

April 8, 2013

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL April 8, 2013 AT 5:00 P.M.**

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

All in attendance joined in the Salute to the Flag.

**ROLL CALL**

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

**Also Present-** Solicitor, Stuart Platt, CFO, Lori Campisano, Chuck Riebel, Engineer Maintenance Officers, Josh Shellenberger, Acting Chief of Police, Lenny Check

**Absent-**

**Presentation of awards to the “Berlin Inter-Community Ambulance Association”**

Mayor and Council presented “Outstanding Citizens Award” to the following employees from the Berlin Inter-community Ambulance Association:

EMT Anna Behnke	EMT Charles Madara	EMT Joan Madara
EMT Brittany Oliver	EMT Mike Kearney	EMT Bruce Wallace
EMT Joseph Weber	EMT Gail Parson-Cooper	EMT Linda Lendahl
EMT Joseph Hunter	Captain Lou DeMarco	

**DEPARTMENTAL REPORTS**

**ENGINEER’S AND DIRECTOR’S REPORT**

**A. CHANGE ORDERS AND VOUCHERS**

We expect the submission of the final change orders and vouchers for consideration by the Governing Body at the Council Meeting on April 22, 2013:

1. Hill Avenue Storm Drainage Improvements
2. Haddon Avenue Streetscape

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**B. RESOLUTION FOR CONSIDERATION**

1. Camden County Open Space Recreation Enhancement Application  
We recommend that the Governing Body pass a resolution endorsing the application and authorizing the Mayor to sign the application for a proposed dog park at the Luke Avenue Recreation Complex.
2. High Point II Sewer Extension-Treatment Works Application  
I recommend that the Governing Body consider passing a resolution authorizing the sewer extension and the Mayor to sign the Treatment Works Application.
3. Acceptance of the Montebello Development Pumping Station  
I recommend that the Governing Body NOT take any action to accept the pumping station. The developer must perform a number of improvements, prior to me making any recommendation to the Governing Body for acceptance of ownership.
4. Recycling Tonnage Grant Application  
I recommend that the Governing Body pass the resolution, endorsing the tonnage grant application, which must be submitted by April 30, 2013.
5. Spruce Avenue Basketball Court  
I recommend that the Governing Body consider authorizing the receipt of bids for the basketball court, only, due to the need to reconstruct the pavement and the limited County and Township funds, available for the project.
6. Acceptance of Cash Performance Guarantee for Site Improvements-Harmonson Stairs  
I recommend that the Governing Body consider accepting the posting of a 100% cash guarantee, pending the Township preparation and endorsement of the Agreement document and the applicant posting the necessary escrow for the preparation of the Agreement document by the Township Solicitor.
7. Public Works Department Crew Leader – Parks/Streets/Buildings  
I recommend that the Governing Body take the necessary action to combine the separate crew leader positions into one position, appoint Harry McAllister III to the new position and re-assign William

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Townshend from Street Crew Leader to Class 2 Laborer, effective immediately.

8. Improvements to Municipal Building Roof Membrane

I recommend that the Governing Body consider authorizing the preparation of the bid documents, advertisement and opening for bids.

9. Street Improvements to Hill Avenue

I recommend that the Governing Body consider the appropriation of the necessary funding, in addition to the C.D.B.G. funding and authorize the preparation of bid documents, advertisement and opening of bids.

10. Improvements to the Unfinished Assembly Rooms at the Municipal Building

I recommend that the Governing Body authorize the preparation of bid documents, advertisement and opening of bids.

11. Traffic Signal Maintenance and Repair

I recommend that the Governing Body consider authorizing the award of the Traffic Signal Maintenance and Repair Contract.

**C. ENGINEER'S REPORT**

**1. HADDON AVENUE STREETScape, PHASES 1, 2, AND 3, JEFFERSON AVENUE TO LUCAS AVENUE (FEDERAL TEA-21 FUNDS \$555,240)**

We are still trying to resolve the differences in the final payment with the contractor. We expect to close out the project, this month.

Once final payment is made to the contractor, we will submit the final reimbursement from the N.J.D.O.T.

