

JUNE 13, 2016

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JUNE 13, 2016 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, Councilman Epifanio, Council President Morris.

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

**Mayor Magazzu asked for a moment of silence for the victims of the Orlando Shooting.**

**Cindy Johnson**, National MS Society, came out and thanked the Governing Body for their continuous support on the “Bike MS City to Shore” which will be held on September 24 and 25<sup>th</sup> of September.

**Departmental Reports**

**POLICE DEPARTMENT**

Total of 179 motor vehicle summons, 28 M.V Accidents, 94 Alarm calls. A total of 61 arrests which include 4 narcotics and 34 warrant services.

There were 170 summons issued during the Click it or Ticket Campaign. The campaign ran from 05/23/16 til 06/05/16.

There was a total of 9 vehicle break ins, 2 stolen vehicles, and 3 building burglaries during the month of May.

**Business burglary, vehicle burglary, stolen vehicle:**

On May 17, 2016 several vehicles and 2 businesses were broken into along with 1 stolen vehicle. It is believed that all these crimes were committed by the same perpetrator(s). The stolen vehicle was recovered and a majority of the stolen property was recovered and returned to the victims. These cases are still under investigation. Officer Assaulted:

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On May11, 2016 Officers were dispatched to a reported domestic violence call. Upon arrival and while the officers were questioning all parties the female charged an officer striking him in his face with her hand and then kicked another officer while being placed under arrest.

The Police department also received \$2000.00 in county funding for DWI enforcement. This will allow the department to assign extra patrols specifically to enforce MV and DWI violations.

Respectfully Submitted,  
Chief Leonard Check

**SECOND READING AND PUBLIC HEARING ORDINANCE 2016- 10 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING, REVISING, AND/OR SUPPLEMENTING CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "PROPERTY MAINTENANCE".**

**WHEREAS**, Chapter 249 of the Code of the Township of Berlin, entitled "Property Maintenance," regulates, in pertinent part, the maintenance of private property within the Township of Berlin; and

**WHEREAS**, the Governing Body has determined it necessary for the health, safety and welfare of the residents of the Township of Berlin to revise Chapter 249 regarding installation and maintenance of invasive plant species on private property; 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

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 249, entitled "Property Maintenance," entitled is hereby amended, revised and/or supplemented by deleting Section 249-2, entitled "Violations and Penalties," and by creating new articles and/or sections as follows:

**Chapter 249. Property Maintenance**

**Article I: International Property Maintenance Code**

§ 249-1 Adoption of standards; copies on file

**Article II: Junk, Waste and Equipment Storage**

§ 249-2 Purpose

§ 249-3 Definitions

- § 249-4 Unlawful acts
- § 249-5 Storage trailers
- § 249-6 Exemptions

**Article III: Invasive Plants**

- § 249-7 Purpose
- § 249-8 Definitions
- § 249-9 Control of growth
- § 249-10 Inspections
- § 249-11 Plantings of invasive plants prohibited

**Article IV: Administration and Enforcement**

- § 249-12 Administration and enforcement
- § 249-13 Right of entry
- § 249-14 Notice of violation
- § 249-15 Extension of time abatement
- § 249-16 Violations and Penalties

**SECTION 2:** Article III of Chapter 249, entitled “Property Maintenance,” shall read as follows:

**Article III: Invasive Plants**

**§ 249-7 Purpose.**

The purpose of this chapter is to protect and promote the public health through the control of the growth of invasive plant species.

**§ 249-8 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**INVASIVE PLANTS**

All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation, or structures. Examples include but are not limited to bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak.

**§ 249-9 Control of growth.**

All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of a resident's property is a violation of this chapter.

**§ 249-10 Plantings of invasive plants prohibited.**

All new in-ground plantings of invasive plants are strictly prohibited. All existing plantings must be contained by appropriate physical barriers to prevent the growth or spread of existing invasive species beyond the boundaries of a resident's property.

**§ 249-11 Inspections.**

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All places and premises in the Township of Berlin shall be subject to inspection by the Property Maintenance Officer. Such inspection shall be made if that official has reason to believe that any section of this chapter is being violated.

**SECTION 3:** Chapter 249 of the Code of the Township of Winslow, entitled "Property Maintenance," is hereby amended, revised and/or supplemented by renumbering the remaining Article and Section numbers as follows:

<u>Current Article/Section Number</u>	<u>New Article/Section Number</u>
ARTICLE I	[NO CHANGE]
§249-1	[NO CHANGE]
§249-2	DELETED
ARTICLE II	[NO CHANGE]
§249-3	§249-2
§249-4	§249-3
§249-5	§249-4
§249-6	§249-5
§249-7	§249-6
ARTICLE III (new)	
N/A (See Section 2 above)	§249-7
N/A (See Section 2 above)	§249-8
N/A (See Section 2 above)	§249-9
N/A (See Section 2 above)	§249-10
N/A (See Section 2 above)	§249-11
ARTICLE IV (new)	
§249-8	§249-12
§249-9	§249-13
§249-10	§249-14
§249-11	§249-15
§249-12	§249-16

**SECTION 4:** Except as set forth in Sections 1, 2 and 3 above, the balance of Chapter 249 shall not be affected by this Ordinance.

**SECTION 5:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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**SECTION 7:** 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 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 2016-10.

No comments were to be heard.

Motion by Councilman Epifanio, 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 2016-10.

Motion by Councilwoman Bodanza second by Council President Morris to adopt Ordinance 2016-10. Ordinance approved by call of the roll, five members present voting in the affirmative.

