

APRIL 24, 2017

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL APRIL 24, 2017 AT 5:30 P.M.

Mayor Magazzu opened the meeting and stated that pursuant to the requirements of the Open Public Meetings Law, notice of this meeting was advertised in the Courier Post, Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- Mayor Magazzu, Councilman McIntosh, Councilwoman Bodanza Council President Morris, Councilman Epifanio.

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

Absent- Chief of Police, Leonard Check

Departmental Reports

ENGINEER'S AND DIRECTOR'S REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION

1. Montebello- Possible Bond Releases and Reductions

I expect to submit my recommendations to the Governing Body for action in May, 2017.

2. Harmonson Stairs Request for Bond Release

I will be inspecting the site to determine if the site improvements have been completed. I will be submitting my recommendation to the Governing Body in May, 2017.

3. WalMart Bond Release

I expect the contractor to complete the corrective work, in the immediate future. Once the corrective work has been completed, I will submit my recommendation for release to the Governing Body.

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4. Request for Vacation of a Portion of Pinedge Drive

I recommend that the Diggerland submit additional information before the Governing Body considers the request for the vacation of a strip of the right-of-way of Pinedge Drive.

5. Automated Refuse Truck

I recommend that the Governing Body consider awarding a contract to the only bidder, Hunter Jersey Peterbilt of Clarksburg, New Jersey for the Base Bid, Alternate Bid No.1 (Refuse Body Wrap) and Alternate Bid No. 2 (GPS Tracking System) for a total amount of \$270,030, conditional upon the acceptance of the two exceptions, submitted by the contractor; the Solicitor's approval of the bid process and bid proposal and the Chief Financial Officer's certification of the availability of funds.

C. ENGINEER'S REPORT

1. 2017 Automated Refuse Truck

On April 6, 2017, one bid was received from Hunter Jersey Peterbilt of Clarksburg, New Jersey, the contractor for the current automated refuse trucks. The new truck will be an exact match to those trucks. I recommend that the Governing Body consider awarding a contract for the Base Bid and Alternate Bid Nos. 1 and 2, with the exceptions submitted for the deletion of the auto slacks for the disc brakes and the substitution of one- 20 lb. fire extinguisher in lieu of two- 5lb. fire extinguishers.

2. Camden County Community Development Block Grant Program, Year 39 (2017-2018) Funding

The Project Description Form and resolution were delivered to Camden County for the continuation of the improvements at the Senior Citizens Building.

3. Camden County Community Development Block Grant Funds- Previous Years

We must complete the remaining improvements to the Seniors Center. We have been informed, by the C.D.B.G. staff, that tables and chairs may be purchased with these funds. Mr. Simone has ordered the tables and chairs and is working on the replacement of the rear door and automation of the front doors for handicap access. Mr. Simone has received quotes for these items.

4. Dog Park at Luke Avenue Recreation Complex (Camden County Recreation Enhancement Funding- \$25,000

Mr. Simone has discussed the matter of any further improvements with Mayor Magazzu. The dog park will be, officially, dedicated at the community event on May 13, 2017.

5. Band Shell at Luke Avenue Recreation Complex

Mr. Simone has arranged for the installation of the letters and plaque, honoring Corporal Toner. The sign will be illuminated by soffit lighting. The official dedication of the band shell is scheduled for the community day on May 13, 2017.

6. N.J.D.O.T. FY 2017 Municipal Aid Program Applications

We have electronically re-submitted the applications, which were submitted, last year. Those applications are:

Priority 1- Improvements to Taunton Avenue- Rt. 73 Ramp A to Cooper Road

Priority 2- Oak Avenue- Rt. 73 Ramp A to 80' past Clover

I would expect that the Governor will be announcing the selected projects, in the near future.

7. Improvements to Hazel Avenue (NJDOT FY 2015 Funding)

I continue to recommend that the remaining computer drafting be completed by a consultant so that we can receive bids in the Spring, 2017. It is important that this project be awarded in the Spring, 2017, in order to retain the N.J.D.O.T. funding.

