

MARCH 12, 2012

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL MARCH 12, 2012 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, Councilwoman Bodanza, Councilman Epifanio, Councilman McIntosh, Mayor Magazzu

Also Present- Stuart Platt, Solicitor, Chuck Riebel, Engineer/ Director Public Works, Lori Campisano, CFO, Sgt. Lenny Check

Absent-

DEPARTMENTAL REPORTS

ENGINEER'S REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. RESOLUTION FOR CONSIDERATION

1. POSSIBLE-CAMDEN COUNTY MULTI-USE TRAIL CONSTRUCTION GRANT APPLICATION

If the Governing Body is interested in applying for this grant, I recommend that the Governing Body pass a resolution, authorizing and endorsing the application and authorizing the Mayor to sign the application, if necessary.

C. ENGINEER'S REPORT

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1. 2012 CAMDEN COUNTY MULTI-USE TRAIL CONSTRUCTION GRANT APPLICATION

The Camden County Division of Open Space and Farmland Preservation is accepting applications for this new grant. The County will be awarding three grants, up to \$100,000 for each project. The applications must be submitted by March 31, 2012.

Priority will be given to those projects, which are located within the County greenway network and/or connect to two or more local attractions (schools, parks, shopping centers, etc.) No more than 20% of the proposed trail project can be an on-road bike lane.

The County is also asking the applicant if there will be other sources of funding, if the design has been completed and how the trail will be maintained by the municipality.

The Camden County Bicycle/Multi-Use Trail Network Plan depicts a proposed multi-use trail within the Township along the following areas:

2. CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM , YEAR 34 (\$24, 000)

The Governing Body passed Resolution No. 2012-75, for the designation of the project to the improvements to Hill Avenue.

I will complete the Project Description Form and submit it to Ms. Underwood for inclusion with the submission of the resolution to the Camden County C.D.G.B. Office. The documents must be submitted by March 23, 2012.

3. N.J.D.O.T. FY 2012 MUNICIPAL AID APPLICATION

It was expected that the N.J.D.O.T. would announce the selected projects in January, 2012. The N.J.D.O.T. Local Aid Office expects the announcement to be made, any time now.

The Township submitted applications for the following street improvement projects:

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Priority No. 1- Oak Avenue
N.J.D.O.T. Ramp to 80 feet past Clover Avenue
\$ 94,000

Priority No. 2- Hazel Avenue
Cushman Avenue to Chestnut Avenue
\$236,000

4. 2012 STREET IMPROVEMENT PROGRAM

We are, currently, performing the design and preparing the bid documents for the following projects.

a. Base Bid

- 1) Mt. Vernon Avenue: Minck Avenue to Franklin Avenue *Partial N.J.D.O.T Funding*
- 2) Edgewood Avenue: Cooper Road to limit of N.J.D.O.T. Project Near Rt. 73
Partial N.J.D.O.T. Funding
- 3) Reconstruction of the Intersection of Grove Avenue and Cleveland Avenue
Funded in Bond Ordinance No. 2011-26
- 4) Trench pavement improvements along Krumm Avenue from McClellan Avenue to Franklin Avenue
Funded in Bond Ordinance No. 2011-26

b. Alternate Bid No. 1

- 1) Construction of Built up Bituminous Driveway Aprons at 136 and 138 Veterans Avenue
Funded in Bond Ordinance No. 2011-26

c. Alternate Bid No. 2

Street Improvements at Storm Inlet, Along Mt. Vernon Avenue, at the School Property
Funded in Bond Ordinance No. 2011-26

d. Alternate Bid No. 3

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Grade and Construct Stone Surface-
McClellan Avenue Dead End
Funded in Bond Ordinance No. 2011-26

We expect to receive bids in April, 2012.

5. HADDON AVENUE STREESCAPE, PHASES 1 AND 3
(FEDERAL TEA-21 & EARMARK FUNDS- \$555,240)

We have delivered the Federal Aid Agreement and final plans and specifications to the N.J.D.O.T. Local Aid Office. The bid opening is scheduled for March 30, 2012.

Once the bids are received, we will prepare and submit the bid summary and engineer's recommendation of award/reject.

