

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL December 16, 2013 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, CFO, Lori Campisano, Engineer/
Public Works Director, Chuck Riebel, Chief of Police Leonard Check.

Absent- Josh Shellenberger, Maintenance/Animal Control

DEPARTMENTAL REPORTS

ENGINEER / PUBLIC WORKS DIRECTOR

A. CHANGE ORDERS AND VOUCHERS

None

B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION

None

C. ENGINEER'S REPORT

1. 2013 STREET IMPROVEMENT PROGRAM

- a. Proposal No. 1 – Improvements to Mt. Vernon Avenue from Minck Avenue to Franklin Avenue (Partial Funding Through N.J.D.O.T. - \$180,000)

The contractor has completed the construction. We will be performing a final inspection of the construction and preparing and issuing the punch list for the corrective items. I will be completing the measurements of the as-built conditions and submitting my recommendations for payment to the contractor. I expect to be submitting the Final Change Order and Voucher, this month.

b. Proposal No. 2 – Improvements to Edgewood Avenue- From Cooper Road to the N.J.D.O.T. Project Near Rt. 73 (Partial Funding Through N.J.D.O.T. – (\$200,000.00))

The contractor, Lexa Concrete, LLC, has completed the construction of the concrete items and restoration behind the curb. It is anticipated that they will be performing the pavement work, in the immediate future.

I have completed the measurements of the as-built conditions and will be submitting my recommendation for payment to the contractor. I expect to submit the Final Change Order and Voucher, this month.

Proposal No. 3 – Various Streets

The contractor, Charles Marandino, LLC, has completed the construction. I have informed them that they must replace the dead sod at the intersection of Grove and Cleveland Avenues

We had received a price of \$10,000 from Lexa Concrete, LLC for the construction of a Type “B” inlet, over the existing storm pipe, along Veteran’s Avenue, to intercept some of the stormwater, which is travelling along the street. I have informed the contractor that the price is too high. It is expected that the Public Works staff will construct the doghouse inlet and perform the pavement restoration.

2. IMPROVEMENTS TO MCCLELLAN AVENUE – DEAD END

This project is included in Ordinance 2011-26. I intend to include this project with the street improvements to Hill Avenue project.

3. STREET IMPROVEMENTS TO HILL AVENUE (C.D.B.G. YEAR 35 FUNDING \$21,000 +/-)

I must perform the preliminary design and prepare the construction cost estimate to determine if the current Township and C.D.B.G. funds are sufficient to cover the construction cost.

4. CAPITAL IMPROVEMENTS PROGRAM

As you know, there are many streets, which are in need of improvements (pavement, storm drainage, curb, etc.), in the immediate or near future. There are, also, various improvements, which are necessary for recreation facilities, public buildings and sanitary sewer.

The Governing Body has adopted the bond ordinance for the improvements to the sewer pumping stations.

I recommend that, if possible, the Governing Body consider implementing a long capital improvements program. I intend to prepare a Recommendations Report, detailing a possible long range plan for capital improvements, in the future.

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

We have submitted the various closing documents to the N.J.D.O.T for their approval and recommendation of release of the final payment to the contractor. It is my understanding that the N.J.D.O.T. has accepted the documents, which we have submitted, and have accepted the project. We have recommended that the final payment be released to the contractor.

The contractor has submitted the maintenance bond, which I will forward to the Township Clerk.

6. N.J.D.O.T. FY 2014 APPLICATIONS

We have, electronically, submitted the applications to the N.J.D.O.T. for the following projects

1. Oak Avenue- N.J.D.O.T. Ramp A to 80' Past Clover Avenue
2. Hazel Avenue – Chestnut Avenue to Cushman Avenue

Typically, the State announces the selected projects at the end of the year.

7. RECONSTRUCTION OF BASKETBALL COURT AT SPRUCE AVENUE RECREATION SITE (COUNTY OPEN SPACE GRANT - \$25,000)

I had mentioned to the Governing Body that I did not believe that the construction cost will exceed the County grant amount. I would like to receive bids, for this project, in the same bid package as the Hill Avenue Street Improvements Project, in hopes of receiving more competitive process for the larger scale projects.

8. PROPOSED DOG PARK AT LUKE AVENUE RECREATION AREA, COUNTY OPEN SPACE APPLICATION

The application package was submitted to the County. It is my understanding that the Freeholders have not selected the projects to be funded.

9. BANDSHELL AT LUKE AVENUE RECREATION AREA (COUNTY OPEN SPACE GRANT - \$25,000)

I am hopeful that the Public Works staff will be able to construct the concrete foundation and floor. I believe that it will be necessary for a contractor to erect the band shell structure and install the electric due to the anticipated, limited amount of time which the Public Works staff will be able to devote to the erection of the structure.

