

DECEMBER 14, 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 DECEMBER 14, 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, Councilman Morris, Council President DiGangi, Mayor Magazzu.

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

**Oath Of Office : Police Officer Richard Sbarra**

Mayor Magazzu opened the with the swearing in of Police Officer Richard Sbarra, his date of hire will begin on January 1<sup>st</sup> 2010.

**GOOD AND WELFARE #1**

Motion by Councilman Batten, 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.

Mr. Hertzberg stated that he has not seen any work done from the County in regards to the drainage. It has been about three weeks since our meeting and nothing is being done. The water has not flooded any of the homes, but it is just a matter of time before it hits the basements again. We just can't wait for it to happen over again.

Council President DiGangi stated that he had just gone out to the site to check on it due to all the rain we received these past couple of days.

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Mayor Magazzu asked Micheal McGee, Berlin Township Public Works Director has there been any updates from the last meeting

Michael McGee stated that we sent a letter to the County to keep pressuring them to stay on the drainage situation, but we have not heard any responds back from Frank Moran, from the County.

Mayor Magazzu asked Mr. Hertzberg if he had gone to any of the freeholders meetings

Mr. Hertzberg said no.

Councilman Morris noted that we should just keep on Frank Moran from the County and to try and get to a meeting that way it is on record.

No more comments were to be heard.

Motion by Councilman Batten, 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.

**ENGINEER'S REPORT**

**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):**

Mr. Robert Kelly, County Engineer, has informed me that the Freeholders have awarded the construction contract to Jersey Construction. The County is waiting for the contractor to submit the necessary documents.

We have been informed that the County has received proposals for the construction management and inspection services.

I recommend that the Governing Body confirm with the Freeholders that the County will pay for the Township police directors.

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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):**

We are preparing the necessary documents, for submission to the N.J. Pinelands Commission for the stormwater management and wetlands.

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 Admin. & Inspection Cost	\$ 20,000.00
d.	Materials Testing Costs	<u>\$ 2,000.00</u>

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 contractor expects to construct the subbase and bituminous base course, for the rear parking area, before the end of the year. The contractor anticipates the construction of the surface course in late March, 2010.

The current contract requires the application of a seal coat to the existing parking area, along the front of the building. The condition of the existing pavement has been compromised, due to the continued usage by delivery and construction vehicles. The Governing Body may want to consider the construction of a bituminous overlay or micosurfacing, rather than the seal coat.

- 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.

5. **FORMER MUNICIPAL BUILDING SITE:**

A meeting was held with the representatives of the school administration to discuss possible sites on the school property, which could serve as the compensation parcel for the loss of the Green Acres parcel and playground at the former Municipal Building site. The administrative representatives suggested the area of the former "Castle Park" playground might be a possible site, with other areas on the school property being alternative locations.

A meeting had been scheduled with the representative of the Green Acres Program to discuss the removal of the Green Acres encumbrance from the former Municipal Building site and the diversion process and options for compensation for the loss. As directed by Mayor Magazzu, the meeting has been postponed in order to address a potential title issue with the former municipal site.

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

The bus is scheduled to be delivered in early January, 2010. The contractor will be discussing the specifics for the graphics with the Township.

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7. **HADDON AVENUE STREETScape IMPROVEMENTS (KEI #430BT1104 AND #431BT1104):**

- a. Phase 2 – Franklin Avenue to Bate Avenue (N.J.D.O.T. Discretionary Fund – \$200,000.00) (KEI #431BT0105): 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.

Mr. McGee has advised our office that the cobra head lighting has not been removed in the areas where the decorative lighting was installed. We will contact Atlantic Electric and request this removal.

- 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.