**2. HILL AVENUE STORM DRAINAGE IMPROVEMENTS [C.D.B.G. YEAR 32 (\$32,257), YEAR 33 (27,900), AND YEAR 34 (24,000) FUNDING]**

The Contractor is completing the corrective work. We expect to close out the project, this month. The County C.D.B.G. Program has granted the Township an extension of time to close out the project.

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The Governing body has designation C.D.B.G. Year 35 funds for the Street Improvements. I believe that Township funds have, already, been allotted for these improvements. I recommend that the Governing Body consider allotting all necessary funds and the advertisement for bids.

**3. PROPOSED DOG PARK AT LUKE AVENUE RECREATION AREA, COUNTY OPEN SPACE APPLICATION**

Applications for the County Open Space Recreation Enhancement Grant must be submitted by April 5, 2013. We have noted in the application, that letters of support will be submitted, under a separate submission. I recommend that letters of support be requested from the local veterinarian, senior citizens organization and residents.

We will submit the resolution to the County after it is passed, signed and sealed. The applications will be ranked and funding granted to those projects with the highest rankings. Funding, typically, is limited to \$25,000.

A request was made, by a resident, for a remote control car obstacle course at Spruce Avenue Park. It was determined that the proposal must be investigated, further, and the proposal would be considered for the next round of County funding.

**4. RECONSTRUCTION OF BASKETBALL COURT AT SPRUCE AVENUE RECREATION SITE**

I recommend that the Governing Body authorize the receipt of bids for the reconstruction of the basketball court pavement and repairs to the backboards and goals. It will be necessary for the allotment of Township funds as the County grant amount will not cover the construction cost.

I believe that the Governing Body will be discussing the best use of the current tennis court with the residents, in the future.

**5. N.J.D.E.P./FEDERAL REQUIREMENT FOR SPRUCE AVENUE RECREATION COMPLEX**

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I have not received any response to my letter, from the N.J.D.E.P. Green Acres Program.

**6. NJDOT FY 2013 MUNICIPAL AID APPLICATIONS**

It is anticipated that the N.J.D.O.T. will be announcing the selected projects, in the immediate future. It is very unusual that the announcement is made this late in the year.

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

1. Oak Avenue- N.J.D.O.T. Jughandle "A" to 80 Feet Past Clover Avenue

Amount Requested

\$94,000.00

2. Hazel Avenue- Chestnut Avenue to Cushman Avenue

Amount Requested

\$236,000.00

It is likely that funding will not be granted since there are projects, which remain to be completed, under previous years of N.J.D.O.T. funding.

**7. N.J.D.O.T. SAFE ROUTES TO SCHOOL**

This federally funded program has been placed on hold. It is expected that it will be quite some time before these funds become available.

**8. N.J.D.O.T. Transportation Enhancement Program, Beautification of the Frontage of the Municipal Building Site**

The Federal agency is holding the funds for this program. It is expected that it will be quite some time until these funds are available for projects.

**9. CONSTRUCTION OF POROUS CONCRETE SIDEWALK ALONG N.J.S.H. ROUTE 73 NORTHBOUND-JACKSON ROAD TO EDGEWOOD AVENUE (N.J.D.O.T. FY'S 2008 AND 2009 FUNDING)**

Once the weather becomes more suitable, the contractor will perform a test treatment of the concrete. I am hopeful that the contractor will

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be able to complete the treatment to our satisfaction, which will allow for the closeout of the project and final payment of the N.J.D.O.T. reimbursement.

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

We attended a seminar, regarding the requirements for federally funded projects on March 28, 2013. The mentioned that four municipalities have received certification, to date.

We will obtain the information from the N.J.D.O.T. and inform the Governing Body and Ms. Campisano of the certification requirements.

**11. 2013 STREET IMPROVEMENT PROGRAM**

We are finalizing the design and preparation of the bid documents. We must receive bids in the immediate future.

We have submitted the resolution to the N.J.D.O.T., requesting an extension of time to award a contract for the improvements to Mt. Vernon Avenue and Edgewood Avenue.

We will be modifying the scope of the work for the concrete driveway improvements along Fairview Avenue and will request a price from Somerdale Borough.

