

NOVEMBER 23, 2009

**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 NOVEMBER 23, 2009 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 Batten, Councilman McIntosh, Council President DiGangi, Mayor Magazzu.  
Councilman Morris arrived 6:35

**Also Present-** Donafaye Zoll, Solicitor, Chuck Riebel, Engineer Michael Laginestra, Zoning Officer, Michael McGee, Director Public Works, Lori Campisano, CFO, Joseph Jackson, Chief Of Police.

**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.

Dan Neil, North Rose Lane said that his taxes have gone up \$1,700 and would like to know what this money has been spent on.

Mayor Magazzu replied that the majority of the money goes to the School, and then a portion goes to the Township and the County. The Mayor remarked that we no longer receive State Aid also. Mayor commented that you can get copies of the budget to view any spending from the School, Clerks Office and the County.

No more comments were to be heard.

Motion by Councilman Batten, second by Councilman McIntosh to close the meeting to public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu closed the meeting to the public.

**DEPARTMENTAL REPORTS**

**A. CHANGE ORDERS AND VOUCHERS**

No change orders or vouchers to report at this time.

**B. ENGINEER'S REPORT**

1. **TRAFFIC SIGNAL AND GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF COOPER ROAD AND TAUNTON AVENUE**

**(KEI #393BT0203)**: I have been informed that the Freeholders have not awarded the Contract and are waiting for N.J.D.O.T. to accept the bids. Therefore, no construction date has been established by the County.

Mayor Magazzu has informed me that Freeholder Leonard's aide had stated, at a recent Mayors Association meeting, that the County will pay for police directors, when the project is State funded. I had requested that the County Engineer confirm this understanding, especially for this project. He informed me that he was not aware of this policy.

2. **SIDEWALK ALONG N.J.S.H. ROUTE 73, EDGEWOOD AVENUE TO JACKSON ROAD, (N.J.D.O.T. FY 2008 AND FY2009 FUNDING - \$320,000.00)**

As directed by the Pinelands Commission, we are preparing the necessary documents for stormwater management and wetlands.

I have also obtained copies of the N.J.D.O.T. Construction Plans, which depict wetlands limits. We intend to use the N.J.D.O.T. plans, when addressing the wetlands issues.

3. **RESURFACING OF MT. VERNON AVENUE-FRANKLIN AVENUE TO MINCK AVENUE [N.J.D.O.T. FY2010 MUNICIPAL AID FUNDING - \$180,000.00] (KEI #506BT0509)**

The N.J.D.O.T. has announced the allotment of \$180,000.00. The application requested \$254,000.00 (\$221,147.50 estimated construction cost plus \$32,852.50 for inspection and materials testing). The N.J.D.O.T. funds are reimbursed to the Township. The N.J.D.O.T. reimburses 75% of the eligible funds after the award of the construction contract and 25% after their acceptance of the construction.

The following is an estimate of the costs:

a.	Construction Cost	\$221,147.00
b.	Engineering Cost	\$ 26,000.00
c.	Contract Administration and Inspection Cost	\$ 20,000.00

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d. Materials Testing Costs \$ 2,000.00

Total Estimated Construction, Engineering, Inspection,  
Contract Administration and Materials Testing Costs \$269,147.00

I recommend that the Governing Body consider authorizing our office to perform the necessary engineering and prepare the bid documents so that bids can be received in late 2009/early 2010. Typically, opening bids, during this period of the year, results in the receipt of the most competitive bids as the contractors are developing their workload for the upcoming construction season.

If the Township is not, financially, able to afford the entire cost, we recommend that the Proposal be structured to include a Base Bid and Alternate Bid(s) to allow the Governing Body to select the limits of the project, based on the availability of funds.

The N.J.D.O.T. has submitted a letter to Mayor Magazzu, informing her that funding was not allotted for the improvements to Hazel Avenue (Priority No. 2).

