jerome thanked his family and friends.

Councilman DiGangi congratulated the governing body and especially wanted to thank his wife for putting up with him this year. Councilman DiGangi congratulated Councilman President Morris stated that he would do an excellent job as Council President.

Mayor Magazzu said that this Governing body is truly a family here. We have had a tough year with the building and all. I am looking forward to working with

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everyone this year and with the completion of the new municipal building. Mayor stated that she wanted to thank her biggest supporters her family!

**ADJOURN**

Motion by Councilman Batten, second by Council President Morris to adjourn the meeting at 5:45 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 5:45 pm

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Catherine Underwood, Township Clerk