10. PERVIOUS CONCRETE SIDEWALK ALONG NORTHBOUND ROUTE 73 -JACKSON ROAD TO EDGEWOOD AVENUE (N.J.D.O.T. FY'S 2008 AND 2009 FUNDING)

The Contractor has applied the hardener/sealer, in the test areas. We are processing the final voucher for payment.

Once the payment has been made, we will be submitting the invoice to the N.J.D.O.T. for final reimbursement of the N.J.D.O.T. funds.

11. MUNICIPAL CERTIFICATION FOR FUTURE FEDERAL FUNDED PROJECTS

We must obtain the information from the N.J.D.O.T. Once received, we will inform the Governing Body and Ms. Campisano.

12. NO PASSING ZONE ALONG COOPER ROAD

We are, currently, preparing the CAD profile plan, using the New Jersey – American Water Company plan. We will follow with the analysis to determine the portions of the road that meet the standard for no passing.

13. MUNICIPAL BUILDING

a. Roof Membranes

We must perform the vertical and horizontal measurements of the existing conditions, perform the design, prepare the bid documents and receive bids. I expect to receive bids in the Spring, 2014 for construction to follow, shortly thereafter.

b. Improvements to the Unfinished General Assembly Rooms

We must complete the bid documents for the ceiling, the remainder of the ceiling lighting, HVAC system and reconfiguration of the fire suppression system.

I believe that it may be possible for the Public Works staff to install the vinyl tile floor, during the winter season 2013/2014.

c. Free Standing Monument Sign

Quite some time ago, had recommended that the Governing Body consider awarding a contract to Dandrea Masonry for the installation of the brick facing and concrete capping to the masonry block base. The Public Works Department has, recently painted the masonry block. If the Governing Body desires to have the brick facing installed along the planter walls, I will contract Dandrea Masonry to see if they will honor their price from some time ago.

d. Irrigation and Landscaping

The design for the irrigation system remains to be completed. I am hopeful that we will be able to have an irrigation contractor donate their design services. Otherwise, we must purchase design software to complete the task.

14. STORM DRAINAGE IMPROVEMENTS

a. Lester Avenue Storm Drainage and Stormwater Management

1) Phase 1-Construction of Storm Inlets Piping and Temporary Stormwater Basin

The utility companies have marked the locations of their respective utilities. We have completed the land surveying work and will be commencing with the drafting and engineering design, in the near future. It is intended that the Public Works Department will perform the construction in Winter, 2013.

2) Phase 2 – Extension of Storm Drainage to the Existing Stormwater Management System within the Luke Avenue Recreation Complex

We must perform the land surveying and engineering design. I will be preparing a cost estimate for the construction for consideration for funding by the Governing Body.

It will be necessary to obtain an easement for the proposed storm drainage piping, which will be crossing the P.S.E.G. lands.

b. Kelley Drive Stormwater Basin Reconstruction

We must prepare the bid documents so that the reconstruction work can be completed before the end of this year.

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

On occasion, the street has flooded, due to the apparent limited capacity 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. Fitz 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.

d. 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.

16. REQUEST TO THE PINELANDS COMMISSION FOR ADDITIONAL REDESIGNATION OF LANDS

We must prepare the documents to support the request for the redesignation of the Pinelands Zoning to allow for greater density development and the extension of sanitary to the re-designated areas.

The Pinelands Commission staff has presented various proposals for changes to the requirements to purchase Pinelands development credits (PDC's) for lands within the Regional Growth Area.

I have contacted Mr. Dandrea and recommended that he meet with Pinelands staff to see if it would be possible to incorporate his lots into the Regional Growth Area, as part of this change for PDC's. Mr. Dandrea has provided me with a plan, depicting the desired development of his lands, to present to the Pinelands staff.

17. MONTEBELLO PUMPING STATION

No update to report. Therefore, I continue to recommend that the Governing Body NOT take any action to accept the ownership of this pumping station.

18. TAX MAP REVISIONS

We have not completed the revisions to the Tax Maps.

19. FORMER MUNICIPAL BUILDING SITE, BATE AVENUE

Key Engineers has completed the surveying fieldwork for the location of the existing improvements and have provided the respective CAD file. I am working with them to provide direction for the closure calculations. I am hopeful that I will be able to provide the necessary direction so I can issue the survey of the premises.

Key Engineers has submitted the Preliminary Site Assessment Report. I will review the document and forward it to the Governing Body with my comments and recommendations.