4. **PROPOSED MUNICIPAL BUILDING, N.J.S.H. ROUTE 73 AND DAY AVENUE (KEI# 422BT0804):**

a. Site Work: The general contractor expects the construction of the parking lot to be completed within three weeks, excepting for the surface course. The surface course will be constructed after the building construction has been substantially completed.

I would note that the existing parking area, along the front of the building, will only be seal coated.

b. Irrigation System: The Governing Body has decided to address this matter, at a later date. Piping has been installed to allow for the irrigation piping to be placed, inside the pipe, without requiring the disturbance of the pavement, for the proposed parking area.

c. Landscaping: The Governing Body has determined that this work will be completed after the completion of the building.

5. **PURCHASE AND/OR LEASE OF SENIOR CITIZENS BUS, [C.D.B.G. YEARS 30 AND 31 FUNDING- \$60,500.00+/-] (KEI# 165.01BT0209):** It is

anticipated that the bus will be delivered by the end of 2009.

6. **HADDON AVENUE STREETSCAPE IMPROVEMENTS (KEI #430BT1104 AND #431BT1104):**

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- a. Phase 2 – Franklin Avenue to Bate Avenue (N.J.D.O.T. Discretionary Fund – \$200,000.00) (KEI #431BT0105): As discussed, the Office of Local Aid has advised our office that the N.J.D.O.T. Chief Financial Officer determined that the project is closed and the funding is no longer available to reimburse the \$3,180.00.
- b. Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (FY2004 Transportation Enhancement Program and FY2005 SAFETEA-LU) (KEI #29-430BT1104): As reported, the Governing Body had decided not to accept the funds and requested that the project be bypassed to the future time when the Township would be in the position to bond the project.

7. **N.J.D.O.T. MATTERS**

- a. Punch List Items – Sanitary Sewer Construction, N.J.D.O.T. Route 73 Project: To date, I have not received any response from the N.J.D.O.T., regarding the issue. I recommend that the Governing Body consider allowing me, or Ms. Zoll, to contact the N.J.D.O.T. Commissioner's Office to request his assistance.
- b. Planting of Trees along the Rear of the Retail Center, Along the N.J.D.O.T. Ramp, Connecting Oak Avenue to Taunton Avenue (KEI #484BT0108): As directed by Mayor Magazzu, I have provided her with the phone number for the management company, since they will not respond to my phone calls.
- c. Request for No U-Turn at Median Opening along Route 73 at the Proposed Driveway for the Golden Corral Restaurant: I believe that the applicant for the proposed Golden Corral restaurant has received the N.J.D.O.T. Highway Access Permit. I will request the applicant to submit a copy of the Permit to see what position the N.J.D.O.T. has taken, regarding the approved turning movement through the median opening. I will inform the Governing Body and Police Chief once I have reviewed the Permit.

8. **CAMDEN COUNTY OPEN SPACE, ROUND 10 APPLICATION**

**(KEI #487BT0208):** Mr. McGee is discussing the redesignation of funds with Mr. Jack Sworaski from the County. Mr. McGee has also received prices for the performance of the work.

9. **SANITARY SEWER ALLOCATION:**

- a. Sanitary Sewer Extension along Edgewood Avenue and Allied Parkway: Last month, I informed the Governing Body of the conditions in which The Pinelands Commission would be willing to consider the connection of the existing buildings to the Township sanitary sewer. Mr. McGee has informed me that these buildings are, already, connected to the Berlin Borough water distribution system. I have informed The Pinelands Commission representative of the water connections and questioned if this would change their requirement that the buildings must connect to New Jersey American Water Company's water system. Once I receive a response, I will inform the Governing Body.

I have, again, requested the response from the Pinelands staff, regarding the requirement for the existing buildings along Edgewood Avenue and Allied Parkway to N.J. American Water distribution system if they are already connected to the Borough water system.

The Pinelands Commission representative had stated that they would possibly consider the extension of sanitary sewer to these buildings, only if they connected to the New Jersey American Water system.

