

MARCH 23, 2015

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL MARCH 23, 2015 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-** Mayor Magazzu, Council President Morris, Councilman Epifanio, Councilman McIntosh, Councilwoman Bodanza

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

**Absent-**

**DEPARTMENTAL REPORTS**

**A. CHANGE ORDERS AND VOUCHERS**

None at this time.

**B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION**

**1. CAMDEN COUNTY OPEN SPACE RECREATION ENHANCEMENT APPLICATION**

If the Governing Body would like to submit an application for the next round of funding, I recommend that the project be selected and a resolution be passed at the Council Meeting on March 9, 2015, endorsing the project and authorizing the Mayor to sign the application.

**2. TRAFFIC SIGNAL MAINTENANCE AND EMERGENCY RESPONSE PROGRAM**

I believe that the Governing Body will be passing a resolution, authorizing the receipt of quotes for these services.

**C. ENGINEER'S REPORT**

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**1. MUNICIPAL BUILDING ROOF**

The contractor has commenced with the construction of the new roof membrane. It is expected to take several weeks to complete the construction.

Due to the current freeze-thaw patterns, there have been several leaks in the existing roof, which has affected the operations of some of the staff members. With warmer weather predicted for next week, there is even a greater chance for leaks. The Public Works staff has implemented measures to reduce the impacts from the leaking areas.

**2. CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, YEAR 35 (\$21,000+/-), 35 SUPPLEMENTAL (\$11,410), 36 (\$21,000+/-) and 36 (\$25,800 +/-)**

I have not received any response to my request to the Congressman's Office to schedule a meeting with his staff and representatives of the Federal Housing and Urban Development to discuss the recent determination that there are no qualifying low-moderate income districts in the Township, which has affected the use of C.D.B.G. funds for various projects. I recommend that the Mayor consider discussing this matter with the Congressman.

The Governing Body has passed resolutions, redesignating the funds for the improvements to the Senior Citizens Building and the construction of handicap curb cuts at the intersection of Bate and Pine Avenues. We are, currently, revising the bid documents for the Senior Citizens Building to include the proposed exterior improvements.

We are in the process of performing the surveying work for the handicap curb cuts but have not been able to complete the work due to the current winter weather. I am hopeful that the weather conditions will be improving to allow for us to complete the surveying work. Once that work is completed, we will perform the design and prepare the working drawings for use by the Public Works Department staff for their construction of the improvements.

The Country CDBG Program has informed us that the grant monies must be spent in the immediate future as the Federal agency is threatening to recapture all funds, which have not be spent in a timely manner.

**3. STREET IMPROVEMENTS TO HILL AVENUE**

As you know, the C.D.B.G. Year 36 funds can, no longer be used for the street improvements to Hill Avenue. As a result in the loss of the C.D.B.G. Year 36 funding, I believe that it will be necessary to allocate Township funds for this project. I will prepare a construction cost estimate to determine the amount of Township funds, which will be necessary to complete the construction of the project.

It is my intent to bid this project with the reconstruction of the basketball court at Spruce Avenue Recreation Park, in the near future, in which Township funds are needed for the reconstruction of the basketball court.

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It is my understanding that the basketball project cannot be bid, due to insufficient funds. I recommend that additional funds be allocated, for both projects, so they can be completed.

**4. BATE AVENUE SITE (FORMER MUNICIPAL BUILDING AND ADMINISTRATIVE BUILDING)**

I recommend that the Governing Body consider allocating the necessary funds for the environmental testing and analysis for the site and for the demolition of the former administrative building.

I have, recently, provided Key Engineer, Inc. with my file folder, which contains the survey and deed research performed by our office. I that they will be completing the survey of premises, in the near future.

I have, again, met with a local realtor to discuss market trends and the possible development of the site. He has recommended that the Township consider possible, residential twin homes for this lot. I recommend that the matter of possible alternatives for the development of the site be discussed with the members of the Governing Body and Planning Board.

**5. MUNICIPAL BUILDING**

**a. Improvements to the Unfinished General Assembly Rooms**

I expect to complete the bid documents for the ceiling, the remainder of the ceiling lighting, HVAC system and reconfiguration of the fire suppression system in early 2015 for a bid opening in early Spring, 2015. We expect the roofing contractor to complete their work in February/ March, 2015, which will provide for the mounting curbs for the new roof top HVAC units.