20. TRAFFIC SIGNAL TIMING CHANGES AT THE INTERSECTION OF HADDON AND FRANKLIN AVENUES

Chief Check has recommended that the green time be extended for Haddon Avenue (coming from Voorhees Twp) between 4:30 and 6:30 p.m. In order to change the signal timing it is necessary to perform traffic counts and a traffic engineering study. It will also be necessary to obtain County consent of re-timing of the signal sequence.

The County Engineer has informed me that they expect construction for the improvements to the intersection, which includes the traffic signal upgrade and re-timing, to commence in March, 2014 and will take approximately five months to complete

Since the construction project will not occur for some time, Chief Check has recommended that we proceed with the request for the interim timing changes to the existing traffic signal.

21. TRAFFIC CALMING PROGRAM

I believe that the Governing Body is still considering the implementation of a traffic calming program, using portable speed humps and warning signage, flashing speed notice boards with flashing white strobe lights and other traffic calming devices.

Residents along Minck Avenue, Fairview Avenue and Taunton Avenue have voiced their concerns with the excessive speeding, along their streets. Several residents along Mt. Vernon Avenue have voiced their concern of vehicles speeding within the section where the reconstruction project will be eliminating the high crown area at the intersections.

22. REVISIONS TO TRAFFIC ORDINANCE

I have met with the Solicitor's Office to discuss the many changes to the traffic code, which are necessary. I must submit my recommendations to their office.

23. REQUEST FOR ACTION BY THE GOVERNING BODY FOR THE PROPOSED DIGGERLAND ADVENTURE PARK, COOPER ROAD AND PINEDGE DRIVE

The applicant received conditional site plan approval, from the Berlin Township Planning Board. At the last Council Meeting, the Governing Body introduced the ordinance to vacate Pinedge Court, with conditions. The Governing Body, also, passed Resolution No. 2013:189, approving the tree removal permit, subject to the review of the Township Solicitor and Engineer.

24. INVESTIGATION FOR SIDEWALK ALONG OAK AVENUE

At the last Council Meeting, the Governing Body discussed the possible construction of sidewalk along one side of the street, due to the narrow width of the roadway. I will be investigating this matter and will report to the Governing Body.

D. PUBLIC WORKS DEPARTMENT

1. IMPROVEMENTS TO SEWER PUMPING STATIONS

Ordinance No. 2013-12 was adopted at the last Council Meeting. We will begin to order the various items, perform the design for upgrades and make the improvements.

2. REQUEST FOR 2013 CAPITAL PURCHASES FOR VEHICLES AND EQUIPMENT

I strongly recommend that the Governing Body consider allocating the necessary funds for trash trucks, dump trucks, tub grinder and several other vehicles and pieces of equipment for the Public Works Department. We have been experiencing frequent breakdowns, requiring repairs and making

them unreliable and unavailable for usage for the performance of Public Works tasks.

I would like to discuss this matter with the Governing Body, in the immediate future, so that the necessary actions can be taken to purchase these items.

3. **GREASE TRAP MAINTENANCE**

The Governing Body has adopted Ordinance No. 2013-11. We will be performing the inspections of those businesses, with grease traps, during the winter months.

4. **TEXTILE RECYCLING**

I must, still, meet with the Westville Public Works Superintendent to obtain the information, regarding the implementation of this program.

5. **LEAF COMPOST MATERIAL**

I had, previously, mentioned that we experienced extreme difficulty in having the composted leaves removed from the composting area as there was very little interest in the partially composted leaves, which resulted from the inability to grind the leaves, due to the tub grinder becoming inoperable. I strongly recommend that the Governing Body consider the purchase of a new tub grinder if the Township will continue to operate the composting facility. Otherwise, it will be necessary for the Township to haul the leaves to another municipal composting facility and pay for the disposal at their facility.

6. **INSTALLATION OF SPEED BOARDS**

The Public Works staff will be installing the speed board, with signage, at the locations directed by Chief Check. The installation has been delayed due to the need to collect the leaves, throughout the Township.

7. **PERFORMANCE OF VARIOUS TASKS**

The Public Works staff is collecting leaves, throughout the Township. This task will continue for several weeks. The trucks and equipment are being serviced for snow plowing and salting, in the upcoming winter months.

I am anticipating that the staff will be installing the tile floor in the two unfinished rooms, within the Municipal Building, during the winter months. The tile will be covered to protect it from being damaged by the HVAC, lighting and ceiling contractors. I am anticipating that these contractors will be performing their work, hopefully, in the Spring of 2014.

