

NOVEMBER 26, 2012

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL NOVEMBER 26, 2012 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 Courier Post, Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- Council President Morris, Councilman Epifanio, Councilman McIntosh, Councilwoman Bodanza, Mayor Magazzu

Also Present- Solicitor, Stuart Platt, Acting Chief of Police Lenny Check, CFO, Lori Campisano, Maintenance Officer, Josh Shellenberger , Chuck Reibel, Engineer

Absent-

Mayor Magazzu Introduced Mr. Charles Callari from American Traffic Solutions, ATS who gave an updated report on the status of the Traffic Lights Program. Mr. Callari explained the hold up since the signing of the contract and said that the application has been forward to the NJDOT.

DEPARTMENTAL REPORTS

ENGINEERS REPORT

A. CHANGE ORDERS AND VOUCHERS

1. Haddon Avenue Streetscape Project

Change Order Number 2- Command Co. Inc. is requesting an extension of time from the original completion date of October 1, 2012 to December 30, 2012, a total of an additional 90 days.

2. Installation of Decorative Street Lights Along Haddon Avenue

I recommend that the Governing Body consider approving the payment to Atlantic City Electric for the installation for the amount of \$292,838.78.

B. RESOLUTION FOR CONSIDERATION

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1. Solid Waste Disposal

I believe that the Governing Body will be passing a resolution to award a contract to Camden County Energy Recovery Associates, under the Camden County Cooperative Pricing System Identifier #57-CCCPS.

2. Driveway Improvements at 256 Fairview Avenue

I am hopeful that we will receive quotes for possible review and consideration for action by the Governing Body, at the Council Meeting.

C. ENGINEER'S REPORT

1. HADDON AVENUE STREETScape, PHASES 1, 2, AND 3, JEFFERSON AVENUE TO LUCAS AVENUE (FEDERAL TEA-21 FUNDS \$555,240)

I have recommended that the Governing Body approve the payment to Atlantic City Electric for the decorative street lights, for the amount of \$292,838.78. Once we receive a copy of the check to Atlantic City Electric, we will submit the invoice to the N.J.D.O.T. for the reimbursement of funds.

We will also be evaluating the illumination levels where the new lights have been installed, to determine which of the original street lights can be removed. We will, then, request that Atlantic City Electric remove those original lights, which are no longer needed.

The contractor is attempting to address the matter, regarding the test results for the strength of the concrete, by performing their own instu testing. The completion of the project has been delayed until this matter is resolved.

2. HILL AVENUE STORM DRAINAGE IMPROVEMENTS [C.D.B.G. YEAR 32 (\$32,257), YEAR 33 (27,900), AND YEAR 34 (24,000) FUNDING]

The contractor has completed the majority of the work. I have issued a punch list, noting the unacceptable and corrective work, which must be performed by the contractor. I must, still inspect the construction of the storm structures and piping.

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The contractor has submitted several requested for payment for extra work. I will be meeting with him to discuss these requests.

I am hopeful that the project will be completed and closed out in the month of December, 2012.

3. REHABILITATION OF TENNIS AND BASKETBALL COURTS AT SPRUCE AVENUE RECREATION SITE

One bid was received, on October 19, 2012, which exceeded the allotted funds and the estimated construction cost. The Governing Body rejected the bid and authorized the re-bid of the project. The second bid opening is scheduled for December 6, 2012. We will intend to submit the Bid Summary and Engineer's Recommendation to the Governing Body for your review and consideration for action at the Council Meeting on December 10, 2012.

I have asked if the County Open Space Committee would consider using the \$25,000 of funding for the proposed bandshell, at Luke Avenue Recreation Complex, for the rehabilitation of the courts. They have directed me to submit the request, in writing, to the committee, which I will be sending to them in the immediate future.

It appears at this time, that the construction cost for the rehabilitation of the courts may even exceed the \$50,000 of funding, which includes the bandshell funds. Therefore, if the Governing Body desires to proceed with these improvements, it may be necessary for the Township to allocate funds to cover the shortfall in funding.