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**SECOND READING AND PUBLIC HEARING ORDINANCE 2016-11 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING, REVISING, AND/OR ENTITLED "BUILDINGS, PUBLIC".**

**WHEREAS**, the Governing Body of the Township of Berlin has determined that it would be appropriate to establish policies and procedures for the use of Township-owned buildings; 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

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 109 of the Berlin Township Code, entitled "Buildings, Public," is hereby amended, revised and/or supplemented by creating new articles as follows:

**Chapter 109. Buildings, Public**

**Article 1: Use of Public Facilities**

Section 109-1 Purpose

Section 109-2 Policies and Procedures established

**Article 2: Prohibited Conduct**

Section 109-3 Prohibition

Section 109-4 Definitions

Section 109-5 Violations and Penalties

**SECTION 2:** Article II of Chapter 109 of the code of the Township of Berlin shall read as follows:

**Article 2: Prohibited Conduct**

**Section 109-3 Prohibition**

Smoking is prohibited on all property owned by the Township of Berlin.

**Section 109-4 Definitions**

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Property is defined as all buildings or structures, public works, facilities, parking lots, openspace, parks, recreation areas, and any other real property owned by Berlin Township.

**Section 109-5 Violations and Penalties**

Any person who violates this article of the code of the Township of Berlin shall be subject to a fine of not more than \$100.

**SECTION 3:** Except as set forth in Section 1 and 2 above, the balance of the Code of the Township of Berlin shall not be affected by this Ordinance.

**SECTION 4:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** 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 6:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Council President Morris, second by Councilman Epifanio to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2016-11.

Resident Carolyn Picciotti asked how a resident could obtain information on ordinances that are passed at a meeting.

Solicitor Platt remarked they published in the paper, available at the clerk's office and on the township website.

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 on Ordinance 2016-11.

Motion by Council President Morris second by Councilwoman Bodanza to adopt Ordinance 2016-11. Ordinance approved by call of the roll, five members present voting in the affirmative.

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**FIRST READING ORDINANCE 2016-12 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REVISING, AMENDING AND SUPPLEMENTING CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED “Buildings, Unfit”.**

**WHEREAS**, Chapter 112 of the Code of the Township of Berlin, entitled “Buildings, Unfit,” regulates, buildings unfit for human habitation within the Township of Berlin; and

**WHEREAS**, it has been determined that Ch. 112 as written and the statutory demolition procedures are in conflict; 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

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 112, entitled “Buildings, Unfit,” Section 1, entitled “Definitions,” is hereby amended, revised and/or supplemented by deleting the term and definition of “Public Officer” and adding the following new definitions:

**ENFORCING OFFICER**

The municipal employee designated by the Governing Body as the person with authority to exercise the enforcement powers prescribed by this Chapter.

**HEARING OFFICER**

The municipal employee designated by the Governing Body as the person with authority to conduct hearings and to make determinations as a result thereof as prescribed by this Chapter.

**SECTION 2:** Chapter 112, entitled “Buildings, Unfit,” Section 3, entitled "Designation of enforcing officer," is hereby amended, revised and/or supplemented to read as follows:

**§112-3 Designation of enforcing officer and hearing officer**

- A. The Property Maintenance Official shall serve as the enforcing officer for purposes of enforcing the provisions of this Chapter.
- B. The Township Engineer shall serve as the hearing officer for purposes of conducting demolition hearings and making decisions thereon as provided for in this Chapter.

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**SECTION 3:** Chapter 112, entitled "Buildings, Unfit," Section 4, entitled "Complaint of unfit conditions; hearings," is hereby deleted in its entirety and replaced with a new Section 4 to read as follows

**§112-4 Complaint of unfit conditions; hearings**

Whenever a petition is filed with the enforcing officer by a public authority or by at least five residents of the Township of Berlin charging that any building is unfit for human habitation or occupancy or use, or whenever it appears to the enforcing officer (on his own motion) that any building is unfit for human habitation, the enforcing officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such building a complaint stating the charges in that respect and containing a notice that a hearing will be held before the hearing officer at a place therein fixed not less than seven days nor more than 30 days after the serving of said complaint. The owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer.

**SECTION 4:** Chapter 112, entitled "Buildings, Unfit," Section 5, entitled "Order by public officer," is hereby deleted in its entirety and replaced with the following new language:

**§112-5 Order to abate**

If, after issuance of the complaint and notice thereof and the hearing thereon required by Section 112-4, the hearing officer determines that the building under consideration is unfit for human habitation, occupancy or use, he or she shall state in writing his or her findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and any parties in interest an order:

- A. Requiring the repair, alteration or improvement of the said building to be made by the owner, within a reasonable time as shall be set forth in the order or, at the option of the owner, to vacate or have said building vacated and closed within the times set forth in the order.
- B. If the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve the said building within the time specified in the order, then the owner shall be required to remove or demolish the said building within a reasonable time as specified in the said order.

**SECTION 5:** Chapter 112, entitled "Buildings, Unfit," Section 9, entitled "Method of determining fitness," is hereby amended, revised and/or supplemented by deleting the term "public officer" and replacing it with the term "hearing officer" each time it appears.

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**SECTION 6:** Chapter 112, entitled “Buildings, Unfit,” Section 10, entitled "Service of complaints and orders," is hereby amended, revised and/or supplemented by deleting the term "public officer" and replacing it with the term "enforcing officer" each time it appears.

