

JUNE 28, 2010

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JUNE 28, 2010 AT 6:30 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 Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- Councilman DiGangi, Councilman McIntosh, Council President Morris, Mayor Magazzu. Council Batten

Also Present- Donafaye Zoll, Solicitor, Chuck Riebel, Engineer & Director Public Works

Absent- Joseph Jackson, Chief of Police

Good & Welfare #1

Motion by Councilman Batten, second by Council President Morris to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for comments.

Cindy Johnson spoke about the annual MS Bike ride from City to the shore. Cindy stated that the date is set for September 25th, 2010.

Tom Riley from Atlantic City Electric came to address some of the issues on Thurman Avenue in regards with power going out. Tom spoke about some of the causes for the power outages. One problem was vegetation growth and the second issue was with the squirrels getting into the wires, so now we are in the process of putting in animal guards. We also have had to deal with some major storms. When we are dealing with these storms are process is to get all the lines up and running then go back to specific problems that have occurred.

Phil Cubit asked Tom Riley are you satisfied with the problem on Potter and the transformer as being fixed in regards to all the dead squirrels

Tom Riley said that he is going to check with his engineer to make sure that the problem is fixed and to take a closer look at it, and to make sure.

JUNE 28, 2010

Deb Stellar stated we have had 5 outages with the squirrels. Five times there have been 5 dead squirrels and outages in one month. We need are pumps working so we need the electricity working.

Tom replied that he will personally go out with the guys and make sure we are doing everything possible to correct this situation. We rely on our experts to tell us if it's an animal issue, transformer or pole. We would like it to be a pole problem because that would be an easy fix.

Barbara Cubit commented when the power goes out all the trucks go to Potter Avenue Why, if they are saying that Potter's pole is not the problem then why are they going there?

Mr. Phil Fredricks what is happening with the stop signs on Grove Avenue.

Mayor Magazzu replied that we have the ordinance on for second reading tonight.

Mr. Terry Hertzberg talked about the meeting with the freeholder in October 2009 and remarked that the pond is still not draining they are full. The Berlin Park dam is also full. We need to do something so the water doesn't soak in the ground. It's not draining like they use to do. We have underwater streams finding new path, and causing water problems to the residents. We need this to be looked at a bigger scale with engineers, County, State

Chuck Riebel commented that he has received notification by the D.O.T. that they are performing a study by their consultant on the area around Lucas Avenue and Thurman Avenue. The study should be completed by August and at that time we will sit down with the governing body along with the residents to go over the findings in the study.

Mr. Hertzberg said that in the mean time we need to widen the pipe and make it bigger so we can move the flow of the water.

Councilman DiGangi stated that we know that there is problem with the water. We have to find a solution. This is not a Berlin Township, but a State wide solution. Councilman DiGangi commented to Chuck Riebel that is going in the right direction as far as finding a solution.

Chuck Riebel replied let the D.O.T. do the study and then we can take the information and go from there.

Diana Horan asked that when they do the study with the D.O.T. if they could also go out to check out the Berlin Park area.

Debra Stellar asked about the retention pond and trash floating in the water. The pond appears worse now then before.

Council President stated that they have a new maintenance company taking over the cleaning of the pond.

JUNE 28, 2010

Mayor Magazzu said that she will send out the maintenance officers out to the location and if the pond has trash in the water then we will site the property.

Marion Bodanza comment on the water issues and how it is not only affecting Berlin Township but all of South Jersey. Marion stated that our council is working very hard to work on this water problem and we need to get together and work with other towns.

Councilman McIntosh commented that in his line of work he deals with drains and that he has been extremely busy since the storms began. So I agree with Marion that it just isn't Berlin Township having water issues.

Chuck Riebel stated that he did meet with a County representative and was told that he believed D.E.P. would not approve or allow any devices on lowering the water in any of the ponds.

Mayor Magazzu said lets wait before the study is completed before we set up anything with the D.E.P.

Mr. Cubitt said did they gentleman from the County say that he wasn't going to ask the D.E.P. about lowering the pond because he was afraid he would say no.

Chuck Riebel replied no that he didn't feel confident that the D.E.P. would not approve.

