

February 27, 2017

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL FEBRUARY 27, 2017 AT 5:30 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- Mayor Magazzu, Councilman McIntosh, Councilwoman Bodanza, Councilman Epifanio, Council President Morris.

Also Present- Solicitor, Stuart Platt, CFO, Lori Campisano, Township Engineer / Public Works Director Chuck Riebel, Chief of Police, Leonard Check, Animal Control/ Property Maintenance, Josh Shellenberger

Absent-

Departmental Reports

PROPERTY MAINTENANCE / ANIMAL CONTROL

Josh reported that we have registered so far 31 Vacant Property Registration so far this year. In year 2016 we had a total of 44 properties registered. Josh comment that he had replaced all the exterior lights that were out.

OATH OF OFFICE

Tyquan McIntosh, for Special Law Enforcement Officer

Mayor Magazzu administered oath of office to Tyquan McIntosh for Special Law Enforcement Officer.

RESOLUTION 2017-81 ADOPTION OF 2017 TEMPORARY CAPITAL BUDGET.

WHEREAS, the Mayor and Council of the Township of Berlin, in the County of Camden, desire to constitute the 2017 Temporary Capital budget of said municipality by inserting therein various capital projects,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the

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Township of Berlin approve the temporary capital budget as follows:

Section 1. The 2017 Temporary Capital Budget of the Township of Berlin is hereby constituted by the adoption of a schedule to read as follows:

<u>PROJECT</u>	<u>ESTIMATED COST</u>	<u>CAPITAL IMPROVEMENT FUND</u>	<u>GRANTS</u>	<u>DEBT AUTHORIZED</u>
Acquisition of Equipment	\$ 275,000.00	\$275,000.00		---

Section 2. The Township Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for the 2017 Temporary Capital Budget and that these projects are to be included in the 2017 Permanent Capital Budget as adopted.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-81. Resolution adopted by call of the roll, five members present voting in the affirmative.

ORDINANCE 2017-1 AN ORDINANCE OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING \$275,000 FOR THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. There is hereby appropriated the sum of \$275,000 from the Capital Improvement Fund for the Acquisition of Various Equipment for the Public Works Department for Trash Collection Purposes including, but not limited to, an Automated Trash Collection Vehicle, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto (collectively, the "Project").

Section 2. It is hereby determined and stated that the Project set forth in Section 1 is a general improvement and is not a current expense of the Township.

Section 3. 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.

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Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

Motion by Councilwoman Bodanza, second by Councilman McIntosh to adopt Ordinance 2017-1 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-82 AUTHORIZING CANCELLATION OF UNCOLLECTIBLE TAXES FOR BLOCK 1415 LOT 3.

WHEREAS, the 2015 tax assessment was 13,500 and was reduced for 2016 to 9,400, and;

WHEREAS, Kenneth Thistle was billed based on the original 2015 tax assessment for the first half of 2016 in the amount of \$ 390.63 and;

WHEREAS, the February and May taxes for 2016 were based on the 2015 original tax and not the new 2016 reduced assessment, creating an over billed account. The taxes were paid in full for the first half of 2016 and the new reduced assessment resulted in an overbilled property with an overpayment; any overpayment will transfer to the next billed quarter as a credit.

WHEREAS, in 2017 Lot 3 has become an additional lot on the existing Lot 2 and the original line item known as Block 1415 Lot 3 is now deleted of record for 2017. The existing overpayment has now been applied to the combined lots, known as Block 1415 Lot 2.

FURTHER, taxes need to be cancelled for the 1st half 2017 tax year for the amount of \$ 172.35, due to the deleted line item known as Block 1415 Lot 3 so;

THEREFORE, BE IT RESOLVED that the tax collector cancel the amount of one hundred, seventy two dollars and thirty five cents (\$172.35) for over billed taxes.

Submitted by Dana O'Hara,
Tax Collector, for the February 27th, 2017 meeting.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-82. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-83 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, THE IMPOSITION OF LIENS IN ACCORDANCE WITH CHAPTER

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249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "PROPERTY MAINTENANCE."

WHEREAS, N.J.S.A. 40:48-2.12(f) authorizes a municipality to perform certain acts of property maintenance and to charge the costs thereof as a lien against the real property on which such maintenance is performed; and

WHEREAS, Chapters 249 of the Code of the Township of Berlin establish, *inter alia*, the procedure by which such property maintenance shall be performed and the process through which the costs thereof shall be established as municipal charges and/or liens against the real property upon which such maintenance is performed; and

WHEREAS, the Code Enforcement Officer for the Township of Berlin was notified and became aware that property maintenance was necessary for certain real properties located in the Township of Berlin listed as follows:

Property: Block/Lot REASON

320 Minck Ave. B-703 L-3.02 fall clean up
107 Chestnut Ave. B-1405 L-12 fall clean up

WHEREAS, pursuant to Chapter 249 the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

WHEREAS, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

WHEREAS, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

Property: Block/Lot Date Charged Amount Reason

320 Mick Ave. B-703 L-3.02 February 27, 2017 \$290.00 Leaf clean up
107 Chestnut Ave. B-1405 L-12 February 27, 2017 \$430.00 Leaf clean up

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BE IT FURTHER RESOLVED, that each of the above-referenced charges and/or liens shall be filed with and shall remain on file with the Tax Office until payment in full thereof, including any penalties and/or interest that may accrue thereon; and

BE IT FURTHER RESOLVED, that all unpaid liens authorized herein shall bear interest at the same rate allowed for unpaid taxes and shall be collected and enforced in the same manner as unpaid taxes and further that the Tax Collector is further authorized to subject same to Tax Sale in the calendar year next following the date thereof in accordance with the Tax Sale Law; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Township Tax Collector and said Resolution, together with all invoices evidencing certification of costs expended for said work, shall be filed with and/or shall remain on file with the Township Tax Collector until said charges are paid the lien is released in the matter required by law.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-83. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2017-84 RESOLUTION REQUESTING THE ISSUANCE OF RAFFLE LICENSES FOR BERLIN TOWNSHIP PEACE.

