

FEBRUARY 25, 2008

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, FEBRUARY 25, 2008 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- Lori Campisano, CFO; Engineer, Charles Riebel, Jr.; Solicitor, Donafaye Zoll; Michael Hayden, Police Chief; Michael McGee, Public Works Director

GOOD AND WELFARE #1

Motion by Council President DiGangi, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for comments.

There were no comments to be heard.

Roma Pizza represented by Archer and Greiner did not come to the meeting.

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

Township Solicitor Donafaye Wilson Zoll presented a letter to Mayor and Council with regards to approval of business license of Roma Pizza. Solicitor Zoll also stated in her letter to the Governing Body that the minutes of the Mayor and Council meeting on January 28, 2008 did not reflect the correct reason why Roma Pizza was denied a business license. Solicitor Zoll would like the minutes to be amended or corrected to reflect the actual reason for the denial of the mercantile license

RESOLUTION #2008-88 RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF BERLIN TO AMEND MINUTES OF JANUARY 28, 2008

WHEREAS, on February 11, 2008, the Governing Body adopted a Resolution approving the meeting minutes for the January 28, 2008 meeting; and **WHEREAS**, it later came to the attention of the Governing Body that there was an error in the meeting minutes and therefore the minutes did not accurately reflect a determination made by the Governing Body with respect to the

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application of Mariellen Stellato and Joseph Stellato, t/a Roma Pizza, for a mercantile license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden and State of New Jersey, that the meeting minutes for January 28, 2008, be amended to reflect that the mercantile license applied for by Mariellen Stellato and Joseph Stellato was denied as a result of a) the Township's investigation which revealed that the actual owner and operator of the business is Joseph Stellato, rather than Mariellen Stellato, and b) the recommendations of the Berlin Township Chief of Police as a result of the investigation of the pending criminal charges against Joseph Stellato in Philadelphia, PA, for illegal distribution of prescription narcotics.

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-88. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION #2008-89 RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF BERLIN TO EXTEND DEADLINE FOR OPERATION OF BUSINESS

WHEREAS, on January 28, 2008, the Governing Body adopted a Resolution denying the grant of a mercantile license for Stellato, t/a Roma Pizza, and requiring that they cease business operations as of March 1, 2008; and

WHEREAS, it later came to the attention of the Governing Body that there was an error in the meeting minutes and the minutes therefore require amendment, to accurately reflect the determination by the Governing Body and provide appropriate notice of the denial to the applicant; and

WHEREAS, it was necessary to provide the applicant an appropriate amount of time to appeal the determination of the Governing Body, if necessary, and the applicant has represented that it may be possible to resolve all issues in a short period of time if an extension of time were granted to applicant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden and State of New Jersey, that the applicants, Mariellen Stellato and Joseph Stellato t/a Roma Pizza are hereby granted an extension of time to resolve the issues and shall be permitted to continue to operate the business until March 10, 2008.

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-89. Resolution adopted by call of the roll, five members present voting in the affirmative.

DEPARTMENTAL REPORTS

A. CHANGE ORDER(S) AND/OR VOUCHER(S)

- **Haddon Avenue Streetscape Improvements – Phase 2:** We anticipate submitting Voucher No. 3-Final for consideration and approval by the Governing Body at the Council Meeting on February 25, 2008.

B. ENGINEER’S REPORT

1. **2007 CAPITAL IMPROVEMENTS PROGRAM (KEI #458BT0506):**
 - a. **Krisanna Construction Contract – Veteran’s Avenue (N.J.D.O.T. Funding) and Minck Avenue:** The corrective work will not be performed until the weather becomes suitable, which will be in the early Spring 2008.
 - b. **American Asphalt Company, Inc. – Cushman Avenue (C.D.B.G. Funded) and Grove Avenue:** The corrective work will not be performed until the weather becomes suitable, which will be in the early Spring 2008.
2. **SIDEWALK ALONG N.J.S.H. ROUTE 73, NORTHBOUND (N.J.D.O.T. FY2008 FUNDING - \$150,000):**

The N.J.D.O.T. has allotted \$150,000 for the section, which is between Jackson Road and Edgewood Avenue. The estimated construction cost is \$289,000. The estimated cost for construction, engineering and inspection is \$381,000.