4. 2012 STREET IMPROVEMENTS PROGRAM

We have not completed the bid specifications and plans.

In an attempt to address the frequent toppling of stormwater, from Fairview Avenue, at the driveway for 256 Fairview Avenue we have requested quotes for the proposed driveway improvements. I am hopeful that we will receive the quotes and submit the summary and my recommendations for possible consideration for action, by the Governing Body, at the Council Meeting on November 26, 2012.

5. N.J.D.O.T. FY 2013 MUNICIPAL AID APPLICATIONS

We have, electronically, submitted for the following applications:

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1. Oak Avenue- N.J.D.O.T. Jughandle "A" to 80 Feet Past Clover Avenue

Amount Requested
\$94,000.00

2. Hazel Avenue- Chestnut Avenue to Cushman Avenue

Amount Requested
\$236,000.00

I expect the N.J.D.O.T. to announce the selected projects in early 2013.

6. N.J.D.O.T. SAFE ROUTES TO SCHOOL

The N.J.D.O.T., Trenton office, has yet to announce the acceptance of applications for the next round of funding.

There is still documentation needed from the school/police in regards to the application. This would include an event to be held to encourage walking and bicycling to school, with supporting description and photos. A resolution supporting the Safe Routes to School program is still needed from the school.

7. CONSTRUCTION OF POROUS CONCRETE SIDEWALK ALONG N.J.S.H. ROUTE 73 NORTHBOUND-JACKSON ROAD TO EDGEWOOD AVENUE (N.J.D.O.T. FY'S 2008 AND 2009 FUNDING)

I am trying to schedule a meeting with the contractor to discuss the matter of the condition of the porous concrete and corrective measures so this project can be closed out and the Township can apply for the reimbursement of funds from the N.J.D.O.T.

8. N.J.D.E.P. INSPECTION OF GREEN ACHERS FUNDED RECREATION FACILITIES

On October 4, 2012, the N.J.D.E.P. Green Acres Compliance Inspector visited the Luke Avenue and Spruce Avenue recreation complexes. He was very pleased with the conditions of the facilities.

He has informed me that the former right-of-way of Spruce Avenue was encumbered, the Federal Funds for the construction of this

project. Therefore, it will be necessary for the vacated portion of Spruce Avenue be returned to the park property. I would be glad to discuss this matter, in further detail, with the Governing Body and Township Solicitor.

9. SUSTAINABLE JERSEY CERTIFICATION

“Sustainable Jersey™ is a certification program for municipalities in New Jersey that want to go green, save money and take steps to sustain their quality of life over the long term.” Participation in this program provides for “priority access to many New Jersey grant programs by registering or gaining certification, the Township will receive updates on new grants, training and events and the latest news.

To start with the program, the Governing Body must adopt a resolution of participation and, then register on the Sustainable Jersey website. It is also necessary to create a “Green Team”, which must complete and document various, required action, in order to obtain points and achieve a Bronze or Silver Level of certification.

The County is also providing assistance to municipalities to initiate and implement the program. I believe that Council President Morris has discussed the matter with the County representative.

10. REQUEST TO CONNECT HIGHPOINT 2 DEVELOPMENT TO THE TOWNSHIP SANITARY SEWER COLLECTION SYSTEM

I have been informed by a representative of Paparone Housing that they have met with Voorhees Township officials to discuss the matter and development the Intermunicipal Services Agreement. I believe that Paparone will be contacting the Township Solicitor, regarding the contents of the agreement document.

11. POSSIBLE MULTI-WAY STOP CONDITION AT THE INTERSECTION OF MINCK AND MT. VERNON AVENUES

I believe that Lt. Check had mentioned that he is trying to borrow traffic counting equipment from another municipal police department. I will provide him with the federal guideline for the traffic counting period and frequency.

12. NO PASSING ZONE ALONG COOPER ROAD

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I have requested the County Engineer's Office to provide me with a copy of the original construction profile, which I could use to establish the required sight distances and no passing zones.