6. HILL AVENUE STORM DRAINAGE IMPROVEMENTS
[C.D.B.G. YEAR 32 (\$30,257) AND YEAR 33 (\$27,900)]

I expect to receive bids in April, 2012 for award at the end of that month.

I have submitted the Environmental Review Record to the County C.D.B.G.

The Governing Body adopted Ordinance No 2011-26, authorizing funding for this project.

7. 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))

We will be submitting the invoice to the N.J.D.O.T. for partial payment.

The Contractor will be applying a sealing and binding treatment when the weather is suitable for said application. The Contractor will also be providing a multi-year maintenance guarantee on the porous concrete.

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I continue to recommend that final payment not be made and the retainage be held until the Contractor satisfactorily performs the corrective work.

8. N.J.D.O.T. SAFE ROUTES TO SCHOOL APPLICATION

The kick-off meeting with the participating parties is scheduled for March 29, 2012 at 5:00 p.m.

The Safe Routes to School program is intended to promote walking and bicycling to school, a “greener” environment, gain economic benefits of improved infrastructure, and a safer commute.

The SRTS program is a reimbursement program that requires projects to be completed and properly documented before reimbursement.

The intended use of the funds will be to provide infrastructure improvements such as new sidewalks, handicap ramps and crosswalks to areas within a radius of 2 miles of the Dwight D. Eisenhower School.

To properly document we are utilizing the participating parties to fulfill the requirements of the application, including the passing of resolutions, policies, workshops, and required “event days”.

We expect to have all work completed before the end of this year so that an application can be submitted to the N.J.D.O.T. for FY 2013 funding.

Although the SRTS program provides the funding for the infrastructure improvements, they do not provide the funding for the required education and awareness portion of the application process. As there is a benefit to promoting wellness and educating the community, there are programs that the state is offering to receive grant funding. We could use the campaign, not only to educate and promote wellness in the community but, use this campaign to coincide with the SRTS program. The “Mayors Wellness Campaign” is a great resource to obtain grant funding given to communities that promote wellness. In turn, will help us gain the funding to complete the education and awareness portion of the SRTS application. This money can be used for brochures, events such as “Seniors in

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Motion”, etc. Completing the campaign requirements will also make us eligible to be recognized as a “Best Walking Town”.

The mission of the Mayors Wellness Campaign is to equip mayors and other key leaders with the tools to develop and implement active-living initiatives in their communities with the ultimate goal of improving health and reducing the skyrocketing health care costs that come with the obesity problem in New Jersey.

It is recommended that the Mayor and Council Sign the Mayors Wellness Campaign Pledge, Complete a Council Resolution supporting the MWC, Complete the Mayors Wellness Campaign Mayoral Proclamation, and become a New Jersey Healthy Town.

9. CAMDEN COUNTY OPEN SPACE- RECREATION ENHANCEMENT PROGRAM

We will be performing the design and preparing the construction documents for the following projects:

- a. Surface improvements to the basketball and tennis courts at the Spruce Avenue Recreation Complex
(Round 12 funding) \$25,000
- b. Band shell at Luke Avenue Recreation Complex
(Round 10 and 12 funding) \$50,000.00

I anticipate the receipt of the bids, during the Spring of 2012. I am hopeful that the Public Works Department staff will be able to erect the band shell structure in mid to late 2012.

10. MUNICIPAL BUILDING

a. HVAC SYSTEM

Mayor Magazzu and Mr. Shellenberger have met with representatives of Tozour-Trane to discuss current operational issues and possible preventative maintenance services. Mayor Magazzu has given me the proposal for maintenance services. Once I have received the document, I will submit my recommendations to the Governing Body for your consideration.

b. FREE STANDING MONUMENT SIGN

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General Sign has fabricated and installed the sign and LED sign. We are in the process of obtaining a price for the installation of ground mounted sign lighting and electrical connection for the LED sign. The Public Works Department will be constructing the planter walls, in the immediate future.

c. INSTALLATION OF WALLBOARDS WITHIN THE UNFINISHED ROOMS

The Public Works Department has not had the opportunity to install the wallboard in the unfinished rooms. If time permits, we will perform the installation, in the future.

d. SCHOOL BELL

The bell is being stored at the Public Works Department. I believe that the intent is to mount the bell on a platform and place it in the lobby.

e. ROOF MEMBRANE

The roofing sub-contractor for initial building construction has been repairing leaks as they become evident, under the current warranty. I recommend, in the near future, that the Governing Body consider the installation of a new roof membrane and insulation system.

f. IRRIGATION AND LANDSCAPING

We are currently preparing a landscape plan for consideration for plantings in the future. We may perform the design for the irrigation systems or have this work performed by a designer.