There has been discussion that the project could be performed in phases, if contracted over a period of years. Mr. McGee mentioned the possibility, in an effort to complete the project in 2008, of the Public Works Department performing the construction. Since it is N.J.D.O.T. funded, it will be necessary to obtain their approval of this proposal.

The Governing Body also discussed the submission of a request for the allotment of the N.J.D.O.T. Commissioner’s Discretionary Funds. I recommend that Mayor Magazzu submit this request, in the immediate future. We will prepare a draft letter for consideration for use by Mayor Magazzu.

It will be necessary for the New Jersey Department of Transportation to approve and permit the construction, within their right-of-way. It

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will also be necessary to obtain the necessary approval from the Pinelands Commission.

We recommend that the Governing Body consider authorizing our office to proceed with the performance of the engineering and submission to the New Jersey Department of Transportation and Pinelands Commission. I have contacted the design engineer for the N.J.D.O.T. Circle Elimination Project, requesting any information on design and N.J.D.O.T. and Pinelands approvals, which may have included the sidewalk.

3. C.D.B.G. PROGRAM, 2008-2009 (YEAR 30) FUNDING:

The program has allotted \$32,454 for this round of funding. A project must be selected, the Project Description Form completed and the Governing Body must pass a resolution selecting the project. The Project Description Form and resolution must be submitted to the Camden County Community Development Block Grant Program by March 20, 2008. It was anticipated that a street, within the East Berlin Section, would be selected. The original East Berlin section is not within the eligible C.D.B.G. area. Chestnut Avenue is an eligible street. The Centaurian Woods development is, also, within the eligible area.

4. 2008 CAPITAL IMPROVEMENT PROGRAM:

On January 11, 2008, we met with Mayor Magazzu, Council President DiGangi and Mr. McGee to discuss possible projects for 2008 and the future. I have attached a listing of possible projects for consideration for 2008.

I recommend that the Governing Body review the listing, select the desired projects, appropriate the necessary funds and authorize our office to perform the engineering and prepare the bid documents. I recommend the opening of bids, as early in the year as possible, to obtain the most competitive bids for construction.

I would be glad to discuss this matter, in further detail, with the Governing Body and other Township Officials.

Other eligible projects, within the eligible are, are pocket parks and recreation areas and sewer and water lines servicing the immediate neighborhood, handicap curb ramps and downtown revitalization.

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We will discuss possible projects with Mr. McGee and submit a recommendation to the Governing Body for your consideration. I recommend that the Governing Body select the project and pass the resolution no later than the Council Meeting on March 10, 2008.

5. 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):** Asphalt Paving Systems has completed the project. We anticipate submitting Voucher No. 3-Final for consideration and approval by the Governing Body at the Council Meeting on February 25, 2008.

Upon completion of the project and final payment, we will assist Ms. Campisano with the reimbursement from the New Jersey Department of Transportation.

- b. **Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (KEI #29-430BT1104):** The N.J.D.O.T., Office of Local Aid recently advised our office that the Earmark Funds are available for authorization from the F.H.W.A.

The Department of Transportation anticipates scheduling the kick-off meeting this month. We have prepared and submitted a Funding/Construction Cost Analysis for review and consideration by the Governing Body. We are scheduled to meet with Ms. Campisano on February 7, 2008, at 10:00 a.m., to review the analysis.

6. REQUEST FOR COUNTY ASSISTANCE FOR IMPROVEMENTS ALONG COUNTY ROADS:

On January 29, 2008, Mayor Magazzu and I met with Freeholder Greco, Mr. Vesper and County Engineer Robert E. Kelly. I believe that the meeting was very productive and beneficial for all parties. The following is a listing of the projects, which were discussed at the meeting:

- a. **Traffic signal at Cooper Road and Taunton Avenue.** The Freeholders are ready to fund this project if the Township can acquire the necessary land for the widening of the right-of-way, along one corner of the intersection. Mayor Magazzu has informed me that she has spoken to the property owner and he is willing to convey the land.

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We have submitted a copy of the legal description and print of the parcel acquisition plan to the owner and Ms. Zoll.