- b. Amendment to the Wastewater Quality Management Plan: As suggested by Mr. Kricun, P.E. of the C.C.M.U.A., the Governing Body has decided to wait until the Spring of 2011 to push this matter, since he feels that additional capacity will be available, resulting in no need for the Township to pay for upgrades to the C.C.M.U.A. conveyance system.

Future development, within the Township, will be restricted until the allocation issue is resolved.

10. **FLOODING OF PROPERTIES ALONG VETERAN'S AVENUE, BETWEEN FISKE AND WALKER AVENUES:** We have submitted our findings and recommendations to the Governing Body. The Governing Body mentioned that, possibly, the construction of the built-up bituminous drives could be included with a future street improvement program.

11. **FORMER MUNICIPAL BUILDING SITE, BATE AVENUE (KEI #233.01BT1106):** As discussed with the Governing Body, I have requested the scheduling of a meeting with the N.J.D.E.P. Green Acres to discuss the removal of the recreation encumbrance from the parcel and designating another parcel in the Township.

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I believe that the Governing Body may be discussing the possible designation of land at the elementary school site for a playground with the School Board and Administrator.

12. **ALTERNATIVE ENERGY SOURCES:** Over the past several months, we have mentioned that there are various grants, rebates and incentives which are being offered by the State agencies.

Under the Local Energy Audit Program, the Township must supply the State with information, regarding energy costs and usage for the public facilities. The State will have their consultant perform the energy audit and provide a listing of recommended improvements. If the Township commits to the implementation of the recommended measures and improvements, the State is providing 100% up-front funds for these items.

Lately there has been an increased interest in the Program, which has resulted in a backlog in the performance of the audits. Therefore, I recommend that the Township pursue the performance of the audit, as soon as possible. We would be glad to assist the Township with the gathering and submission of the required documentation, which is with the initial submission.

The N.J.B.P.U. is also providing the following programs:

- a. Residential Energy Efficiency Programs for existing homes
- b. N.J. Energy Star for new homes
- c. N.J. Climate Choice Home Pilot for developers of new homes
- d. N.J. Smart Start Building Projects for new construction, renovation, and equipment replacement for commercial, industrial, and municipal buildings (\$500,000.00 max/utility/year)
- e. Pay for Performance (for larger municipalities) for buildings using over 200 KW average annual peak.
- f. Direct Install Program (for smaller municipalities) this program is used to implement the measures, which are listed in the Energy Audit.
- g. 2009 Renewable Energy Programs provide for rebates through the Renewable Energy Incentive Program (REIP) and SREC
- h. Community Partners Program provides for up to \$4,000.00 for municipalities to provide support, outreach, and education to the public

We would be glad to provide additional information, regarding any of these programs, if there is any further interest by the Township.

13. **AMENDMENTS TO LAND USE AND ZONING ORDINANCES:**

- a. Tree Protection Ordinance: The Planning Board intends to review the current ordinance and submit recommendations, in the near future. I

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recommend that Council President DiGangi and/or Mr. McGee discuss this matter with Planning Board Chairman Simone, prior to the Planning Board taking any action, since they have created a list of possible amendments to the ordinance.

- b. Regulations for Wind, Solar and Other Alternative Energy Facilities: It was anticipated that the Governor would be signing the legislation, this month, which would establish these facilities as "inherently beneficial uses". It is my understanding that the legislation requires the N.J.D.C.A. to develop model regulations. Therefore, I recommend that the Township wait to see if the Governor signs the legislations and, if signed, use the model regulation for a guide.

- 14. **MULTI-YEAR CAPITAL IMPROVEMENT PROGRAM:** We strongly recommend that the Governing Body implement the long term plan for improvements to streets, recreation, storm drainage and management, sanitary sewer, alternative energy sources and energy efficient, public buildings, vehicles, equipment, etc.

We had, previously, prepared a recommendation report, which lists projects. If the Governing Body is interested, we will revise the report, to include alternative energy sources and energy efficiency/green improvements.