**SECTION 7:** Chapter 112, entitled “Buildings, Unfit,” Section 11, entitled "Powers of public officer," is hereby deleted in its entirety and replaced with a new Section 11 to read as follows:

**§112-11 Powers of enforcing officer**

The enforcing officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter, including the following powers in addition to any others granted by statute:

- A. To investigate the building conditions in the Township of Berlin in order to determine which buildings therein are unfit for human habitation or occupancy or use;
- B. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession; and
- C. To appoint and fix the duties of such agents and/or employees as he deems necessary to carry out the purposes of this Chapter.

**SECTION 8:** Chapter 112, entitled “Buildings, Unfit,” Section 12, entitled "Adoption of State Housing Code," is hereby amended, revised and/or supplemented by renumbering same to a new Section 13.

**SECTION 9:** Chapter 112, entitled “Buildings, Unfit,” is hereby amended, revised and/or supplemented by adding a new Section 12, entitled "Powers of hearing officer," to read as follows:

**§112-12 Powers of hearing officer**

The Hearing Officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter, including the power to administer oaths and affirmations, examine witnesses and receive evidence.

**SECTION 10:** Except as set forth in Sections 1 through 9 above, the balance of Chapter 112 shall not be affected by this Ordinance.

**SECTION 11:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 12:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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**SECTION 13:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2016-12 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016- 131 PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**No Executive session was taken**

**FIRST READING ORDINANCE 2016-13 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING THE HOURS OF OPERATION RESTRICTION FOR SEXUALLY ORIENTED BUSINESSES SET FORTH IN ORDINANCE 2015-10**

**WHEREAS**, sexually oriented businesses are regulated by Chapter 268 of the Code of the Township of Berlin (“Township”); and

**WHEREAS**, on December 14, 2015, the Township adopted Ordinance 2015-10, which repealed Chapter 268 as it then existed and replaced it with a new Chapter 268; and

**WHEREAS**, on or about January 28, 2016, the owners of the Red Barn Bookstore and Berlin News Agency, both of which qualify as sexually oriented businesses under Chapter 268, filed suit in the Superior Court of New Jersey challenging the constitutionality of the hours of operation restriction set forth in Section 268-8(D) on First Amendment grounds (“the Litigation”), notwithstanding the fact that (1) municipalities are specifically authorized pursuant to N.J.S.A. 2C:33-12.2(c) to restrict the hours of operation of sexually oriented businesses; and (2) similar regulations have been upheld as valid time, place and manner restrictions by numerous courts throughout the country, including the District Court of New Jersey and Third Circuit Court of Appeals; and

**WHEREAS**, due to the uncertainties and costs and expenses associated with litigation, the Governing Body has determined that it is in the best interests of the residents and taxpayers to resolve the Litigation by amending the hours of operation restriction; 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;

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

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**SECTION 1:** Ordinance 2015-10 is hereby amended and revised to provide as follows:

**CHAPTER 268 – SEXUALLY ORIENTED BUSINESSES**

**Article I - General Provisions**

**§ 268-1. Purpose; findings.** [NO CHANGE]

**§ 268-2. Definitions.** [NO CHANGE]

**Article II – Application/License**

**§ 268-3. Approval or disapproval of application.** [NO CHANGE]

**§ 268-4. Licensing requirements.** [NO CHANGE]

**§ 268-5. License term; transferability; renewal.** [NO CHANGE]

**§ 268-6. Revocation of license.** [NO CHANGE]

**§ 268-7. Fees.** [NO CHANGE]

**Article III – Regulations**

**§ 268-8. Regulations.**

Every licensee of an adult use as defined in this chapter shall comply with the following regulations as applicable:

A. [NO CHANGE]

B. [NO CHANGE]

C. [NO CHANGE]

D. The hours of operation for any sexually oriented business or adult use as defined in this Chapter shall not be earlier than 9:00 a.m. nor later than 12:00 midnight, prevailing time, on weekdays and Saturdays, and no earlier than 12:00 noon nor later than 12:00 midnight, prevailing time, on Sundays.

E. [NO CHANGE]

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F. [NO CHANGE]

G. [NO CHANGE]

H. [NO CHANGE]

**§ 268-9. Location restrictions.** [NO CHANGE]

#### **Article IV – Enforcement**

**§ 268-10. Violations and penalties.** [NO CHANGE]

**SECTION 2:** Except as set forth in Sections 1 above, the balance of Ordinance 2015-10 shall not be affected by this Ordinance.

**SECTION 3:** This Ordinance, which does not alter or amend any regulation, restriction and/or licensing requirement of any previous version of this Chapter, shall apply retroactively to any currently existing person and/or business who has heretofore operated pursuant to any previous version of this Chapter and/or in accordance with any license issued thereunder.

**SECTION 4:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** 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 6:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Council President Morris, second by Councilman McIntosh to adopt Ordinance 2016-13 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**FIRST READING ORDINANCE 2016-14 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REVISING, AMENDING AND SUPPLEMENTING CHAPTER 320 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED “VEHICLES AND TRAFFIC”.**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Ordinance 2016-14 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2016-120 GRANTING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES.**

**WHEREAS**, the following persons, corporations and individuals have filed applications with the Township of Berlin, County of Camden, New Jersey, for the renewal of their Plenary Retail Consumption License for the year commencing July 1, 2016 and ending June 30, 2017;

<b>CONTROL NUMBER</b>	<b>NAME</b>	<b>T/A</b>
0406-33-003-005	Erin Court, LLC 588 Route 73 W. Berlin, NJ 08091	Otts Green Tops
0406-33-007-014	APEX Park Group 535 Route 73 North W. Berlin, NJ 08091	Sahara Sams Oasis Indoor Water Park
0406-33-001-005	MPG Inc. 103 Route 73 W. Berlin, NJ 08091	The New Palace Diner
0406-33-005-012	DiVentura, Giuseppe 13 Crosskeys Road W. Berlin, NJ 08091	Filomena II Inc.
0406-33-004-004	M M & T Inc. 461 Rt. 73 North W. Berlin, NJ 08091	Los Amigos Restaurant
0406-33-006-009	WolfJohn LLC 795 South Route 73 W. Berlin NJ 08091	Victory Sports Bar & Grill

**WHEREAS**, the application of the above named individuals or corporations has been examined by the Mayor and Council and has been found to be in proper order; and

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the licenses be and is hereby granted renewal of Plenary Retail Consumption license, and the Township Clerk is hereby authorized and directed to issue the new license for the year commencing July 1, 2016 and ending June 30, 2017.