Once the designs have been completed and accepted, we will be contacting irrigation, landscape suppliers and contractors to see if they would be willing to donate materials and services for this work.

11. STORM DRAINAGE IMPROVEMENTS

a. Storm Drainage Issues Within the Southwest Portion of the Township

I will contact the N.J.D.O.T. to, again request for the removal of the blockage to the N.J.D.O.T. basin overflow channel.

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I will be contacting Congressman Andrew's office to request their assistance in providing funds to perform the necessary work to hopefully, eliminate the flooding in this section of the Township.

b. 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.

c. 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 proposal to Mr. Betze 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.

d. Maintenance of the Spillway/Outlet Structure at Berlin Circle Plaza

I will perform periodic inspections and notify the property manager of any undesirable storm water outflow conditions.

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12. REDISIGNATION OF PINELANDS ZONING AND EXTENSION OF SANITARY SEWER TO EDGEWOOD AVENUE AND ALLIED PARKWAY

The Solicitor's Office and I have discussed the revisions to the ordinance with the Pinelands Commission staff member. I have revised the chart, which list the zoning changes, and have submitted it to the Solicitor's Office. I believe that the Governing Body will introduce the new ordinance at the Council Meeting on January 23, 2012. Once the ordinance is adopted, the Pinelands staff members expect the Commission staff to expedite the review and approval process.

During the course of the process of adopting an ordinance, acceptable to the Pinelands Commission, I have been contacted by parties requesting status of the zoning change and the availability of sanitary sewer. As part of the zoning change, the Pinelands Commission will be requiring the extension of sanitary sewer to the developed properties along Edgewood Avenue and Allied Parkway. I recommend that the Governing Body consider the potential funding source for this improvement. (Township bonding, N.J.E.I.T. funding, special assessment.)

13. REQUEST FOR ADDITIONAL SEWER ALLOCATION

I have, recently, received an e-mail from Mr. Andrew Kircun, P.E., C.C.M.U.A. He believes that the N.J.D.E.P. will be approving the increase in allocation by the end of January/beginning of February 2012.

14. REQUEST FOR ORDINANCE AMENDMENT FOR RESPONSIBILITIES FOR SANITARY SEWER LATERALS

I recommend that the Governing Body consider amending the regulations to clearly define the responsibilities of the property owner and Township for the maintenance repair and replacement of the segments of the sewer lateral.

15. NO PASSING ZONE ALONG COOPER ROAD

I must complete the engineering study and submit my recommendations to the Governing Body.

D. PUBLIC WORKS DEPARTMENT

1. GREASE TRAP MAINTENANCE

I recommend that the Township inspect and enforce the regulations, as we are experiencing problems with the grease accumulation in the Township sanitary sewer system. I recommend that the Governing Body consider amending the ordinance to allow for the sewer staff to inspect and enforce the regulations, in addition to the Plumbing Sub-Code Official.

2. CAPITAL PURCHASES

We are purchasing the various pieces of equipment, which were authorized under ordinance No 2011-26

3. UPGRADE/ REPLACEMENT OF PUBLIC WORKS DEPARTMENT RADIOS

As required by the Federal government, we must change the radios to narrowband by the end of this year. We are obtaining prices for this work. We will also need to renew the FCC licenses for the radio system.

4. IMPROVEMENTS TO PUMPING STATION

Due to the age of the pumping stations it has become necessary to perform increased maintenance, repairs and replacements to the pumps and other components of the pumping stations. I strongly recommend that funds be allocated, in the immediate future for this work.