SOLICITORS REPORT

1. Water Agreement with Berlin Borough

2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. DiluzioV. Berlin Township
5. Chief Jackson
6. Berlin Township ADS. Estate of Raj Kumar Chopra
7. Berlin Township ADS. David Carp
8. Berlin Twp. ADS. Jason Black
9. Berlin Twp. ADS. Jennnifer Vernacchio as Guardian Hannah Maslanka
10. Berlin Township ADS. Tarin Durham
11. Berlin Twp. ADS. Tyrone Powell
12. BerlinTwp. ADS. Sherry Quering
13. Open Public Records Act.
14. Fire Safety Ordinance
15. Traffic Ordinance Overhaul
16. Speed Humps
17. No Thur Traffic Ordinance
18. Towing Ordinance
19. Political Sign Ordinance

POLICE DEPARTMENT

Police Chief, Leonard Check reported that a total of 71 arrest were made which included 4 narcotics arrested. A resident was arrested for criminal mischief, the suspect caused damage to 30 mailboxes an estimated damage of \$3,000.00. Township Officer completed the 5Th grade dare program. The graduation was held at Sahara Sam's Water Park.

Proclamation Supporting the “Drive Sober or Get Pulled Over” 2013 Year End Statewide Crackdown

Whereas, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

Whereas, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the **Drive Sober or Get Pulled Over Year End Statewide Crackdown**; and

Whereas, the project will involve increased impaired driving enforcement from December 6, 2013 through January 2, 2014; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be is resolved that Berlin Township declares it's support for the **Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown** from December 6, 2013 through January 2, 2014 and pledges to increase awareness of the dangers of drinking and driving.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2013-17 AN
ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE
OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF
CAMDEN, NEW JERSEY**

County, New Jersey as follows:

SECTION 1: That the following named officers and employees of the Township of Berlin, Camden County, New Jersey shall be paid within the following salary ranges for the calendar year 2014 as follows:

POSITION	ANNUAL SALARY RANGE	
 (Except as Noted).....	
	FROM	TO
Mayor	\$ 27,000.00	\$ 33,000.00
President of Council	8,000.00	14,000.00
Councilpersons	6,000.00	12,000.00
Chief Financial Officer	82,000.00	88,000.00
Township Clerk	53,000.00	59,000.00
Assistant Township Clerk (With Registrar Certification)	29,000.00	35,000.00
Tax Assessor	31,000.00	37,000.00
Tax Collector	58,000.00	64,000.00
Sewer Clerk	4,000.00	10,000.00
Deputy Tax Collector (With Tax Collector's Certification)	37,000.00	43,000.00
Finance Clerk	14.00 per hour	15.00 per hour
Municipal Judge	21,000.00	27,000.00
Municipal Court Administrator	54,000.00	60,000.00
Deputy Court Administrator	34,000.00	40,000.00
Court Recording Operator	85.00 per court	87.00 per court
Prosecutor	13,000.00	19,000.00

Clerk Typist/Part Time	11.35 per hour	14.65 per hour
Student Clerk Typist	0.00	Minimum Wage
Fire Sub Code Official	6,000.00	12,000.00
Const. Code Official/Building Inspector	22,000.00	28,000.00
Plumbing Inspector	5,000.00	11,000.00
Electrical Sub Code Official/ Electrical Inspector	10,000.00	16,000.00
Sewer Department Standby	200.00 per month	210.00 per month
Crossing Guards	11.99 per hour	12.25 per hour
Administrative Secretary - Land Use/Public Wks/Eng – Clerk Typist (With Registrar Certification)	47,000.00	53,000.00
Librarian	15,000.00	21,000.00
Emergency Management Coord.	500.00	2,000.00
Bus Driver	17.37 per hour	18.00 per hour
Coordinator on Aging/Disabled	500.00	2,000.00
Animal Control Officer	500.00 per month	1,000.00 per month
Recreation Coordinator (Not to exceed 20 hrs per week in total)	10.00 per hour	11.00 per hour
Chief of Police	113,000.00	119,000.00
Lieutenants of Police	91,000.00	97,000.00
Sergeants of Police	86,000.00	92,000.00
Patrolmen:		
Date of Hire (without certification)	30,000.00	36,000.00
Date of Hire (with certification or Completion of the academy)	40,000.00	46,000.00
Beginning of 2 nd year	43,000.00	49,000.00
Beginning of 3 rd year	47,000.00	53,000.00
Beginning of 4 th year	53,000.00	59,000.00
Beginning of 5 th year	59,000.00	65,000.00
Beginning of 6 th year	65,000.00	71,000.00
Beginning of 7 th year	71,000.00	77,000.00
Beginning of 8 th year	81,000.00	87,000.00
Police Department – Clerk Typist	30,000.00	36,000.00
Director of Public Works/ Township Engineer (With C-2 Wastewater License)	149,000.00	155,000.00
Engineering Technician/ Public Wks/ Eng – Clerk Typist	39,000.00	45,000.00
Zoning Officer	14.00 per hour	23.00 per hour
Employees of Public Works Department	15.00 per hour	25.76 per hour
Temporary Public Works Employees	12.00 per hour	13.00 per hour

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 for questions or comments on Ordinance 2013-17.

