

FEBRUARY 25, 2013

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL FEBRUARY 25, 2013 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, Councilwoman Bodanza, Mayor Magazzu

Also Present- Solicitor, Stuart Platt, CFO, Lori Campisano, Chuck Riebel, Engineer

Absent- Maintenance Officer, Josh Shellenberger, Acting Chief of Police, Lenny Check.

ENGINEER & PUBLIC WORKS REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time. I am hopeful that change orders and vouchers will be submitted, next month for the following projects:

1. Hill Avenue Storm Drainage Improvements
2. Haddon Avenue Streetscape
3. Route 73 Sidewalk

B. RESOLUTION FOR CONSIDERATION

1. Award of Contract- Municipal Building Freestanding Base Improvements

We have received on quote from Dandrea Masonry, West Berlin, N.J. for the installation of the thin brick and concrete capping for \$3,900.00. I recommend that the Governing Body consider awarding a contract for the work to this contract, unless it will be necessary to receive additional quotes.

2. Requesting an Extension of Time From the N.J.D.O.T. for the Award of a Contract for Mt. Vernon Avenue and Edgewood Avenue, Municipal Aid Funds

I recommend the Governing Body pass this resolution, requesting the extension of time for an award of contract and maintaining the allocation of funds.

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3. Rejection of Bids for Rehabilitation of the Tennis and Basketball Courts at the Spruce Avenue Recreation Complex

I recommend that the Governing Body reject the bids, which were received for the second occasion, due to the bid prices exceeding the available funds

4. Authorizing the Allocation of Funds and Re-Bidding of the Reconstruction of the Basketball Court Surface at Spruce Avenue Recreation Complex

I recommend that the Governing Body consider adopting an ordinance or amending an ordinance to allocate the necessary funds, over and above the County funds and, then, authorize the re-bidding of the project.

C. ENGINEER'S REPORT

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

The contractor has reconstructed several handicap ramps to comply with the governing regulations. We are, currently, attempting to address the discrepancy in quantities with the contractor. We must also address the matter of the test results for the concrete strength with the N.J.D.O.T.

Once we resolve the final quantities with the contractor we will prepare a change order and voucher for consideration for approval by the N.J.D.O.T. and Governing Body.

We have submitted the invoice to the N.J.D.O.T. for the reimbursement of payment to Atlantic City Electric for the decorative streetlights.

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

We have yet to perform an inspection on the final and corrective work, which was performed by the contractor. Within the next month, I expect to be meeting with the contractor to come to a, hopeful, agreement for the final quantities. Once all work has been accepted and the quantities have been agreed upon, we will prepare and submit the final change order and voucher for consideration for approval by the Governing Body and the Camden County CDBG Program.

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

I recommend that the bids be rejected for this project since the bids exceed the available funds.

I recommend that the Governing Body consider allocating the necessary funds, in addition to the County funding for just the reconstruction of the pavement and color coating for the basketball court. The Governing Body may also want to consider funding the improvements to the existing backboards and goals, which are in of repairs.

I believe that the Governing Body will be discussing the continued use or alternate use, with the residents in the neighborhood, of the tennis courts as it appears that the current use is minimal, at best. Since the site is Green Acres encumbered, it will be necessary for the N.J.D.E.P. Green Acres Program to approve any change of use.

I have reviewed the plan, which has been provided by the Green Acres Program, regarding the consolidation of the vacated portion of Spruce Avenue with the parklands. I have sent a letter to the N.J.D.E.P., informing them that the current parkland property is substantially consistent with their plan.

4. 2013 STREET IMPROVEMENT PROGRAM

We must complete the preparation of the bid documents, in the immediate future, before the N.J.D.O.T. initiates action to recapture the Municipal Aid funds for the Mt. Vernon Avenue and Edgewood Avenue. I have recommended that the Governing Body pass a resolution and send it to the N.J.D.O.T., immediately.

It is our intent to obtain a price for the improvements to several concrete driveways along Fairview Avenue from Somerdale Borough Work Force.

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

It is expected that the N.J.D.O.T. will be announcing the selected projects, in the very near future. The following applications have been submitted:

1. Oak Avenue- N.J.D.O.T. Jughandle "A" to 80 Feet Past Clover Avenue
Amount Requested \$94,000.00
2. Hazel Avenue- Chestnut Avenue to Cushman Avenue
Amount Requested \$236,000.00

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

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

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A N.J.D.O.T. Local Aid Office representative has informed us that it may be some time before these federal funds become available.

