

**APRIL 13, 2015**

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL April 13, 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**

**ENGINEER / PUBLIC WORKS**

**A. CHANGE ORDERS AND VOUCHERS**

None at this time.

**B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION**

**1. RECYCLING TONNAGE REPORT FOR 2014**

I believe that Ms. Underwood has placed the resolution on the agenda for the Council Meeting on April 13, 2015, authorizing the submission of the annual tonnage report to the N.J.D.E.P.

**C. ENGINEER'S REPORT**

**1. MUNICIPAL BUILDING ROOF**

The contractor continues to construct the new roof membrane. It is expected to take several more weeks to complete the construction. The contractor is finding additional areas of saturated insulation and trapped water, which is released to the underside, when the existing roof system is removed. We have documented and reported the damages, which occurred over the Court offices. The Public Works staff has installed plastic under the ceiling, in the administrative offices, in hope of intercepting any dust from the roof/ ceiling.

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**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. It is our intent to perform the improvements to the Senior Citizens Building, using the Public Works staff. The Deputy Director is obtaining quotes and ordering the various materials for the interior (replacement of ceiling panels) and exterior (construction of larger roof dormers, replacement of roof shingles, stone veneer water table along the bottom portion of the walls and stucco and repainting the exterior) improvements.

We have completed the surveying work and are near completion of the design for the handicap curb cuts at the intersection of Pine and Bate Avenues. Once the design is completed, the Public Works Department staff will perform the 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.

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.

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I believe that Key Engineers, Inc. will be completing the survey of premises, in the immediate 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. We will be preparing a concept plan, depicting a possible twin homes layout, for use when reviewing and considering this possible proposal.

**5. MUNICIPAL BUILDING**

a. Improvements to the Unfinished General Assembly Rooms

I expected 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. It appears that we will not be completing these documents until early Summer, 2015. We expect the roofing contractor to complete their work in late April, 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 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)**

We are nearing completion of the engineering design and preparation of the bid documents. We expect to receive bids in May, 2015 and construction to commence in the Summer, 2015.

**7. APPLICATION FOR CAMDEN COUNTY OPEN SPACE/ RECREATION ENHANCEMENT FUNDS FOR THE RECONSTRUCTION OF THE SURFACE FOR THE LARGE HOCKEY RINK**

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The application has been submitted for the reconstruction of the playing surface. The estimated construction cost is \$77,280. The funding is, typically, limited to \$25,000. Typically, it takes several months before the projects are selected and the Freeholders inform the successful applicants.

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

We expect to complete the design documents in mid- 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, after the design has been completed.

### **9. 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.

### **10. 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.

### **11. 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.

### **12. MUNICIPAL CERTIFICATION FOR FUTURE FEDERAL FUNDED PROJECTS**

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

### **13. 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.

### **14. 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 had recommended that the matter of the public sale, with possible conditions and the quote process for the construction. I will be discussing this matter with the Solicitor's staff.

##### **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 Fall 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

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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.

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.

**15. 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.

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

Due to my mathematical error in the determination of the probable construction cost, I recommend that the Agreement be revised to depict the corrected bond amount.

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.

**17. 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.

**18. 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 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.

**19. 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,

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

### **20. 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.

### **21. REVISIONS TO THE STREET OPENING ORDINANCE**

I have requested that the Governing Body hold on taking any formal action, until I have had the opportunity to take a final look at the final version of the amendments to the ordinance.

### **22. REVISIONS TO THE TOWNSHIP CODE**

We continue to discuss revisions to various sections of the Code with the Solicitor's staff and intend to prepare and submit recommendations to the Governing Body and Planning Board for consideration for amendments to the respective codes.

### **23. 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.

### **24. SOLID WASTE DISPOSAL CONTRACT FOR 2015 AND THE FUTURE**

The Governing Body passed Resolution No. 2015-94, authorizing the use of the County bid for 2015, at the rate of \$65.69/ton, which includes the \$3.00 recycling fee.

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.

### **25. 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.

### **26. IMPROVEMENTS TO THE PUBLIC WATER DISTRIBUTION SYSTEM**

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I have no further update, regarding the improvements to the system. I would note that the Borough Water Department is, currently, flushing the water system, throughout the Township.

**D. PUBLIC WORKS DEPARTMENT**

**1. RECYCLING TONNAGE REPORT FOR 2014**

We have been compiling the information for the tonnages for the various recyclable materials, which were collected from the residential and commercial uses, in the Township, in 2014. We will be submitting the report to the N.J.D.E.P. prior to the submission deadline date April 30, 2015.