No comments were to be heard.

Motion by Council President Morris second by Councilman Epifanio to adopt Ordinance 2013-17 Ordinance approved by call of the roll, five members present voting in the affirmative.

SECOND READING AND PUBLIC HEARING ORDINANCE 2013-18 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, VACATING THE IMPROVED STREET KNOWN AS PINEDGE COURT

WHEREAS, there exists in the Township of Berlin, County of Camden, State of New Jersey an improved street known as Pinedge Court as shown on the Official Tax Map of the Township of Berlin; and

WHEREAS, N.J.S.A. 40:67-1 authorizes a municipality by ordinance to release and extinguish the public's rights in property dedicated as a public street where the public interest will be better served by releasing those lands or any parts thereof from such dedication; and

WHEREAS, Pinedge Associates, LLC is the owner of the real estate adjoining Pinedge Court also known as Block 2601, Lots 1 and 5 on the Official Tax Map of the Township of Berlin and has requested that the Township of Berlin vacate Pinedge Court; and

WHEREAS, the Township Engineer in his letter of November 13, 2013 has recommended the vacation of Pinedge Court located between Block 2601, Lots 1 and 5 with the vacated Pinedge Court being conveyed and transferred to the adjacent property owner, Pinedge Associates, LLC; and

WHEREAS, by operation of law the vacated Pinedge Court shall be conveyed to the adjoining property owner, Pinedge Associates, LLC; and

WHEREAS, Pinedge Court being vacated is to be conveyed to Pinedge Associates, LLC, the adjoining owner of Block 2601, Lots 1 and 5 is more particularly described by metes and bounds description prepared by Key Engineers attached hereto as Exhibit "A;" and

WHEREAS, the Mayor and Township Council of the Township of Berlin do hereby determined that Pinedge Court is no longer needed for public purposes; and

WHEREAS, the Mayor and Township Council of the Township of Berlin do hereby determine that the vacation of Pinedge Court will better serve the public interest; and

WHEREAS, the ownership of Pinedge Court shall be transferred to the adjacent property owner, Pinedge Associates, LLC, the owner of Block 2601, Lots 1 and 5, respectively for nominal consideration; and

WHEREAS, a Quitclaim Deed transferring ownership of Pinedge Court is attached hereto as Exhibit "B;" and

WHEREAS, the Mayor and Township Council of the Township of Berlin finds it to be in the best interest of the Township and its citizens to vacate the improved street known as Pinedge Court to be transferred to the adjacent property owner, Pinedge Associates, LLC, the owner of Block 2601, Lots 1 and 5.

NOW THEREFORE, be it Ordained by the Mayor and Township Council of the Township of Berlin, County of Camden, State of New Jersey, as follows:

1. Pursuant to N.J.S.A. 40:67-1 and subject to the conditions set forth herein, the rights of the public in and to the public street known as Pinedge Court, more specifically described in Schedule A, attached hereto, which is located between Block 2601, Lots 1 and 5, is hereby released, extinguished and vacated.

2. Pinedge Court is herein vacated and shall be transferred to the owner of and merge and become part of adjacent Block 2601, Lots 1 and 5, respectively.

3. The Mayor and Township Clerk of the Township of Berlin are hereby authorized and directed to sign and execute the Quitclaim Deed in the form attached hereto as Exhibit "B" transferring Pinedge Court to the adjacent property owner, Pinedge Associates, LLC, owner of Block 2601, Lots 1 and 5 in "AS-IS" condition.

4. Expressly reserved and accepted from this Vacation Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13 and any cable telephone company as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, *et seq.*, to maintain or repair their existing facilities adjacent to, over and under the street to be vacated. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines and telephone, electric and cable television wires and poles which may be located beneath the surface of the foregoing premises or above the same.

5. As a condition of this street vacation, Pinedge Associates, LLC agrees to own, operate and maintain the sanitary sewer main, manholes and appurtenances which are located within the right-of-way of Pinedge Court to be vacated.

6. This Ordinance shall be referred to the Berlin Township Planning Board for review and comment pursuant to Section 32 of the Municipal Land Use Law as an amendment to the official map of Berlin Township.

