

MARCH 10, 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, MARCH 10, 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 McIntosh, 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
Absent - Councilman Morris, Councilman Batten

GOOD AND WELFARE #1

Motion by Council President DiGangi, second by Councilman McIntosh 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. No request to be heard. Motion by Council President DiGangi, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in the affirmative.

ENGINEERS REPORT

A. CHANGE ORDERS AND VOUCHERS

None to report at this time.

B. ENGINEER'S REPORT

1. 2008 STREET IMPROVEMENT PROGRAM:

Ms. Campisano has informed me that the following streets are being considered for improvement:

- a. Hazel Avenue – Chestnut to Second
- b. Elm Avenue – Cushman to Chestnut
- c. Larch Avenue – Chestnut to Cushman
- d. Magnolia Avenue – Cushman to Chestnut
- e. Intersection of Clarence and First Avenues

Since the funding will be less than the estimated construction cost, the proposal will include alternate bids to allow for flexibility in the award of the contract, based upon the available funds.

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Ms. Campisano has informed me that the bond ordinance will be introduced on March 10, 2008. The earliest that a contract could be awarded is May 12, 2008.

2. 2007 CAPITAL IMPROVEMENTS PROGRAM (KEI #458BT0506):

We expect the contractors to perform the corrective work, in the near future, as the weather becomes suitable for the work to occur.

3. C.D.B.G. PROGRAM, 2008-2009 (YEAR 30) FUNDING -\$30,257.00 (KEI #486BT0208):

Mr. Daley, C.D.B.G. Project Coordinator, had informed us that the use of C.D.B.G. funds for the lease of a senior bus is an eligible project, but funds are limited. He suggested that the Project Description Form must be submitted, immediately, in hopes of securing the limited funds. Therefore, we amended the Project Description Form and resolution to reflect the lease/purchase of a senior citizens bus and forwarded it to Mr. Daley on February 26, 2008.

The Governing Body passed Resolution No. 2008-84, at the Council Meeting on February 25, 2008, authorizing this project.

4. 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 this project. The estimated construction cost is \$289,000.00. There has been discussion that the project could be performed in phases, if contracted over a period of years, or the Public Works Department may be able to perform the construction.

The Governing Body has, also, discussed the possible submission of a request for additional funds, through the N.J.D.O.T. Commissioner's Discretionary Fund. We will prepare the draft letter for review and consideration for use by Mayor Magazzu.

We have mentioned, previously, that it will be necessary to obtain approvals and permits from the N.J.D.O.T. and N.J. Pinelands Commission. The N.J.D.O.T. must also approve the performance of the construction by the Public Works Department.

The N.J.D.O.T. funds are reimbursed for only the eligible construction, inspection and contract administration costs. Therefore, the Township must provide the initial funding and the funds for all non-eligible costs.

We recommend that the Governing Body consider authorizing our office to perform the design and preparation and submission of the necessary applications to the N.J.D.O.T. and N.J. Pinelands Commission.

5. HADDON AVENUE STREETScape IMPROVEMENTS (KEI #430BT1104 & #431BT1104):

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- 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. The Governing Body accepted the project at the Council Meeting of February 25, 2008.

We will assist Ms. Campisano with the final reimbursement of the grant funds 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.

As discussed last month, the Governing Body desires to reduce the “scope of work” for Phase 3 to reduce the project costs to be within the funding allotments. With this in mind, we forwarded an informal request to the N.J.D.O.T., Office of Local Aid. Their response seemed favorable and they requested that a formal request be submitted. We are currently preparing the request and, upon completion, will forward it to Mayor Magazzu for endorsement and submission to the N.J.D.O.T.

6. TRAFFIC SIGNAL AND GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF COOPER ROAD AND TAUNTON AVENUE (KEI #393BT0203):

We have been informed that the Freeholders intend to allocate the funds for the construction. I believe that the owner of the one corner property is conveying the necessary land for the proposed right-of-way widening along the frontages of Cooper Road and Taunton Avenue.

7. IMPROVEMENTS TO THE INTERSECTION OF HADDON AVENUE AND FRANKLIN AVENUE:

I am, still, trying to schedule a meeting with the County and Township representatives. I will continue to attempt to schedule this meeting for the immediate future.

I anticipate that we will also discuss the concept of widening Haddon Avenue to four lanes, at this meeting.

8. 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.