**2. STORMWATER REPORT FOR 2014**

I will be preparing the annual report, including the supplemental report which N.J.D.E.P. is now requiring, prior to the submission deadline date of May 2, 2015.

**3. NEGOTIATIONS FOR CONTRACT WITH THE PUBLIC WORKS EMPLOYEES ASSOCIATION**

The current contract expires at the end of 2015. I recommend that the Association submit their requests for the next contract and a meeting be scheduled, shortly after the receipt of the list of their requests.

**4. 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.

**5. 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.

**6. 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.

**7. LEAF COLLECTION MACHINE**

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

**8. IMPROVEMENTS TO SEWER PUMPING STATIONS**

A.C. Schultes has completed the report for the evaluation of the pumping stations. I have, recently, sent them a letter, noting the deficiencies in the testing and reporting. At this time, I recommend that the payment for these services be held until the matter is resolved to the satisfaction of the Township.

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

**9. 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.

**10. TEXTILE RECYCLING**

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

**11. 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.

**12. 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

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intent is to contact the other businesses, along the road, to see if they are interested in sharing in the cost of the signs.

### **13. 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..

### **14. PERFORMANCE OF VARIOUS TASKS**

The staff has been performing various tasks, which typically occur in the early Spring. They are performing improvements to the ballfields, patching potholes, collecting leaves, sweeping the streets and other repairs, throughout the Township.

We are anticipating that the staff will, also, be constructing the handicap curb cuts at the intersection of Bate and Pine Avenues and performing the improvements to the Senior Citizens Building.

### **15. DELIVERIES FOR ROAD SALT**

Towards the end of the past winter season, we experienced 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.

### **16. 2015 SAFETY MANAGEMENT PROGRAM**

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 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

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**POLICE REPORT**

Total of 29 accidents, 75 alarm calls, 205 summonses, 53 total arrests, including 3 narcotics, 23 warrant services.

On 12/20/2014 Officers were dispatched to the Valero Gas station at Rt. 73 and Jackson Rd. for a reported theft of over 1000 gallons of diesel fuel. Victim reported that he was missing the diesel fuel from his underground tanks. A thorough investigation by Berlin Township Detectives revealed that several vehicles, an SUV and a white mini-bus, arrived on location at the time of the reported theft. The modified short white mini-bus was equipped with a generator and storage tanks, pulled on top of the underground tanks and using the generator, siphoned the fuel from the diesel tank and stored it in large containers inside the bus. On March 9, 2015 Berlin Township Police along with Atlantic County Prosecutors Office and other police agencies mad an arrest in the case. On 01/29/2015 Officers were dispatched to Prospect Ave. for a reported theft of air conditioning units from the residence. The residence has been vacant for some time and it was not known exactly when the units were stolen. On 02/26/2015 Lt. McVeigh spoke with a subject who provided information reference to the theft. With this information Lt. McVeigh was able to obtain additional evidence to corroborate the statement. On 03/17/2015 an arrest was made of a suspect for the theft of the air conditioner units.

On Thursday 4-2-2015 at 8:02 pm officers were dispatched to the area of Haddon Ave and Patton Ave for a found burglary where unknown suspects entered the property through a rear door rummaging through the house before stealing various items. Investigation revealed that the two suspects had approached other properties in the area and several neighboring residence had video surveillance footage of the suspects. The surveillance photos were put on the department's facebook page and within 24 hours we received over a dozen tips and one of the suspects was positively identified. On Tuesday, 4/7/15 one suspect turned himself into police due to the facebook posts, and the other was contacted by police a also turned himself in. Both suspects were interviewed and confessed to the break in.

**Department training:**

Lt. Siderio attended a Taser instructor recertification class on 03/27/2015.

Sgt. Steen attended a Method of instruction class on 02/04-02/10/2015

Ptl. Edwards attended a fitness instruction class from 03/02-03/06/2015

Lastly, Ptl. Edwards participated in the HAT Ultra Marathon in Maryland. He ran 31.07 miles in just over 6 hours.

Respectfully submitted,  
Leonard Check

**MAINTENANCE / ANIMAL CONTROL**

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Joshua Shellenberger stated that he has been working on creating a vacant and abandoned property list and trying to be proactive with any property maintenance violations. Josh also stated that Citations were mailed out for unlicensed cat and dogs.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2015-2 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Township of Berlin in the County of Camden finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determines that a 2.0 % increase in the budget for said year, amounting to \$135,995.87 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council of the Township of Berlin hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Township of Berlin, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Berlin shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2.0 %, amounting to \$135,995.87, and that the CY 2015 municipal budget for the Township of Berlin be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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Motion by Council President, second by Councilman McIntosh 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 2015-2

No comments were to be heard.