**12. NO PASSING ZONE ALONG COOPER ROAD**

We will be performing the study, using the road profile on the New Jersey-American Water Company construction plans.

**13. SUSTAINABLE JERSEY CERTIFICATION**

The Governing Body has commenced with the process for obtaining certification. I believe that the County has offered to assist the Township with the matter.

**14. MUNICIPAL BUILDING**

a. Roof Membranes

I recommend that the Governing Body authorize the preparation of bid documents for the installation of a new roof membrane and insulation, in the immediate future.

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- b. Improvements to the Unfinished General Assembly Rooms  
We are preparing the bid documents for the lighting, HVAC, fire suppression system reconfiguration and flooring. All work must be completed before June 6, 2013 since the room will be used for voting in the primary elections.
  
- c. Free Standing Monument Sign  
I recommend that the Governing Body consider awarding a contract to Dandrea Masonry for the installation of the brick facing and concrete capping to the masonry brick base.
  
- d. Irrigation and Landscaping  
We have completed the landscape plan. An irrigation system design must be performed, the respective plans prepared and bids received for the construction of the system.

## **15. STORM DRAINAGE IMPROVEMENTS**

### **1. Lester Avenue Storm Drainage and Stormwater Management**

As discussed at the last Council Meeting, we will be performing the surveying work and engineering design for the initial phase of construction, which will consist of storm inlets at the low point of Lester Avenue Piping and a temporary stormwater management basin on the Luke Avenue Recreation property.

The full scale project must be designed and P.S.E.G. must grant an easement, across their property.

### **2. Storm Drainage Issues with the Southwest Portion of the Township**

I had reported to the Governing Body that I am estimating that the overall construction cost for the necessary improvements is approximately \$11.8 million.

### **3. Mt. Vernon Avenue Storm Drainage at the Elementary School**

On occasion, the street has flooded, due to the apparent, limited capacity of the of the drainage system and receiving ditch, which is on the Board of Education property. I have

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discussed the matter with Mr. Pfluger, School Buildings and Grounds Superintendent. The ditch must be reconstructed to provide additional capacity and a positive outflow.

Mr. Pfluger has provided me with an incomplete version of a topographic map for the school property. I intend to attempt to decipher the contours and perform a preliminary design for said improvements. I intend to present the preliminary proposal to Mr. Fitz for his review and consideration for recommendation to the Board of Education.

Prior to any discussions with the Board of Education, I will present the matter to the Governing Body for your review and direction.

4. Kelley Drive Stormwater Basin Reconstruction

We will be preparing bid documents for the excavation, dewatering and removal of the sediment and reconstruction of the basin bottom. The cost for this work will be covered by the Wal-Mart contribution.

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

This year, we will be preparing the documents supporting the request for the redesignation of Pinelands zoning for other lands to allow for greater density development and the extension of sanitary sewer to those re-designated areas.

**17. TRAFFIC SIGNAL MAINTENANCE PROGRAM**

We have requested quotes for maintenance and emergency repairs from traffic signal electricians. Once we receive the quotes, we will submit our recommendation to the Governing Body for consideration for an award of a contract.

**18. TAX MAP REVISIONS**

We are , currently, revising the Tax Maps. Once completed, we will submit a digital version to the County Board of Taxation and hard copies to the Township Tax Offices.

**19. FORMER MUNICIPAL BUILDING SITE, BATE AVENUE**

We must still complete the survey and preliminary environmental assessment for this property. It is my understanding that the property

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cannot be transferred to the Township until this work has been completed and issued.

## **20. TRAFFIC CALMING PROGRAM**

I believe that the Governing Body is considering the implementation of a traffic calming program and the purchase of portable speed humps and the respective signage.

We are also researching the cost for electric and solar powered, permanent flashing speed boards with flashing strobe lights.

I have, also requested prices for larger “No Thru Traffic” signs for installation at designated intersections along Haddon and Franklin Avenues. The Governing Body discussed the inclusion of the reference to the ordinance and the respective fine for the violation of this restriction.