The requested amount of funding was \$236,000. The estimated construction cost was estimated to be \$210,627 and contract administration/materials testing costs are estimated to be \$9,000. I have requested that additional funds be allotted, for this project, in the 2017 budget.

8. 2016 Street Improvements Program

The Governing Body has allotted funds for the improvements to the following streets:

- a. Localized pavement area repairs along Taunton Avenue- Cooper Road to Clover Avenue;
- b. Repairs to settled pavement along Lester Avenue- Haddon Avenue to McClellan Avenue and along McClellan Avenue- Lester Avenue to Pine Avenue;
- c. Repairs to the settled pavement and curb at #340 Centaurian Drive;
- d. Repairs to the localized areas of the gutterlines of street within the Pinecrest section.

I am expecting to prepare bid documents in the late Spring with the construction occurring in the Summer of 2017.

9. Recommendation for Capital Improvements for 2017

I have submitted my recommendations for various improvements to the streets, buildings, grounds and recreation facilities. I strongly suggest that the Governing Body consider implementing a long-term capital improvements program to address this matter.

10. Shared Services with Berlin Borough for Public Works Equipment

We have discussed the development of an agreement with Berlin Borough for their periodic use of the street sweeper and our ability to use one of their automated trash trucks, in times of need. I suggest that we meet with the Borough representatives to discuss the matter for the remainder of 2017 and future years.

11. Bate Avenue Site (Former Municipal Building and Administrative Building)

No further update to report, at this time.

12. Re-Examination of the Master Plan

I recommend that the Governing Body consider allocating funding, in the near future, for consulting planning services for the preparation of a new Master Plan. I recommend that the Governing Body discuss the scheduling of the process with the Planning Board.

13. Request for Vacation of a portion of Pinedge Drive

Representatives of Diggerland have requested the Governing Body consider vacating a strip of the right-of-way of Pinedge Drive, along the frontage of a portion of their property. I recommend that Diggerland submit additional information to explain and depict the reasons for the requested vacation, before any ordinance is considered by the Governing Body.

14. Improvements to the Municipal Building

a. Improvements to the Unfinished General Assembly Rooms

At this time, I am not sure when we will be completing the bid documents for the ceiling, the remainder of the ceiling lighting, HVAC system and reconfiguration of the fire suppression system.

It has been determined that the Public Works staff will install the vinyl floor tiles, after the above mentioned, contracted work has been completed. The Public Works Department may, also, install the hung ceiling system.

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.

I have requested that funds be allotted for the irrigation system, with a rainwater recapturing system for irrigation use, in my request for capital funding in 2017. Due other projects, which are in immediate need of improvement, this project has been assigned as a lower priority, in the past.

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c. Recoating of the Front Parking Area

I have included the request for funding, for this improvement, in the 2017 Capital Budget.

15. 2017 Camden County Open Space Trust Fund Recreation Facility Enhancement Application

The application package has been submitted to the County for funding for spectator seating at the band shell at the Luke Avenue Recreation Complex.

16. Camden County Open Space/ Recreation Enhancement Funds for the Reconstruction of the Large Hockey Rink at Robert T. Clyde Memorial Park

The Freeholders approved a total of \$50,000 for this project. I have not received any response from the County Open Space Committee, regarding our request to utilize the funds for the replacement of the hockey rink boards and construction of a safety surface at the playground, which is adjacent to the hockey rink.

17. County Recreation Enhancement Funds for the Reconstruction of the Basketball Court at Spruce Avenue Recreation Site (County Open Space Grant - \$25,000)

The Governing Body has adopted the Bond Ordinance, appropriating funds to supplement the County Open Space funds so that this project can be completed.

I am, currently, evaluating the use of a geogrid reinforcement system, which would allow for the resurfacing of the court, rather than the costlier, reconstruction of the surface.

I expect to receive bids for this project, along with the street improvement program, which will, hopefully, result in a more competitive price, due to the inclusion with a larger scale project.