13. MUNICIPAL BUILDING

a. Free Standing Monument Sign

The sign installer has performed the necessary services to have the sign operate, properly.

As directed by Mayor Magazzu, I must obtain a price from a contractor for the installation of the brick facing on the planter box.

b. Roof Membranes

I recommend that the Governing Body authorize the preparation of bid documents for the installation of a new roof membrane and insulation, in the immediate future.

c. School Bell

Mayor Magazzu has requested that a local contractor look at the bell and submit recommendations for the construction of an attractive and functional base for setting in the lobby of the Municipal Building.

d. Irrigation and Landscaping

We have submitted an application for funding for landscaping and irrigation for the front yard of the Municipal Building, under the Beautification category in the Transportation Enhancement Program.

We are currently preparing a landscape plan for consideration for plantings in the future. We may perform the design for the irrigation systems or have this work performed by a designer.

Once the designs have been completed and accepted, we will be contacting irrigation, landscape suppliers and contractors to see if they would be willing to donate materials and services for this work.

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We expect the work to be performed in the Spring of 2013.

14. STORM DRAINAGE IMPROVEMENTS

a. Storm Drainage Issues with the Southwest Portion of the Township

I had reported to the Governing Body that I am estimating that the overall construction cost for the necessary improvements is approximately \$11.8 million.

b. Lester Avenue Storm Drainage and Stormwater Management

We must, still perform the surveying fieldwork, design and preparation of the construction plans. Once completed, we must submit the plans to Public Service Electric and Gas Company for their consideration for the granting of a storm drainage easement, across their property.

We had discussed, as an interim measure, the construction of the storm drainage system on Lester Avenue and stormwater basin at the Luke Avenue Recreation Area to try to alleviate some of the stormwater runoff issues. At this time, I do not foresee the Public Works Department being able to devote the necessary time to perform the construction of these interim improvements.

c. Mt. Vernon Avenue Storm Drainage at the Elementary School

On occasion, the street has flooded, due to the apparent, limited capacity of the of the drainage system and receiving ditch, which is on the Board of Education property. I have discussed the matter with Mr. Pfluger, School Buildings and Grounds Superintendent. The ditch must be reconstructed to provide additional capacity and a positive outflow.

Mr. Pfluger has provided me with an incomplete version of a topographic map for the school property. I intend to attempt to decipher the contours and perform a preliminary design for said improvements. I intend to present the preliminary proposal to Mr. Betze for his review and consideration for recommendation to the Board of Education.

Prior to any discussions with the Board of Education, I will present the matter to the Governing Body for your review and direction.

15. ZONING MAP

We are nearing the completion of the computer generated Zoning Map, which depicts the individual lots and zoning districts. As part of the preparation of the map, we are able to refine the locations of the zoning boundary lines. We will be submitting a listing of the locations of the redefined boundaries to the Governing Body and Solicitor for review and comment. I believe it is necessary for the Governing Body to adopt the new zoning map. It may be necessary, as a result of the refinement of the zoning boundaries for the affected property owners to be notified of said line refinement.

16. COUNTY TRAFFIC SIGNAL MAINTENANCE PROGRAM

I have asked the County Shared Services Department for a status on the implementation of this program. Once I receive their response I will inform the Governing Body.

17. PUBLIC WORKS DEPARTMENT

a. **REQUEST FOR 2013 BUDGET AND CAPITAL PURCHASES FOR VEHICLES AND EQUIPMENT**

I have submitted my budget request for 2013 to Ms. Campisano. I will be submitting an explanation of the request to the Governing Body and Ms. Campisano.

I will be submitting a list for requested purchases of vehicles and equipment for consideration by the Governing Body.

b. **GREASE TRAP MAINTENANCE**

We are experiencing a large volume of grease accumulation in the pumping station wet wells. I will be meeting with the Construction Official to discuss the implementation of an inspection, monitoring and enforcement program for the grease generating restaurants.