## **21. PUBLIC WORKS DEPARTMENT**

### **1. REQUEST FOR 2013 BUDGET AND CAPITAL PURCHASES FOR VEHICLES AND EQUIPMENT**

I will be revising my request for the purchases of vehicles and equipment and expect to submit this request in early 2013. The Department is in dire need of trash trucks and large dump trucks.

### **2. IMPROVEMENTS TO SEWER PUMPING STATIONS**

I will also be including in my request for capital funds, improvements to the aging sewer pumping stations, which I strongly recommend that the Governing Body consider allocating the necessary funds.

### **3. GREASE TRAP MAINTENANCE**

I believe that the Governing Body is considering taking the necessary action to allow for the sewer crew to assist the Plumbing Sub-code Official with the inspection and enforcement of the reporting of grease trap maintenance.

### **4. SUBMISSION OF ANNUAL REPORTS**

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We will be preparing and submitting the following annual reports

- a. Recycling Tonnage Report
- b. Clean Communities Report (2011 and 2012)
- c. Stormwater Report
- d. Diesel Retrofitting Report

5. **COMBINED PARKS/STREETS AND BUILDINGS CREW LEADER**

I had posted the position and received one resume' from Harry McAllister III. I recommend that the Governing Body create the combined position and appoint Mr. McAllister to the position. Since the Streets crew leader will be eliminated, William Townsend must be re-assigned to Class 2 Laborer. The individuals salaries must be revised, accordingly

6. **REPAIRS TO DAMAGED GENERATOR AT THE ROUTE 73 PUMPING STATION**

The new engine has been installed and we are making the necessary repairs and replacement of the remaining, connecting parts. We expect the generator to be operational, in the immediate future.

7. **PERFORMANCE OF TASKS**

We are, commencing with the Spring season tasks, which includes preparation of the sports field and parks, cleaning of the streets, leaf collection, etc.

**SOLICITOR REPORT**

**SOLICITORS REPORT**

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Berlin Township ADS. Estate of Raj Kumar Chopra
5. Berlin Township ADS. David Carp
6. Berlin Township ADS. Jason Black
7. Berlin Twp. ADS. Abdul Mansary
8. Berlin Twp. ADS. Jennifer Vernacchio as Guardian Hannah Maslanka
9. Berlin Twp. ADS. Tarin Dunham
10. Open Public Records Act.

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11. Codification
12. Fire Safety Ordinance.
13. Anti-Bulling Ordinance
14. Chief Jackson
15. Grease Trap Ordinance
16. DPW Shared Service Agreement
17. Traffic Ordinance Overhaul
18. Speed Humps
19. DPW Contract
20. DPW Employee issue

### **POLICE DEPARTMENT**

Acting Police Chief Check reported that 172 summons were issued which included 2 DWI arrests and that the officers have been enforcing speeding in the area of Franklin Avenue. Chief stated that on March 21 the department responded to a burglary alarm at Piper pools and with the assistance of Berlin, Waterford and Voorhees the suspects were apprehended and charges with burglary, theft and related charges. Chief Check commented that they have narrowed down the candidates for the new police officer and should have the name by next week. Chief stated that he has given the Township Clerk a sample ordinance for pawn shops that will help with the enforcement efforts of pawn shops in our town. He also stated that Los Amigos as asked for a liquor license extension for Cinco-De-Mayo. He will be meeting with all parties involved in attempt to avoid any issues from past years.

### **MAINTENANCE OFFICER / ANIMAL CONTROL**

Josh Shellenberger reported that 615 pets have been licensed so far this year and he will begin notifying residents who have not. He noted that last week two pets were returned to their owner without going to the shelter. Josh stated that he has received complaints from residents regarding wild cats. He commented that these wild cats should not be fed by the residents and that most residents are not aware of these rules a so he will address this in the next newsletter.

### **SECOND READING AND PUBLIC HEARING ORDINANCE 2013-3 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 22 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "POLICE DEPARTMENT".**

**WHEREAS**, Chapter 22 of the Code of the Township of Berlin ("Township") establishes and sets forth the powers, duties, rules and regulations of and for the Township's police department; and

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**WHEREAS**, further to the recent collective bargaining negotiations with the Berlin Township Police Association, the Governing Body has, consistent with the authority vested in it pursuant to N.J.S.A. 40A:14-118, determined that it is necessary to amend Chapter 22;

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

**SECTION 1:** Section 22-8 of the Code of the Township of Berlin is hereby amended, revised and supplemented to read as follows:

**§ 22-8. Employment other than regularly assigned working hours.**

A - E. [NO CHANGE].