18. Ponding Along Gutterline of Hudson Avenue at 182 Patton Avenue

The Public Works Department will be placing millings, within the low lying area, to eliminate the ponding condition.

19. Improvements to the Water Distribution System by Berlin Borough

I recommend that the Township Governing Body consider the scheduling of a meeting with the Borough representatives, within the next several months, to discuss the status of the improvements to the water distribution system, within the Township.

20. Municipal Certification for Future Federal Funded Projects

We must obtain 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.

21. Storm Drainage Improvements

a. Lester Avenue Storm Drainage and Stormwater Management

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

The Governing Body has adopted the Bond Ordinance, appropriating funds, for this project. We expect to bid this project, in the near future.

2) 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 for this project.

I do not see our department completing the bid documents until, some time, late in 2017.

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

No update to report.

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 recommend that a meeting be requested with Congressman Norcross to discuss the possibility of receiving Federal funding, for this project. It may, also, be worth requesting the assistance of the N.J.D.E.P.

22. Request to the Pinelands Commission for Redesignation of Lands

To date, I have not performed any additional work, regarding this matter. I have discussed the matter with representatives of Key Engineers, Inc. and have requested that they submit a proposal for the planning services. I recommend that the party(ies) requesting redesignation be responsible for the cost of the consulting planning services.

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As we requested, the County Planner has mentioned the matter, in the Master Plan Reexamination Report. The study must be performed and the report prepared and submitted to The Pinelands Commission.

23. Tax Map Revisions

We, still, must complete the revisions to the Tax Maps, which will depict the recently filed sections of the Montebello development. I continue to recommend that this work be completed by a consultant, in the immediate future.

24. Request to the N.J.D.O.T. for the Installation of a Traffic Signal at the Intersection of Route 73 and D'Angelo Drive

Mayor Magazzu has submitted the request to the Lt. Governor.

25. Investigation for Sidewalk Along Oak Avenue

Some time ago, the Governing Body discussed the possible construction of sidewalk along one side of the street, due to the narrow width of the roadway. I must, still perform the investigation and report to the Governing Body.

26. Investigation of the Condition of Decorative Concrete Sidewalk Along Haddon Avenue

I recommend that an epoxy coating be applied to the spalled areas and apply a clear sealant to the concrete and brick surfaces. This work can be performed by the Public Works staff.

27. Possible Multi-Use Trail- Educational Park to Egg Harbor Road

I have, recently, informed the Governing Body that Public Service Electric and Gas Co. has allowed for the construction of a multi-use trail, within their right-of-way for high service lines. There have been grants available for these trails. If the Governing Body is interested, I will contact them to schedule a meeting to discuss the possibility of placing a trail within their right-of-way.

D. PUBLIC WORKS DEPARTMENT

1. Operations and Staffing

The staff continues to complete various tasks and has commenced with the performance of the Spring season tasks.

2. Budget Request for 2017

I would be glad to discuss the contents of the documents with the Governing Body and Ms. Campisano, if determined to be necessary.

3. Auction for Vehicles and Equipment

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At this time, I do not recommend the auctioning of the large vehicles, which we have or intend to replace with new vehicles. I recommend that the vehicles, which are still road worthy, be used as backups with limited or minimal use. We are reevaluating the use of these vehicles and are considering the vehicles, which possibly could be auctioned, along with other equipment, at that time.

4. Textile Recycling

We have not pursued the matter, since the Police Department has a current arrangement for the collection of textiles, with the placement of drop-off bins, with a textile recycler.

5. Leaf Compost Material and Yard Waste

We continue to research and discuss other possible sites for the disposal of the composted leaves and yard waste.

6. Possible Directory Signs for the Businesses Along Haddon Avenue, Between Zulker and Walker Avenues

We have provided the businesses along Haddon Avenue with the prices for directory signs at three intersections.

7. Traffic Signal Emergency Repairs Contract for the Remainder of 2017

I recommend that quotes be received for these services. I, also, recommend that the Governing body consider including an inspection and maintenance provision, which could be included in the base bid or listed as an alternate bid.