It has been determined that the Public Works staff will install the vinyl floor tiles, after the above mentioned, contracted work has been completed.

We intend to coordinate the construction activities to avoid potential conflicts with the usage of the rooms for the scheduled events, in February and June.

**b. Irrigation and Landscaping**

The design for the irrigation system remains to be completed. I am hopeful that we will be able to have an irrigation contractor donate their design services. Otherwise, we must purchase design software to complete the task.

We are hopeful that we can include a rainwater recapturing system for irrigation use. It appears, at this time, that there will not be sufficient funds available for this system, due to other, higher priority projects in the Township.

**c. Recoating of the Front Parking Area**

Due to the need to address higher priority projects, throughout the Township, I do not believe that funding will be allocated for this project, in the immediate future.

**6. PROPOSED DOG PARK AT LUKE AVENUE RECREATION COMPLEX (CAMDEN COUNTY OPEN SPACE FUNDING-\$25,000)**

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We have commenced with the engineering design and preparation of the bid documents. We expect to receive bids in early 2015 and construction to commence in the late Spring, 2015.

**7. BANDSHELL AT LUKE AVENUE RECREATION AREA (COUNTY OPEN SPACE GRANT- \$50,000)**

We expect to complete the design documents in early 2015. At this time, we are not sure if the Public Works staff will be able to devote enough time to perform the construction. If the staff is unable to perform the work, we will bid the project, in the late Spring of 2015.

**8. RECONSTRUCTION OF BASKETBALL COURT AT SPRUCE AVENUE RECREATION SITE (COUNTY OPEN SPACE GRANT - \$25,000)**

I had mentioned to the Governing Body that I did not believe that the construction cost will exceed the County grant amount. I intend to receive bids, for this project, in the same bid package as the Hill Avenue Street Improvements Project, in hopes of receiving more competitive process for the larger scale projects. Therefore, I recommend that the Governing Body consider allocating the necessary, additional funds for this project.

**9. CAPITAL IMPROVEMENTS PROGRAM**

As you know, there are many streets, which are in need of improvements (pavement, storm drainage, curb, etc.), in the immediate or near future. There are, also, various improvements, which are necessary for recreation facilities, public buildings and sanitary sewer.

The Governing Body has adopted the bond ordinance for the improvements to the sewer pumping stations.

I recommend that, if possible, the Governing Body consider implementing a long capital improvements program. I intend to prepare a Recommendations Report, detailing a possible long range plan for capital improvements, in the future.

**10. N.J.D.O.T. FY 2015 APPLICATIONS**

The applications have been submitted to the N.J.D.O.T. for the following projects:

Priority 1-Hazel Avenue – Chestnut Avenue to Cushman Avenue  
Priority 2- Oak Avenue- N.J.D.O.T. Ramp A to 80' Past Clover Avenue

It is expected that the announcement of the selected projects will be made in the near future.

**11. MUNICIPAL CERTIFICATION FOR FUTURE FEDERAL FUNDED PROJECTS**

We will be obtaining the information, from the N.J.D.O.T., for this program, in the immediate future. We will complete the necessary documents, with the

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assistance from Ms. Campisano, and submit the documents for Federal and State approval, in the near future.

### 12. NO PARKING AND NO PASSING ZONES ALONG COOPER ROAD

We still must complete the study to determine for the creation of the no passing zone along the road. Once completed, it is my understanding that the Governing Body will take formal action to request that the County Freeholders establish prohibition of passing and parking along the road.

### 13. STORM DRAINAGE IMPROVEMENTS

#### a. Lester Avenue Storm Drainage and Stormwater Management

##### 1) Phase 1-Construction of Storm Inlets Piping and Temporary Stormwater Basin

We have met with the adjacent property owner to discuss the proposed construction of the storm cross drain and interim stormwater management basin. We also discussed the possible public sale of the Township owned parcel. I recommend that the matter of the public sale, with possible conditions and the quote process for the construction be discussed with the Solicitor.