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Motion by Councilman Epifanio, second by Councilwoman Bodanza to adopt Resolution 2016-120. Resolution adopted by call of the roll, four members present voting in the affirmative. Council President Morris abstained.

**RESOLUTION 2016-121 GRANTING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE.**

**WHEREAS**, the following persons, corporations and individuals have filed applications with the Township of Berlin, County of Camden, New Jersey, for the renewal of their Plenary Retail Distribution License for the year commencing July 1, 2016 and ending June 30, 2017;

<b>CONTROL NUMBER</b>	<b>NAME</b>	<b>T/A</b>
0406-44-002-006	BZBL, Inc. Rte. 73 and Minck Ave. W. Berlin, NJ 08091	The Wine Shop

**WHEREAS**, the application of the above named individual or corporation has been examined by the Mayor and Council and has been found to be in proper order; and

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the license be and is hereby granted renewal of Plenary Retail Distribution License and the Township Clerk is hereby authorized and directed to issue the new license for the year commencing July 1, 2016 and ending June 30, 2017.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-121. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-122 GRANTING RENEWAL OF CLUB LICENSE.**

**WHEREAS**, the following persons, corporations and individuals have filed applications with the Township of Berlin, County of Camden, New Jersey, for the renewal of their Club License for the year commencing July 1, 2016 and ending June 30, 2017;

<b>CONTROL NUMBER</b>	<b>NAME</b>	<b>T/A</b>
0406-31-011-001	Son's of Italy Mario Lanza Lodge 2308 153 Haddon Avenue W. Berlin, NJ 08091	Sons of Italy

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**WHEREAS**, the application of the above named individual or corporation has been examined by the Mayor and Council and has been found to be in proper order; and

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the license be and is hereby granted renewal of Club License, and the Township Clerk is hereby authorized and directed to issue the new license for the year commencing July 1, 2016 and ending June 30, 2017.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-122. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-123 LIST OF UNCOLLECTIBLE TAXES DUE BACK FROM STATE.**

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

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

**Dated: June 13, 2016**  
**Dana O'Hara, CTC - Tax Collector**

<b>NAME</b>	<b>DESCRIPTION</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
<b>Bernadette DeFilippis</b>	<b>1306-13</b>	<b>2016</b>	<b>250.00</b>	<b>Senior Citizen</b>
			<b>\$250.00 Total to Aug/Nov</b>	
				<b>2016</b>

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-123. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-124 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, APPROVING AND RATIFYING MUNICIAL LIENS AND/OR CHARGES ASSESSED PURSUANT TO N.J.S.A. 40:48-2.12(f) AND IN ACCORDANCE WITH CHAPTER 280 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "SOLID WASTE," AND CHAPTER 289, ENTITLED "STREETS & SIDEWALKS".**

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**WHEREAS**, N.J.S.A. 40:48-2.12(f) authorizes a municipality to perform certain acts of property maintenance and to charge the costs thereof as a lien against the real property on which such maintenance is performed; and

**WHEREAS**, Chapters 280 and 289 of the Code of the Township of Berlin establish, inter alia, the procedure by which such property maintenance shall be performed and the process through which the costs thereof shall be established as municipal charges and/or liens against the real property upon which such maintenance is performed; and

**WHEREAS**, the Code Enforcement Officer for the Township of Berlin was notified and became aware that property maintenance was necessary for certain real properties located in the Township of Berlin listed as follows:

<b>Property:</b>	<b>REASON</b>
310 Magnolia Ave	Lawn Care
<b>Property:</b>	<b>REASON</b>
92 Chester Ave	Lawn Service
95 Warren Ave	Clean up-Trash/debris
148 North Ave	Snow Removal
	Fence Repair
210 Plymouth Ave	Siding Repair
205 Abbott Ave	Clean up-Trash/debris
255 Boyer Ave	Snow Removal
226 Second Ave	Cut Tree/Clean up
	Lawn Service
Haddon & Veterans	Fall Clean up
309 Cleveland Ave	Snow Removal
384 Morton Ave	Leaf Clean up & Removal
324 Harrison Ave	Snow Removal
362 Franklin Ave	Snow Removal
	Lawn Service
392 Washington Ave	Snow Removal
30 Holly Drive	Fence Removal
43 N. Rose Lane	Lawn Service
250 Fairview Ave	Yard Clean up & Tree Removal
235 Centaurian Drive	Snow Removal
231 Peppermill Road	Clean up Trash & Debris
223 Peppermill Road	Snow Removal
	Tree & Stump Removal
8 Centaurian Court	Repair & Replace Window
276 Peppermill Road	Clean up Trash & Brush
244 Briarwood Road	Snow Removal

**WHEREAS**, pursuant to Chapter 280 and Article III of Chapter 289, the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

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**WHEREAS**, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