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

- a. Punch List Items – Sanitary Sewer Construction, N.J.D.O.T. Route 73 Project: I have emailed N.J.D.O.T. Assistant Commissioner Shinkle-Gardner, requesting her assistance to having the N.J.D.O.T. address the outstanding corrective work for the sanitary sewer.
- 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 telephone number for the management company, since they will not respond to my telephone calls.
- c. Request for No U-Turn at Median Opening along Route 73 at the Proposed Driveway for the Golden Corral Restaurant: I have, recently, received a revised set of the site plan for the Golden Corral restaurant. The plan has shifted the proposed exit drive, south of the median opening. I am assuming that the N.J.D.O.T. required the

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shifting of the drive, rather than prohibiting U-turns at the median opening.

9. **CAMDEN COUNTY OPEN SPACE, ROUND 10 APPLICATION (KEI #487BT0208):**

This project is being handled by Mr. McGee.

10. **SANITARY SEWER EXTENSION ALONG ALLIED PARKWAY AND EDGEWOOD AVENUE:**

I had mentioned that representatives of The Pinelands Commission believe that the Commission would consider the redesignation of area and permit the extension of sanitary to the existing buildings along these streets, if: a) the Township commits to the construction of the sewer main extensions and b) the Borough states that the public water, which serves these buildings, is drawn from aquifers within the Delaware Basin.

I have requested a letter from the Borough Engineer, stating that the water supply is from the Delaware Basin.

I spoke with the engineer for the Exceptional Medical Transport (at the end of Allied Parkway). It is my understanding that The Pinelands Commission is requiring that they connect to sanitary sewer for his expanded operation. The engineer has informed me that they intended to connect to the sanitary sewer main on Cushman Avenue and were not considering a sewer main extension from Route 73.

11. **SANITARY SEWER ALLOCATIONS:**

Lately, I have received several inquiries from developers, regarding the availability of sewer allocation for approved developments in the Township.

The Governing Body had decided to wait until the Spring of 2011 to push for the increase in allocation, as recommended by Mr. Kricun.

Since the allocation issue is affecting the development of ratables, I question if it would be beneficial to discuss the matter with Mr. Kricun to see if provisions could be made for any additional allocations.

12. **WATER SUPPLY CAPACITY:**

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The same developers, which are questioning sewer allocation, have informed me that the water capacity issue is preventing them from developing their sites. I believe Ms. Zoll had reported, last month, that the Borough expects Well No. 10 to be redeveloped in the Winter/Spring of 2010.

13. **U.S.D.A. WATER AND ENVIRONMENTAL PROGRAM:**

I believe that this program is the former Farmers Home Program. The Program is offering grant/loan for a maximum of 40 years. The Township is eligible for up to a 45% grant and a loan interest rate of 3.5%.

The Program offers funding for water and wastewater systems, solid waste disposal and storm drainage. I would be glad to provide additional information, if the Governing Body is interested.

14. **ALTERNATIVE ENERGY SOURCES:**

Over the past several months, I have mentioned the various programs, which are available, through the N.J.D.E.P. and N.J.B.P.U. I would be glad to provide the Governing Body additional information, regarding any of the programs.

15. **AMENDMENTS TO LAND USE AND ZONING ORDINANCES**

a. Tree Protection Ordinance. I believe that, if they have not already, Council President DiGangi and/or Mr. McGee were going to discuss the possible amendments with Planning Board Chairman Simone. The Planning Board will, then, review the current ordinances and possible amendments and submit their recommendations to the Governing Body, in the near future.

16. **MULTI-YEAR CAPITAL IMPROVEMENT PROGRAM:**

We have submitted our recommendations report, listing projects for consideration for the development of a multi-year capital improvement program. I would be glad to discuss the matter, if desired, with the Governing Body.

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17. **CONVERSION OF TRAFFIC SIGNAL LIGHTS TO L.E.D.:**

Mr. McGee has informed me that a letter was not submitted to the County to note interest in participating in the anticipated County Program due to the initial costs, which would be incurred by the Township, for the replacement to the L.E.D. signal heads. As a result of a conversation with Mr. McGee, I have requested that a traffic signal electrician provide me with a cost-benefit analysis to determine the time period of when the savings in electrical costs equals the initial cost for the conversion. Once I receive the information, I will pass it on to the Governing Body and Mr. McGee.