7. At least seven (7) days prior to the time fixed for consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Township Clerk to the owners of all real property, as shown on the current tax map duplicates, to be located within 200 feet in all directions of Pinedge Court. At least ten (10) days prior to the time fixed for consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Township.

8. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the Township to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Camden in the Book of Vacations, in accordance with the provisions of N.J.S.A. 40:67-21.

9. Pinedge Associates, LLC shall be responsible for all legal, engineering, advertising, and recording costs associated with the vacation of Pinedge Court.

10. If the provision of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

11. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion by Councilman Epifanio, 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 2013-18.

No comments were to be heard.

Motion by Councilman Epifanio second by Councilman McIntosh to adopt Ordinance 2013-18 Ordinance approved by call of the roll, four members present voting in the affirmative, Council President Morris abstained.

RESOLUTION 2013-190 RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN 2013 CURRENT FUND BUDGET APPROPRIATION BALANCES.

WHEREAS, the following Current Fund budget appropriation balance remains unexpended, due to a contract not being awarded for improvements prior to the end of the year:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
Improvements to Kelley Drive Basin	44-903	\$150,000.00

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to Surplus;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, that the above listed unexpended balance in the Current Fund be cancelled.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-190. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-191 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) – DRIVE SOBER OR GET PULLED OVER 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 Drive Sober or Get Pulled Over 2013 Grant the NJ Division of Highway Traffic Safety for \$4,400.00;

BE IT FURTHER RESOLVED that a like sum of \$4,400.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Drive Sober or Get Pulled Over 2013 Grant	\$4,400.00

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 2013-191. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-192 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 2013 from the NJ Division of Criminal Justice for \$2,326.64;

BE IT FURTHER RESOLVED that a like sum of \$2,326.64 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"

Body Armor Replacement Grant \$2,326.64

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 2013-192. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-193 RESOLUTION TO PROMOTE WAYNE BONIFIGLIO TO SERGEANT IN THE TOWNSHIP OF BERLIN POLICE DEPARTMENT

WHEREAS, a recommendation has been made to the Mayor and Council of the Township of Berlin to promote Wayne Bonfiglio to the rank of Sergeant in the Township of Berlin Police Department; and

WHEREAS, the Mayor and Council have reviewed the recommendations and found same to be acceptable to it.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it is hereby authorizes and approves the promotion of Wayne Bonfiglio to rank of Sergeant in the Township of Berlin Police Department.

BE IT, FURTHER RESOLVED that this promotion shall take effect December 30, 2013

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-193. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-194 RESOLUTION TO PROMOTE DONALD STEEN TO SERGEANT IN THE TOWNSHIP OF BERLIN POLICE DEPARTMENT

WHEREAS, a recommendation has been made to the Mayor and Council of the Township of Berlin to promote Donald Steen to the rank of Sergeant in the Township of Berlin Police Department; and

WHEREAS, the Mayor and Council have reviewed the recommendations and found same to be acceptable to it.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it is hereby authorizes and approves the promotion of Donald Steen to rank of Sergeant in the Township of Berlin Police Department.

BE IT, FURTHER RESOLVED that this promotion shall take effect December 30, 2013

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-194. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-195 RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of Berlin is a member of the Camden County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2013 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township of Berlin agrees to renew its membership in the Camden County Municipal Joint Insurance Fund and to be subject to the bylaws, Rules and Regulations, coverage's, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Camden County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-195. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-196 RESOLUTION ESTABLISHING SALARY AND WAGES FOR 2014 FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNY 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 2014 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 2014 the salary or wages hereinafter set opposite the position as listed:

POSITION	AMOUNT PER YEAR (Except as Noted)
Mayor	\$ 27,551.00
President of Council	8,807.00
Councilpersons	6,615.00
Chief Financial Officer	82,204.00
Township Clerk	57,060.00
Assistant Township Clerk (With Registrar's Certification)	29,973.00
Tax Assessor	31,136.00
Tax Collector	58,698.00
Sewer Clerk	6,045.00
Deputy Tax Collector (with Tax Collector's Certification)	37,230.00
Finance Clerk	\$ 14.28 per hour