**WHEREAS**, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

<b>Property:</b>	<b>Date Charged</b>	<b>AMOUNT</b>	<b>REASON</b>
<b>(*2015 Charges Subject to Tax Sale 6/8/16)</b>			
310 Magnolia Ave	06/04/15	\$ 50.00*	Lawn Care
	09/17/15	40.00*	Lawn Care
<b>Property:</b>	<b>Date Charge</b>	<b>AMOUNT</b>	<b>REASON</b>
92 Chester Ave	05/17/16	\$ 40.00	Lawn Service
95 Warren Ave	04/05/16	135.00	Clean up-Trash/debris
148 North Ave	01/27/16	75.00	Snow Removal
	04/06/16	125.00	Fence Repair
210 Plymouth Ave	03/08/16	75.00	Siding Repair
205 Abbott Ave	03/08/16	150.00	Clean up-Trash/debris
255 Boyer Ave	01/27/16	75.00	Snow Removal
226 Second Ave	03/08/16	150.00	Cut Tree/Clean up
	05/17/16	40.00	Lawn Service
Haddon & Veterans	01/07/16	480.00	Fall Clean up
309 Cleveland Ave	01/27/16	75.00	Snow Removal
384 Morton Ave	03/09/16	360.00	Leaf Clean up & Removal
324 Harrison Ave	01/27/16	75.00	Snow Removal
362 Franklin Ave	01/27/16	75.00	Snow Removal
	05/17/16	40.00	Lawn Service
392 Washington Ave	01/27/16	75.00	Snow Removal
30 Holly Drive	03/09/16	160.00	Fence Removal
43 N. Rose Lane	05/17/16	40.00	Lawn Service
250 Fairview Ave	01/21/16	545.00	Yard Clean up & Tree Removal
235 Centaurian Drive	01/27/16	75.00	Snow Removal
231 Peppermill Road	02/17/16	165.00	Clean up Trash & Debris
223 Peppermill Road	01/27/16	75.00	Snow Removal
	03/09/16	230.00	Tree & Stump Removal
8 Centaurian Court	01/21/16	105.00	Repair & Replace Window
276 Peppermill Road	04/05/16	350.00	Clean up Trash & Brush
244 Briarwood Road	01/27/16	75.00	Snow Removal

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**BE IT FURTHER RESOLVED**, that each of the above-referenced charges and/or liens shall be filed with and shall remain on file with the Tax Office until payment in full thereof, including any penalties and/or interest that may accrue thereon; and

**BE IT FURTHER RESOLVED**, that all unpaid liens authorized herein shall bear interest at the same rate allowed for unpaid taxes and shall be collected and enforced in the same manner as unpaid taxes and further that the Tax Collector is further authorized to subject same to Tax Sale in the calendar year next following the date thereof in accordance with the Tax Sale Law; and

**BE IT FURTHER RESOLVED**, that payment of the full amount of said municipal charges and/or liens, plus any accumulated penalties and/or interest thereon, has been tendered to the Tax Collector regarding certain of the aforementioned liens and therefore the Tax Collector is further authorized and instructed to discharge and remove same of record with respect to said properties as follows:

<b>Property:</b>	<b>Date Charged</b>	<b>Amount</b>	<b>Reason</b>	<b>Date Paid</b>
95 Warren Ave	04/05/16	\$ 135.00	Clean up-Trash/debris	04/25/16
148 North Ave	01/27/16	75.00	Snow Removal	03/10/16
210 Plymouth Ave	03/08/16	75.00	Siding Repair	04/28/16
205 Abbott Ave	03/08/16	150.00	Clean up-Trash/debris	05/10/16
255 Boyer Ave	01/27/16	75.00	Snow Removal	03/03/16
226 Second Ave	03/08/16	150.00	Cut Tree/Clean up	05/11/16
309 Cleveland Ave	01/27/16	75.00	Snow Removal	05/04/16
384 Morton Ave	03/09/16	360.00	Leaf Clean up & Removal	05/04/16
324 Harrison Ave	01/27/16	75.00	Snow Removal	05/04/16
362 Franklin Ave	01/27/16	75.00	Snow Removal	02/22/16
392 Washington Ave	01/27/16	75.00	Snow Removal	05/04/16
30 Holly Drive	03/09/16	160.00	Fence Removal	05/23/16
250 Fairview Ave	01/21/16	545.00	Yard Clean up & Tree Removal	03/14/16
235 Centaurian Drive	01/27/16	75.00	Snow Removal	05/04/16
231 Peppermill Road	02/17/16	165.00	Clean up Trash & Debris	04/28/16
223 Peppermill Road	01/27/16	75.00	Snow Removal	05/10/16
	03/09/16	230.00	Tree & Stump Removal	05/10/16
8 Centaurian Court	01/21/16	105.00	Repair & Replace Window	05/04/16
244 Briarwood Road	01/27/16	75.00	Snow Removal	05/04/16

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the Township Tax Collector and said Resolution, together with all invoices evidencing certification of costs expended for said work, shall be filed with and/or shall remain on file with the Township Tax Collector.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-124. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-125 RESOLUTION TO GRANT THE RELEASE OF NOONAN INDUSTRIES MAINTENANCE BOND.**

**JUNE 13, 2016**

**WHEREAS**, Noonan Industries has requested the release of Maintenance Bond for property located at 444 Commerce Lane West Berlin New Jersey Block 2310, Lot 27; and

**WHEREAS**, the Township Engineer has recommended that the Township grant the release of Maintenance Bond in the amount of \$29,238.02

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for Noonan Industries Maintenance Bond in the amount of \$29,238.02 is hereby granted.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-125. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-126 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – CLEAN COMMUNITIES GRANT.**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount;