18. **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 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.

We have recommended that the inspection escrow be reduced to \$1,000.00.

19. **ZONING OF BLOCK 2001, LOT 1, 120 E. COLLINGS AVENUE (KEI #353BT1001):**

Mr. Laginestra had informed the Governing Body that there has been an issue of the zoning for the lot, by various parties. The N.J. Pinelands Commission has responded to my inquiry, in a letter dated December 2, 2009.

I have provided Ms. Zoll with the documentation, which I have, regarding this matter, for her review.

**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
7. Berlin Township ADS. Karen Cella
8. C&M Auto Repair Environmental Issues
9. 2009 Real Estate Tax Appeals
10. HighPoint II Sewer Connections

**DIRECTOR OF PUBLIC WORK**

Michael McGee reported that they are in the progress of doing the mini signs that we spoke about prior meetings. Mike reported that leaf collection will be done this week. He also gave an update on the new municipal building stating that walls were up, taping is being done and that the building officially has heat.

**MAINTENANCE/ZONING DEPARTMENT**

Michael Laginestra noted that he had sent out a summons for the resident on Warren Avenue and Court was held the first week of December and the resident did not show up for court. So now a bench warrant will be sent out. Mike noted that work had been done on the property so she must have had received the summons.

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

**SECOND READING AND PUBLIC HEARING ORDINANCE 2009-10 AMENDING ORDINANCE 2007-8 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY**

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 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 Council President DiGangi, second by Councilman Batten 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 Morris to adopt Ordinance 2009-10. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**FIRST READING ORDINANCE 2009-17 AN ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY**

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Motion by Council President DiGangi, second by Councilman Morris to adopt Ordinance 2009-17 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-197 RESOLUTION ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY**

**WHEREAS**, N.J.S.A. 40A:5-19 permits the governing body of each municipality to establish an ordinance setting forth the salary ranges for municipal officers and employees; and

**WHEREAS**, the Mayor and Council of the Township of Berlin has adopted such an ordinance for calendar year 2010 and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the following named officers and employees of the Township of Berlin shall be paid and receive for their services during the calendar year 2010 the salary or wages hereinafter set opposite the position as listed:

POSITION	AMOUNT PER YEAR
Mayor	\$ 27,011.00
President of Council	8,634.00
Councilpersons	6,485.00
Chief Financial Officer	75,945.00
Township Clerk	40,000.00
Assistant Township Clerk	23,840.00
Tax Assessor	23,880.00
Tax Collector	54,228.00
<b>Sewer Clerk</b>	<b>3,737.00</b>
Tax/Sewer Clerk	29,040.00
Finance Clerk	36,615.00
Municipal Judge	19,519.00
Municipal Court Administrator	50,024.00
Deputy Court Administrator	31,480.00
Court Recording Operator	77.00 per court
Prosecutor	12,110.00
Clerk Typist/Part Time	10.50, 11.15, 12.20 & 13.50 per hour
Student Clerk Typist	Minimum wage
Fire Sub Code Official	7,187.00
Const. Code Official/Building Inspector	20,956.00
Plumbing Inspector	9,780.00
Electrical Sub Code Official/Electrical Inspector	9,780.00
Administrative Secretary, Land Use	43,336.00
Sewer Department Standby	\$200.00 per month
Crossing Guards	\$ 11.07 per hour
Public Works – Clerk Typist	21,000.00
Property Maint/Bd of Health/Zoning Officer	44,073.00
Librarian	14,082.00
Emergency Management Coordinator	3,001.00