7. MUNICIPAL CERTIFICATION FOR FEDERAL FUNDING

The N.J.D.O.T. Local Aid Office representative has recommended that the Township may want to consider pursuing certification to improve the possibility of securing federal funds when they become available, in the future.

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

Once the weather becomes more suitable, the contractor will perform a test treatment of the concrete. I am hopeful that the contractor will be able to complete the treatment to our satisfaction, which will allow for the closeout of the project and final payment of the N.J.D.O.T. reimbursement.

9. SUSTAINABLE JERSEY CERTIFICATION

I believe the Township will be pursuing this certification.

10. TRAFFIC CALMING PROGRAM

I believe that the Governing Body is researching the possibility of creating a program, mainly using speed humps, on those streets where excessive speeds have been a constant issue. I have provided Council President Morris with some information and ordinances from other New Jersey municipalities.

11. NO PASSING ZONE ALONG COOPER ROAD

We will be performing the study, using the road profile on the New Jersey-American Water Company construction plans.

12. MUNICIPAL BUILDING

a. Free Standing Monument Sign

I recommend that the Governing Body consider awarding a contract to Dandrea Masonry for the installation of the brick facing and concrete capping to the masonry brick base.

b. Roof Membranes

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

c. School Bell

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As recommended by Mayor Magazzu, we will contact the Vocational School to see if they would be willing to construct the base for this bell.

d. Irrigation and Landscaping

We have been informed that the Federal Transportation funds, which the Township has applied for, are held up at the federal level. It is doubtful that these funds will be available in the near future.

We have completed the landscaping plan. I suggest that the irrigation system be designed and installed prior to the planting of the landscaping plantings. The upcoming planting season is quickly approaching.

e. Completion of Unfinished Rooms at Municipal Building

We are in the process of obtaining quotes for the installation of the electrical, heating/air conditioning and ceiling systems. The Public Works Department will be constructing the walls.

13. STORM DRAINAGE IMPROVEMENTS

1. 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.

2. Lester Avenue Storm Drainage and Stormwater Management

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

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

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

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

Mr. Pfluger has provided me with an incomplete version of a topographic map for the school property. I intend to attempt to decipher the contours and perform a preliminary design for said improvements. I intend to present the preliminary

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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.

4. Kelley Drive Stormwater Basin Reconstruction

We will be preparing bid documents for the excavation, dewatering and removal of the sediment and reconstruction of the basin bottom. The cost for this work will be covered by the Wal-Mart contribution.

14.MASTER RE-EXAMINATION REPORT

We are, currently, preparing the draft version of the Re-examination Report for review and comments from the Planning Board.

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

This year, we will be preparing the documents supporting the request for the redesignation of Pinelands zoning for other lands to allow for greater density development and the extension of sanitary sewer to those re-designated areas.

16.COUNTY TRAFFIC SIGNAL MAINTENANCE PROGRAM

I had mentioned, last month, that the County is still waiting for information from several municipalities. Once they receive all necessary information, they will prepare the proposal for the County-wide maintenance program. We will be requesting quotes for maintenance for 2013.

17.TAX MAP REVISIONS

It has been quite some time since the Tax Maps have been revised. The maps must be revised to depict the filed sections of Montebello development and the various revisions, which have been submitted by the Tax Assessor.

I recommend that the Governing Body consider allocating funds for the conversion of the plans from a hard copy to CAD format. We would, then, make all revisions in the CAD format. The estimated cost to have the existing sheets scanned and converted to CAD is approximately \$3,000.00.

18.FORMER MUNICIPAL BUILDING SITE, BATE AVENUE

We must, still, complete the survey of the property. I believe that the property cannot be transferred to the Township until the survey has been issued.

19.PUBLIC WORKS DEPARTMENT

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

I will be revising my request for the purchases of vehicles and equipment and expect to submit this request in early 2013. The Department is in dire need of trash trucks and large dump trucks.

2. **IMPROVEMENTS TO SEWER PUMPING STATIONS**

I will also be including in my request for capital funds, improvements to the aging sewer pumping stations, which I strongly recommend that the Governing Body consider allocating the necessary funds.

3. **INTENTIONAL DAMAGE TO SEWER PUMPING STATIONS**

We have received a Proof of loss from the insurance carrier for payment, in the amount of \$6,124.00. The Township will be responsible for \$2,500.00 deductible, for the replacement of the engine at the Route 73 pumping station. It is extremely important that this work be performed in the immediate future. Therefore, I recommend that the Governing Body consider accepting the Proof of Loss..