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

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

- a. **Proposals for Left Turns for Northbound Route 73 at Franklin Avenue:**
Chief Hayden has provided me with a copy of the "Concept Development Executive Summary" from the N.J.D.O.T. consultant. I recommend that members of the Governing Body meet with Chief Hayden, Fire Chief and Mr. McGee to discuss the proposals. I recommend that, after the meeting, comments be sent to the N.J.D.O.T.

I believe that Mayor Magazzu is trying to schedule a meeting with Governor Corzine to discuss the installation of a traffic signal at Route 73 and D'Angelo Drive.

- b. **Request to N.J.D.O.T. for Payment of Additional Inspection Costs for Sanitary Sewer Work:** We have, recently, forward a voucher to Ms. Campisano, in the amount of \$21,995.00, for the initial project costs, for signature. Once received, we will forward this voucher to the New Jersey Department of Transportation for review and payment.
- c. **Landscape Screening Along the N.J.D.O.T. Ramp Between Oak and Taunton Avenues:** I have received a response from the N.J.D.O.T. Landscape Architect. They are willing to plant twelve, 6 feet high Spruce trees on the strip store property. The trees cannot be installed within the ramp right-of-way due to sight issues. I have sent a letter to the owner of the strip stores property, requesting their consent to the planting of the trees.

10. STORMWATER COMMITTEE:

I am trying to schedule a meeting with the members of the Committee to discuss the following:

- a. Preparing a list of potential projects to be included in the Clean Water Needs Survey. The surveys are used for members of the Congress to secure Federal funds for their district.
- b. Update the status of compliance with the stormwater regulations.
- c. Discuss the Pre-mitigation Flood Control Program and develop a list of potential projects.
- d. Discuss the recently enacted N.J. Flood Control regulations.

I anticipate that the meeting will be scheduled in the near future.

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11. REQUEST FOR ADDITIONAL SANITARY SEWER ALLOCATION (KEI #467BT0407):
Mr. Kricun has informed me that he has discussed the matter with the N.J.D.E.P. and must discuss the matter with the Township. It may be necessary to schedule a meeting between Mr. Kricun and Township officials. Once I speak with Mr. Kricun, I will inform the Governing Body and Mr. McGee, regarding his comments.

12. CAMDEN COUNTY OPEN SPACE, ROUND 9 (KEI #487BT0208):
As discussed last month, we are currently preparing applications for the following projects:

- a. Luke Avenue Recreation Park
- b. Hockey Court at Robert T. Clyde Memorial Park

We anticipate submitting the applications to the Committee the week of March 10, 2008.

We recommend that the Governing Body pass resolutions of support for the projects and obtain letters of support from local organizations and residents.

13. EXPANSION OF WAL*MART:
I believe that Wal*Mart will be requesting that their site plan application be heard, by the Planning Board, in the near future.

14. IMPROVEMENTS TO KELLEY DRIVE STORMWATER BASIN (KEI #64BT3187):
We have submitted the calculation for the properties, which are discharging stormwater to the stormwater management basin. We are, currently, revising the cost estimate for the rehabilitation and annual maintenance of the basin for the calculation of the property owners' share of the cost for the basin improvements and maintenance.

In speaking with representatives for Wal*Mart, it appears that they are willing to contribute funds for the rehabilitation and annual maintenance costs for this basin.

15. MEETING WITH BERLIN BOROUGH PLANNING BOARD:
I have not requested the meeting with the Borough Planning Board, to discuss the possible coordination of land use, zoning and architectural regulations for the corridor of N.J.S.H. Route 73.

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.

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17. PRE-DISASTER MITIGATION – COMPETITIVE GRANT:

No update to report at this time.

18. TECHNICAL REVIEW COMMITTEE:

It has been suggested that recent Planning Board applicants attend a Technical Review Committee meeting, before being heard by the Planning Board. I question if this Committee was, formally, created and if the provision is in place to direct applicants to the Committee. I recommend that this matter be discussed with Ms. Zoll.

19. REQUESTS FOR SEWER EXTENSIONS:

- a. **Resintech:** I will be meeting with Mr. McGee to discuss the proposed sewer extension to E. Franklin Avenue.
- b. **Kepple Carpets (formerly Jersey Marine):** The new owner has requested a meeting to discuss possible sewer extension to the building on this lot. I expect to meet with them in the immediate future.