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Grants Coordinator	19,394.00
Bus Driver	\$ 16.05 per hour
Construction Mechanic	\$ 15.00 per hour
Building Custodian	\$ 12.98 per hour
Owners Representative New Mun. Bldg.	\$25.00 per hr. up to 2 hrs per day (max. 10 hrs per wk)
Coordinator on Aging/Disabled	500.00
Chief of Police	102,500.00
Lieutenants of Police	84,076.00
Sergeants of Police	79,635.00
Patrolmen:	
Date of Hire	43,697.00
Beginning of 2 <sup>nd</sup> year	49,315.00
Beginning of 3 <sup>rd</sup> year	54,933.00
Beginning of 4 <sup>th</sup> year	60,551.00
Beginning of 5 <sup>th</sup> year	66,169.00
Beginning of 6 <sup>th</sup> year	75,298.00
Police Department – Clerk Typist	24,000.00
Police Department – Clerk Typist – Part Time	\$13.19 per hour
Director of Public Work	84,930.00
Deputy Director of Public Works	50,593.00
Employees of Public Works Department	\$ 14.50 – 23.79 per hour
Temporary Public Works Employees	\$12.00 per hour

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2009-197. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-198 RESOLUTION REQUESTING THE RELEASE OF LETTER OF CREDIT AND ESCROW MONEY FOR GREEN GROVE BAPTIST CHURCH**

**WHEREAS**, Green Grove Baptist Church, 300 Cushman Avenue West Berlin, New Jersey; Block 1702, Lot 2, 5.01 and 5.02, has requested the release of their Letter of Credit No. 136192060907 and Escrow Money in the amount of \$4567.50; and

**WHEREAS**, the Engineer has recommended that the Township grant the request for the release of the Letter of Credit contingent upon all outstanding vouchers be paid in full, and Escrow Money in the amount of \$4567.50.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the release of Letter of Credit No.136192060907 and Escrow Money in the amount of \$4567.50, for Green Grove Baptist Church, is hereby granted with the conditions stated above.

Motion by Council President DiGangi, second by Councilman Batten to adopt Resolution 2009-198. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2009-199 RESOLUTION FOR SECOND REDUCTION ON LINE OF CREDIT FOR KEPPLER ENTERPRISES, INC**

**WHEREAS**, Kepple Enterprises Inc. 110 Cushman Avenue, West Berlin, Camden County, NJ Block 1502, Lot 1.02 has requested a second reduction of his letter of credit

**WHEREAS**, the Engineer has recommended that the Township grant the request for the following reduction:

**Letter of Credit # 86000338 in the amount of \$ 68,737.20 to be reduced to the amount of \$ 28,971.00**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for reduction for Kepple Enterprises be reduced as stated above.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-199. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Police Department**

Chief of Police Joseph Jackson reported that retired Police Officers Gary Angelot passed away today and he would keep Mayor and Council updated on the details. Chief also stated that the department played a major part of in a drug investigation that has been going on the past year. Chief credited all of the guys in the department for being a key part of cracking open the case.

**RESOLUTION 2009-200 RESOLUTION REQUESTING THE RELEASE OF PERFORMANCE BOND AND POSTING OF MAINTENANCE BOND FOR SAHARA SAM'S WATER PARK.**

**WHEREAS**, Sahara Sam's Water Park, West Berlin, New Jersey; Block 1101, Lot 16; , has requested the release of their Performance Bond No. PRF08893522, and

**WHEREAS**, the Engineer has recommended that the Township Grant the request for the release of the performance bond contingent upon outstanding vouchers be paid in full and the posting of a two year Maintenance Bond in the amount of \$305,008.20 dated December 1, 2009, and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the release of Performance Bond No. PRF08893522 for Sahara Sam's Water Park, is hereby granted with the conditions stated above.

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Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2009-200. Resolution adopted by call of the roll, four members present voting in the affirmative, one member abstained.

**RESOLUTION 2009-201 RESOLUTION FOR REDUCTION OF PERFORMANCE BOND AND ESCROW MONEY FOR VICTORY LANE RESTAURANT.**

**WHEREAS**, Victory Lane Restaurant, located at 795 N.J.S.H Rout 73, West Berlin, Camden County, NJ Block 1605, Lot 1, 2 has requested a reduction of his performance bond and Escrow Money; and

**WHEREAS**, the Engineer has recommended that the Township grant the request for the following reduction:

**Performance Bond in the amount of \$ 430,398.00 to be reduced to the amount of \$21,300.00**

**Escrow Money to be released except for \$1000.00**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for reduction for Victory Lane Restaurant be reduced as stated above.

