

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL FEBRUARY 10, 2014 AT 5:00 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, Mayor Magazzu

**Also Present-** Solicitor, Stuart Platt, CFO, Lori Campisano, Chief of Police Leonard Check, Josh Shellenberger, Maintenance/Animal Control, Diane Zoppel, Tax Collector.

**Absent-** Chuck Riebel, Engineer/ Public Works Director, Councilwoman Bodanza

**Departmental Report**

**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. Open Public Records Act.
13. Fire Safety Ordinance
14. Traffic Ordinance Overhaul
15. Speed Humps
16. No Thur Traffic Ordinance
17. Towing Ordinance
18. Political Sign Ordinance
19. Nuisance Ordinance
20. Community Center Rental Ordinance

## **POLICE DEPARTMENT**

Chief Check reported that the department has re-launched the Berlin Township facebook page. Chief hopes that this page will help build a relationship between the police department and the Township residents.

## **MAINTENANCE OFFICER/ANIMAL CONTROL**

Josh Shellenberger stated that he has been busy with all the snow and now he is getting ready to issue late notices for the Cat and Dog license.

## **Proclamation: American Heart Month**

### **TOWNSHIP OF BERLIN**

### **OFFICIAL PROCLAMATION**

for

### ***AMERICAN HEART MONTH***



### ***WE LOVE BERLIN TOWNSHIP***

It is the desire of the Mayor and Council of the Township of Berlin to focus attention on noteworthy events and causes that contribute to improving the quality of life for all of the residents. In recognition of American Heart Month during the month of February along with our heartfelt desire to promote the health and well-being of the citizens of Berlin Township, we hereby acknowledge and proclaim the month of February to be American Heart Month in the Township of Berlin. According to the Centers for Disease Control and Prevention, Heart Disease is the leading cause of death for both men and women. Fortunately, it's also preventable and controllable if you do your best to live healthy and follow some of these basic steps. Eat a healthy diet; maintain a healthy weight;

exercise regularly; monitor your blood pressure; don't smoke; limit alcohol use; have your cholesterol checked; manage your diabetes and take your medicine. Heart disease can be prevented and controlled if we all put our hearts into working together one step at a time for the good of our great community.

Proclaimed this 10<sup>th</sup> Day of February, 2014 on behalf of the Citizens of Berlin Township.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2014-1 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "NUISANCES".**

**WHEREAS**, Chapter 220 of the Code of the Township of Berlin, entitled "Nuisances," regulates, in pertinent part, certain acts of persons, and/or conditions created by acts of persons, which are deemed injurious to the health and welfare of the residents of the Township of Berlin ; and

**WHEREAS**, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 220 regarding proper maintenance and control of public utility wires;

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

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

**SECTION 1:** Chapter 220, entitled "Nuisances," Section 1, entitled "Definitions; word usage," is hereby amended, revised and supplemented by adding the following new definition:

**PUBLIC UTILITY WIRES**

Wires used for transmission of telecommunications, such as, but not limited to, Verizon and Comcast for cable television, phone service or internet service, or any other overhead utility wires connected to utility poles.

**SECTION 2:** Chapter 220, entitled “Nuisances,” Section 2, entitled “Nuisances enumerated,” is hereby amended, revised and supplemented by adding a new subsection “G” as follows:

- G. Allowing overhead public utility wires to fall or hang loosely from utility poles, or to permit the wires to lie in public streets or sidewalks, or to wind and secure public utility wires to hang onto objects other than a utility pole.

**SECTION 3:** Except as set forth in Sections 1 and 2 above, the balance of Chapter 220 shall not be affected by this Ordinance.

**SECTION 4:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** If the provisions 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.

**SECTION 6:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Councilman McIntosh, 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 2014-1.

No comments were to be heard.

Motion by Council President Morris, second by Councilman Epifanio 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 for questions or comments on Ordinance 2014-1.

Motion by Councilman McIntosh second by Councilman Epifanio to adopt Ordinance 2014-1 Ordinance approved by call of the roll, four members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2014-2 AMENDING  
ORDINANCE 2013-17 FIXING AND DETERMINING SALARY RANGES FOR THE  
OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF  
CAMDEN, NEW JERSEY.**

**WHEREAS,** the Mayor and Council of the Township of Berlin adopted

Ordinance 2013-17 on December 16, 2013 fixing and determining salary ranges for the officers and employees for the calendar year 2014; and

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges for the calendar year 2014 effective March 3, 2014 as follows:

POSITION	.....SALARY RANGE.....	
	FROM	TO
Property Maintenance Inspector (not to exceed 8 hours per week)	\$14.00 per hour	\$15.00 per hour
Librarian (not to exceed 20 hours per week)	\$14.00 per hour	\$15.00 per hour

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

Motion by Council President Morris, second by Councilman Epifanio 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 2014-2.