**WHEREAS**, the Chief Financial Officer has certified that the Township has received a FY 2016 Clean Communities Grant from the Department of Environmental Protection for \$15,279.10;

**BE IT FURTHER RESOLVED** that a like sum of \$15,279.10 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Clean Communities Grant	\$ 15,279.10

**BE IT FURTHER RESOLVED** that the Chief Financial Officer shall submit electronically the application to the Director of the Division of Local Government Services for approval.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-126. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2016-127 PAYMENT OF BILLS**

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

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

**CONFIRMING:**

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Various Current Fund and Sewer Operating Fund Checks	See Bill List Attached dated: 5/26/16	\$ 19,110.69
America on Line (4/25/16)	6-01-31-443-2077	43.99
Verizon Fios Admin (5/16-6/15/16)	6-01-31-443-2077	139.99
State of NJ Health Benefits (A-May)	6-01-23-220-2092	67,042.76
State of NJ Health Benefits (R-May)	6-01-23-220-2092	37,389.93
Payroll, Current Fund	05/26/16	128,931.33
Payroll, Sewer Operating Fund	05/26/16	6,580.13
Payroll, Current Fund	06/09/16	133,339.73
Payroll, Sewer Operating Fund	06/09/16	7,112.02

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-127. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-128 RESOLUTION CONFIRMING THE OFFICIAL TAX SALE  
N.J.S.A. 54:5-41**

PURSUANT to New Jersey State Statute, following is a listing of the results of the official Berlin Township Tax Sale held on June 8, 2016 at 10:30 AM of that day in Berlin Township Court Room:

<u>BLOCK/LOT(S)/QUAL</u>	<u>PURSHASER</u>	<u>%BID/PREMIU M</u>	<u>AMOUNT</u>
207-12	US Bank Cust for PC 6 LLC Sterling National	800	583.48
210-8	US Bank Cust for PC 6 LLC Sterling National	800	853.36
622-3	US Bank Cust for PC 6 LLC Sterling National	1200	656.93
1404-6	US Bank Cust for PC 6 LLC Sterling National	1200	787.29
1413-1	US Bank Cust for PC 6 LLC Sterling National	18%	805.80

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1814-3	US Bank Cust for PC 6 LLC Sterling National	600	544.24
2301-11-C0009	US Bank Cust for PC 6 LLC Sterling National	18%	3154.20
2301-11-C0011	US Bank Cust for PC 6 LLC Sterling National	18%	804.50
602.01-13	US Bank as Cust for Actlien Holding Inc	1400	632.48
903-22	US Bank as Cust for Actlien Holding Inc	500	191.55
1403-12	US Bank as Cust for Actlien Holding Inc	1300	528.98
1404-13	US Bank as Cust for Actlien Holding Inc	1400	482.20
1410-7	US Bank as Cust for Actlien Holding Inc	1500	473.12
1802-16	US Bank as Cust for Actlien Holding Inc	1500	718.77
1812-2	US Bank as Cust for Actlien Holding Inc	1400	473.12
1806-15	US Bank as Cust BV002 Trst & Crdtrs	17,000	8059.78
823-7	US Bank as Cust BV002 Trst & Crdtrs	13,100	4019.95
604-2.02	US Bank as Cust BV002 Trst & Crdtrs	13,900	6491.04
623-5	US Bank as Cust BV002 Trst & Crdtrs	16,000	6935.71
203-3	Loramark Capital, LLC	900	247.54
303-1.02	Loramark Capital, LLC	1400	504.12
1101-2.05	Loramark Capital, LLC	1300	581.69
1301-18.03	Loramark Capital, LLC	1100	296.69
1308-40.02	Loramark Capital, LLC	500	473.12
1805-11	Loramark Capital, LLC	1200	528.45
903-10.02	Propel Funding Multistate, LLC	36,200	2725.13
1803-14	Propel Funding Multistate, LLC	16,000	4285.96
2601-4	Propel Funding Multistate, LLC	175,000	85238.85
1904-15-C0201	MTAG Cust For Empire VIII NJ Portfolio	13,900	6592.79
1904-13.01	Trystone Capital Assets, LLC	0%	386.29
708-4	Township of Berlin	18%	746.23
1412-14	Township of Berlin	18%	4738.96
1412-19	Township of Berlin	18%	351.24
			\$144,893.5
		TOTAL	6

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TOTAL COLLECTED FOR DELINQUENT CHARGES - \$ 139,057.13

TOTAL TRANSFERRED TO MUNICIPAL LIEN - \$ 5,836.43

TOTAL PREMIUM COLLECTED - \$ 321,100.00

**C E R T I F I C A T I O N**

I, Catherine Underwood, do hereby certify that this is a true and correct copy of a resolution approved by the Governing the Governing Body of the Township of Berlin.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-128. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-129 RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR TWO COMMERCIAL GRADE LAWN MOWERS TO LAUREL LAWNMOWER IN ACCORDANCE WITH PAY TO PLAY RULES DURING CY 2016.**

**WHEREAS**, the Township of Berlin received three written quotes as of June 10, 2016, for two commercial grade lawnmowers to be used by the Berlin Township Public Works Department; and

**WHEREAS**, Laurel Lawnmower, Inc. submitted the lowest responsible quote for the two commercial grade lawnmowers for a total of \$18,498.00; and

**WHEREAS**, in accordance with the Pay to Play Rules, N.J.S.A. Chapter 19 in effect, those contracts that are between \$17,500.00 and \$40,000.00 (bid threshold) must be formally approved by the governing body; and