I recommend that the Governing Body consider amending the Ordinance to provide for the Public Works Department Sewer Staff to assist the Construction Official with the above mentioned program.

c. **IMPROVEMENTS TO PUMPING STATIONS**

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Due to the age of the pumping stations, it has become necessary to perform increased maintenance, repairs and replacements to the pumps and other components of the pumping stations. I strongly recommend that funds be allocated, in the immediate future, for this work.

d. PERFORMANCE OF TASKS

The staff is currently performing the collection of leaves. Due to the breakdown of the tub grinder, we have hired a contractor to grind and remove the brush from the compost area, to allow for the placement of the leaves for composting.

The mechanics are performing services to the vehicles and equipment, which will be used during snow and ice events. I am hopeful that the vehicles and equipment will make it through these events as they are aged and worn.

SOLICITORS REPORT

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Berlin Township ADS. Estate of Raj Kumar Chopra
5. Berlin Township ADS. David Carp
6. Berlin Twp.ADS. Linda Fabrico
7. Berlin Township ADS. Jason Black
8. Berlin Twp. ADS. Abdul Mansary
9. Berlin Twp. ADS.Jennifer Vernacchio as Guardian Hannah Maslanka
10. Berlin Twp. ADS. Tarin Dunham
11. Open Public Records Act.
12. Fire Safety Ordinance.
13. Anti-Bulling Ordinance
14. Chief Jackson
15. Animal Control Ordinance

POLICE REPORT

Acting Chief Lenny Check reported that October was the busiest month of the year for the police department. The department had a high number of adult arrests and calls for service. Chief stated that during Hurricane Sandy the department was opened and that the officers had responded to 69 calls. Acting

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Chief Check acknowledged and thanked the Public Works Department and the Fire Department for all their help and assistance during the storm. Acting Chief also stated that he has a meeting scheduled for December 4, 2012 to go over with the County and State the reports to FEMA.

The Governing Body thanked Acting Chief Check for an outstanding job from him and his officers during the storm.

MAINTENANCE DEPARTMENT/ANIMAL CONTROL

Josh Shellenberger, Maintenance Officer /Animal Control Officer stated that since hurricane Sandy had hit he has only had issue with branches and debris.

ORDINANCE 2012-11 AN ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.

Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2012-11 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative. All Governing Body members abstained from voting on their salaries. Mayor Magazzu abstained from voting on the Building Custodian, Property Maintenance and Board of Health Inspector.

ORDINANCE 2012-12 ORDINANCE AMENDING ORDINANCE 2011-20 OF THE TOWNSHIP OF BERLIN , COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "ADMINISTRATION OF GOVERNMENT"

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Ordinance 2012-12 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-174 RESOLUTION AUTHORIZING ADVERTISEMENT OF RFQ'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 RFQ's for the calendar year 2013 for professional service contracts, in the 11/29/12 issue of the Record Breeze.

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Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2012-174. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-175 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – BODY ARMOR REPLACEMENT GRANT.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Body Armor Replacement Grant 2012 from the NJ Division of Criminal Justice for \$1,988.62;

BE IT FURTHER RESOLVED that a like sum of \$1,988.62 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"

Body Armor Replacement Grant 2011 \$1,988.62

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2012-175. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012- 176 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM VENDORS WITH STATE CONTRACT IN EXCESS OF BID THRESHOLD DURING TY 2012

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

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where advertisements for bids have produced either no bids or have produced rejected bids; and

WHEREAS, the following purchases will be made during TY2012 in excess of the bid threshold:

| CONTRACT | VENDOR | ITEM | DATE OF EXPIRATION |
|----------|-----------------------|--------------------|--------------------|
| 1. 80912 | Majestic Oil Co. Inc. | Gasoline, Unleaded | 2/28/15 |
| 2. 41864 | Majestic Oil Co. Inc. | Diesel Fuel | 10/31/12 |
| 3. 82767 | Majestic Oil Co. Inc. | Diesel Fuel | 10/31/13 |

WHEREAS, the Mayor of the Township of Berlin be and is hereby authorized and instructed to sign and execute any necessary legal instruments in connection with the purchases: and