F. The rate of payment for such police services shall be at the following rates:

(1) Traffic control: \$60 per hour base rate plus \$10 per hour for an administrative fee;

(2) Other police services: \$60 per hour base plus \$10 per hour for an administrative fee;

(3) Traffic control for Township bid and funded projects: \$45 per hour base rate, without administrative fees.

G - I. [NO CHANGE].

**SECTION 2:** Except as set forth in Section 1 above, the balance of Chapter 22 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.

Motion by Council President Morris, second by Councilman Epifanio to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2013-3.

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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.

Motion by Councilman Epifanio second by Council President Morris to adopt Ordinance 2013-3 Ordinance approved by call of the roll, five members present voting in the affirmative.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2013- 4**  
**CALENDAR YEAR 2013 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 to 2.0% 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 2013 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 1.5 % increase in the budget for said year, amounting to \$96,595.28 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 2013 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 1.5 %, amounting to \$ 96,595.28, and that the CY 2013 municipal budget for the Township of Berlin be approved and adopted in accordance with this ordinance; and,

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**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,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion by Council President Morris, second by Councilman Epifanio to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2013-4.

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.

Motion by Councilwoman Bodanza second by Council President Morris to adopt Ordinance 2013-4 Ordinance approved by call of the roll, five members present voting in the affirmative.

**FIRST READING ORDINANCE 2013-5 AMENDING ORDINANCE 2012-12 and 2011-20 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 3 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "ADMINISTRATION OF GOVERNMENT"**

Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2013-5 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013-85 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

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**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 2012 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 Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-85. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Resolution 2013- 86**

**Payment of Bills**

WHEREAS, the Code of the Township of Berlin, Chapter 7-1 et seq., provides payment of claims after certification by the Treasurer and consideration by Mayor and Council.

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

<b>TO</b>	<b>ACCOUNT</b>		<b>AMOUNT</b>
Day Chevrolet Inc.	Police Forfeiture - State	\$	9,000.00
Dell Marketing L.P.	Friends of Library		4,700.00

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Robert E. DePersia, II, Esq.	Mun Public Defender Trust	300.00
Taser International	Police Forfeiture - Federal	4,700.13
Camden County Animal Shelter	Dog Trust	583.34

**CONFIRMING**

America On Line	3-01-31-443-2077	\$	34.99
Comcast	3-01-26-310-2020		67.00
Verizon Communications	3-01-31-443-2077		99.99
Central Records Publications	2-01-20-120-2021		270.58
Fabian Brown	2-01-30-420-2105		250.00
State of NJ Health Benefits	3-01-23-220-2092		59,843.61
State of NJ Health Benefits	3-01-23-220-2092		26,866.18
General Code	3-01-55-204-0000		4,100.00
TD Bank, N.A.	3-01-45-920-2105		175,000.00
	3-01-45-930-2105		44,743.75
TD Bank, N.A.	3-01-45-920-2105		315,000.00
	3-01-45-930-2105		17,668.75
Ameriflex	Flex Claims Account		75.00
Post Master Cherry Hill	3-01-20-110-2120		304.56
Verizon Communications	3-01-31-443-2077		99.99
Berlin Township Fire District #1	3-01-55-210-0000		118,750.00
TD Bank, N.A.	3-07-66-240-0262		22,379.05
	3-07-55-522-2105		15,267.83
Payroll, Current Fund	3/7/2013		124,723.04
Payroll, Sewer Operating Fund	3/7/2013		6,253.25
Payroll, Current Fund	3/21/2013		122,400.03
Payroll, Sewer Operating Fund	3/21/2013		4,243.36

**PHYLLIS MAGAZZU**

**CATHERINE UNDERWOOD**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2013-86. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013-87 RESOLUTION TO RE-BID FOR SPRUCE AVENUE RECREATION COMPLEX BASKETBALL COURTS ONLY.**

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**WHEREAS**, the Township of Berlin has advertised for, and received bids for Spruce Avenue Recreation Complex for the Basketball Court and Tennis Court; and

**WHEREAS**, it is recommended by the Engineer that the Governing Body reject the bid for the second occasion , due to the bid price exceeds the allocated funds; and

**WHEREAS**, it is recommended by the Engineer that the Governing Body consider to advertise and receive bids for the basketball Court Surface only.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, is hereby authorize to rebid the Basketball Court Surface only.