**WHEREAS**, both of the required Political Disclosure Forms, the Business Entity Disclosure Certification and the c.271 Political Contribution Disclosure Form for Non-Fair and Open Contracts, are on file; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin hereby formally award a contract by Purchase Order to Laurel Lawnmower, Inc. for \$18,498.00 for two commercial grade lawnmowers in accordance with the Pay to Play Rules, N.J.S.A. Chapter 19.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-129. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-130 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, THE IMPOSITION OF LIENS IN ACCORDANCE WITH CHAPTER 280 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "SOLID WASTE," AND CHAPTER 289, ENTITLED "STREETS & SIDEWALKS AND SECTION 303 OF**

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**THE INTERNATIONAL PROPERTY MAINTENANCE CODE BOOK ENTITLED SWIMMING POOLS, SPAS AND HOT TUBS".**

**WHEREAS**, N.J.S.A. 40:48-2.12(f) authorizes a municipality to perform certain acts of property maintenance and to charge the costs thereof as a lien against the real property on which such maintenance is performed; and

**WHEREAS**, Chapters 280 and 289 of the Code of the Township of Berlin and 303.1 of the IPM Code Book establish, inter alia, the procedure by which such property maintenance shall be performed and the process through which the costs thereof shall be established as municipal charges and/or liens against the real property upon which such maintenance is performed; and

**WHEREAS**, the Code Enforcement Officer for the Township of Berlin was notified and became aware that property maintenance was necessary for certain real properties located in the Township of Berlin listed as follows:

<b>Property: Block/Lot</b>	<b>REASON</b>
89 Hudson Ave. B-203 L-3	Lawn Care
526 Route 73 N. B-903 L-10.01	Lawn Care
250 Fairview Ave. B-1308 L-40.02	Lawn Care
148 North Ave. B-213 L-5	Lawn Care
244 Briarwood Rd. B-1806 L-24	Yard Clean Up
310 Magnolia Ave. B-1412 L-14	Lawn Care
210 Chestnut Ave. B-1413 L-5	Lawn Care, Piles of wood removed, Cleaned up
trash	
117 Taunton Ave. B-1404 L-6	Lawn Care
Veterans Ave. & Haddon Ave. B-625 L-8.01	Lawn Care
255 Peppermill Rd. B-602.01 L-8	Yard clean up, drained recovered pool
30 Holly Dr. B-1307 L-30	Lawn Care, repaired damaged fence, painted
front door.	
136 Stokes Ave. B-214 L-8.01	Lawn Care
235 Boyer Ave. B-602.01 L-13	Lawn Care
1 Hill Ave. B-1309 L-9.04	Covered Pool
205 First Ave. B-610 L-4	Lawn Care

**WHEREAS**, pursuant to Chapter 280 and Article III of Chapter 289, the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

**WHEREAS**, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

**WHEREAS**, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay

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outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

<b>Property: Block/Lot</b>	<b>Date Charge</b>	<b>AMOUNT</b>	<b>REASON</b>
89 Hudson Ave. B-203 L-3	June 13, 2106	\$100.00	Lawn Care
526 Route 73 N. B-903 L-10.01	June 13, 2016	\$125.00	Lawn Care
250 Fairview Ave. B-1308 L-40.02	June 13, 2016.	\$100.00	Lawn Care
148 North Ave. B-213 L-5	June 13, 2016	\$100.00	Lawn Care
244 Briarwood Rd. B-1806 L-24	June 13, 2016	\$400.00	Yard Clean up
310 Magnolia Ave. B-1412 L-14	June 13, 2016	\$75.00	Lawn Care
210 Chestnut Ave. B-1413 L-5	June 13, 2016	\$2,000.00	Lawn Care, piles of wood removed
clean up trash and debris			
117 Taunton Ave. B-1404 L-6	June 13, 2016	\$75.00	Lawn Care
Veterans & Haddon Ave. B-625 L-8.01	June 13, 2016	\$75.00	Lawn Care
255 Peppermill Rd. B-602.01 L-8	June 13, 2016	\$325.00	Yard Clean up, drained recovered
pool			
30 Holly Dr. B-1307 L-30	June 13, 2016	\$210.00	Lawn care, repaired damaged
fence, repainted front door			
136 Stoke Ave	June 13, 2016	\$45.00	Lawn Care
1 Hill Av B-1309 L-9.04	June 13, 2016	\$125.00	Covered pool
235 Boyer Ave. 602.01 L-13	June 13, 2016	\$45.00	Lawn Care
205 First Ave. B-610 L-4	June 13, 2016	\$40.00	Lawn Care

**BE IT FURTHER RESOLVED**, that each of the above-referenced charges and/or liens shall be filed with and shall remain on file with the Tax Office until payment in full thereof, including any penalties and/or interest that may accrue thereon; and

**BE IT FURTHER RESOLVED**, that all unpaid liens authorized herein shall bear interest at the same rate allowed for unpaid taxes and shall be collected and enforced in the same manner as unpaid taxes and further that the Tax Collector is further authorized to subject same to Tax Sale in the calendar year next following the date thereof in accordance with the Tax Sale Law; and

**BE IT FURTHER RESOLVED**, that payment of the full amount of said municipal charges and/or liens, plus any accumulated penalties and/or interest thereon, has been tendered to the Tax Collector regarding certain of the aforementioned liens and therefore the Tax Collector is further authorized and instructed to discharge and remove same of record with respect to said properties as follows:

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the Township Tax Collector and said Resolution, together with all invoices evidencing certification of costs expended for said work, shall be filed with and/or shall remain on file with the Township Tax Collector.