No comments were to be heard.

Motion by Council President Morris, second by Councilman Epifanio 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 for questions or comments on Ordinance 2014-2.

Motion by Council President Morris second by Councilman Epifanio to adopt Ordinance 2014-2. Ordinance approved by call of the roll, four members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2014-3 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 320 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "VEHICLES AND TRAFFIC".**

**WHEREAS**, Chapter 320 of the Code of the Township of Berlin, entitled "Nuisances," regulates vehicular traffic within the Township of Berlin, including parking and travel regulations; and

**WHEREAS**, upon investigation and recommendation of the Police Department, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 320 to prohibit through traffic on certain streets at certain times in accordance with the aerial maps attached hereto as Exhibit “A” which show the locations where such signs shall be placed; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

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

**SECTION 1:** Chapter 320, entitled “Vehicles and Traffic,” is hereby amended, revised and supplemented by adding the following new Section 36,. Entitled “No Through Streets”:

**320-36 No Through Streets**

Through traffic is hereby prohibited Monday through Friday between the hours of 4:00PM and 7:00PM on the following municipal streets:

<b><u>Name of Street</u></b>	<b><u>Intersection</u></b>	<b><u>Sign Location</u></b>
1 <sup>st</sup> Avenue	Franklin Avenue	Both sides of 1st Avenue facing the northerly side of Franklin Avenue
Boyer Avenue	Haddon Avenue	Both sides of Boyer Avenue facing the easterly side of Haddon Avenue (County Route 561)
Lester Avenue	Haddon Avenue	Both sides of Lester Avenue facing the westerly side of Haddon Avenue (County Route 561)
Katherine Avenue	State Highway 73	Both sides of Katherine Avenue facing the westerly side of State Highway Route 73

McClellan Avenue	Haddon Avenue	Both sides of McClellan Avenue facing the easterly side of Haddon Avenue (County Route 561)
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**SECTION 2:** Except as set forth in Section 1 above, the balance of Chapter 320 shall not be affected by this Ordinance.

**SECTION 3:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** If the provisions 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.

**SECTION 5:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Council President Morris, second by Councilman Epifanio 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 2014-3.

No comments were to be heard.

Motion by Councilman McIntosh, 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 for questions or comments on Ordinance 2014-3.

Motion by Council President Morris second by Councilman Epifanio to adopt Ordinance 2014-3 Ordinance approved by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2014-66 RESOLUTION AMENDING SALARY RESOLUTION 2013: 196 ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.**

**WHEREAS,** the Mayor and Council of the Township of Berlin adopted Resolution 2013: 196 on December 16, 2013, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2014; and

**WHEREAS,** it is the desire of the Mayor and Council of the Township of Berlin to amend the following salaries effective March 3, 2014:

POSITION	AMOUNT
Property Maintenance Inspector (not to exceed 8 hours per week)	\$14.00 per hour
Librarian (not to exceed 20 hours per week)	\$14.65 per hour

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

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2014-66. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2014- 67 AWARDING CONTRACT RESOLUTION FOR THE PURCHASE OF A VACUUM JETTER VEHICLE FROM GRAN TURK EQUIPMENT.**

**WHEREAS**, the Township of Berlin has advertised for, and received one bid for the purchase of a new Vacuum Jetter Vehicle; and

**WHEREAS**, only one bid was received due to the equipment is somewhat unique and is limited to only a few manufactures; and

**WHEREAS**, Berlin Township Public Works Director, Charles Riebel recommend that the Governing Body consider awarding a contract to Gran Turk Equipment Company for the base bid at \$312,6000.00, deduct alternate bid number 1 (trade- in of existing Vacuum Jetter for -\$20,000, add alternate bid number 2 (wireless Remote Control) for +\$2,857.00, add alternate bid number 4 (debris body flush out system) for +1,387.00 and add alternate bid number 5 (debris body splash shields) for +1,413.00 for a total bid price of \$298,257.00 conditional upon:

- 1) Certification of allocation of sufficient funds.
- 2) Review and approval of the Township Solicitor.
- 3) All other conditions which have been determined to be necessary by the Governing body.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that a contract for the purchase of a new Vacuum Jetter Vehicle be and is hereby awarded to Gran Turk Equipment Company, One Schuylkill Parkway, Building B, Bridgeport, PA 19405.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2014-67. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2014-68 RESOLUTION REQUESTING THE ISSUANCE OF RAFFLE LICENSES FOR CONTACT COMMUNITY HELPLINES.**

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

**March 26, 2014**

**On- Premises Draw Raffle (Basket / Auction)  
On- Premises 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 Raffle licenses to the Contact Community Helplines, 100 West Gate Drive, Cherry Hill, New Jersey for, March 26, 2014

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2014-68. Resolution adopted by call of the roll, four members present voting in the affirmative.

**Business Approvals**

- 1) **Lynne Craytor T/A Water System**, 401 Bloomfield Drive unit #3. Leasing Water Coolers
- 2) **John Simone T/A Enterprises and Event Rentals**, 412 Bloomfields Drive. Party Rental Store tents, tables chairs, linens and china.
- 3) **Eric Rightler T/A Microsource Inc.** 409 Bloomfield Drive. Wholesale computer supplies and distributor.
- 4) **Joseph Talucci T/A CSI Group International Inc.** Concrete repairs, wholesale Janitor and Maintenance products.
- 5) **Lindsay Eden T/A Quantum Marketing LLC.** Website that sells personalized address stamps.

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

- 6) **Ryan Murphy T/A Anytime Fitness.** 200 Route 73 North Units 2A-3A. Fitness Facility **(Tabled on 12/16/13) approved conditional with the hours of 6am to 9pm until application is amended with hours of operations.**

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

### **Approval of Minutes January 6<sup>th</sup> 2014 Reorganization Meeting**

Motion by Councilman Epifanio, second by Councilman McIntosh to approve the minutes for January 6, 2014. Motion carried by voice vote, four present voting in the affirmative.

### **Approval of Minutes from January 27, 2014 Meeting.**

Motion by Council President Morris, second by Councilman Epifanio to approve the minutes for January 27, 2014. Motion carried by voice vote, four present voting in the affirmative.

### **All other Business**

- 1) Council President Morris stated that the County has available a Senior Snow Line for anyone who meets the criteria for assistance in shoveling the snow. Council President stated the number is 856-783-4804 ext 5060
- 2) **In Rem Tax Foreclosure-** Diane Zoppel, Tax Collector.

### **RESOLUTION 2014-69 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE INSTITUTION OF AN *IN REM* TAX FORECLOSURE.**

**WHEREAS**, the Tax Collector of the Township of Berlin has prepared an *in rem* tax foreclosure list and has certified the same to the governing body; and

**WHEREAS**, it is the desire of the governing body to institute in rem tax foreclosure proceedings against the properties which are set forth on Schedule "A" attached hereto; and

**WHEREAS**, it is not only in the best interest of the municipality to institute said proceedings, but also is a duty of the governing body; and

**WHEREAS**, the institution of said *in rem* proceeding will result in revenue to the Township of Berlin either by a redemption of the subject properties, or their foreclosure and resale by the Township of Berlin.

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

1. That the governing body does hereby authorize the institution of *in rem* tax foreclosure proceedings in regard to the properties set forth on Schedule "A" attached hereto.
2. That a certified copy of this resolution be forwarded to the Tax Collector and Township Attorney.
3. That the Township of Berlin will proceed with receiving RFQ for Title Searches.

Submitted for the February 10<sup>th</sup>, 2014 meeting.

Diane Macri-Zoppel, CTC

Motion by Councilman Epifanio, second by Council President Morris to adopt Resolution 2014-69. Resolution adopted by call of the roll, four members present voting in the affirmative.

### **Public Portion**

Motion by Council President Morris, 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.

Reverend Stafford Miller asked if the Township Library could get Wi-Fi connection for the residents of Berlin Township.

Motion by Council President Morris, second by Councilman Epifanio 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.

Council President Morris reminded everyone about the Berlin Township Historical Association event on Saturday February 22<sup>nd</sup> 2014 from 12:00 noon to 5pm here at Town Hall.

### **Adjourn**

Motion by Councilman Epifanio, second by Council President Morris to adjourn the meeting at 6:13 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 6:13 pm

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Catherine Underwood, Township Clerk