- b. **Streetscape Improvements along Haddon Avenue.** The County is not able to provide any funding in 2008. They recommended that the Township contact the Delaware Valley Regional Planning Commission (D.V.R.P.C.) to request funds. Since the Federal and State agencies are requiring that the project be completed, in the near future, it is improbable that any D.V.R.P.C. funding could be secured, prior to the commencement of construction.
- c. **Traffic Signal at Intersection of Franklin Avenue and Clifton Avenue/Egg Harbor Road.** Even though they felt that it was a needed project, the County requires that the Township perform the design.
- d. **Reconfiguration of the Intersection of Haddon Avenue/Walker Avenue, Veteran's Avenues and Bate Avenue.** We presented this project, as part of the redevelopment of the Haddon Avenue corridor and the creation of the Town Square. I noted that we request that the Freeholders consider providing funding assistance in the near future. The County Engineer stated that this project could be placed on the Federal Transportation Program (T.I.P.) list. He noted that a T.I.P. meeting was being held on February 5, 2008. The project would be submitted to the D.V.R.P.C.
- e. **Traffic Signal and Geometric Improvements to the Intersection of Haddon Avenue and Franklin Avenue.** The County Engineer has requested that a meeting be held, with Township Officials, to discuss the additional options for possible improvements. I recommend that the meeting be scheduled, as soon as possible, in order to continue with the required process. I would be glad to arrange for the scheduling of the meeting.
The County Engineer noted that this project must be placed back onto the T.I.P. list.
- f. **Continuation of Four Lanes along Haddon Avenue.** The County representatives acknowledged the traffic conditions and stated that they will discuss the matter, amongst the

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County Officials. They did note that they will require support from the Governing Body for the project.

- g. Coordination of Traffic Signals along Haddon and Walker Avenues.** They are going to review their files to see if this analysis was performed by the design engineer for the County project along Haddonfield-Berlin Road.
- h. Extension of Lafayette Avenue to Egg Harbor Road.** This proposal was included as one of the options to address traffic congestions at the intersection of Haddon and Franklin Avenues. This project was noted more for planning purposes for the future.
- i. Sidewalks along Haddon and Franklin Avenues.** The County representatives noted that they do not fund sidewalk projects.
- j. Traffic Calming Measures along Franklin Avenue.** Mr. Vesper mentioned that the County and a few other municipalities have initiated discussion for the sharing of the cost for the installation of permanent, solar powered radar speed sign. If this pilot program proves to be successful, the County would be willing to offer the same proposal to Berlin Township.
- k. Vehicle Wash Facility.** The County is not willing to participate with municipalities.
Mr. Vesper noted that the County Shared Services Coordinator is attempting to assist municipalities in sharing vehicle wash facilities, amongst themselves.

7. SAFE ROUTES TO SCHOOLS PROGRAM:

The N.J.D.O.T. has announced the acceptance of applications for the next round of funding. Applications must be submitted by April 18, 2008. The program provides grants for non-infrastructure and infrastructure projects. Non-infrastructure projects include enforcement, education and encouragement programs. Infrastructure projects could be sidewalks, crosswalks, bike lanes, multi-use paths and traffic calming measures, within two miles of an elementary or middle school.

I recommend that the Governing Body consider applying for funds for traffic calming, including the radar speed signs, along Franklin Avenue.

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

a. **Request for Traffic Signal at N.J.S.H. Route 73 and D'Angelo Drive:**

I believe that a meeting with the New Jersey Department of Transportation is being scheduled with the Township Officials.

b. **Request to N.J.D.O.T. for Payment of Additional Inspection Costs for Sanitary Sewer Work:**

At the last Council Meeting, Ms. Campisano had stated that the Township has not received the check, in the amount of \$32,000, for reimbursement of the inspection costs. We have contacted the N.J.D.O.T. to obtain a status on the payment. Once we receive a response, we will inform the Governing Body.

c. **Landscaping along Jug Handle, between Oak and Taunton Avenues:**

I have sent a letter to the N.J.D.O.T. requesting the planting of a landscape buffer, along the road, to screen the view of the rear of the retail stores. To date, I have not received any response from the N.J.D.O.T.

d. **Maintenance of Stormwater Management Facility and Made Wetlands, along Walker Avenue.**

As directed by the Governing Body, I have sent a letter to the N.J.D.O.T., requesting their maintenance of these facilities and lands.