- 15. **CONVERSION OF TRAFFIC SIGNAL LIGHTS TO L.E.D.:** The County had sent a letter to all Mayors, informing them that they intend to request proposals for the conversion of the incandescent signal heads to L.E.D., which are more energy efficient. The RFP will include equipment, service and maintenance of the traffic signals, within the County.

The County had requested interested municipalities to submit a listing by October 29, 2009, of the locations and number of traffic signals for consideration for conversion to the L.E.D. heads. I question if the Township had responded to this request.

- 16. **PERFORMANCE SURETIES FOR DEVELOPMENTS:** The Township has received requests for bond reductions for the following developments:

- a. Kepple Carpet, Cushman Avenue: We have inspected the site and issued an updated Punch List.

We recommend that the Performance Bond be reduced from \$68,737.20 to \$28,971.00, a total reduction of \$39,766.20.

- b. Pepé DiVentura, Proposed Retail Center, Cross Keys Road and Fairfax Avenue: On September 10, 2009, we had recommended that the bond

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be reduced from \$570,879.60 to \$230,560.80.

- c. Victory Lane Restaurant: We have inspected the site and issued an updated Punch List.

We recommended that the Performance Bond be reduced from \$430,398.00 to \$21,300.00, a total reduction of \$409,098.00.

- d. Montebello:

- 1) Section 3a – Clubhouse: The developer has provided our office with a copy of the General Surety Rider, which reduced the Performance Bond amount to \$795,533.00, in accordance with Resolution No. 2009-164.

- 2) Section 2a – Copley Circle: The developer has posted Performance Bond No. 5033561, for the amount of \$707,089.20, with the Township Clerk. The developer has distributed the Final Plat to the Township Officials for signature.

The limits of the various sections are being amended to coincide with practical construction sequences and to create sub-sections with lesser numbers of housing units for bonding purposes. The Planning Board Solicitor has determined that the shifting of section limits and further sectioning does not require any action by the Planning Board since final approvals were granted for the entire development.

- e. Sahara Sam’s Indoor Water Park: We have issued a Punch List and have met with the contractor several times. We are waiting for the contractor to request a final inspection.

Once all work has been satisfactorily completed and accepted, a two-year Maintenance Bond in the amount of \$305,008.20 must be submitted.

**SOLICITOR’S REPORT**

- 1. Water Agreement with Berlin Borough
- 2. Increase Sewer Allocation Buildout
- 3. New Municipal Building
- 4. Nancy Anderson V. Berlin Township
- 5. Berlin Township ADS. Michael Brown
- 6. Berlin Township ADS. David Carp



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7. Berlin Township ADS. Karen Cella
8. C&M Auto Repair Environmental Issues
9. 2009 Real Estate Tax Appeals
10. Problems with Wild Cats

**DIRECTOR OF PUBLIC WORKS**

Mike McGee, Director of Public Works updated the progress of the Municipal Building stating that the sheet rocking was going up at this time. Mike commented that the resurfacing of the court were done and that he had heard from Jack from the County who stated that the other courts could not be done and that the funds should be used for another project. The directors suggested the mulching of Day Aves Playground.

**POLICE DEPARTMENT**

Joe Jackson, Chief of Police and Emergency Management spoke about the County doing a group wide plan for our area. The Chief put three targeted area being the Walker Ave and the water Drainage issues along with the emergency generator back-up for the Municipal building and the fire department.

**MAINTENANCE/ZONING DEPARTMENT**

Michael Laginestra noted that he had sent out the summons for the resident on Warren Avenue. Mike also spoke about an issue with Pinelands. A resident sold there property as Commercial with the Township map showing it as Commercial, but Pinelands map show the property as R-1. Mike noted that he would address the Planning and Zoning board on this issue.