Motion by Council President Morris, second by Councilman McIntosh to adopt Resolution 2013-87. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013-88 RESOLUTION AUTHORIZING THE ENGINEER TO RECEIVE BIDS FOR THE COMPLETION OF THE OPEN SPACE IN THE MUNICIPAL BUILDING.**

**WHEREAS**, it is recommended by the Engineer / Director of Public Works that the Township of Berlin advertised and received bids, to complete the open space in the Berlin Township Municipal Hall A Shared Service Center; and

**WHEREAS**, the Township Engineer recommends the Township of Berlin receive bids for;

- 1) Lighting / Electric
- 2) HVAC
- 3) Drop Ceiling
- 4) Flooring
- 5) Modification to Sprinkler System

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey is hereby granted to advertise and accept bids for the completion of Open space in the Berlin Township Shared Service Building

Motion by Councilwoman Bodanza, second by Councilman McIntosh to adopt Resolution 2013-88. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2013-89 RESOLUTION AUTHORIZING THE ENGINEER TO RECEIVE BIDS FOR A NEW ROOF MEMBRANE AND INSULATION FOR THE BERLIN TOWNSHIP MUNICIPAL SHARED SERVICE BUILDING.**

**WHEREAS**, it is recommended by the Engineer / Director of Public Works that the Township of Berlin advertised and received bids for a new roof membrane and insulation on the Berlin Township Municipal Shared Service Center Building; and

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey is hereby granted to advertise and accept bids for the a new roof membrane and insulation to the Berlin Township Municipal Shared Service Building.

Motion by Councilwoman Bodanza, second by Council President Morris to adopt Resolution 2013-89. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013- 90 RESOLUTION CONFIRMING THE MAYOR IN ENDORSING THE CAMDEN COUNTY OPEN SPACE TRUST FUND RECREATION FACILITY ENHANCEMENT PROGRAM APPLICATION.**

**WHEREAS**, the Township of Berlin desires to submit an application to Camden County Open Space Fund Recreation Enhancement program Application for year 2013; and

**WHEREAS**, the Township of Berlin would like to submit an application to create a dog park at the Luke Avenue Recreation Complex; and

**BE IT RESOLVED**, that the Mayor and Council of the Township of Berlin formally approves the application submission for the 2013 Camden County Open Space Fund Recreation Enhancement program; and

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

Motion by Council President Morris, second by Councilman Epifanio to adopt Resolution 2013-90. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013- 91 RESOLUTION TO READ CY BUDGET (1/1/13-12/31/13) BY TITLE.**

**April 8, 2013**

**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 Epifanio, second by Council President Morris to adopt Resolution 2013-91. Resolution adopted by call of the roll, five members present voting in the affirmative.

**PUBLIC HEARING ON CALENDAR YEAR 2013 BUDGET**

**RESOLUTION 2013- 92 RESOLUTION TO ADOPT THE CY 2013 BUDGET**  
**(1/1/13 – 12/31/13)**

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) \$6,085,361.96 (Item 2 below) for municipal purposes, and
- d) \$ 139,720.00 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