9. **AMENDMENTS TO THE STORMWATER MANAGEMENT ORDINANCE:**

On January 28, 2008 the Planning Board held the public hearing and passed Resolution No. 2008-8 for the amendments to the Stormwater Management Plan and Stormwater Control Ordinance. I believe that the Governing Body will be holding the public hearing and intends to adopt the amending ordinance, in February. Once adopted, the Plan and Ordinance will be sent to the Pinelands Commission, N.J.D.E.P., N.J. Soil Conservation District and County Planning Board.

10. **REQUEST FOR ADDITIONAL SANITARY SEWER ALLOCATION (KEI #467BT0407):**

I have requested an update from Mr. Kricun, regarding his discussions with the N.J.D.E.P. and the amendment to the Wastewater Management Plan. Once I receive a response, I will inform the Governing Body.

11. **CAMDEN COUNTY OPEN SPACE, ROUND 9:**

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I believe that there was some discussion regarding the submission of an application for a portable movie screen, seating and amphitheater for the movie nights and other events at the Luke Avenue Recreation Complex.

Even though there are no specific submission deadline dates, I recommend that the application be submitted, in the immediate future.

12. MONTEBELLO AGE RESTRICTED DEVELOPMENT

I believe that the Township has authorized the installation of three, additional streetlights, which I had previously recommended.

We continue to perform inspections of the street and sanitary improvements and lot grading.

13. EXPANSION OF WAL*MART: No update to report at this time.

14. IMPROVEMENTS TO KELLEY DRIVE STORMWATER BASIN (KEI #64BT3187):

We have obtained the design engineer's storm drainage plan and calculations for the basin design. The as-built conditions of the contributing watershed differ from the design. Therefore, we have performed calculations of the contributing flows and expect to submit our findings within the next two weeks.

15. MEETING WITH BERLIN BOROUGH PLANNING BOARD:

As discussed, at the last Council Meeting, I will contact the Borough Planning Board Secretary to request the scheduling of a meeting or attendance at one of their meetings.

16. PINELANDS MAINTENANCE AGREEMENT WITH CURRENT DEVELOPERS:

As discussed in November, 2007, I will notify the developers, which have posted cash guarantees to provide them with the opportunity to develop agreements, in lieu of the posted cash. The agreements must be approved by The Pinelands Commission, before the cash guaranty is released.

17. PRE-DISASTER MITIGATION – COMPETITIVE GRANT:

No update to report at this time

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough – Information from Berlin Borough received by Ms. Campisano
2. Increase in Sewer Allocation/Buildout Analysis – No update.

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3. Vacation of a Portion of Kelley Drive – No update.
4. Haddon Avenue Redevelopment Plan/New Municipal Building – No update.
5. Stormwater Control Ordinance – To be adopted on February 11, 2008.
6. Kelley Drive Basin – Waiting for list of property owners.
7. Tree Removal in Right of Way Areas – Issue is remains open.
8. C&M Auto Repair – Letter from State DEP received and will copy us in on all matters.
9. Richard Winans v. Berlin Twp and Walter Shendock
10. Salahuddin Smart v. Berlin Township and Police Officers
11. Bonnie Ferreri v. Berlin Township

PUBLIC WORKS DEPARTMENT

Michael McGee reported that the streets were well taken care of during the snow storm. He indicated that street signs have been missing and that he will find a way to better secure them.

POLICE DEPARTMENT

Michael Hayden, Police Chief reported that the police departments stats are down from last year.

Policeman Davis did a great job in pulling a man out of a detention pond located next to Pizza Hut on Route 73.

He also reported that they are having problems with the Communications Center of the Camden County Public Safety Department. They want to bring Voorhees into this center in mid year or late this year. We don't feel this is a good idea due to the fact that the communications center is already too busy.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2008-4 AN
ORDINANCE OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW
JERSEY CANCELING CERTAIN UNFUNDED APPROPRIATION BALANCES
HERETOFORE PROVIDED FOR CAPITAL IMPROVEMENTS AND
REAPPROPRIATING SUCH UNFUNDED APPROPRIATION BALANCES FOR
OTHER CAPITAL PROJECTS**

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

Section 1. The following appropriation remaining as a balance in Bond Ordinance 2007-10 ("Bond Ordinance") heretofore adopted by the Township of Berlin, County of Camden, New Jersey ("Borough"), is hereby cancelled:

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	<u>Ordinance/Section</u>	<u>Funded Appropriation to be Cancelled</u>	<u>Unfunded Appropriation to be Cancelled</u>
A.	2007-10, Section 7.A	\$0	\$205,644.72

Section 2. The sum of \$205,644.72, which represents the unfunded appropriation cancelled in Section 1.A herein, is hereby reappropriated from Bond Ordinance 2007-10 for the Acquisition of Real Property and a Building thereon, to be used as a new municipal building for the Township, together with acquisition of materials and equipment and completion of all work necessary therefor or related thereto, in the amount of \$205,644.72.