##### Phase 2 – Extension of Storm Drainage to the Existing Stormwater Management System within the Luke Avenue Recreation Complex

We must perform the land surveying and engineering design. I will be preparing a cost estimate for the construction for consideration for funding by the Governing Body.

It will be necessary to obtain an easement for the proposed storm drainage piping, which will be crossing the P.S.E.G. lands.

#### b. Kelley Drive Stormwater Basin Reconstruction

It is my understanding that the funds must be re-allocated, in 2015, for this project. I am expecting to bid the work in the late Summer of this year.

#### c. Mt. Vernon Avenue Storm Drainage at the Elementary School

On occasion, the street has flooded, due to the apparent limited capacity of the drainage system and receiving ditch, which is on the Board of Education property. A while ago, I 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 Dr. Austermuhl for her 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.

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d. Storm Drainage Issues with the Southwest Portion of the Township

I had reported to the Governing Body, some time ago that I am estimating that the overall construction cost for the necessary improvements is approximately \$11.8 million. I have requested a meeting with Congressman Norcross to discuss the possibility of receiving Federal funding, for this project.

**14. REQUEST TO THE PINELANDS COMMISSION FOR ADDITIONAL REDESIGNATION OF LANDS**

I met with the representatives of the Pinelands Commission Planning staff to discuss the matters of greater development for the Dandrea and Triple-T parcels. The representatives have informed me that they will not consider the individual parcels but may consider a comprehensive approach to the development of the remaining Pinelands area. They have suggested that the Township prepare and submit a proposal for this comprehensive plan.

**15. MONTEBELLO- SECTION 4, DEVELOPER'S AGREEMENT FOR THE POSTING OF THE BONDS**

I believe that the Solicitor's Office and the developer's attorney have finalized the Developer's Agreement and it is ready for endorsement. The developer has submitted the Final Plan of Lots for signatures. The Township Clerk will not be signing the plan until the performance guarantees have been posted and accepted by the Township.

**16. TAX MAP REVISIONS**

We have received the second round of review comments from the N.J. Department of Treasury and are preparing a list of questions, regarding these review comments. Once we resolve the issues with the review comments, we expect to re-submit the revised set of revised Tax Maps.

**17. IMPROVEMENTS TO THE INTERSECTION OF HADDON AND FRANKLIN AVENUES/ REQUEST FOR CHANGES TO SIGNAL TIMING**

It is my understanding that the contractor for the County has completed the majority, if not all, of the work. I had presented some of my concerns with the construction at a meeting with the County Engineer, construction management firm and the contractor, in late 2014.

**18. TRAFFIC CALMING PROGRAM**

I believe that the Governing Body is still considering the implementation of a traffic calming program, using portable speed humps and warning signage, flashing speed notice boards with flashing white strobe lights and other traffic calming devices.

Residents along Minck Avenue, Fairview Avenue and Taunton Avenue have voiced their concerns with the excessive speeding, along their streets. Several residents along Mt. Vernon Avenue have voiced their concern of vehicles

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speeding within the section where the reconstruction project will be eliminating the high crown area at the intersections.

**19. REVISIONS TO TRAFFIC ORDINANCE**

The Mayor, Solicitor's Office and I continue to meet to discuss the possible changes to this section of the Township Code. I anticipate that it will take several more meetings to prepare a recommendations report for review and consideration by the Governing Body.

**20. REVISIONS TO THE STREET OPENING ORDINANCE**

I believe that the Governing Body will be reviewing recommendations by the Solicitor's Office and I and considering taking action, in the near future.

**21. REVISIONS TO THE TOWNSHIP CODE**

At our last meeting, Ms. Walters, Esq. and I had presented possible amendments to the Code to address temporary structures and containers and other matters. We will continue to discuss these matters and intend to prepare and submit recommendations to the Governing Body and Planning Board for consideration for amendments to the respective codes.

**22. INVESTIGATION FOR SIDEWALK ALONG OAK AVENUE**

At the Council Meeting, in November 2013, the Governing Body discussed the possible construction of sidewalk along one side of the street, due to the narrow width of the roadway. I will be investigating this matter and will report to the Governing Body.