**ERROR IN PUBLICATION OF ADVERTISEMENT RE-ADVERTISED**

**ORDINANCE 2009-10 AMENDING ORDINANCE  
2007-8 OF THE TOWNSHIP OF BERLIN, COUNTY  
OF CAMDEN, NEW JERSEY**

**BE IT ORDAINED**, by the Township Council of the Township of Berlin, County of Camden, New Jersey ("Township") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** Section 7 of Bond Ordinance 2007-8 ("Bond Ordinance") heretofore duly adopted by the Township Council is hereby amended to provide as follows:

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount

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obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment/ Available Funds</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Various Improvements to the Township's Drainage System, including, but not limited to, improvements to the drainage basins located at Veterans Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$42,787.00	\$2,150.00	\$40,637.00	40 years
B.	Improvements to Various Township Roadways, including but not limited to, the construction, reconstruction, resurfacing, milling, overlay and curb and sidewalk construction to Haddon Avenue, Veterans Avenue, Cushman Avenue, Minck Avenue and Grove Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	257,273.97	12,000.00	245,273.97	10 years
C.	Acquisition of and Improvements to Various Pieces of Equipment for the Public Works Department, including, but not limited to, acquisition of winter street signs, acquisition of confined space entry & safety equipment, acquisition of an intercom system for the trash trucks, repair and refurbishing of the leaf vacuum units and acquisition of two (2) utility trucks, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	154,980.00	7,500.00	147,480.00	5 years
D.	Acquisition of Computer Equipment for use by the Township Assessor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	3,150.00	150.00	3,000.00	5 years
E.	Improvements to Various Municipal Facilities, including, but not limited to, the installation of asphalt around the salt dome, replacement of overhead doors on the Public Works building and installation of flooring and shelving in the municipal library, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	43,575.00	2,200.00	41,375.00	10 years
F.	Preliminary Costs essential for the Construction of a New Municipal Facility, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	84,000.00	84,000.00	0.00	5 years
G.	Construction of Sidewalks along Route 73 Northbound between Jackson Road and Edgewood Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	118,234.03	6,000.00	112,234.03	10 years
<b>TOTALS</b>		<b>\$704,000</b>	<b>\$114,000</b>	<b>\$590,000"</b>	

**Section 3.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey

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Department of Community Affairs, are on file with the Township Clerk and available for public inspection.

**Section 4.** All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

**Section 5.** In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Motion by Councilman Morris, second by Council President DiGangi to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2009-10. There were no requests to be heard. Motion by Councilman Batten, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Council President DiGangi, second by Councilman McIntosh to adopt Ordinance 2009-10. Ordinance adopted by call of the roll, five members present voting in the affirmative.

### **RESOLUTION 2009-185 TO APPROVE TOWING COMPANIES TO PROVIDE TOWING SERVICES FOR THE TOWNSHIP OF BERLIN .**

**WHEREAS**, the Township of Berlin has reviewed the applications submitted to the Berlin Township as per Ordinance 110 and

**WHEREAS**, the Township of Berlin has effectively operated using three tow services and have found the rotation to be profitable and service reliable.

**WHEREAS**, recently the Camden County Prosecutor's Office mandated that in an accident where there has been a fatality or serious bodily injury, we are to notify the Camden County Fatal Accident Team. This team, with approval of the County Prosecutor has designated the tow company for these types of accidents to be Helmrich's Towing from Pennsauken.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Township of Berlin , County of Camden, New Jersey that the following Towing Companies provide towing services for the Township of Berlin effect for the period of January 1, 2010 through December 31, 2010.

- 1) **Rick's Towing**, 401 South Route 73, West Berlin
- 2) **Albion Auto Parts**, 110 Cross Keys Road, Berlin
- 3) **Helmrich's Towing**, 4450 Marlton Pike , Pennsauken

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-185. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2009-186 RESOLUTION TO GRANT THE RELEASE OF ESCROWS FOR RGK DEVELOPMENT INC.**

**WHEREAS**, RGK Development Inc, has requested the release of the escrows for Avellino Tire Center on Route 73; and

**WHEREAS**, the Engineer has recommended that the Township grant the request for the release of \$487.55 in escrow funds, once the final bills have been submitted;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the release of the escrows for RGK Development Inc. is hereby granted.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-186. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-187 RESOLUTION AUTHORIZING ADVERTISEMENT OF RFO'S FOR PROFESSIONAL SERVICE CONTRACTS**

**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 RFO's for the calendar year 2010 for professional service contracts, in the 12/4/09 issue of the Record Breeze.

Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-187. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-188 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM VENDORS WITH STATE CONTRACTS IN EXCESS OF BID THRESHOLD DURING SFY 2010**

**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**, the following purchases were made or will be made during SFY2010 in excess of the bid threshold:

<b>CONTRACT#</b>	<b>VENDOR</b>	<b>ITEM</b>	<b>DATE OF EXPIRATION</b>
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1. A65044	Majestic Oil	Gasoline	6/30/10
2. A41864	Majestic Oil	Diesel Gasoline	12/31/09

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin hereby formally authorize the above purchases be available under State Contract, to the Township pursuant to N.J.S.A. 40A:11-12.

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2009-188. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009- 189 RESOLUTION AMENDING SALARY RESOLUTION 2008: 207 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 2008: 207 on December 15, 2008, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2009; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salaries effective November 23, 2009:

POSITION	AMOUNT PER YEAR
Tax/Sewer Clerk	\$28,040.00
Assistant Township Clerk	\$23,840.00

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

Motion by Councilman McIntosh, second by Councilman Morris to adopt Resolution 2009-189. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-190**                      **Payment of Bills November 23, 2009**

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
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Camden County Animal Shelter	Dog Trust	2,475.00
David F Carlamere	Planning Board Esc # 351	110.00
David F Carlamere	Planning Board Esc # 351	110.00
KEI Associates	Planning Board Esc # 32	371.25
	Planning Board Esc # 32	948.75
	Planning Board Esc # 152	512.50
	Planning Board Esc # 229	1,456.25
	Planning Board Esc # 308	2,825.00
	Planning Board Esc # 342	86.25
	Planning Board Esc # 342	1,942.50

**CONFIRMING**

Aramark Work Apparel	07-201-55-502-2032	300.00
	01-201-26-290-2032	300.00
	01-201-26-305-2032	411.79
	01-201-26-310-2032	300.00
	01-201-26-315-2032	300.00
	01-201-28-375-2032	300.00
Atlantic City Electric	01-201-31-435-2075	6,534.88
	01-201-31-435-2071	4,120.01
Camden County Treasurer	01-208-55-020-3000	836,730.07
	01-208-55-020-3000	60,931.11
	01-211-55-020-3000	30,770.31
State of NJ Deopt of Labor	01-165-05-010-3000	88.62
NJ State Health	01-201-23-220-2092	16,422.83
	01-201-23-220-2092	39,301.67
Payroll, Current Fund	10/1/2009	57,393.29
Payroll, Sewer	10/1/2009	4,368.67
Payroll, Current Fund	10/8/2009	60,270.71
Payroll Sewer	10/8/2009	4,551.00
Payroll, Current Fund	10/15/2009	57,334.20
Payroll, Sewer	10/15/2009	4,440.11
Payroll, Current Fund	10/22/2009	58,823.95
Payroll, Sewer	10/22/2009	4,335.73
Payroll, Current Fund	10/29/2009	81,401.39
Payroll, Sewer	10/29/2009	4,335.77

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Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-190. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-191 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.**

**Diane Zoppel, CTC - Tax Collector**

<b>NAME</b>	<b>YEAR</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>	<b>REASON</b>
<b>Lawrence Hawk</b>	<b>2009</b>	<b>601-6</b>	<b>250.00</b>	<b>Disabled Person</b>
<b>Dorothy Mueller</b>	<b>2009</b>	<b>1802-27</b>	<b>250.00</b>	<b>Senior Citizen</b>
			<b>\$500.00</b>	<b>TOTAL to Feb 2010</b>

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2009-191. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-192 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF THE PETTY CASH FUND FOR ADMINISTRATION**