Section 3. The period of usefulness of the purpose referred to in Section 2, within the limitations of the Local Bond Law and according to the reasonable life thereof, is not less than five (5) years.

Section 4. The Capital Budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

Section 5. The improvements authorized hereby are not current expenses and are general improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 6. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Motion by Council President DiGangi, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2008-4. There were no requests to be heard. Motion by Council President DiGangi, second by Councilman Morris 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 2008-4. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2008-5
AMENDING ORDINANCE 2007-27 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 2007-27 on January 14, 2008 fixing and determining salary ranges for the officers and employees for the calendar year 2008; and

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WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges effective February 4, 2008:

POSITIONSALARY RANGE.....	
	FROM	TO
Chief Financial Officer	\$ 66,000.00	\$ 75,000.00

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

Motion by Council President DiGangi, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2008-5. There were no requests to be heard. Motion by Councilman Batten, second by Council President DiGangi to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Councilman Batten, second by Councilman Morris to adopt Ordinance 2008-5. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2008-83 RESOLUTION REQUESTING THE RELEASE OF LETTER OF CREDIT AND ESCROW AMOUNT FOR COOPER AND TAUNTON, LLC

WHEREAS, Continental Cast Stone, known as Cooper and Taunton, LLC, at 400 Cooper Road, West Berlin, New Jersey; Block 1907, Lot 10, has requested the release of their Letter of Credit No.136192070186, Amendment No. 5 in the amount of \$41,392.70, 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, the posting of a two year Maintenance Bond in the amount of \$64,491.57, dated January 4, 2008, and release of their escrow balance. Engineer also requested that copies of the Deed of Easement (shade tree easement) and Deed of Dedication for the right-of-way are also submitted to our office.

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. 136192070186 and escrow balance for Continental Cast Stone, known as Cooper and Taunton, LLC, are hereby granted with the conditions stated above.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-83. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2008:84 FOR APPLICATION FOR PROGRAM YEAR 30 (2008-2009) FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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WHEREAS, the Township of Berlin is entitled to Community Development Block grant funding; and

WHEREAS, the Mayor and Council have chosen to submit an application for Program Year 30 (2008-2009); and

WHEREAS, the grant allocation for 2008-2009 for the Township of Berlin is \$30,257.00; and

WHEREAS, the governing body has agreed to apply for funding for the following activity(ies);

Lease purchase of Senior Citizen Bus

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign the Project Description Form for Program Year 30 (2008-2009).

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2008-84. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2008:85 RESOLUTION ENDORSING THE TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act. P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2007 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Township of Berlin to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is property completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that they hereby endorse the submission of the recycling tonnage grant

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application to the New Jersey Department of Environmental Protection and designates John Michael McGee to ensure that the application is properly filed and **BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motion by Councilman Batten, second by Council President DiGangi to adopt Resolution 2008-85. Resolution adopted by call of the roll, five members present voting in the affirmative.

Resolution 2008:86

Payment of Bills February 25, 2008

WHEREAS, the Code of the Township of Berlin, Chapter 7-1 et seq., provides payment of claims after certification by the Treasurer and consideration by Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the following claims are hereby approved and the bills be paid.

TO	ACCOUNT	AMOUNT
Animal Welfare of CC	Dog Trust	440.00
CC Div of Health	Dog Trust	865.73
John Iannelli	Mun Public Defender	300.00
David F. Carlamere	Planning Board Esc # 255	95.00
David F. Carlamere	Planning Board Esc # 304	95.00
CONFIRMING		
Dr. Charles Ruggiero	Dog Trust	300.00
Treasurer, State of NJ	Dog Trust	748.20
S & H Electrical	04-215-55-860-02123	480.00
Asphalt Paving Systems	01-213-79-023-3000	13,282.92
Camden County Treasurer	01-208-55-020-3000	859,500.37
	01-209-55-020-3000	182,259.77
	01-208-55-020-3000	59,853.17
	01-211-55-020-3000	26,868.89
Frank's Time Out	01-201-26-290-2105	53.06
Cheryl Grugan	01-201-43-490-2028	100.00
John M McGee	01-201-26-290-2105	29.41
State of New Jersey	01-201-23-220-2092	40,225.85
State of New Jersey	01-201-23-220-2092	13,126.41
Payroll, Current Fund	1/3/2008	63,790.14
Payroll, Sewer	1/3/2008	5,135.52
Payroll, Current Fund	1/10/2008	62,724.80
Payroll, Sewer	1/10/2008	4,661.23
Payroll, Current Fund	1/17/2008	58,473.51