Current Fund

1. General Revenues		
Surplus Anticipated	08-100	\$ 950,000.00
Miscellaneous Revenues Anticipated	13-099	\$1,860,121.00

**April 8, 2013**

Receipts from Delinquent Taxes	15-499	7,075.00
2. Amount Raised by Taxation for Municipal Purposes (Item 6(a), Sheet 11)	07-190	6,085,361.96
Total Revenues	13-299	\$8,902,557.96
5. General Appropriations:		
Within "CAPS"		
(a & b) Operations Including Contingent	34-201	\$5,845,840.00
(e) Deferred Charges and Statutory Exp	34-209	745,141.03
Excluded from "CAPS"		
(a) Operations—Total Operation Excluded	34-305	72,725.00
(c) Capital Improvements	44-999	165,000.00
(d) Municipal Debt Service	45-999	1,370,200.00
(m) RESERVE for Uncollected Taxes	50-899	703,651.93
Total Appropriations	34-499	\$8,902,557.96
Open Space, Recreation, Farmland and Historic Preservation Trust Fund		
Amount to be Raised by Taxation	54-190	\$139,720.00
Reserve Funds		7,770.00
Total Revenues	54-299	\$147,490.00
Total Trust Fund Appropriations	54-999	\$147,490.00

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2013-92. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2013-93 RESOLUTION AUTHORIZING BERLIN TOWNSHIP TO ENTER INTO A CASH PERFORMANCE ESCROW AGREEMENT WITH HARMONSON STAIRS, LLC**

**WHEREAS**, Harmonson Stairs, LLC ("Developer") has a site plan approval for a warehouse building alteration by virtue of Berlin Planning Board Resolution 2013-7; and

**April 8, 2013**

**WHEREAS**, pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-53), the Owner is required to post a Performance Guarantee to insure completion of site improvements; and

**WHEREAS**, Developer has requested that Berlin Township accept a cash escrow in lieu of a Surety Bond as a Performance Guarantee for the faithful performance of site improvements in the form of a Cash Performance Escrow Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby approves the Cash Performance Escrow Agreement between Berlin Township and Developer which is attached hereto and made a part hereof as Exhibit "A," and

**BE IT FURTHER RESOLVED** that the appropriate Township Official is hereby authorized to execute said Cash Performance Escrow Agreement on behalf of Berlin Township.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2013-93. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Approval of Business License**

**1) Ultimate Fitness and Training, Lisa Polette**, 1039 Industrial Drive, West Berlin NJ. A Fitness Center.

**2) Trinty Machine, Rocky Frank**, 199 Edgewood Avenue, West Berlin NJ. Nationwide Construction & Quarry Equipment Services Machining, Fabrication and Plating.

Motion by Councilman Epifanio, second by Council President Morris to approve business license. License approved by call of the roll, five members present voting in the affirmative.

**Solicitors Permit**

**1) Remington Roberts, New Jersey Consulting Group.** Alternate energy supply Gas and Electric, free home assessments.

**2) Peguy Charles, New Jersey Consulting Group.** Alternate energy supply Gas and Electric, free home assessments.

**April 8, 2013**

Motion by Councilman McIntosh, second by Council President Morris to approve Solicitors Permits. Permits approved by call of the roll, five members present voting in the affirmative.

**Correspondences for February 2013**

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

**Consent Agenda**

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.

**Approval of March 11, 2013 Meeting Minutes**

Motion by Councilman McIntosh, second by Councilman Epifanio to approve the minutes for March 11, 2013. Motion carried by voice vote, five present voting in the affirmative.

**All other Business**

- 1) Letter from Berlin Township Fire District
- 2) Traffic Signal Maintenance

**RESOLUTION 2013-94 RESOLUTION TO WAIVE ALL FEES AND ESCROW AMOUNT FOR THE REHABBING THE BERLIN TOWNSHIP FIRE DISTRICT No.1 FIRE STATION LOCATED AT 186 HADDON AVENUE.**

**WHEREAS** the Berlin Township Board of Fire Commissioners is undertaking the task of rehabbing and adding on to their existing building; and

**WHEREAS** the board of fire commissioners is trying to complete the project with the lowest financial impact to the residents of Berlin Township; and

**WHEREAS** the Berlin Township Board of Commissioners have requested to Mayor and Council that all fees and escrows for the rehabbing of Berlin Township Fire District 1 Station be waived.

**April 8, 2013**

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that all fees and escrow money is hereby waived for the Berlin Township Fire District 1 Fire Station.

Motion by Councilman Epifanio, second by Council President Morris to adopt Resolution 2013-94. 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 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.

**Adjourn**

Motion by Councilman Epifanio, second by Councilman McIntosh 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

**April 8, 2013**