**WHEREAS**, Jamey Eggers, Township Clerk was the custodian of the Petty Cash Fund for Administration, and

**WHEREAS**, in accordance with N.J.S.A.40:5-21, the Township of Berlin is changing custodians to Catherine Underwood, Township Clerk; and

**WHEREAS**, Catherine Underwood is bonded in the amount of \$1,000,000.00 by virtue of a Public Employee Dishonesty Bond through the Camden County Joint Insurance Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin, County of Camden hereby authorize such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**NOVEMBER 23, 2009**

Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-192. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009- 193 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF THE PETTY CASH FUND FOR POLICE ADMINISTRATION**

**WHEREAS**, Michael Hayden, Chief of Police was the custodian of the Petty Cash Fund for Police Administration, and

**WHEREAS**, in accordance with N.J.S.A.40:5-21, the Township of Berlin is changing custodians to Joseph Jackson, Chief of Police; and

**WHEREAS**, Joseph Jackson is bonded in the amount of \$1,000,000.00 by virtue of a Public Employee Dishonesty Bond through the Camden County Joint Insurance Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin, County of Camden hereby authorize such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-193. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009- 194 RESOLUTION AUTHORIZING CHANGE IN CUSTODIAN OF THE PETTY CASH FUND FOR POLICE UNDERCOVER INVESTIGATIONS**

**WHEREAS**, Michael Hayden, Chief of Police was the custodian of the Petty Cash Fund for Police Undercover Investigations, and

**WHEREAS**, in accordance with N.J.S.A.40:5-21, the Township of Berlin is changing custodians to Joseph Jackson, Chief of Police; and

**WHEREAS**, Joseph Jackson is bonded in the amount of \$1,000,000.00 by virtue of a Public Employee Dishonesty Bond through the Camden County Joint Insurance Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin, County of Camden hereby authorize such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Motion by Councilman Morris, second by Councilman Batten to adopt Resolution 2009-194. Resolution adopted by call of the roll, five members present voting in the affirmative.



**NOVEMBER 23, 2009**

**CONSENT AGENDA**

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

**APPROVAL OF CORRESPONDENCE CALENDAR FOR OCTOBER**

Motion by Councilman Morris, second by Council President DiGangi to receive and file the correspondence calendar for October 2009. Motion carried by voice vote, all present voting in the affirmative.

**APPROVAL OF MINUTE OCTOBER 26, 2009**

Motion by Councilman McIntosh, second by Councilman Batten to approve the minutes of October 26, 2009. Motion carried by voice vote, four present voting in the affirmative, one abstained.

**GOOD AND WELFARE #2**

Motion by Council President DiGangi, second by Councilman Morris 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.

No comments were to be heard.

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

**ALL OTHER BUSINESS**

Mayor Magazzu stated that a date has been set for the Annual Community Holiday Tree Lighting for December 4<sup>th</sup>, 2009 from 7 to 9 pm. It will held at the Gazebo in front of the Dwight D. Eisenhower School.

**RESOLUTION 2009-195 CLOSED SESSION TO DISCUSS PERSONNEL MATTER IN THE POLICE DEPARTMENT**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the Mayor and Council are now in going into closed session to discuss a personnel matter in the Police Department.

**RESOLUTION 2009- 196 RESOLUTION APPOINTING RICHARD SBARRA PATROLMAN FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT**

**NOVEMBER 23, 2009**

**WHEREAS**, a recommendation has been made to the Mayor and Township Council of the Township of Berlin to appoint Richard Sbarra as Patrolman in the Township Police Department ; and

**WHEREAS**, Mayor and Township Council have reviewed the recommendation and found same to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Richard Sbarra Patrolman in the Township Police Department effective January 1, 2010.

Motion by Councilman McIntosh, second by Councilman Morris to adopt Resolution 2009-196. Resolution adopted by call of the roll, five members present voting in the affirmative.

**ADJOURN**

Motion by Councilman Batten, second by Councilman McIntosh to adjourn the meeting at 8:30 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 8:30 pm

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Catherine Underwood, Township Clerk