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

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2012-176. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2012-177 RESOLUTION AUTHORIZING PURCHASES
BASED UPON THE AWARD OF CONTRACT TO INTERNATIONAL SALT CO.,
LLC IN ACCORDANCE WITH THE COOPERATIVE BID AWARDED BY THE
COUNTY OF CAMDEN.**

WHEREAS, the County of Camden, as the lead agency for the Camden County Cooperative Pricing System, in which Berlin Township is a member, system identifier #57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on October 10, 2012 at 10:00a.m., Prevailing Time, Bid B-19, Furnishing and Delivering Sodium Chloride, Pretreated Liquid Enhanced Sodium Chloride and Corrosion Inhibited de-icing Liquid, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, International Salt Co., LLC , is the lowest responsible bidder who complied with the specifications and bid the unit price of \$52.49 per ton for Item #1, Sodium Chloride; and

WHEREAS, by resolution adopted on October 18, 2012, the Camden County Board of Chosen Freeholders exercised the first year option of Bid B-19 and awarded contracts for Camden County's needs and participating municipalities in

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the Cooperative, under the aforementioned bid to International Salt Co., LLC:
and

WHEREAS, the term of the contract awarded shall be for one year commencing November 1, 2012; and

WHEREAS, funding for this purpose shall not exceed the maximum budgeted line items for streets and roads in the permanent and temporary TY 2012 and CY 2013 budgets and Snow Removal Trust of the Township and shall be encumbered in accordance with N.J.A.C. 5:34-5.3(b)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Public Works Department is hereby authorized to purchase sodium chloride at a unit price of \$52.49 per ton pursuant to Camden County Bid B-19, Furnishing and Delivering Sodium Chloride, Pretreated Liquid Enhanced Sodium Chloride and Corrosion Inhibited de-icing Liquid under the first year option for a one year term commencing November 1, 2012.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2012-177. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-178 PAYMENT OF BILLS FOR NOVEMBER.

Resolution 2012- 178 Payment of Bills - November 26, 2012

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 |
|------------------------------|---------------------------|----|---------------|
| Carlamere & Rowan | PB Esc #286 | \$ | 100.00 |
| | PB Esc #308 | | 110.00 |
| Robert E. DePersia, II, Esq. | Mun Public Defender Trust | | 450.00 |
| | Mun Public Defender Trust | | 300.00 |
| Camden County Animal Shelter | Dog Trust | | 552.00 |
| Treasurer, State of NJ | Dog Trust | | 2.40 |

CONFIRMING

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| | | | |
|-------------------------------|--------------------|----|------------|
| Verizon Communications | 3-01-20-120-2105 | \$ | 140.63 |
| Verizon Communications | 3-01-31-443-2077 | | 99.99 |
| Lt. Leonard Check | 3-01-25-240-2137 | | 100.00 |
| | 3-01-25-240-2105 | | 96.00 |
| | 3-01-25-240-2136 | | 16.11 |
| DSC Construction co., Inc. | G-02-55-769-0100 | | 10,145.42 |
| | C-04-04-866-112603 | | 169,674.22 |
| Post Master, Cherry Hill | 3-01-20-110-2120 | | 370.18 |
| State of NJ Health Benefits | 3-01-23-220-2092 | | 56,728.44 |
| State of NJ Health Benefits | 3-01-23-220-2092 | | 24,454.68 |
| State of NJ Dept of Labor | 3-01-55-160-0165 | | 119.95 |
| Verizon Communications | 3-01-31-443-2077 | | 99.99 |
| Ford Motor Credit Co. | 3-01-25-240-2051 | | 10,266.51 |
| Payroll, Current Fund | 10/4/2012 | | 60,101.70 |
| Payroll, Sewer Operating Fund | 10/4/2012 | | 3,700.50 |
| Payroll, Current Fund | 10/11/2012 | | 57,396.33 |
| Payroll, Sewer Operating Fund | 10/11/2012 | | 3,300.01 |
| Payroll, Current Fund | 10/18/2012 | | 58,891.08 |
| Payroll, Sewer Operating Fund | 10/18/2012 | | 3,376.60 |
| Payroll, Current Fund | 10/25/2012 | | 72,737.01 |
| Payroll, Sewer Operating Fund | 10/25/2012 | | 3,272.76 |

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2012-178. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-179 AWARDED BID FOR SOLID WASTE DISPOSAL SERVICES AND AUTHORIZING THE EXECUTION OF CONTRACT FOR THE TOWNSHIP OF BERLIN.