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-201. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-202 TO AMEND BUDGET**

**WHEREAS**, the local municipal budget for the fiscal year 2010 was approved on the 3rd day of August, 2009, and

**WHEREAS**, the public hearing on said budget has been held as advertised, and

**WHEREAS**, it is desired to amend said approved 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 amendments to the approved budget of fiscal year 2010 be made:

**Recorded Vote**

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

Nay none

Abstained none

Absent none

**General Budget**

	<u>From</u>	<u>To</u>
<b>GENERAL REVENUES</b>		
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations		
Camden County Recreation Enhancement Grant	\$00.00	\$50,000.00
Drunk Driving Enforcement Grant	00.00	5,246.54
Obey the Signs or Pay the Fines Grant	4,000.00	3,516.96
Over the Limit – Under Arrest Grant	5,000.00	5,575.44
NJ DOT Grant	<u>00.00</u>	<u>180,000.00</u>
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations	<u>110,000.00</u>	<u>344,338.94</u>

**Summary of Revenues**

3. Miscellaneous Revenues:

Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations	110,000.00	344,338.94
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Total Miscellaneous Revenues	2,262,507.18	2,496,846.12
5. Subtotal General Revenues (Items 1, 2, 3, and 4)	2,944,507.18	3,178,846.12
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	4,474,376.29	4,525,393.29
Municipal Budget	<u>4,474,376.29</u>	<u>4,525,393.29</u>
7. Total General Revenues	<u>\$7,418,883.47</u>	<u>\$7,704,239.41</u>

**General Budget (Cont'd)**

**GENERAL APPROPRIATIONS**

	<b><u>From</u></b>	<b><u>To</u></b>
<b>(A) Operations - Within "CAPS"</b>		
General Government		
Financial Administration		
Other Expenses	\$11,200.00	\$10,200.00
Revenue Administration		
Other Expenses	13,300.00	12,800.00
Tax Assessment Administration		
Other Expenses	7,100.00	6,100.00
Legal Services and Costs		
Other Expenses	20,000.00	37,000.00
Engineering Services and Costs		
Other Expenses	12,000.00	20,000.00
Planning Board		
Other Expenses	9,500.00	9,000.00
Insurance		
Liability	119,000.00	123,500.00
Workers Compensation	125,000.00	131,500.00
Public Safety Functions		
Aid to Ambulance Company		
Other Expenses	20,000.00	15,000.00
Municipal Court		
Other Expenses	39,800.00	37,800.00
Parks and Recreation Functions		
Maintenance of Parks		
Other Expenses	15,400.00	14,700.00
Education Functions		
Municipal Library		
Other Expenses	6,500.00	5,500.00
State Uniform Construction Code		
Construction Office		
Other Expenses	22,300.00	21,300.00

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Unclassified			
	Celebration of Public Events		
	Electricity and Natural Gas		
57,000.00	54,000.00		
	Street Lighting	93,000.00	89,000.00
	Water	<u>3,000.00</u>	<u>4,000.00</u>
<b>Total Operations within CAPS</b>		<u>5,415,290.00</u>	<u>5,442,590.00</u>
<b>Total Operations Including Contingent – Within CAPS</b>		<u>5,415,290.00</u>	<u>5,442,590.00</u>
Detail			
	Salaries and Wages	3,119,840.00	3,119,840.00
	Other Expenses	<u>2,295,450.00</u>	<u>2,322,750.00</u>