Municipal Judge	21,127.00
Municipal Court Administrator	54,147.00
Deputy Court Administrator	34,075.00
Court Recording Operator	85.00 per court
Prosecutor	13,108.00
Clerk Typist/Part Time	11.35, 12.10, 13.21 & 14.65 per hour
Student Clerk Typist	Minimum wage
Fire Sub Code Official	6,367.00
Const. Code Official/Building Inspector	22,684.00
Plumbing Inspector	5,202.00
Electrical Sub Code Official/Electrical Inspector	10,588.00
Sewer Department Standby	\$200.00 per month
Crossing Guards	\$ 11.99 per hour
Administrative Secretary to Land Use/ Public Wks/Eng – Clerk Typist (with Registrar’s Certification)	47,419.00
Librarian	15,243.00
Emergency Management Coordinator	2,000.00
Bus Driver	\$ 17.37 per hour
Coordinator on Aging/Disabled	530.00
Animal Control Officer	\$520.00 per month
Recreation Coordinator (Not to exceed 20 hrs per week in total)	\$10.00 per hour
Chief of Police	113,134.00
Lieutenants of Police	91,452.00
Sergeants of Police	86,622.00
Patrolmen:	
Date of Hire (without certification)	30,000.00
Date of Hire (with certification or completion of academy)	40,800.00
Beginning of 2 nd year	43,860.00
Beginning of 3 rd year	47,531.00
Beginning of 4 th year	53,642.00
Beginning of 5 th year	59,752.00
Beginning of 6 th year	65,864.00
Beginning of 7 th year	71,975.00
Beginning of 8 th year	81,904.00
Police Department – Clerk Typist	30,923.00
Director of Public Works/ Township Engineer (With C-2 Wastewater License)	149,355.00
Engineering Technician/Public Wks/Eng - Clerk Typist	41,996.00
Employees of Public Works Department	\$ 15.61 – 25.76 per hour
Temporary Public Works Employees	\$12.48 per hour

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-196. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-197 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ANIMAL SHELTER AGREEMENT WITH VOORHEES ANIMAL ORPHANAGE OF NEW JERSEY

BE IT RESOLVED, that the Mayor and Council of the Township of Berlin hereby authorizes the Mayor to execute an agreement between the Voorhees Animal Orphanage and the Township of Berlin.

BE IT FURTHER RESOLVED that the contract agreement will be a two year term from January 1, 2013 until December 31, 2015, at monthly rate of \$400.00.

14. RESOLUTION 2013-198 PAYMENT OF BILLS – DECEMBER 16, 2013

WHEREAS, the Code of the Township of Berlin, Chapter 7-1 et seq., provides for the 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 to be paid.

TO	ACCOUNT	AMOUNT
Camden County Animal Shelter	Dog Trust	\$ 583.24
Traffic Logix Corporation	Police Donations Trust	8,317.00
Carlamere & Rowan	PB Escrow #286	175.00

CONFIRMING

Verizon	3-01-20-120-2105	\$ 143.14
Verizon Wireless	3-01-25-240-2028	320.08
State of NJ Health Benefits	3-01-23-220-2092	58,187.54
State of NJ Health Benefits	3-01-23-220-2092	27,300.17
America Online	3-01-31-443-2077	37.99
Verizon	3-01-31-443-2077	99.99
NJ Society of Prof. Land Surveyors	3-01-20-165-2042	410.00
M. Brace Advisors(Philly Pretzel)	3-01-30-420-2105	38.00
Pony Occasion	3-01-30-420-2105	600.00
Hasler USPS	3-01-20-120-2022	2,000.00
Lexa Concrete	G-02-55-772-0100	178,535.30
Lexa Concrete	G-02-55-770-0100	51,769.94
Lexa Concrete	C-04-04-867-041002	28,596.00

Lexa Concrete	C-04-04-865-070802	12,535.23
Lexa Concrete	C-04-04-866-070811	79,364.52
Lexa Concrete	C-04-04-865-112602	14,879.97
Payroll, Current Fund	11/27/2013	212,177.89
Payroll, Sewer Operating Fund	11/27/2013	7,179.00
Payroll, Current Fund	12/12/2013	129,952.83
Payroll, Sewer Operating Fund	12/12/2013	6,612.82

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-198. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-199 RESOLUTION AUTHORIZING TRANSFERS BETWEEN CY 2013 BUDGET APPROPRIATIONS

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year;

BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, that transfers between CY 2013 Budget Appropriations be made as follows:

CURRENT FUND

	<u>ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
Inside Caps:			
Salaries and Wages:			
Township Clerk	20-120-1		400.00
Streets & Road Maintenance	26-290-1	7,000.00	
Recreation Services Programs	28-370-1	5,200.00	
Other Expenses:			
Financial Administration	20-130-2		3,500.00
Police	25-240-2		2,000.00
Streets and Road Maintenance	26-290-2		12,000.00
Traffic Signal Monitoring System	26-300-2	52,900.00	
Vehicle Maintenance	26-315-2		10,000.00
Recreation Services Programs	28-370-2		5,200.00
Municipal Library	29-390-2		1,000.00
Electricity & Natural Gas	31-430-2		5,000.00
Street Lighting	31-435-2		25,000.00
Telecommunication Charges	31-433-2		1,000.00
			<hr/>
Totals		\$ 65,100.00	\$ 65,100.00