4. **GREASE TRAP MAINTENANCE**

I believe that the Governing Body is considering taking the necessary action to allow for the sewer crew to assist the Plumbing Sub-code Official with the inspection and enforcement of the reporting of grease trap maintenance.

5. **SUBMISSION OF ANNUAL REPORTS**

We will be preparing and submitting the following annual reports

- a. Water Allocation Report
- b. Recycling Tonnage Report
- c. Clean Communities Report (2011 and 2012)
- d. Stormwater Report
- e. Diesel Retrofitting Report

6. **REQUEST FOR POSTING OF POSITION-CREW LEADER**

I am currently preparing the qualification requirements for the Parks/Streets/Buildings Crew Leader and expect to post it in the immediate future.

7. **SHARING OF PUBLIC WORKS DEPARTMENT SERVICES**

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I have submitted the listing of vehicles and staff to Berlin Borough for their use in developing an overall listing of the neighboring municipalities.

8. QUOTES FOR SAND AND WINTER STREET TREATMENT

We have received two quotes. I recommend that the contract be awarded to Glendale Excavating for the unit price of \$13.00/ton.

9. REQUEST FOR REIMBURSEMENT FOR DEBRIS COLLECTION – SUPERSTORM SANDY

It is my understanding that the Township has received the check from FEMA.

10. PERFORMANCE OF TASKS

We are completing the collection of leaves along the streets, this week. We have started with the gathering and removal of leaves on the Township properties.

We have prepared the trucks and equipment for winter treatment of streets and plowing

Council President Morris stated that the at Public Works department is doing a excellent job sheet rocking the back room and that at the historical event this past weekend we received many compliments on the room, which was done in house by public works department.

SOLICITORS REPORT

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

14. Chief Jackson
15. Animal Control Ordinance
16. Taser Insurance
17. Grease Trap Ordinance

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**SECOND READING AND PUBLIC HEARING ORDINANCE 2013-1 AMENDING
ORDINANCE 2012-11 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 2012-11 on December 10, 2012 fixing and determining salary ranges for the officers and employees for the calendar year 2013; 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 2013 effective January 1, 2013 as follows:

POSITIONSALARY RANGE.....	
	FROM	TO
Patrolmen:		
Date of Hire	\$ 40,000.00	\$ 43,000.00
Beginning of 2 nd Year	43,000.00	46,000.00
Beginning of 3 rd Year	46,000.00	52,000.00
Beginning of 4 th Year	52,000.00	58,000.00
Beginning of 5 th Year	58,000.00	64,000.00
Beginning of 6 th Year	64,000.00	70,000.00
Beginning of 7 th Year	70,000.00	80,000.00
Beginning of 8 th Year	80,000.00	84,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the above mentioned salary ranges be 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 2013-1.

No more comments were to be heard.

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

Motion by Council President Morris second by Councilwoman Bodanza to adopt Ordinance 2013-1 Ordinance approved by call of the roll, five members present voting in the affirmative.

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ORDINANCE 2013-2 AMENDING ORDINANCE 2012-11 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2013-2 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2013-76 PAYMENTS OF BILLS FOR FEBRUARY

Resolution 2013- 76

Payment of Bills - February 25, 2013

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

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

TO	ACCOUNT		AMOUNT
Carlamere & Rowan	PB Esc #32	\$	125.00
Robert E. DePersia, II, Esq.	Mun Public Defender Trust		600.00
Camden County Animal Shelter	Dog Trust		583.34
Treasurer, State of NJ	Dog Trust		441.00

CONFIRMING

State of NJ Health Benefits	3-01-23-220-2092	\$	59,843.61
State of NJ Health Benefits	3-01-23-220-2092		26,866.18
Dr. Scott Polo	Dog Trust		300.00
Ethel Kernan	2-01-43-490-2028		81.00
South Jersey Energy	2-01-31-435-2075		1,488.84
Indian Harbor Insurance Co.	3-01-20-155-2020		1,447.93
Ameriflex	Flex Claims Account		75.00
Ameriflex	Flex Claims Account		175.00
Ameriflex	Flex Claims Account		75.00
Verizon Communications	3-01-31-443-2077		99.99
Payroll, Current Fund	1/10/2013		130,182.56
Payroll, Sewer Operating Fund	1/10/2013		6,251.32
Payroll, Current Fund	1/24/2013		138,060.92
Payroll, Sewer Operating Fund	1/24/2013		6,031.92
Payroll, Current Fund	2/7/2013		125,493.53