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Payroll, Sewer	1/17/2008	4,628.03
Payroll, Current Fund	1/24/2008	77,622.29
Payroll, Sewer	1/24/2008	4,724.27
Payroll, Current Fund	1/31/2008	80,316.64
Payroll, Sewer	1/31/2008	4,628.00

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2008-86. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2008-87 RESOLUTION CONFIRMING HIRING OF DONNA R. DE CINQUE AS A PART TIME CLERK TYPIST IN THE MUNICIPAL CLERK'S OFFICE

WHEREAS, a recommendation has been made to the Mayor and Council of the Township of Berlin to hire, Donna R. DeCinque, as a part time Clerk Typist, for the purpose of public relations in the Municipal Clerk's Office; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes and approves the hiring of Donna R. DeCinque as a part time Clerk Typist for the Township's Municipal Clerk's Office, effective February 19, 2008.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-87. Resolution adopted by call of the roll, five members present voting in the affirmative.

BUSINESS LICENSES/REGISTRATIONS FOR APPROVAL

Business Registrations

- a. **Wonder Nails, 451 Route 73 North (Greenway Shopping Center), Tony Chung, Nail Spa Salon**

Motion by Council President DiGangi, second by Councilman Batten to approve business registration for Wonder Nails. Business Registration approved by call of the roll, five members present voting in the affirmative.

- b. **William J. Lynch, 386 Thurman Avenue, W. Berlin, Income Tax Preparation**

Motion by Councilman McIntosh, second by Council President DiGangi to approve business registration for William J. Lynch Income Tax Preparation. Business Registration approved by call of the roll, five members present voting in the affirmative.

Business Licenses

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- a. **Apartment Supply Warehouse, Scott Brumar, 412 Bloomfield Drive, Warehouse for supplying apartments with maintenance materials.**
Motion by Councilman Batten, second by Councilman Morris to approve business license for Apartment Supply Warehouse. License approved by call of the roll, five members present voting in the affirmative.

- b. **Panda House, 439 N. Route 73 (Greenway Shopping Center), Lin Qin Shi for Chinese Restaurant**
Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for Panda House. License approved by call of the roll, five members present voting in the affirmative.

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 in the affirmative.

APPROVAL OF MINUTES FOR FEBRUARY 11, 2008

Motion by Councilman McIntosh, second by Council President DiGangi to approve the minutes of February 11, 2008. Motion carried by voice vote, all present voting in the affirmative.

GOOD AND WELFARE #2

Motion by Councilman Batten, second by Councilman McIntosh to open the meeting to the public. Motion carried by voice vote, all members present voting in the affirmative. Mayor Magazzu opened the meeting to the public for questions or comments.

Mr. Hertzberg from Lucas Avenue ask if there was anything new on the site for the Municipal building. Mayor Magazzu responded by saying that we are looking into the site on Route 73 where Gordon's Furniture store used to be.

Motion by Councilman McIntosh, second by Council President DiGangi to close the meeting to the public. Motion carried by voice vote, all members present voting in the affirmative.

ALL OTHER BUSINESS

CFO, Lori Campisano discussed the Capital Improvements for upcoming Bond Ordinance. She also spoke to Mr. Riebel, Township Engineer about the streets for our Road Improvements.

Council President DiGangi mentioned that Berlin Borough would like our town businesses to join the Berlin Business Association.

FEBRUARY 25, 2008

ADJOURNED

Motion by Councilman Morris, second by Councilman McIntosh to adjourn the meeting.
Meeting adjourned at 7:52 p.m. Motion carried by voice vote, all members present voting in the affirmative.

Jamey Eggers, Township Clerk