20. WATER SUPPLY ALLOCATION PERMIT FOR ALL TOWNSHIP OWNED POTABLE AND IRRIGATION WELLS:

At the request of Mr. McGee, we have researched the pumping specifications of the three irrigation wells at the Luke Avenue Recreation Complex and the Edgewood Avenue soccer fields. All of the wells were installed with the proper permitting.

Mr. McGee had been contacted, a few weeks ago, by Ms. Eileen Lloyd from the New Jersey Department of Environmental Protection Water Compliance and Enforcement Division regarding the Township owned wells.

Ms. Lloyd referred Mr. McGee to NJAC 7:19, which governs the reporting procedures for persons or other entities having the capability of pumping more than 100,000 gallons per day (GPD). The fact that the Township, most likely, pumps far less than 100,000 GPD from these wells does not matter, according to Ms. Lloyd. The combined pumping capability of the wells is 158,400 GPD.

We spoke with Mr. Ken Komar from the N.J.D.E.P., Bureau of Water Allocation on February 26, 2008, regarding this matter. As a result of his comments, Mr. Komar repeated what had been said by Ms. Lloyd and recommended that we submit a request for a pre-application conference. We will advise the Governing Body and Mr. McGee, when we receive a response.

SOLICITOR'S REPORT

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1. Water Agreement with Berlin Borough - Requested information from Berlin Borough
2. Increase in Sewer Allocation/Buildout Analysis - No update
3. Vacation of a Portion of Kelley Drive - No update
4. Haddon Avenue Redevelopment Plan/New Municipal Building - No update
5. Stormwater Control Ordinance and Stormwater management Plan - Adopted and forwarded to the Pinelands Commission for final approval.
6. Kelley Drive Basin - In the process of researching whether Township must establish a separate fund and will advise the Governing Body of my determination.
7. Tree Removal in Right of Way Areas - This issue remains open and requires discussion by the Governing Body.
8. C&M Auto Repair - DEP acknowledged my request that Township be kept apprised of any action regarding this property. No further update to report.
9. Richard Winans v. Berlin Twp. And Walter Shendock - No update.
10. Salahuddin Smart v. Berlin Township and Police Officers - No update.
11. Bonnie Ferreri v. Berlin Township - Scibal has been advised that this matter may be handled within the same office as that of the claim by Ms. Ferreri filed against the County. There is no further update to report.
12. Stellato/Roma Pizza - I have received information from Ms. Rakoski that Joseph Stellato is no longer the owner of the business known as Roma Pizza. I have asked for information of documentation supporting this representation. Ms. Rakoski has indicated that Mariellen Stellato is the new owner of the business, and she will be submitting an application for a mercantile license, immediately. If these representations are accurate, it appears that Mr. Stellato is withdrawing his application for a mercantile license.

PUBLIC WORKS DEPARTMENT

Mike McGee, Director of Public Works, said that the Commerce Insurance training meetings have been scheduled. The township received a safety award from the CCMJIF on February 26, 2008 for Best Overall Performance, and we tied with Winslow Township. The award from the JIF will be \$2,200.

One of the new safety objectives this year will be an incentive program for no accidents or injuries by three different departments (Police, Public Works, Office Personnel) which will be done on a quarterly basis. The department with on accidents or injuries will get a pizza party.

Movie screen system will be a pull down type and will be used for the Luke Avenue Park.

POLICE DEPARTMENT

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Mike Hayden, Chief of Police, informed us that the Berlin Borough Police Department is having their building checked for mold and that we may have to move our police.

ZONING DEPARTMENT

Mike Laginestra reported that Mr.G.Bollher has to replace 13 trees on his property.

FIRST READING OF BOND ORDINANCE 2008-7 BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$620,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$590,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Bond Ordinance 2008-7on first reading by title. Ordinance adopted by call of the roll, three members present voting in the affirmative and one member, Councilman Batten by phone conference voting in the affirmative.

RESOLUTION 2008-90 RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND SIGN AMENDMENT TO LETTER OF CREDIT FOR THE JOSEPH GULLI, BLAIR PARKIN & ANTHONY GULLI PARTNERSHIP

WHEREAS, the Joseph Gulli, Blair Parkin & Anthony Gulli Partnership, located at 440 Lawnton Avenue, Woodbury, Gloucester County, New Jersey, request the approval of amendments to Letter of Credit No. S040308 for Block 1301, Lot 2, 115 Route 73 North, Township of Berlin, Camden County, New Jersey and,

WHEREAS, the Letter of Credit amount is decreased by USD 39,023.13 to a new aggregate total of USD 216,555.00; and must post a cash escrow for site inspections in the amount of \$9,023.13.