**General Budget (Cont'd)**

**GENERAL APPROPRIATIONS**

	<b><u>From</u></b>	<b><u>To</u></b>
<b>(E) Deferred Charges and Statutory Expenditures – Municipal- Within CAPS</b>		
<b>Deferred Charges:</b>		
Prior Year Bills	\$00.00	\$18.55
<b>Statutory Expenditures:</b>		
Contribution to:		
Public Employees Retirement System	118,651.00	118,402.00
Social Security System (OASI)	229,700.00	231,700.00
Police and Firemen's Retirement System	<u>333,929.00</u>	<u>335,541.00</u>
<b>Total Deferred Charges and Statutory Expenditures – Municipal- Within CAPS</b>	<u>686,028.92</u>	<u>689,410.47</u>
<b>(H-1) Total General Appropriations for Municipal Purposes within CAPS</b>	<u>6,101,318.92</u>	<u>6,132,000.47</u>
<b>(A) Operations - Excluded from "CAPS"</b>		
Public Employees Retirement System	1,849.00	16,484.00
Police and Firemen's Retirement System	<u>16,071.00</u>	<u>21,598.00</u>
<b>Total Operations – Excluded from CAPS</b>	<u>222,170.00</u>	<u>242,332.00</u>

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**Public and Private Programs Offset by Revenues**

Drunk Driving Enforcement Grant	00.00	5,246.54
Camden County Recreation Enhancement Grant	00.00	50,000.00
Obey the Signs or Pay the Fines Grant	4,000.00	3,516.96
Over the Limit – Under Arrest Grant	<u>6,000.00</u>	<u>5,575.44</u>
 Total Public and Private Programs Offset by Revenues	 <u>110,000.00</u>	 <u>164,338.94</u>
 Total Operations - Excluded from "CAPS"	 <u>332,170.00</u>	 <u>406,670.94</u>
Detail:		
Salaries and Wages	54,700.00	59,038.94
Other Expenses	<u>277,470.00</u>	<u>347,632.00</u>

**(C) Capital Improvements - Excluded from "CAPS"**

**Public and Private Programs Offset by Revenues**

NJ Department of Transportation Grant	<u>00.00</u>	<u>180,000.00</u>
 <b>Total Capital Improvements Excluded from "CAPS"</b>	 <u>00.00</u>	 <u>180,000.00</u>
 (H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	 1,261,170.00	 1,515,670.94
 (O) Total General Appropriations - Excluded from "CAPS"	 1,261,170.00	 1,515,670.95

**General Budget (Cont'd)**

**GENERAL APPROPRIATIONS**

	<b><u>From</u></b>	<b><u>To</u></b>
(L) Subtotal General Appropriations	<u>\$7,362,488.92</u>	<u>\$7,647,671.41</u>
(M) Reserve for Uncollected Taxes	<u>56,394.55</u>	<u>56,568.00</u>
9. Total General Appropriations	<u>\$7,418,883.47</u>	<u>\$7,704,239.41</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.

**BE IT FURTHER RESOLVED**, that this complete amendment, in accordance

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with the provisions of N.J.S.A. 40A: 4-9, be published in The Courier Post in the issue of December 18, 2009, and that said publication shall contain notice of public hearing on said amendment to be held at 5:00 pm at the Berlin Township Board of Education, 225 Grove Avenue, West Berlin, NJ 08091 on January 4, 2010.

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 14th day of December, 2009.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-202. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Resolution 2009-203                      Payment of Bills December 14, 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.

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Treasurer, State of NJ	Dog Trust	1.20
AWSCC	Dog Trust	1,045.00
Camden County Div of Health	Dog Trust	1,731.46
John Iannelli, Esq	Mun Public Defender	450.00
David F Carlamere	Planning Board Esc # 32	110.00
	Planning Board Esc # 152	110.00
KEI Associates	Planning Board Esc # 255	270.00
	Planning Board Esc # 286	710.00
	Planning Board Esc # 308	2,622.50
RGK Development	Planning Board Esc # 8888	487.55