SOLICITORS REPORT

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Estate of Carol Bowne
5. Open Public Records Act
6. Ordinance Revision
7. In Rem Tax Foreclosure
8. Municipal Building Roof Claim
9. Lester Avenue Drainage Project
11. Verizon Wireless Municipal Consent

MAINTENANCE OFFICER / ANIMAL CONTROL

Josh Reported that he is busy sending out property maintenance violations. He stated that as of today we have registered 45 vacant properties. Josh reported that for the year 2017 our shelter count is 8.

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ORDINANCE 2017-4 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 340-17 OF THE TOWNSHIP ZONING CODE ENTITLED "PROHIBITED USES" BY ADDING NEW ITEM G

WHEREAS, Chapter 340-17 of the Code of the Township of Berlin, entitled "Prohibited Uses": and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

SECTION 1: Chapter 340-17, entitled "Prohibited uses," is hereby amended, revised and/or supplemented by adding a new item "G" which shall read as follows:

G) The construction or operation of medical marijuana production, treatment or distribution facilities in all zoning districts.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 340-17 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.

SECTION 5: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Ordinance 2017-4 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-104 PAYMENT OF BILLS FOR APRIL.

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.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, that the following claims detailed below and attached are hereby approved and the bills to be paid.

	TO	ACCOUNT	AMOUNT
Treasurer – State Dog Report March 2017 Total License #49		Dog Trust	\$82.80

CONFIRMING:

	TO	ACCOUNT	AMOUNT
America On Line (January 2017)		7-01-31-443-2077	\$46.99
Ameriflex - March 2017		Flex Claims Account	75.00
Verizon Communications – TV 03/13-04/12/17		7-01-31-443-2077	139.99
Verizon Communications – Internet 03/16-04/15/17		7-01-20-120-2105	167.58
Susan Kelly – Retiree Medicare Reimbursement		7-01-23-220-2092	2,517.60
State of Jersey Health Benefits – Mar 2017 (A)		7-01-23-220-2092	84,615.54
State of Jersey Health Benefits – Mar 2017 (R)		7-01-23-220-2092	36,909.22
Public Employee Retirement System (PERS)		7-01-36-471-2165	185,969.00
		7-07-55-540-2165	9,800.00
Police & Firemen’s Retirement System (PFRS)		7-01-36-475-2167	361,123.00
Ameriflex - April 2017		Flex Claims Account	75.00
Verizon FIOS Internet PD – April 2017		7-01-31-443-2077	109.99
Payroll, Current Fund		03/30/17	127,981.50
Payroll, Sewer Operating Fund		03/30/17	6,875.93
Payroll, Current Fund		04/13/17	126,897.55
Payroll, Sewer Operating Fund		04/17/17	6,424.28

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-104. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-105 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM VENDORS WITH STATE CONTRACT IN EXCESS OF BID THRESHOLD DURING CY 2017.

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

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

WHEREAS, the following purchases will be made during CY 2017 in excess of the bid threshold:

CONTRACT	VENDOR	ITEM	DATE OF EXPIRATION
1. 80912	Majestic Oil Co. Inc.	Gasoline, Unleaded	5/30/17
2. 82767	Majestic Oil Co. Inc.	Diesel Fuel	10/31/17
3. 88728	Winner Ford	(2) 2017 Police Interceptors AWD Utility Vehicles	3/15/18

WHEREAS, the Mayor of the Township of Berlin be and is hereby authorized and instructed to sign and execute any necessary legal instruments in connection with the purchases; and

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

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-105. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-106 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH TSPDEEJAYS, LLC INFLATABLES.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign an agreement with TSPdeejays, LLC Inflatable Rentals for the Spring Fling scheduled for May 13, 2017.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-106. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-107 SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND DENTAL.

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **Southern New Jersey Regional Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

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WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of **Berlin Township** , hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Dental insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-107. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-108 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INDEMNITY AND TRUST AGREEMENT WITH SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign an indemnity and trust agreement with Southern New Jersey Regional Employee Benefits Fund for dental coverage.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-108. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-109 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

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 2016 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.