**23. SOLID WASTE DISPOSAL CONTRACT FOR 2015 AND THE FUTURE**

It is my understanding that the County has awarded a contract to Covanta for the remainder of 2015 at the rate of \$65.69/ton, which includes the \$3.00 recycling fee. Mr. Sworaski from the County has informed me that it is not necessary for the Township to take any action. It is expected that Covanta will be billing the new rate, starting this month.

I would expect that the County will be scheduling a meeting, in the near future, with the municipal representatives to discuss the plans for solid waste disposal for 2016 and the future.

**24. INVESTIGATION OF THE CONDITION OF THE RECENTLY CONSTRUCTED CONCRETE SIDEWALK ALONG HADDON AVENUE**

It has been brought to my attention and I have observed spalling of the concrete sidewalk, in several areas. I will investigate the matter, further, and report to the Governing Body with my recommendations.

**25. IMPROVEMENTS TO THE PUBLIC WATER DISTRIBUTION SYSTEM**

I have no further update, regarding the improvements to the system. I would note that the Borough Water Department has performed several repairs to the

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system, throughout the Township, which have resulted from the long period of below freezing temperatures.

**D. PUBLIC WORKS DEPARTMENT**

**1. COLLECTION OF SOLID WASTE AND RECYCLABLES**

I must complete the analysis and recommendations for the options for the collection of solid waste, recyclables, electronics waste, bulky waste and vegetation. I hope to complete this report, in the immediate future, for review and consideration for action by the Governing Body.

**1. STAFFING ISSUES**

We anticipate the continuation of the use of temporary employees, on an as needed basis, until a determination has been made for staffing needs in the future.

**2. AUCTION FOR VEHICLES AND EQUIPMENT**

We expect to continue with additional electronic auctions in 2015. The recent auctions have been successful in removing various unused vehicles and equipment from the Township inventory.

**2. LEAF COLLECTION MACHINE**

The leaf machine was delivered on March 4, 2015. We will be using the equipment for the Spring season leaf collection program.

**4. IMPROVEMENTS TO SEWER PUMPING STATIONS**

A.C. Schultes has completed the report for the evaluation of the pumping stations.

I have performed a cursory review of the report. It appears that it may be necessary for them to perform additional work to comply with the scope of services. I expect to respond to them, in the near future.

I expect to begin receiving bids and quotes for the various improvements, in the near future.

**5. REQUEST FOR 2015 CAPITAL PURCHASES FOR VEHICLES AND EQUIPMENT**

I believe that the Governing Body is reviewing the requests for various capital purchases and is consider the possible allocation of funds for vehicles and pieces of equipment for the various departments. The Public Works Department has been experiencing frequent breakdowns of vehicles and equipment, requiring repairs and making them unreliable and unavailable for usage for the performance of Public Works tasks.

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**6. TEXTILE RECYCLING**

I must, still, meet with the Westville Public Works Superintendent to obtain the information, regarding the implementation of this program.

**7. LEAF COMPOST MATERIAL**

I had, previously, mentioned that we have experienced extreme difficulty in having the composted leaves removed from the composting area as there was very little interest in the partially composted leaves, which resulted from the inability to grind the leaves, due to the tub grinder becoming inoperable. We were fortunate to find an interested party to take the leaves in 2014

I strongly recommend that the Governing Body consider the purchase of a new tub grinder if the Township will continue to operate the composting facility. Otherwise, it is probable that it will be necessary for the Township to haul the leaves to another municipal composting facility and pay for the disposal at their facility. It is my understanding that it is probable that, due to higher priority projects, funding may not be available for the purchase of a tub grinder.

**8. REPLACEMENT OF REGULATORY SIGNS/POSSIBLE DIRECTORY SIGN FOR BUSINESSES ALONG HADDON AVENUE, BETWEEN WALKER AVENUE AND ZULKER AVENUE**

We have received the replacement regulatory signs and have been installing them, where necessary.

We have, also, received prices for directory signs for the businesses along old Haddon Avenue. We have presenting the signs, with the respective costs, to the inquiring business owner, for consideration for purchase. I believe that the intent is to contact the other businesses, along the road, to see if they are interested in sharing in the cost of the signs.

**9. REVIEW OF RATES FOR USE OF RECREATION FACILITIES**

I believe that the Governing Body will be reviewing the fees for consideration for adjustment to the rates for the use of the recreation facilities by organizations, other than the B.T.A.A..