WHEREAS, the County of Camden, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier # 57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on August 2, 2012 at 11:00 A.M., Prevailing Time, for Bid A-25 for Disposal of Solid Waste for Camden County, various Camden County Agencies and various Camden County Municipalities under the Camden County Cooperative Pricing System, System Identifier # 57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, four bids were received;

**Camden County Energy Recovery Associates, LLC
BFI Transfer Systems of Pa.
Covanta 4Recovery**

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Republic Services of NJ, LLC; and

WHEREAS, the Board of Chosen Freeholders awarded a contract to the lowest responsible bidder, Camden County Energy Recovery Associates, LP, 600 Morgan Boulevard, Camden, NJ 08104 for (Option 1) as listed on the schedule attached hereto for the services required for the needs of the County of Camden and other Cooperative Purchasing Members; and

WHEREAS the term of agreement shall commence on or about January 1, 2013 through December 31, 2014 (Year 2 and Year 3 as indicated in the bid specifications) with the pricing as indicated on the schedule below, with a single one-year option to renew at the sole discretion of the County; and

WHEREAS, Camden County Energy Recovery Associates, LP has extended pricing to both Camden County and to the members of the Camden County Cooperative Pricing System as set forth in the bid specifications; and

WHEREAS, the Township Of Berlin is a participant in the Camden County Cooperative Pricing System and this bid; and

WHEREAS, it has been determined that bid option #1 for Disposal Services of approximately \$61.00 Tons Annually" provides for the best benefit to the Township of Berlin; and

WHEREAS, the bids have been evaluated by the Township of Berlin Engineer and Purchasing Agent, and the recommendation is made as herein after provided to the lowest responsible bidder to comply with the uniform bid specifications, Camden County Energy Recovery Associates, LP; and

WHEREAS, bid option #1 provides for the cost of \$61.00 per ton for the period of January 1, 2013 through December 31, 2013; and the cost of \$63.00 per ton for the period of January 1, 2014 through December 31, 2014; and

WHEREAS, the Township of Berlin will participate in any subsequent extension years as provided in the bid specifications; and

WHEREAS, upon adoption, a copy of this approving Resolution shall be transmitted to Camden County Energy Recovery Associates, LP in order to effectuate formal notice of Township of Berlin intention to exercise its option for the initial term of this bid; and

WHEREAS, the Township of Berlin CFO will certify that sufficient, available and legally appropriated funds for this expenditure are available.

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin, in the County of Camden as follows:

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1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.
2. The Bid and Contract for Solid Waste Disposal is hereby awarded, subject to the necessary funds being appropriated by the governing body for all fiscal years to Camden County Energy Recovery Associates, LP, for a term of twenty-four months, commencing on or about January 1, 2013 and terminating on December 31, 2014, for the disposal prices as indicated herein.
3. The Township of Berlin, in the County of Camden, does hereby authorize the proper officials to execute and award a contract to Camden County Energy Recovery Associates, LP for the term stated herein, in a form to be approved by the Solicitor of the Township of Berlin.
4. This contract is awarded subject to the State Treasurer approving the Affirmative Action of the successful bidder.
5. A copy of this Resolution shall be forwarded to Camden County Energy Recovery Associates, LP at: 600 Morgan Boulevard, Camden, New Jersey 08104, and Perryville Corporate Park, Clinton, New Jersey 08809-4000.