Motion by Councilwoman Bodanza, second by Council President Morris to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public for questions or comments on Ordinance 2015-2.

Motion by Council President Morris second by Councilman McIntosh to adopt Ordinance 2015-2. Ordinance approved by call of the roll, five members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING 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

**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	
	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 Councilman Epifanio, second by Councilman McIntosh 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 2015-3

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 closed the meeting to the public for questions or comments on Ordinance 2015-3.

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Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt Ordinance 2015-3. Ordinance approved by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-104 RESOLUTION TO READ BUDGET BY TITLE**

**WHEREAS**, N.J.S. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and

**WHEREAS**, these two conditions have been met;

**NOW, THEREFORE, BE IT RESOLVED** that the budget shall be read by title only.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2015-104. Resolution adopted by call of the roll, five members present voting in the affirmative.

**PUBLIC HEARING ON CY 2015 BUDGET.**

**No one was in attendance for the public hearing of 2015 budget.**

**RESOLUTION 2015-105 RESOLUTION TO ADOPT THE CY YEAR 2015 BUDGET.**

**BE IT RESOLVED**, by the Mayor and Township Council of the Township of Berlin, County of Camden that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes states of the sums therein set forth as appropriations, and authorization of the amount of:

- a) \$6,397,858.11 (Item 2 below) for municipal purposes, and
- d) \$141,930.00 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

Current Fund

1. General Revenues		
Surplus Anticipated	08-100	\$1,150,000.00

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Miscellaneous Revenues Anticipated	13-099	\$1,940,347.00
Receipts from Delinquent Taxes	15-499	350,000.00
2. Amount Raised by Taxation for Municipal Purposes		
(Item 6(a), Sheet 11)	07-190	6,397,858.11
Total Revenues	13-299	\$9,838,205.11
5. General Appropriations:		
Within "CAPS"		
(a & b) Operations Including Contingent	34-201	\$6,294,731.00
(e) Deferred Charges and Statutory Exp	34-209	735,750.00
Excluded from "CAPS"		
(a) Operations – Total Operations Excluded	34-305	91,099.00
(c) Capital Improvements	44-999	465,000.00
(d) Municipal Debt Service	45-999	1,517,500.00
(m) RESERVE for Uncollected Taxes	50-899	734,125.11
Total Appropriations	34-499	\$9,838,205.11
Open Space, Recreation, Farmland and Historic Preservation Trust Fund		
Amount to be Raised by Taxation	54-190	\$141,930.00
Reserve Funds		8,430.00
Total Revenues	54-299	\$150,360.00
Total Trust Fund Appropriations	54-999	\$150,360.00

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2015-105. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-106 RESOLUTION ENDORSING THE TONNAGE GRANT APPLICATION.**

**WHEREAS**, the Mandatory Source Separation and Recycling Act. P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

**APRIL 13, 2015**

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2014 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Township of Berlin to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that they hereby endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Charles Riebel to ensure that the application is properly filed and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2015-106. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-107 RESOLUTION REMOVING CERTAIN ITEMS FROM THE TOWNSHIP OF BERLIN FIXED ASSET INVENTORY AS OF DECEMBER 31, 2014.**

**WHEREAS**, the Chief Financial Officer of the Township of Berlin maintains a fixed asset inventory system in accordance with N.J.A.C. 5:30-5.6; and

**WHEREAS**, the Mayor and Council of the Township of Berlin has adopted a capitalization threshold of \$500.00 for its fixed asset inventory; and

**WHEREAS**, it has been determined that certain fixed assets as listed below should be removed from the inventory as of December 31, 2014 for the reasons stated:

<u>Department/ Yr of Acquisition</u>	<u>Item/Category</u>	<u>Tag/Serial #</u>	<u>Amount/Reason</u>
1. Finance/Eng.	Autocad 2011 Network License On Server		\$3,996.01 Upgraded
2. Police – 2009	Vest – Siderio		\$609.00 Replaced



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**WHEREAS**, the property owner has been approved for a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

**WHEREAS**, the taxes levied for the date of permanent disability of September 19, 2013 are now exempt from paying real estate taxes requiring a refund to be made for the 2012 New Jersey Homestead Rebate to the current property owner, so;

**THEREFORE, BE IT RESOLVED** that a refund be made in the amount of Four hundred, ninety - seven dollars and thirty seven cents (\$ 497.37) to:

Ruth Tiernan  
383 Morton Avenue  
West Berlin, NJ 08091

**Submitted for the April 13, 2015 meeting.**  
**Dana O'Hara, CTC**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2015-109. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-110 AUTHORIZING REFUND N.J.S.A. 54:4-3.30 FOR BLOCK 1802 LOT 13**