5. COLLECTION OF SOLID WASTE

I recommend that a trash collection vehicle be purchased in the immediate future to allow for the replacement of one of the aged trash trucks. I would be glad to discuss this matter, with the Governing Body, in further detail.

6. SPRING SEASON TASKS

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The Department is gearing up for the performance of grounds rehabilitation, restoration and maintenance. We expect the tasks to be performed early, this year, due to the unusually warm weather, which we experienced this winter season.

E. SHARED ENGINEERING SERVICES

1. ENGINEERING SERVICES WITH SOMERDALE BOROUGH

I must, still, prepare the Contract document and submit it to Mr. Platt's office for their review and comments.

We continue to perform various services for the Borough.

2. POSSIBLE SHARED SERVICES WITH OTHER ENTITIES AND MUNICIPALITIES

A shared services meeting was held on march 7, 2012 with members of the Governing Body, the Board of Education, School Administration and Planning Boards to discuss possible shared services.

We continue discuss possible shared services with representatives of other municipalities, for the various Township departments.

SOLICITORS REPORT

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Oddmund Angel, Block 200, Lot 1
5. Clarification of Lateral Utility Lines
6. Police Operating Procedures
7. Wal-Mart Expansion Project
8. Pine lands Comprehensive Management Plan
9. Berlin Township ADS. Estate of Raj Kumar Chopra
10. Berlin Township ADS. David Carp
11. Berlin Twp.ADS. Linda Fabrico
12. Mustafa Muhammad ADS. Berliin TWP Police Department
13. Berlin Twp. ADS. Abdul Mansary
14. Berlin Twp. ADS.Jennifer Vernacchio as Guardian Hannah Maslanka
15. Open Space Camden County Round 12 Enhancement
16. Pineland Zone Changes

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17. DPW Labor Negotiations
18. Revision to Animal Shelter
19. C.B.V.Berlin Twp. School District VS. O.S., J.R., J.J., ET AL
20. Open Public Records Act.

POLICE DEPARTMENT

Sgt. Lenny Check reported that last month in February the Police Department answered over 3700 calls, 163 summons issued and 29 arrests. Lenny also remarked that on March 8th an article was in the Courier Post talk back section from Bob, West Berlin wrote about police coverage at 6:00 am. Sgt. Check stated that the department shifts begin at 7:00am but that they come in early at 6:00am to exchange information from the last shift. There is never an overlap at any time. Sgt Check added that they have another officer who comes in at 12:00 noon to midnight. Lenny stated that he wanted to address this and put in on the record. Sgt Check commented that Sgt. Silvestro had stopped a speeding vehicle and after talking to the distraught driver realized that he was speeding to harm himself. He has since been hospitalized and doing much better.

MAINTENANCE DEPARTMENT

Josh Shellenberger, maintenance Officer stated that a few commercial lots that have had trash issues have been cleaned up and that two residents have applied for chicken permits. Josh remarked that the property on Haddon Avenue has been working with myself, Rob and the Police Department in cleaning up their lot. All signs also have been taken down.

SECOND READING AND PUBLIC HEARING ORDINANCE 2012-2 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "DOGS AND OTHER ANIMALS"

WHEREAS, Chapter 55 of the Code of the Township of Berlin ("Township") establishes and sets forth the rules, regulations and requirements for the keeping, maintaining and licensing of dogs and other animals; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township is authorized to make, amend, repeal and enforce ordinances as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

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WHEREAS, the Governing Body has determined that it is in the best interest of the public health, safety and welfare of the Township and its residents to amend Chapter 55;

NOW THEREFORE, be it Ordained by the Mayor and Township Council of the Township of Berlin, County of Camden, State of New Jersey, as follows:

SECTION 1: Section 55-3.11 of the Code of the Township of Berlin is hereby amended, revised and supplemented to read as follows:

§ 55-3.11. Public nuisance defined.