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Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-130. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2016-132 RESOLUTION OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY APPROVING HAZARDOUS MITIGATION PLAN.**

**WHEREAS** the Township of Berlin is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardships; and

**WHEREAS** a Multi- Jurisdictional Hazard Mitigation Plan (the Plan) has been developed through the work of a Hazard Mitigation Group, Emergency Management along with the residents of the community of the Township of Berlin ; and

**WHEREAS** the plan recommends hazard mitigation actions that will protect people and property affected by natural hazards that face the Township of Berlin that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Township of Berlin’s leadership in emergency preparedness efforts; and

**WHEREAS** the Disaster Mitigation Plan Act of 2000 (P.L. 106 390) (DMA 2000) and associated Federal regulation published under 44 CFR Part 201 requires the Township of Berlin to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to eligible for federal funds for hazard mitigation projects and activities; and

**WHEREAS** public meeting were held to receive comments on the plan as required by DMA 2000;

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Township of Berlin that:

- 1) The Plan is hereby adopted as an official plan of the Township of Berlin.
- 2) The Township of Berlin officials identified in the Mitigation Action Plan are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Township of Berlin Hazard Mitigation Group and the Township of Berlin.
- 3) The Berlin Township Hazard Mitigation Group will provide annual progress reports on the status of implementation of the plan to the Berlin Township Governing Body by \_\_\_\_\_ of each year.
- 4) The Berlin Township Hazard Mitigation Group will undertake periodic updates of the plan as indicated in the Plan Maintenance Program but no less frequent then every five years.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Township of Berlin adopts the Camden County, New Jersey Multi- Jurisdictional Hazard Mitigation Plan.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-132. Resolution adopted by call of the roll, five members present voting in the affirmative.

**JUNE 13, 2016**

**RESOLUTION 2016-133 RESOLUTION APPROVING CHANGE ORDER # 1 TO THE DESIGN AND BUILD OF LUKE AVENUE BANDSHELL**

**WHEREAS**, it was necessary to make changes in the scope of work to be done in completing the **Design/Build of Bandshell for the Luke Avenue Recreation Complex** in the Township of Berlin, Camden County, New Jersey;

**WHEREAS**, Change Order No. 1 was developed to itemize and authorize those changes.

**WHEREAS**, certification has been received by the Township Treasurer/Finance Director that sufficient funds have been allocated for this Change Order;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Berlin that Change Order No. 1 is hereby authorized and approval is hereby granted to revise the contract amount from \$33,756.00 to \$36,155.00 (increase in the amount of \$2,399.00).

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2016-133. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Business Approvals**

**1) South State Inc., Dawn McFarland**, 420 Commerce Lane, West Berlin NJ Unit 1. **Office for Employees only.**

**2) EN Food Company, Ely Natan**, 1044 Industrial Drive, West Berlin NJ Unit 16. Wholesale packaged food business.

**3) New Jersey Aquarium Services**, 1008 Industrial Drive, West Berlin NJ Unit K. Aquarium installation and maintenance at private homes and business, building used as office space and storage.

**4) Go to Med Supplies, Howard McClurd**, 409 Bloomfield Drive West Berlin Unit 2. Wholesale / Distribution Medical Supplies.

**5) Brew and Chew Coffee House, Louis DePalma**, 229 Haddon Avenue West Berlin NJ. Serving Coffee and Bagels

Motion by Councilwoman Bodanza second by Councilman Epifanio to approve the mercantile licenses above. Mercantile Licenses approved by call of the roll, five members present voting in the affirmative.

**Approval of Minutes for May 23, 2016**

**JUNE 13, 2016**

Motion by Council President Morris, second by Councilman McIntosh to approve the Meeting Minutes for May 23, 2016. Motion carried by voice vote, five present voting in the affirmative.

**Correspondence Calendar for May 2016**

Motion by Councilwoman Bodanza, second by Council President to receive and file the Correspondence Calendar for May 2016. Motion carried by voice vote, all present voting in the affirmative.

**Consent agenda for May 2016**

Motion by Councilman McIntosh, second by Council President Morris to receive and file the monthly reports on the consent agenda for May 2016. Motion carried by voice vote, all present voting in the affirmative.

**All Other Business**

**1) Fourth of July Parade.** Mayor Magazzu remarked that the Township Council will again be on the float for the July 4<sup>th</sup> parade and the parade will begin at the Fire Hall. There will be no fireworks.

**Public Portion**

Motion by Council President Morris, 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 for questions or comments.

Resident Laura Breing spoke about an abandon property across from her. She stated the owner lives in Delaware and is never around and the property is not safe, it looks like the roof is about to cave in.

Mayor remarked that she will send out the building inspector to take a look at it.

Mrs. Breing also said that a neighbor keeps his trash can out all the time and she is tired of looking at the trash cans.

Mayor commented that the Property Maintenance Officer will go out and inform the neighbor.

Mrs. Breing asked if anyone could help her with a ground hog problem.

Mayor Magazzu said that our Animal Control Officers will contact her with some information because the Township does not deal with wild life, you would need to hire an exterminator.

Resident Carolyn Picciotti asked about the trash cans that will be used when we get the new trucks.

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Chuck, Public Works Director commented that the trash cans will be for the automatic trash and everyone will receive a can for trash. All the other trash pick-ups will still be performed by public works.

Motion by Council President Morris, second by Councilman 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.

**Adjourn**

Motion by Council President Morris, second by Councilman Epifanio to adjourn the meeting at 6:39 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:39 pm

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Catherine Underwood, Township Clerk