**10. PERFORMANCE OF VARIOUS TASKS**

The staff has been treating the streets, as necessary, to address the recent snow and ice events. I am hopeful that we have experienced the last storm for this season!

The staff has been performing various tasks, throughout the winter season. Once the weather breaks (for good), the staff will be performing pavement patching and repairs, repairs and improvements to the sports fields and parks and grounds maintenance.

We are anticipating that the staff will, also, be constructing the handicap curb cuts at the intersection of Bate and Pine Avenues.

**11. DELIVERIES FOR ROAD SALT**

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We have, recently, been experiencing difficulty in receiving salt from Morton Salt. I expect to be addressing this matter with the representatives of the County and Morton Salt so we do not experience the same situation for the next winter season. It may be necessary for the Township to obtain bids, separate from the County bid, which requires deliveries within a stipulated time frame.

### **12.2015 SAFETY MANAGEMENT PROGRAM**

The first Safety Committee Meeting was held and was attended by two representatives of J.A. Montgomery, the safety consultants for the County Joint Insurance Fund. The Township is required to “put safety on a Council agenda” at least once in 2015. I recommend that the Governing Body consider scheduling this safety event(s) for a Council Meeting(s) in April, May, September or October of this year.

### **SOLICITOR REPORT**

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Sherwood, Orio, Olyroyd & Fruggerio
5. Michael Curtis V. Berlin Township
6. Open Public Records Act
6. Fire Safety Ordinance
7. Ordinance Revisions.
8. In Rem Tax Foreclosure
9. Montebello- Phase 4 Performance Guarantees
10. Municipal Building Roof Claim

### **POLICE REPORT**

Nothing to report as this time

### **MAINTENANCE / ANIMAL CONTROL**

Josh Shellenberger reported that he has been working on property maintenance violations in the area of the old Town Hall.

### **FIRST READING ORDINANCE 2015-3 AMENDING ORDINANCE 2014-11 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 2014-11 on December 15, 2014 fixing and determining salary ranges for the officers and employees for the calendar year 2015; and

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**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges for the calendar year 2015 as follows:

POSITION	ANNUAL	
	.....SALARY RANGE.....	.....
	FROM	TO
Engineering Technician	\$50,000.00	\$70,000.00

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

Motion by Council President Morris, second by Councilman McIntosh to adopt Ordinance 2015-3 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative

**FIRST READ ORDINANCE 2015-4 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REVISING, AMENDING AND SUPPLEMENTING CHAPTER 289 OF THE CODE OF THE TOWNSHIP ON BERLIN ENTITLED “STREETS AND SIDEWALKS.**

Motion by Council President Morris, second by Councilman Epifanio to table Ordinance 2015-4. Ordinance tabled by call of the roll, five members present voting to table.

**RESOLUTION 2015-93 AUTHORIZING AND RATIFYING THE EXECUTION OF DEVELOPER’S AGREEMENT BY AND BETWEEN THE TOWSHIP OF BERLIN AND HOVBROS BERLIN LLC.**

**WHEREAS**, on November 24, 2014 at the Mayor and Council meeting resolution 2014-154 was passed consenting a developers agreement be drawn by and between the Township of Berlin and HOBROS Berlin LLC regarding Montebello phase 4; and

**WHEREAS** the Township Solicitor has executed a developer’s agreement and recommends the Governing Body sign the developer’s agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin herby authorize, ratify and confirm the Mayor’s execution of said agreement by and between the Township of Berlin and HOVBROS Berlin LLC.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-93. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-94 AUTHORIZING PURCHASES BASED UPON THE AWARD OF CONTRACT TO CAMDEN COUNTY ENERGY RECOVERY ASSOCIATES, L.P.,**

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**(COVANTA) FOR SOLID WASTE DISPOSAL SERVICES IN ACCORDANCE WITH THE COOPERATIVE BID BY THE COUNTY OF CAMDEN AS THE LEAD AGENCY FOR THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, ID #57-CCCPS.**

**WHEREAS**, the County of Camden, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier # 57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on February 3, 2015 at 11:00 A.M., Prevailing Time, for Bid A-89/2014 for Disposal of Solid Waste for Camden County, various Camden County Agencies and various Camden County Municipalities under the Camden County Cooperative Pricing System, System Identifier # 57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