The keeping or housing of animals other than permitted by this Chapter, or in violation of any applicable rule, law, regulation or statute, or the finding of an animal anywhere in the Township, other than on the lands and premises of the owner or keeper of same, shall be deemed to be a public nuisance. Such animal so identified and/or found may be seized at once by the Property Maintenance Officer or any police officer appointed within the Township, or any other duly authorized and designated official. If it is practicable, such officer shall hold and promptly dispose of such animal in as humane a manner as possible. If, during the course of seizing and impounding any such animal, the animal does pose a risk of serious physical harm or death of any person, such person or persons authorized by the Property Maintenance Officer or police officer may render said animal immobile by means of tranquilizers or other safe drugs. If it is not practicable to seize and/or hold such an animal because it poses an immediate threat of physical harm to either such official or to any other person in the Township, then such official may destroy the animal in order to prevent risk of serious physical harm or death to any person. Any reasonable cost incurred by the Township in seizing and/or impounding an animal for violation of this article, or in connection with the dropping off at a shelter or abandoning of any animal, shall be charged against the owner, keeper, custodian or harbinger of such animal and there shall be a charge to be collected by the Township to defray such cost and expense. This charge shall be in addition to any fine or penalty provided for violating this article.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 55 shall not be affected by this Ordinance.

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

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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SECTION 5: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Motion by Council President Morris, second by Councilman Epifanio to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2012-2.

No comments were to be heard.

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

Motion by Council President Morris second by Councilman Epifanio to adopt Ordinance 2012-2 Ordinance approved by call of the roll, five members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING BOND ORDINANCE 2012-3
REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF
THE TOWNSHIP'S OUTSTANDING CALLABLE GENERAL OBLIGATION
REFUNDING BONDS, SERIES 2003, DATED JANUARY 1, 2003;
AUTHORIZING THE ISSUANCE OF UP TO \$5,100,000 OF GENERAL
OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF BERLIN,
COUNTY OF CAMDEN, NEW JERSEY, TO FINANCE THE COSTS THEREOF;
MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION
THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN
CONNECTION WITH THE FOREGOING.**

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 Township of Berlin, County of Camden, New Jersey ("Township"), is hereby authorized to refund all of its outstanding callable General Obligation Refunding Bonds, Series 2003, dated January 1, 2003, in the aggregate principal amount of \$4,735,000 and maturing as follows (collectively, the "Callable Bonds"):

<u>Maturity Date</u>	<u>Principal Amount</u>
January 1, 2014	\$305,000
January 1, 2015	320,000
January 1, 2016	330,000

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January 1, 2017	340,000
January 1, 2018	245,000
January 1, 2023	1,415,000
January 1, 2024	325,000
January 1, 2025	340,000
January 1, 2026	355,000
January 1, 2027	370,000
January 1, 2028	390,000

The exact principal amount of Callable Bonds to be refunded (which may be less than all of the Callable Bonds) shall be determined pursuant to a resolution adopted by the Township Council by not less than two-thirds of all the members thereof.

Section 2. To effectuate the refunding of up to all of the Callable Bonds, negotiable general obligation refunding bonds of the Township are hereby authorized to be issued in one or more series in an aggregate principal amount not to exceed \$5,100,000 ("Refunding Bonds"), pursuant to the Local Bond Law. The maximum principal amount of Refunding Bonds to be issued and other terms thereof shall be determined pursuant to a resolution adopted by the Township Council by not less than two-thirds of all the members thereof.

Section 3. An aggregate amount not exceeding \$100,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, N.J.S.A. 40A:2-51.b., has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

Section 4. The purpose of the Refunding Bonds is to effect an interest cost savings for the Township.

Section 5. Each Refunding Bond authorized herein shall be designated, substantially, "Township of Berlin, County of Camden, New Jersey, General Obligation Refunding Bond, Series 20__" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township shall approve.

Section 6. The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Township Council adopted by not less than two-thirds of the full members thereof.

Section 7. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Township Clerk prior to the passage of this refunding bond ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

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Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Township Chief Financial Officer as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

Section 9. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Motion by Council President Morris second by Councilman McIntosh to table Ordinance 2012-3 Ordinance tabled by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-82 RESOLUTION TO RECOGNIZE BERLIN TOWNSHIP OFFICIAL SPORTS ORGANIZATION

WHEREAS, the Township of Berlin finds and declares that it is necessary to allocate the priority of use of athletic facilities within the Township to an official youth sports organization per Ordinance 2011-19 and;

WHEREAS, the youth sports organization has been established to benefit the Township's residents and teach its youth the basic skills of organized team sports as well as provide an emphasis on good sportsmanship.