**WHEREAS**, on March 23, 2015, the Township of Berlin previously cancelled the amount of \$1,717.04 for the May 1<sup>st</sup>, 2015 taxes for Francis Bradfield, a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

**WHEREAS**, the mortgage company disbursed said February 1<sup>st</sup>, 2015 taxes to the Township of Berlin, which said quarterly installment included payment for the days after the date of disability from March 1, 2015 through March 31, 2015 which due to 100% exempt status now requires a refund and;

**WHEREAS**, the mortgage company has authorized the refund to go directly to the owners since they would then have to refund it to them, so,

**THEREFORE, BE IT RESOLVED** that the Township of Berlin refund the amount of \$ 591.48 to:

Francis Bradfield & Ashley D'Orazio  
251 Centaurian Drive  
West Berlin, NJ 08091

**Submitted for the April 13, 2015 meeting.**  
**Dana O'Hara, CTC**

**APRIL 13, 2015**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2015-110. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015- 111 AUTHORIZING REFUND OF REBATE N.J.S.A. 54:49- 15  
BLOCK 1802 LOT 13**

**WHEREAS**, the Division of Taxation has directed the Tax Collector to adjust the May 2015 tax quarter for qualified homeowners for the 2012 State of New Jersey Homestead Rebate program, and;

**WHEREAS**, the property owner has been approved for a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

**WHEREAS**, the taxes levied for the date of permanent disability of March 1, 2015 are now exempt from paying real estate taxes requiring a refund to be made for the 2012 New Jersey Homestead Rebate to the current property owner, so;

**THEREFORE, BE IT RESOLVED** that a refund be made in the amount of Four hundred, ninety - seven dollars and thirty seven cents (\$ 270.50) to:

Francis Bradfield & Ashley D’Orazio  
251 Centaurian Drive  
West Berlin, NJ 08091

**Submitted for the April 13, 2015 meeting.**  
**Dana O’Hara, CTC**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2015-111. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2015-112 AUTHORIZING TRANSFER OF CREDITS FROM MAY 2015  
CURRENT TAX TO AUGUST 2015 PREPAID TAX VARIOUS LOTS**

**WHEREAS**, Homestead Benefit Tax Credits have been given for eligible homeowners that were to be applied to the May 2015 tax quarter, and;

**WHEREAS**, the owners of said properties have previously paid all or part of the May 2015 tax quarter which has now created an overpayment that must be credited to the next fiscal year taxes, so;

**WHEREAS**, the following properties need a transfer of credit as follows:

Block/Lot	Amount	Block/Lot	Amount
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207/6	416.75	208/4	182.02
208/5	220.52	217/3	192.73
521/7	488.40	601/32	322.30
601/33	324.90	614/2	401.04
701/5	464.75	702/5	393.99
706/2	192.33	805/9	488.64
812/3	324.05	814/10	521.47
817/8.01	453.08	1301/20	24.44
1302/8	331.18	1307/1	371.31
1308/44	346.49	1405/9	507.12
1405/13	594.72	1406/10	353.97
1407/1	665.47	1409/10	350.08
1415/6	348.69	1803/10	522.17
2401/7	500.00	2404/10	143.17

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the credits totaling \$10,445.78 be transferred from the overpaid May 2015 current tax to the August 2015 prepaid tax.

**Submitted for the April 13, 2015 meeting.**  
**Dana O'Hara, CTC**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2015-112. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Business Registration**

**1) Dr. Keith Radbill T/A Dr. Keith Radbill Pain Management. 403 Commerce Lane Unit 2. Provide Pain Management for Musculoskeletal.**

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

**Approval of March 23<sup>rd</sup> 2015 Meeting Minutes**

Motion by Councilman McIntosh, second by Councilman Epifanio to approve the Meeting Minutes for March 23, 2015. Motion carried by voice vote, five present voting in the affirmative.

**All other Business**

**1) CHAPTER 289 OF THE CODE OF THE TOWNSHIP ON BERLIN ENTITLED "STREETS AND SIDEWALKS, STREET OPENINGS.**

## APRIL 13, 2015

Public Works Director/ Engineer, Chuck Riebel stated that he would like to discuss changes with the solicitors and report back at the next Mayor and Council meeting on Chapter 289 of the Code of the Township of Berlin Entitled Streets and Sidewalks and Street Openings.

### **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.

### **No comments were to be heard**

Motion by Councilwoman Bodanza, second by Councilman McIntosh 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 Councilman McIntosh, second by Councilman Epifanio to adjourn the meeting at 5:33 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 5:33 pm

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Catherine Underwood, Township Clerk