WHEREAS, Berlin Township PEACE has requested the issuances of a Raffle License by the Township of Berlin for;

Designer Bag Bingo, March 24, 2017 7:00 pm to 9:00 pm at Berlin Township School 235 Grove Avenue West Berlin NJ 08091

On-Premises 50/50

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes the issuances of a raffle licenses to Berlin Township PEACE.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-84. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2017-85 RESOLUTION REQUESTING THE ISSUANCE OF BINGO LICENSES FOR BERLIN TOWNSHIP PEACE.

WHEREAS, Berlin Township PEACE has requested the issuances of a BINGO License by the Township of Berlin for;

Designer Bag Bingo, March 24, 2017 7:00 pm to 9:00 pm at Berlin Township School 235 Grove Avenue West Berlin NJ 08091

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BINGO (not to exceed 35 games)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes the issuances of a BINGO licenses to Berlin Township PEACE.

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-85. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-86 PAYMENT OF BILLS FOR FEBRUARY

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 detailed below and attached are hereby approved and the bills to be paid.

TO	ACCOUNT	AMOUNT
Treasurer – State Dog Report January 2017 Total License #469	Dog Trust	\$745.80

<u>CONFIRMING:</u>		
TO	ACCOUNT	AMOUNT
Various Current Fund & Sewer Operating Fund Checks	See Bill List Attached dated: 01/31/2017	\$29,644.32
America On Line – December 2016	6-01-31-443-2077	46.99
Ameriflex - December 2016	Flex Claims Account	75.00
Ameriflex - Annual Renewal	Flex Claims Account	175.00
Ameriflex - January 2017	Flex Claims Account	75.00
Camden County Treasurer - 1 st Quarter Tax	7-01-55-208-0000 7-01-55-209-0000 7-01-55-208-0000 7-01-55-211-0000	1,131,140.09 92,894.47 71,137.47 27,807.16
State of Jersey Health Benefits – Jan 2017 (A)	6-01-23-220-2092	85,387.70
State of Jersey Health Benefits – Jan 2017(R)	6-01-23-220-2092	36909.22
United States Postmaster – Permit Fee 2017	6-01-20-120-2022	225.00
Verizon FIOS Internet PD – February 2017	7-01-31-443-2077	109.99
Payroll, Current Fund	02/02/17	128,599.90
Payroll, Sewer Operating Fund	02/02/17	6,760.87

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Payroll, Current Fund	02/16/17	128,408.64
Payroll, Sewer Operating Fund	02/16/17	6,425.42

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2017-86. Resolution adopted by call of the roll, five members present voting in the affirmative.

Solicitor Permit:

1) Lee M. Timmons Jr. T/A Allied Construction. Door to Door sales to inform homeowners of Energy Star Programs. **(please review the Chief of Police recommendation letter)**

Motion to deny solicitors permit for Lee M Timmons Jr., since the applicant did not satisfy all the application requirements.

Motion by Council President Morris, second by Councilman Epifanio to deny solicitor permit for Lee M Timmons Jr. Solicitor Permit deny by call of the roll, five members present voting in the affirmative to deny the solicitor permit..

Approval of the Consent Agenda January

Motion by Councilman Epifanio, second by Councilwoman Bodanza to receive and file the monthly reports on the consent agenda for January 2017. Motion carried by voice vote, all present voting in the affirmative.

All Other Business

Mayor Magazzu stated that the Black History Event held this past Saturday a huge success. This year attendance was the best ever and enjoyed by all who attended.

Public Portion

Motion by Councilwoman Bodanza , 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.

Louise Amato, Lucas Avenue stated that she was here two weeks ago talking about her property that backs up along the new shopping center Retro Fitness / Dollar Store. She stated that the buffer of trees that were planted are not sufficient enough and that she would like a fence put up.

Terri Hertzberg, Lucas Avenue stated he would like a better buffer also and he commented that trash was all over the complex.

Motion by Councilwoman Bodanza, 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.

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Mayor Magazzu responded and said that the Engineer has reached out to the owner of the property but still has not reached out to us. Mayor Magazzu also remarked that she has talked to the County and has asked them about installing a fence along the back of the resident properties. She remarked that we are waiting to hear back from them.

Motion by Council President Morris, second by Councilwoman Bodanza to re-open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu re-opened the meeting to the public for questions or comments.

Louise Amato asked why the site plans look different then the completed shopping center.

Carolyn Picciotti, Hudson Avenue stated that the complex sign on Haddon Avenue is supposed to be turned off at 9:00 p.m.

Motion by Councilwoman Bodanza, 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.

Council President Morris responded and stated that Carolyn is correct the sign is not allowed on past 9:00 p.m, and we will notify them.

Stuart Platt, Solicitor and Chuck Riebel, Township Engineer stated that they will get together and review the site plan. Stuart responded, whatever is on a site plan is what is required to be built. We will investigate and get back to the Governing Body with our findings.

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. Mayor Magazzu closed the meeting to the public for questions or comments.

Adjourn

Motion by Councilman McIntosh, second by Council President Morris to adjourn the meeting at 6:25 am. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:25 pm

Catherine Underwood, Township Clerk

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