WHEREAS, the beneficiary is changed from Berlin Township Municipal Building, to read BERLIN TOWNSHIP, 170 Bate Avenue, County of Camden, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey that the Mayor is hereby authorized to sign and accept the amendment to Letter of Credit No. S040308.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-90. Resolution adopted by call of the roll, three members present voting in the affirmative.

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RESOLUTION 2008-91 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM VENDORS WITH STATE CONTRACTS IN EXCESS OF BID THRESHOLD DURING SFY 2008

WHEREAS, the Township of Berlin may, pursuant to N.J.S.A.40A:11-12, purchase materials, supplies and equipment under contracts entered into on behalf of the State of New Jersey by the Division of Purchases and Property in the Department of the Treasury; and

WHEREAS, purchases under the aforesaid State Contracts may be made by the Township without the necessity of advertising for bids or may be made in cases where advertisements for bids have produced either no bids or have produced rejected bids; and

WHEREAS, the following purchases were made or will be made during SFY2008 in excess of the bid threshold:

CONTRACT#	VENDOR	ITEM	DATE OF EXPIRATION
1. A71011	Winner Ford	2008 Ford F-350	2-3-09

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Berlin hereby formally authorize the above purchases be available under State Contract, to the Township pursuant to N.J.S.A. 40A:11-12.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-91. Resolution adopted by call of the roll, three members present voting in the affirmative.

RESOLUTION 2008: 92 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Year 30 Community Development Block Grant from the County of Camden for \$30,257.00;

BE IT FURTHER RESOLVED that a like sum of \$30,257.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Community Development Block Grant	\$30,257.00

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BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-92. Resolution adopted by call of the roll, three members present voting in the affirmative.

RESOLUTION 2008-93 RESOLUTION TO AMEND CAPITAL BUDGET

WHEREAS, the Mayor and Members of Township Council of the Township of Berlin, County of Camden desires to amend the fiscal year 2008 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Amending the cost of various projects which have changed since the time of adoption of the capital budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Township Council of the Township of Berlin, County of Camden that the following changes be made to the Capital Budget of the fiscal year 2008 :

**AMENDMENT TO
CAPITAL BUDGET OF THE
TOWNSHIP OF BERLIN
COUNTY OF CAMDEN, NEW JERSEY
Project Schedule for Fiscal Year 2008
Method of Financing**

PROJECT	ESTIMATED COST	CAPITAL IMP. FUND	OTHER FUNDS & GRANTS	DEBT AUTHORIZED
Acquisition of Information Technology Equipment for the Finance Department	\$21,500.00	\$1,000.00	---	\$20,500.00
Construction, Reconstruction And/or Resurfacing of various Streets and Roadways	364,325.00	17,825.00	---	346,500.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed Forthwith in the office of the Director of the Division of Local Government Services.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2008-93. Resolution adopted by call of the roll, three members present voting in the affirmative.

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Resolution 2008:94

Payment of Bills March 10, 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
Robert E. DePersia, II	Mun Public Defender	150.00

CONFIRMING

Treasurer, State of NJ	Dog Trust	143.40
Commerce Bank	01-201-45-920-2105	9,982.49
	01-201-45-930-2105	36,702.28
	01-170-05-010-3000	23,465.23
Commerce Bank	01-201-45-920-2105	211,262.00
	01-201-45-930-2105	50,839.27
	01-170-05-010-3000	48,060.00
State of New Jersey	01-201-23-220-2092	38,899.38
State of New Jersey	01-201-23-220-2092	13,126.41
Payroll, Current Fund		2/7/2008 57,463.04
Payroll, Sewer		2/7/2008 4,854.19
Payroll, Current Fund		2/14/2008 58,097.95
Payroll, Sewer		2/14/2008 4,559.73
Payroll, Current Fund		2/21/2008 61,070.16
Payroll, Sewer		2/21/2008 4,838.45
Payroll, Current Fund		2/28/2008 82,573.61
Payroll, Sewer		2/28/2008 4,768.49

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-94. Resolution adopted by call of the roll, three members present voting in the affirmative.