**WHEREAS**, the sole bidder was;

**Camden County Energy Recovery Associates, LP (Covanta)**

**WHEREAS**, by resolution adopted on February 19, 2015, the Board of Chosen Freeholders awarded a contract to the sole bidder who complied with the specifications, Camden County Energy Recovery Associates, LP, (Covanta) 445 South Street, Morristown, NJ 07960, for the disposal of solid waste for the County of Camden and other Cooperative Purchasing Members; and

**WHEREAS** the term of agreement shall commence on or about March 1, 2015 through December 31, 2015 at the base rate of \$65.69 per ton; and

**WHEREAS**, Camden County Energy Recovery Associates, LP (Covanta) has extended pricing to both Camden County and to the members of the Camden County Cooperative Pricing System as set forth in the bid specifications; and

**WHEREAS**, the Township of Berlin is a participant in the Camden County Cooperative Pricing System and this bid; and

**WHEREAS**, it has been determined the bid for disposal services at a base rate of \$65.69 per ton provides for the best benefit to the Township of Berlin; and

**WHEREAS**, the bids have been evaluated by the Township of Berlin Engineer and Purchasing Agent, and the recommendation is made as herein after provided to the sole responsible bidder to comply with the uniform bid specifications, Camden County Energy Recovery Associates, LP (Covanta); and

**WHEREAS**, upon adoption, a copy of this approving Resolution shall be transmitted to Camden County Energy Recovery Associates, LP, (Covanta) 445 South Street, Morristown, NJ 07960 in order to effectuate formal notice of the Township of Berlin's intention to purchase solid waste disposal services in accordance with the County of Camden award; and

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**WHEREAS**, funding for this purpose shall not exceed the maximum budgeted line items for Landfill and Solid Waste Disposal Costs line items in the temporary and permanent budgets for CY 2015 and shall be encumbered in accordance with N.J.A.C. 5:34-5.3(b)(2); and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, in the County of Camden that the Chief Financial Officer/Qualified Purchasing Agent is hereby authorized to purchase solid waste disposal services at a price of \$65.69 per ton from Camden County Energy Recovery Associates, LP (Covanta) for a period from March 1, 2015 through December 31, 2015 in accordance with the award of bid on February 19, 2015 by the County of Camden for Solid Waste Disposal Services, under the Camden County Cooperative Pricing System, ID #57-CCCPS.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-94. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-95 RESOLUTION WAIVING PARK PERMIT FEES FOR WOMEN OF HOPE RESOURCE CENTER.**

**WHEREAS**, Women of Hope Resource Center is holding a fundraiser walk on Saturday May 30, 2015 at 10am at Luke Avenue Park to raise money for the center to help continue its mission of awareness for families dealing with their loved one's addiction and help educate families in need.

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the Park Permit fees for Women of Hope Resource Center is hereby waived.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-95. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-96 RESOLUTION TO REFUND ALICIA ROSE VICTORIOUS FOUNDATION ON A RAFFLE LICENSE.**

**WHEREAS**, Gisele S. DiNatale of Alicia Rose Victorious Foundation had applied for an ON-Premises Draw raffle for January 25, 2015 at True Salon, located at 19 Cross Keys Road West Berlin NJ 08091.; and

**WHEREAS**, for unforeseen circumstances the event did not occur and Gisele S. DiNatale has requested a refund in the amount \$20.00, for the fee of the license

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, Camden County, New Jersey that a refund be issued for the amount of \$20.00 to Alicia Rose Victorious Foundation.