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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 McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-109. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-110 RESOLUTION AUTHORIZING ERIN COURT LLC / OTT'S GREENTOP USE OF TOWNSHIP PROPERTY FOR THE SPRING FEST EVENT

WHEREAS, Berlin Township will be holding a Spring Fest Event on May 13th, 2017, rain date May 20th 2017 on Berlin Township Luke Avenue Recreation facility; and

WHEREAS, Erin Court LLC / Ott's Greentop will be providing a beer and wine garden at the Spring Fest during the hours of 2:00 pm to 8:00 pm; and

WHEREAS Erin Court LLC / Ott's Greentop has applied for a catering permit with the Division Of Alcoholic Beverage Control and all paperwork has been submitted and reviewed by the Chief of Police.

NOW THEREFORE, BE IT RESOLVED Mayor and Council here by authorizes Erin Court LLC / Ott's Greentop use of the Township property contingent upon review and approval of their insurance liability certificate and their signed hold harmless agreement for the Spring Fest Event on May 13th 2017.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-110. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-111 RESOLUTION TO REDUCE PERFORMANCE GUARANTEE FOR MONTEBELLO DEVELOPMENT SECTION 4 A.

WHEREAS, Hovbros Berlin LLC 900 Birchfield Drive, Mount Laurel NJ 08054 block 2403 2404, lots 01-21 20-40 has requested the release of their Performance Bond; and

WHEREAS, the Engineer has performed an inspection of the site improvements and has recommended that the Township deny the request for the release of their performance bond since not all of the site improvements have not been completed, in accordance with the approval site plans; and

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WHEREAS the Engineer has recommended that performance bond in the amount of \$838,195.20 be reduced to \$251,458.56.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the request for the reduction of performance bond for Montebello Development section 4A is hereby granted.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-111. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2017-112 RESOLUTION TO AUTHORIZE THE PREPARATION OF DOCUMENTS FOR THE VACATION OF RIGHT OF WAY FOR PINEDGE DRIVE.

WHEREAS, the Governing Body has determined that a certain portion of a right of way on Pinedge Drive is not needed for Township purposes and it is not anticipated that this portion will be needed in the future, in light of the surrounding development of properties; and

WHEREAS, the governing body of the Township of Berlin has determined that the public interest would best be served by vacating, releasing and extinguishing that certain portion of Pinedge Drive.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin for the reasons set forth above that the Township Solicitor and Township Engineer is hereby authorized to proceed and prepare any and all documents for the Vacation of Right of Way for Pinedge Drive.

Motion by Councilman McIntosh, second by Councilwoman Bodanza to adopt Resolution 2017-112. Resolution adopted by call of the roll, four members present voting in the affirmative Council President Morris abstain.

Consent Agenda

Motion by Council President Morris, second by Councilman Epifanio to receive and file the monthly reports on the consent agenda for March 2017. Motion carried by voice vote, all present voting in the affirmative.

Correspondences Calendar March 2017

Motion by Councilman Epifanio, second by Council President Morris to receive and file the Correspondence Calendar for March 2017. Motion carried by voice vote, all present voting in the affirmative.

All Other Business

Mayor Magazzu stated the Spring Festival is coming along and it will be held on Saturday May 13, 2017.

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Approval of April 10th 2017 Meeting Minutes

Motion by Council President Morris, second by Councilman McIntosh to approve the Meeting Minutes for April 10, 2017. Motion carried by voice vote, five present voting in the affirmative.

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 for questions or comments.

Carolyn Picciotti, Hudson Avenue asked if the property becomes a Vacation of Right of Way such as Pinedge Drive then does it become taxable.

Governing Body responded yes.

No more comments were to be heard.

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

Adjourn

Motion by Councilwoman Bodanza, second by, Councilman McIntosh to adjourn the meeting at 5:58pm. Motion carried by voice vote, all members voting in the affirmative.

Meeting adjourned 5:58 pm

Catherine Underwood
Berlin Township RMC