RESOLUTION 2008-95 RESOLUTION TO AUTHORIZE THE SUBMISSION OF THE APPLICATION FOR CAMDEN COUNTY RECREATION FACILITY ENHANCEMENT, ROUND 9 FUNDING FOR RESTORING THE COLOR COAT SURFACE OF THE HOCKEY COURT AT ROBERT T. CLYDE MEMORIAL

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PARK AND CONSTRUCTION OF AN AMPHITHEATER AND RELATED IMPROVEMENTS

WHEREAS, the Application for Recreation Facility Enhancement Funding is funded through the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund, which provides funds for towns within the County for Open Space Acquisition, Farmland Preservation, Recreation Facility Enhancement and Historic Preservation; and

WHEREAS, the Township of Berlin desires to seek funds from the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund for restoring the color coat surface of the Hockey Court at Robert T. Clyde Memorial Park for sports events; and

WHEREAS, the Township of Berlin will be responsible for insuring and the maintaining the hockey court at Robert T. Clyde Memorial Park; and

WHEREAS, the Township of Berlin desires to seek funds from the Camden County open Space, Farmland, Recreation and Historic Preservation Trust Fund for the construction of an amphitheater and related improvements to be utilized for events such as concerts, movie night, civic events and educational events; and

WHEREAS, the Township of Berlin will be responsible for the maintenance of the amphitheater; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Berlin, County of Camden, State of New Jersey, that the application is hereby supported for the Recreation Facility Enhancement Funding under the Camden County Division of Open Space and Farmland Preservation for restoring the color coat surface of the hockey court at Robert T. Clyde Memorial Park and construction of an amphitheater and related improvements; and

BE IT FURTHER RESOLVED THAT:

1. any funding received as a result of this application will only be used for eligible costs to restore the color coat surface of the hockey court at Robert T. Clyde Memorial Park, as stated in the application and for the construction of an amphitheater and related improvements, as stated in the application; and
2. that if the application is approved and accepted by the Camden County Open Space, Farmland, Recreation and Historic Preservation Trust Fund, the sponsor agrees to the agreement as stated in the application and provide insurance and the required long-term maintenance of the hockey court at Robert T. Clyde Memorial Park and the amphitheater and related improvements; and
3. the Mayor and Clerk are hereby authorized to execute and attest this resolution, application and agreement.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-95. Resolution adopted by call of the roll, three members present voting in the affirmative.

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APPROVAL OF SOLICITOR PERMITS

- a. Verizon FIOS employees to solicit consumers in the residential community.

Motion by Council President DiGangi to deny Verizon FIOS a permit for employees. There was no second. Motion by Mayor Magazzu, second by Councilman McIntosh to approve Verizon FIOS employees except for Michael Spann, due to a negative police report. Solicitor's permit approved by call of the roll with Mayor Magazzu voting aye, Councilman McIntosh voting aye, and Council President voting naye.

The following employees were approved: Joshua Rabna Brokate, Joanne Zias, Alex Matthew Zubak, Robert Paul Cook, Fabio Battaglia, Richard F. Zaworthy, Edmond J. Bonnette, James R. Wilkie, Stiven A. Torelli, Mark B. Zebracki, and Peter J. Vereen.

- b. Monster Cone, Mr. Wayne Aubrey, selling ice cream and related items from his truck.

Motion by Council President DiGangi, second by Councilman McIntosh to approve solicitors permit for Wayne Aubrey. Approved by call of the roll, three members present voting in the affirmative.

CONSENT AGENDA

Motion by Councilman McIntosh, second by Council President DiGangi to receive and file the monthly reports on the consent agenda. Motion carried by voice vote, all present in the affirmative.

APPROVAL CORRESPONDENCE CALENDAR FOR FEBRUARY 2008

Motion by Council President DiGangi, second by Councilman McIntosh to receive and file the correspondence calendar for February. Motion carried by voice vote, all present in the affirmative.

GOOD & WELFARE #2

Motion by Council President DiGangi, second by Councilman McIntosh 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. No request to be heard. Motion by Council President DiGangi, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in the affirmative.

ALL OTHER BUSINESS

Solicitor Zoll said that all correspondence having to with Block 625, Lot 8.01 should be copied to Mr. M. James Maley, Jr. of Maley & Associates.

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Council President DiGangi spoke about a way to control large trees from being taken down and not replaced by another tree. Would like to discuss this issue at a later time as to what type of solutions we can come up with.

ADJOURNED

Motion by Council President DiGangi, second by Councilman McIntosh to adjourn the meeting. Meeting adjourned at 8 p.m. Motion carried by voice vote, all members present voting in the affirmative.

Jamey Eggers
Township Clerk