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Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-96. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-97 MARCH PAYMENT OF BILLS.**

**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 are hereby approved and the bills to be paid.

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Robert E. DePersia, II Esq.	Municipal Public Defender's Trust	\$ 825.00
Carlamere & Rowan	PB Escrow #308	50.00
Carlamere & Rowan	PB Escrow #386	125.00
Treasurer, State of NJ	Dog Trust	295.20
Voorhees Animal Orphanage	Dog Trust	400.00

**CONFIRMING**

State of NJ Health Benefits-Active	5-01-23-220-2092	66,446.40
State of NJ Health Benefits-Retired	5-01-23-220-2092	30,864.68
TD Bank (2005)	5-01-45-920-2105	350,000.00
	5-01-45-930-2105	34,900.00
TD Bank (2010 B)	5-01-45-920-2105	325,000.00
	5-01-45-930-2105	10,050.00
TD Bank (2008)	5-07-66-240-0262	19,345.45
	5-07-55-522-2105	14,970.18
Berlin Twp Fire District #1	5-01-55-210-0000	123,625.00
Ameriflex (March 2015)	Flex Claims Account	75.00
Verizon PD Int. (3/31/15)	5-01-31-443-2077	109.99
Payroll, Current Fund	03/05/2015	129,553.66
Payroll, Sewer Operating Fund	03/05/2015	7,353.35
Payroll, Current Fund	03/19/2015	126,841.21
Payroll, Sewer Operating Fund	03/19/2015	6,437.66

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-97. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-98 RESOLUTION AMENDING RESOLUTION 2015-90 LIST OF UNCOLLECTIBLE TAXES DUE BACK FROM STATE.**

**WHEREAS**, the Mayor and Council of the Township of Berlin adopted resolution 2015-9 on March 9, 2015 for uncollectible taxes dues back from state; and

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**WHEREAS, Veteran John Dragani** , block 519 lot 5 was erroneously added to the resolution and needs to be removed and applied to the August 2015 quarter of uncollectible taxes due back from the state.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the resolution shall hereby be amended.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-98. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-99 RESOLUTION AMENDING RESOLUTION 2015-20  
APPOINTMENT OF MUNICIPAL JUDGE.**

**WHEREAS**, the Mayor and Council of the Township of Berlin adopted resolution 2015-20 on January 5, 2015 for the appointment of Municipal Judge, Nicholas Trabosh esq; and

**WHEREAS**, a error had occurred on Municipal Judge Nicholas Trabosh term dates; and

**WHEREAS** the resolution should be I, Phyllis Magazzu, Mayor of the Township of Berlin, hereby appoint **NICHOLAS F. TRABOSH, ESQ.** the Municipal Court Judge for a three (3) year term commencing January 1, 2015 until December 31, 2017.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the resolution shall hereby be amended.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-99. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-100 CONSENTING TO THE PROPOSED WATER QUALITY  
MANAGEMENT (WQM) PLAN AMENDMENT, ENTITLED PROPOSED  
AMENDMENT TO THE TRI-COUNTY WATER QUALITY MANAGEMENT PLAN  
(WQMP), PROGRAM INTEREST NO. 435433, ACTIVITY NO. AMD140006**

**WHEREAS**, the Mayor and Council desires to provide for an orderly development of wastewater conveyance facilities within Berlin Township; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

**MARCH 23, 2015**

**WHEREAS**, a proposed WQM plan amendment, noticed in the New Jersey Register on March 4, 2015 for the expansion of the Sewer Service Area (SSA) of the Delaware No.1 Wastewater Pollution Control Facility (WPCF) to include Block 2103, Lots 1, 2 and 3 and Block 2202, Lot 1 for the proposed 145 single family homes in the Pinedge III Development, Project Identification No. 435433, Activity No. AMD140006, has been prepared by PlanLand, LLC;

**NOW, THEREFORE BE IT RESOLVED** on this 23 day of March, 2015, by the Governing Body of the Township of Berlin that:

1. The Mayor and Council hereby consents to the amendment, entitled “Proposed Amendment to the Tri-County Water Quality Management Plan” to expand the sewer service area (SSA) of the Delaware No. 1 Wastewater Pollution Control Facility to include portions of Block 2103, Lots 1, 2 & 3 and Block 2202, Lot 1 , and public noticed on March 4, 2015 in the New Jersey Register and the Courier-Post Newspaper, prepared by PlanLand, LLC, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-100. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-101 RESOLUTION APPROVING REQUEST FROM BRUCE PAPARONE, DEVELOPMENT INC'S TO RECEIVE AN ADDITIONAL ONE YEAR EXTENSION ON SEWER CONNECTION PERMIT # 353 BLOCK 304.12 LOT 5**

**WHEREAS**, a request has been received by Bruce Paparone, Development Inc's for an additional one year extension for sewer connection permit #353 issued by the Township of Berlin: and

**THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that Bruce Paparone, Development Inc. is hereby granted an additional one year extension from the date shown on the original certificate

**Connection Certificate #353 for 1 EDU's expired 1/23/15 – Paid \$3045.00 per EDU**

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-101. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-102 LIST OF UNCOLLECTIBLE TAXES**

**To the Mayor and Council to the Township of Berlin:**

**MARCH 23, 2015**

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

Dated March 23, 2015  
Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
BRADFIELD FRANCIS &	2015	1802-13 (5/1 tax)	1717.04	100%
D'ORAZIO ASHLEY		Disabled Veteran		Per NJSA
		54:4-3.30et seq		
			\$ 1717.04	TOTAL

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2015-102. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Business Approvals**

**Mercantile License**

- 1) **South Jersey Motor Cars, LLC, Scott Sheppard**, 1044 Industrial Drive Unit 17. Indoor Car Sales
- 2) **B&H Athletics, Crossfit Va Victis, Patrick Byrnes**, 419 Commerce Lane Units 6 and 7. Personal Fitness Training

Motion by Councilwoman Bodanza, second by Council President Morris to approve the business licenses above. Licensed approved by call of the roll, five members present voting in the affirmative for license.

**Business Registration**

- 1) **The Palumbi Agency, Farmers Insurance, Nicholas Palumbi**, 447 Route 73 North. Insurance Agent

Motion by Councilwoman Bodanza, second by Council President Morris to approve the Business Registration above. Business Registration approved by call of the roll, five members present voting in the affirmative for license.

**MARCH 23, 2015**

**Solicitor Permit**

**1) Peter Scanlon T/A Allied Energy Experts.** Free Energy Assessments, NJ  
Clean Energy.

Motion by Council President Morris, second by Councilman Epifanio to deny Solicitors Permits for Peter Scalon on the recommendation from the Chief of Police. Solicitor Permit denied by call of the roll, five members present voting in the affirmative.

**Correspondences for February 2015**

Motion carried by Council President Morris, second by Councilman Epifanio to receive and file the correspondence calendar for February 2015. Motion carried by voice vote, all present voting in the affirmative.

**Approval of March 9<sup>th</sup> Meeting Minutes**

Motion by Councilman Epifanio, second by Councilman McIntosh to approve the Meeting Minutes for March 9, 2015. Motion carried by voice vote, five present voting in the affirmative.

**Consent Agenda for February**

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.

**All Other Business**

**RESOLUTION 2015-103 RESOLUTION AUTHORIZING TOWNSHIP SOLICITOR TO PERPARE A SETTLEMENT PROPOSAL FOR FENCE DAMAGE LOCATED AT 114 FAIRVIEW AVENUE.**

**WHEREAS** Township resident, Keith McCaully who resides at 114 Fairview Avenue has a fence within the front yard setback pre-existing prior to the passage of Township Ordinance 2007-23; and

**WHEREAS** Keith McCaully fence was allegedly damaged by a Berlin Township snow plow on February 14, 2014; and

**WHEREAS** a settlement in the amount of \$7300.00 has been proposed by the Mayor and Council of the Township of Berlin subject to the conditions below; and

**WHEREAS** the Township Solicitor, shall prepare a settlement proposal for the fence damaged at 114 Fairview Avenue; and

**WHEREAS** the payment shall be issued contingent upon the completion of the following.

**MARCH 23, 2015**

- 1) The existing damaged fence shall be removed and the replacement side fence shall be installed no closer than 5 feet from the curb line.
- 2) The resident is required to obtain a fence permit for the installation of a new fence and must comply with the 5 foot setback from the curb line. The fence permit fee shall be waived.
- 3) Township of Berlin shall be released from all claims.

**NOW THEREFORE BE IT** that the Township Solicitor, is hereby authorize to prepare a settlement proposal for the damaged fence for resident Keith McCaully at 114 Fairview Avenue and the Mayor is authorized to sign the proposed settlement agreement consistent with this Resolution.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2015-103. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Public Portion**

Motion by Councilman Epifanio, 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.

**No comments were to be heard**

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.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adjourn the meeting at 6:20 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 6:20 pm

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Catherine Underwood, Township Clerk