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Payroll, Sewer Operating Fund	2/7/2013	6,422.93
Payroll, Current Fund	2/21/2013	126,115.51
Payroll, Sewer Operating Fund	2/21/2013	6,000.83

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2013-76. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-77 APPOINTING DEPUTY REGISTRAR AND ALTERNATE REGISTRAR

BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that **KATHLEEN JAMISON** is hereby appointed as Deputy Registrar effective February 25, 2013 and **KELLEY McCAULEY** is hereby appointed as Alternate Registrar effective, depending adoption of ordinance 2013-2.

Motion by Councilwoman Bodanza, second by Councilman McIntosh to adopt Resolution 2013-77. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2013-78 RESOLUTION AMENDING SALARY RESOLUTION 2012: 184 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 2012: 184 on December 20, 2012, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2013; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective adoption of ordinance 2013-2.

POSITION	AMOUNT PER YEAR
Administrative Secretary to Land Use/ Public Wks/Eng – Clerk Typist (With Registrar’s Certification)	\$ 46,489.00

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

Approval of Business License

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1) Ludwig Financial Group T/A All State, Marc Ludwig. 200 Route 73 North. Insurance Agency.

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

2) Berlin/Voorhees Tennis Center T/A NUKO, David Okun. 388 Cooper Road. Tennis Instructor, Lessons.

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

Correspondences for January 2013

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

Consent Agenda January

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

Approval of February 11, 2013 Meeting Minutes.

Motion by Councilman McIntosh, second by Councilman Epifanio to approve the minutes for February 11, 2013. Motion carried by voice vote, five present voting in the affirmative.

All Other Business

Council President Morris stated that the Fire District Election was held and that the budget along with the building renovation project had passed. The Fire Department is planning on having an open public meeting to explain to the public the next step for the project along with the plans.

Mayor Magazzu stated that if the fire department sends us the information and plans we can put it up on our township website and in our newsletter.

Council President remarked that the St. Baldricks will be held at the Fire Department on March 23rd from noon to six o'clock.

Councilwomen Bodanza stated if the newsletter is going out soon we should post the Memorial Day information in it.

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Motion by Councilman McIntosh, second by Councilwoman Bodanza 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.

Erica Cuderyo, BTAA President commented that both sports organization, BTAA and BTSA met with Mayor Magazzu and Council President Morris to discuss the sports program and option of merging both organizations back together. Erica stated that they are still working out the details. One issue was that BTSA still wanted to run the dek hockey program. Erica remarked that they are going to continue the discussions with BTSA. Erica stated that one of the issues brought up at the meeting was the out of town fee and the possibility of a decrease to \$50.00 per sport and a cap off of \$100.00 annually.

Erica stated that baseball season is coming together and that Joe Cruz is going to train our coaches and try to build up the participation with the children in town.

Erica also commented the possibility of BTAA and Township partner together for the Mayors' Wellness campaign and forming a committee and taking it to the next level. Working together we do a lot more events.

Mayor Magazzu stated that there is grant money available for the Mayors Wellness Campaign.

Stuart Platt, Solicitor asked Erica on the ordinance decrease are you asking on behalf of the BTAA organization.

Erica replied yes.

Stuart asked if the board of BTAA was also agreeable with the decrease.

Erica replied yes.

Stuart remarked that a complaint was filed by your organization with the state of New Jersey with Green Acres, when the original ordinance was adopted, assuming if this ordinance was amended would that most likely result in a withdrawal.

Erica stated that was a personal complaint and that she did not have any information on that. The BTAA did not decide as a whole to file a complaint. That was something that he did on his own.

Mayor asked if this individual was still on the BTAA Board.

Erica replied yes as Treasurer.

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Mayor remarked that in court he kept referring to your organization.

Erica remarked she thought he was trying to do for the BTAA.

Stuart asked if Township amends the ordinance in regard to the fees and everyone is in agreement with the new fees would BTAA write a letter to Green Acres and withdrawal the complaint.

Erica stated that she would have to discuss that question with the BTAA Board and the next meeting is tomorrow night.

Council President commented that after the recent meeting with the sports organizations he commended them for working together and moving in the right direction and supports them.

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.

Adjourn

Motion by Council President Morris, second by Councilman Epifanio to adjourn the meeting at 5:40 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 5:40 pm

Catherine Underwood, Township Clerk