BE IT RESOLVED, that the Mayor and Council of the Township of Berlin hereby recognizes Berlin Township Athletic Association and Berlin Township Sports Alliances as the Official Berlin Township Youth Sports Organization.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2012-82. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-83 LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and

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that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dated March 8, 2012

Diane Zoppel, CTC - Tax Collector

NAME	DESCRIPTION	YEAR	AMOUNT	REASON
Peter L. Villari	106-3.01	2012	250.00	Veteran
Theresa E. Haus	206-2.01	2012	250.00	Disabled Person
Anthony DeGregorio	817-4	2012	250.00	Veteran

\$ 750.00 TOTAL to Aug/Nov 2012

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2012-83. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2012-84 AUTHORIZING THE MAYOR IN ENDORSING THE CAMDEN COUNTY MULTI-USE TRAIL CONSTRUCTION GRANT APPLICATION

WHEREAS, the Township of Berlin desires to submit an application to the Camden County Multi-Use Trail Construction; and

BE IT RESOLVED, that the Mayor and Council of the Township of Berlin formally approves the grant application for the stated project from the Berlin Township Schools to Luke Avenue Recreational Park; and

BE IT FURTHER RESOLVED, that the Mayor of the Township of Berlin is authorized to sign the application and any other respective documentation.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2012-84. Resolution adopted by call of the roll, five members present voting in the affirmative.

Business Approvals

- 1) Big John's Cheesesteaks, Rebecca Ryan**, 185 Route 73 North. Quick serve restaurant, cheesesteaks, sandwich and pizza shop.

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Motion by Councilman McIntosh, second by Councilwoman Bodanza to approve business license. License approved by call of the roll, five members present voting in the affirmative.

APPROVAL FOR FEBRUARY 13, 2012 MEETING MINUTES

Motion by Councilman McIntosh, second by Council President Morris to approve the minutes for February 13, 2012. Motion carried by voice vote, five present voting in the affirmative.

APPROVAL FOR FEBRUARY 27, 2012 MEETING MINUTES

Motion by Councilman McIntosh, second by Council President Morris to approve the minutes for February 27, 2012. Motion carried by voice vote, five present voting in the affirmative.

All Other Business

1) Berlin Township "Best Practice" CY 2011

Mayor Magazzu asked Lori Campisano, CFO to talk about the Best Practice checklist. Lori stated that we have completed the checklist that has to be submitted to the state by April 1st. She stated that we will again be receiving 100% of our state aid.

2) Software for TV channel information

Mayor Magazzu asked Council if they had any question in regards to TV software. Mayor stated that she had spoken to Mr. Betze and that the majority of the residents receive information through the school website or by the phone. (nixle program).

Public Portion

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.

Christine Liss, 350 Cleveland Avenue asked what resolution 2012-82 was about.

Alberto Silva, 326 Cleveland Avenue said that he had something that he would like to read out. He had talked about the Township Ordinances that were in place along with the fees that were required for the out of town residents being extremely high at \$100.00. He also noted that the Township had received a letter from Green Acres Program stating that the Township is not in compliance with

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the Green Acres Rules. He had ask that process of collecting the fee be reversed until the situation be resolved but to no avail. He stated that with respect to these facts, he has submitted a civil action complaint to the Superior Court of New Jersey to seek and injunction on the collection of all fees for non- residents until the matter of the State of New Jersey Green Acres Offices is resolved. If it is found that our position is valid, then we will abide by the ordinance.

No comments were to be heard.

Motion by Council President Morris, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public.

Mayor and Council responded to the questions and comments

Mayor Magazzu answered Christine Liss question and stated that the Township would designate by resolution the Youth Sport organization that would get priority use of the fields and those sports organization is the Berlin Township Sports Alliance and Berlin Township Athletic Association.

Stuart Platt responded that since we may now be in litigation by Mr. Silva that he recommends not to answer any of their questions at this time.

ADJOURN

Motion by Council President Morris, second by Councilwoman Bodanza to adjourn the meeting at 5:34 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 5:34 pm

Catherine Underwood, Township Clerk