OPTION 1 – ENTIRE CAMDEN COUNTY COOPERATIVE PRICING GROUP

| VENDOR | YEAR 1 | YEAR 2 | YEAR 3 | YEAR 4 | (PER TON PRICING) |
|--|----------------|----------------|----------------|----------------|--------------------------|
| Camden County Energy Recovery Associates, LLC | \$59.00 | \$61.00 | \$63.00 | \$76.00 | |
| *BFI Transfer Systems of Pa. | \$63.00 | \$63.00 | \$64.74 | \$66.53 | |
| *Covanta 4Recovery | \$63.00 | \$64.16 | \$65.34 | \$66.55 | |
| Republic Services of NJ, LLC | No Bid |

*Out of state facility: additional cost per ton is reflected in per ton pricing.
**Year 1 term: September 1, 2012 through December 31, 2012

Options:

Year 4 term year to be exercised in the sole discretion of the County Motion by Councilwoman Bodanza, second by Councilman McIntosh to adopt Resolution 2012-179. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-180 RESOLUTION FOR CHANGE ORDER NO. 2 FOR TRANSPORTATION ENHANCEMENT PROGRAM

WHEREAS, it is necessary to extend the contract time of the Berlin Transportation Enhancement program- **Haddon Avenue Streetscape Project**

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because of manufactured delay in the delivery of benches and litter receptacles as specified in the contract; and

WHEREAS, Change Order No. 2 was developed to authorize those changes; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin Mayor and Council that Change Order No. 2 to extend the contract time for the **Haddon Avenue Streetscape Project**.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2012-180. Resolution adopted by call of the roll, five members present voting in the affirmative.

Approval of Business

Business Registration

1) Berlin Nails and Spa, Sandy Se, 451 North Route 73. Nail and Spa salon.

Motion by Councilman Epifanio, second by Council President Morris to approve business license. License approved by call of the roll, five members present voting in the affirmative.

Consent Agenda

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

Correspondences for October

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

Approval of October 22, 2012 Meeting Minutes

Motion by Councilman McIntosh, second by Councilman Epifanio to approve the minutes for October 22, 2012. Motion carried by voice vote, five present voting in the affirmative.

All Other Business

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Mayor Magazzu stated that the food drive is going very well and that a business in town that is going to donate 100 turkeys or hams.

Mayor asked if anyone had anything to add.

Chuck asked the Governing Body to do a resolution to reject the quote for the reconstruction to the Driveway on Fairview Avenue.

RESOLUTION 2012-182 RESOLUTION REJECTING THE QUOTE FOR THE RECONSTRUCTION OF 256 FAIRVIEW AVENUE DRIVEWAY AND TO RE-BID

WHEREAS, the Township of Berlin has advertised for, and has received quotes for the reconstruction of 256 Fairview Avenue Driveway; and

WHEREAS, there was only one bid received; and

WHEREAS, it is recommended by the Engineer / Director of Public Works that the Governing Body reject the quote for this project because it exceeds the allocated funds; and

WHEREAS, it is recommended by the Engineer / Director of Public Works that the Township of Berlin go out for quotes again for the reconstruction of 256 Fairview Avenue Driveway; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, the quote received is hereby rejected and that Mayor and Council authorize to re-bid.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2012-182. Resolution adopted by call of the roll, five members present voting in the affirmative.

Public Portion

Motion by Councilman Epifanio, second by Council President Morris 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.

Audrey Lightcap asked to explain what was amended on the organizational chart.

Lori Campisano stated that the chart is being amended to agree with the salary ordinance. Lori stated that every salary position will coincide with the organizational chart now.

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no more comments were to be heard

Motion by Council President Morris, second by Councilwoman Bodanza to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public.

RESOLUTION 2012- 181 RESOLUTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor and Council are now going into executive session to discuss personnel matters of the Township of Berlin.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2012-181. Resolution adopted by call of the roll, five members present voting in the affirmative to go into executive session.

Motion by Councilman Epifanio, second by Council President to come out of executive session.

Adjourn

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adjourn the meeting at 7:55 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 7:55 pm

Catherine Underwood, Township Clerk