**CONFIRMING**

America On Line	01-201-20-120-2105	32.90
Custom Installs	01-213-85-029-3000	3,644.00
NJ State Health	01-201-23-220-2092	16,422.83
	01-201-23-220-2092	39,301.67
Payroll, Current Fund	11/5/2009	56,830.62
Payroll, Sewer	11/5/2009	4,545.54

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Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-203. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-204 RESOLUTION TO GRANT THE RELEASE OF CASH MAINTENANCE BOND FOR MIKE'S CAR WASH**

**WHEREAS**, Mike Cuellar owner of E&V LLC, aka Mike's Hand Car Wash and Lube of 1244 Haddonfield Berlin Road, Voorhees N.J. has requested the release of his Cash Maintenance Bond; and

**WHEREAS**, the Engineer has recommended that the Township grant the request for the release of the Cash Maintenance Bond contingent upon outstanding vouchers be paid in full.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the release of the Maintenance Bond for E&V aka Mike's Hand Car Wash and Lube is hereby granted.

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2009-204. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009-205 RESOLUTION REQUESTING THE ISSUANCE OF RAFFLE LICENCES**

**WHEREAS**, Contact Community Helplines of 100 West Gate Drive, Cherry Hill, New Jersey has requested the issuances of license by the Township of Berlin for;

**On- Premises Draw Raffle (Chinese Auction)  
50/50 Cash Raffle**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that it hereby authorizes the issuances of licenses to the Contact Community Helplines of 100 West Gate Drive, Cherry Hill New Jersey for the Date of March 24, 2010

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-205. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2009- 206 GRANTING ARCADE AMUSEMENT GAMES LICENSES TO SAHARA SAM'S OASIS, LLC**

**WHEREAS**, Sahara Sam's Oasis has filed applications with the Township of Berlin, County of Camden, New Jersey, for a Amusement Games License for January 1, 2010 and expiring on December 31, 2010;

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**Sahara Sam's Oasis, LLC  
Arcade  
535 North Route 73 West Berlin N.J.**

**License # 36-2000-1-00191  
Tr. No. 1330**

**WHEREAS**, the application of the above named has been examined by the Mayor and Council and has been found to be in proper order; and

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the license be and is hereby granted. The Township Clerk is hereby authorized and directed to issue a license from January 1, 2010 and ending December 31, 2010.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2009-206. Resolution adopted by call of the roll, four members present voting in the affirmative, one member abstained.

**CONSENT AGENDA**

Motion by Councilman Batten, 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 NOVEMBER**

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

**APPROVAL OF MINUTES FOR NOVEMBER 23, 2009**

Motion by Councilman McIntosh, second by Councilman Morris to approve the minutes of November 23, 2009. Motion carried by voice vote, five present voting in the affirmative.

**GOOD AND WELFARE #2**

Motion by Councilman Batten, 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.

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Motion by Councilman Morris, second by Councilman Batten 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 commented that the Christmas Tree lighting was another great success and that we had a bigger crowd then last year.

Mayor Magazzu made note that the Berlin Township Reorganization meeting will be held on January 4<sup>th</sup> at the Berlin Township School Administration Building at 5:00 p.m.

Tom DiGangi talked about a speed light sign and thought that it would be good to look into it further.

Lori Campisano, Berlin Township CFO reported that on 12/1/09 we accepted proposals for the second Bond Anticipation Note for the New Municipal Building totaling \$4,950,00.00. Four proposals were received, of which Beneficial Bank was the lowest at an interest rate of 1.17% for one year.

The note will be issued on 12/9/09 and will be due on 12/8/10. After discussions with our Bond Counsel, it is recommended in the future to combine this note for \$4,950,00.00, together with our other two notes we have outstanding and issue permanent financing next December. The other notes outstanding are the first note issued for the building totaling \$3,000,000.00 and another note outstanding for regular capital ordinance since 2005 which totals \$2,405,000.00.

**ADJOURN**

Motion by Councilman Batten, second by Councilman Morris to adjourn the meeting at 7:30 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 7:30 pm

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Catherine Underwood, Township Clerk

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