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2013-199. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013-200 PERSON TO PERSON TRANSFER OF PLENARY
RETAIL CONSUMPTION LIQUOR LICENSE TO WOLFJOHN,LLC**

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption License 0406-33-006-008. Hereto fore issued to ATTN INC for the premises located at 795 South Route 73 West Berlin New Jersey 08091; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by title 333 of the New Jersey Statutes, regulations promulgated thereunder, as well pertinent local ordinances and conditions consistent with title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of funds used in the purchased of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW THEREFORE, BE IT RESOLVED that the Township of Berlin does hereby approve, effective December 16, 2013, the transfer of the aforesaid plenary retail Consumption license and does hereby direct the municipal clerk to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to Wolfjohn LLC

Motion by Councilwoman Bodanza, second by Councilman Epifanio to **table** Resolution 2013-200. Resolution **tabled** by call of the roll, five members present voting in the affirmative.

Business Approvals

- 1) **Pink Nails, Ki C. Yi**, 451 Route 73 North. Nail Care Services and Spa.
- 2) **Weaver Rides, Thomas Weaver**, 770 Route 73 South. Sales of used cars, motorcycles & new motorcycles. Repair cars and motorcycles. (formerly Mayers)
- 3) **Robert Sollitto MD, Theresa Sollitto**, 1008 Industrial Drive. Medical Record Storage.

- 4) **Simply Automotive, Patrick Moore**, 250 Route 73 North. Automotive Repair.
- 5) **Tortu's Tile and Flooring LLC, Joe Turto**, 1044 Industrial Drive, Unit 2. Installation of Tile , Carpet, Hardwood, Laminated and Vinyl flooring.

Motion by Councilman Morris, second by Councilman Epifanio to approve the business licenses. Licensed approved by call of the roll, five members present voting in the affirmative for license.

- 6) **Anytime Fitness, Ryan Murphy**, 200 Route 73 North, Units 2A and 3A. A 24 hours Fitness Facility.

Motion by Councilman Morris, second by Councilman Epifanio to table Anytime Fitness business licenses. Licensed tabled by call of the roll, five members present voting in the affirmative for license.

Business Registration

- 1) **Sean Kelly T/A Dynamic Minds Daycare**, 104 Cooper Road. Daycare center (formerly Todays Child)

Motion by Councilman Epifanio, second by Councilwoman Bodanza to approve Business Registration. Business Registration approved by call of the roll, five members present voting in the affirmative for license.

Solicitors Approvals

- 1) **Fred Miller T/A Invictus Group Inc.** Soliciting Permit for Verizon Fios Phone Internet and TV.
- 2) **David Stelmach T/A Invictus Group Inc.** Soliciting Permit for Verizon Fios Phone, Internet and TV.

Motion by Councilman Epifanio, second by Councilman McIntosh to approve Solicitors permit. Solicitor Permit approved by call of the roll, five members present voting in the affirmative for license.

Consent Agenda

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

Correspondences for November 2013

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

Approval of Minutes November 25th 2013

Motion by Councilman Epifanio, second by Councilman McIntosh to approve the minutes for November 25, 2013. Motion carried by voice vote, five present voting in the affirmative.

All Other Business

- 1) The Reorganization Meeting will be held on January 6, 2014

RESOLUTION 2013-201 RESOLUTION AUTHORIZING ENGINEER TO PREPARE BID DOCUMENTS FOR THE KELLEY DRIVE STORMWATER BASIN

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Public Work's Director is hereby authorized to advertise and accept bids for the reconstruction work on the Kelley Drive Stormwater Basin.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2013-201. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-202 RESOLUTION AUTHORIZING TO PROCEED WITH REPAIRS FOR # 40 TRASH TRUCK.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Public Work's Director is hereby authorized to proceed with the repairing of trash truck # 40.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2013-202. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-203 AUTHORIZING ADVERTISEMENT OF A BID OPENING FOR THE PURCHASE OF A VACUUM JETTER VEHICLE

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Public Work's Director is hereby authorized to advertise and accept bids for the purchase of a Vacuum Jetter Vehicle.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2013-203. 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.

No comments were to be heard.

Motion by Councilman Epifanio, second by Council President Morris 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.

Councilman Epifanio expressed his appreciation during the loss of his mother. He thanked everyone for their ongoing friendship and support during this difficult time.

Adjourn

Motion by Council President Morris, second by Councilman Epifanio to adjourn the meeting at 7:21 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 7:21 pm

Catherine Underwood, Township Clerk