Mr. Cubitt asked when the completion of drainage on Thurman Avenue would be completed.

Chuck Riebel stated that we are waiting on some materials but soon it would be completed.

Mr. Brindley why are they going back to year 2000 for rain fall study, should that have been done sooner and I also would like to suggest closing the trucks from going through Grove Avenue to Shoprite.

Chuck Riebel stated that I am sure they did a rain fall study back then.

Mayor Magazzu said that when the Chief of Police is done doing the car count I will ask him to also look into the amount of trucks going through Grove also.

Mr. Fredrick on the water study are they going to included the Grove Avenue area.

Chuck Riebel replied that he believed that it would because of the water shed but he would follow up with a phone call and make sure that that area is included.

Motion by Councilman Batten, second by Councilman DiGangi to close the meeting to public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu closed the meeting to the public.

JUNE 28, 2010

DEPARTMENTAL REPORTS

ENGINEER'S REPORT
BERLIN TOWNSHIP COUNCIL MEETING
OF JUNE 28, 2010

June 10, 2010

A. CHANGE ORDERS AND VOUCHERS

No change orders or vouchers to report at this time.

B. ENGINEER'S REPORT

1. 300 BLOCK OF THURMAN AVENUE

a. Meeting with the N.J.D.O.T.

A meeting was held with representatives of the N.J.D.O.T., the design consultant for the Route 73 Circle Elimination Project and interested residents. The residents had presented their issues and questions to the N.J.D.O.T. representatives and consultants.

It is my understanding that the N.J.D.O.T. representatives were going to investigate several of the issues and respond to the Township. I have requested an anticipated response date from the consultant for the N.J.D.O.T.

b. Replacement of Blocked Drain Pipe – No. 354 to Potter Avenue

The Public Works Department has installed the larger drain pipe. The construction of the trench pavement will be performed during the week of June 21, 2010.

c. Maintenance of Grounds and Ponds – Berlin Circle Plaza Shopping Center

I have requested an update from the representative of American Continental Properties. Once I received his response, I will inform the Governing Body.

2. MUNICIPAL BUILDING

JUNE 28, 2010

a. Landscaping and Irrigation System

I will be assisting Mr. Laginestra with the request to landscapers and irrigation contractors. We will be requesting their assistance for the design and installation of the landscape areas and irrigation system. I had informed the Governing Body, at the last Council Meeting, that I didn't believe that the Public Works Department could perform the installation, due to the large scope of the project.

The Public Works Department has installed sod at the island, at the front entrance to the building. The sod has browned, even with the daily watering by the custodian.

b. Operation and Maintenance of the HVACR System

There have been operational issues with the system, in all zones of the building. The manufacturer, Touzer-Trane, has been attempting to correct the operational issues, almost, on a daily basis. We met with the Project Manager from the manufacturer on Friday June 4, 2010. He has informed us that the matter is being discussed with the corporate office, in an attempt to resolve the matter.

I believe that the Township has incurred additional electrical and natural gas costs, as a result of the improper operation of the system. I believe that this issue is being investigated by Township staff.

Ms. Campisano has been coordinating the connection of the Trane operational software, between United Computers and Trane, to allow for the remote monitoring and adjustments of the system.

I had provided a copy of the proposal for the annual maintenance of system to the Governing Body. The Trane representative is willing to present the details of the proposal to the Governing Body. With the current operational issues and their obligations, under the warranty, I would recommend that the maintenance not be considered, at this time.

c. N.J.D.O.T. Highway Access Permit

The N.J.D.O.T. has issued the Highway Access Permit for the use and existing driveway.

JUNE 28, 2010

d. Communications and Camera Systems

A meeting has been scheduled with RFP Systems for training and outstanding issues, on June 15, 2010.

e. Monument Sign Along Route 73

I am preparing a quote proposal for sign contractors to provide a price for the sign. It will be necessary to hire an electrician for the electrical work.

3. TOWNSHIP OWNED BATE AVENUE SITE

a. Removal of the Green Acres Encumbrance

On May 25, 2010, Mayor Magazzu and me met with the representative of the N.J.D.E.P. Green Acres Program. He informed us that only the playground portion (0.18 acres) is encumbered. The parking area, within the same lot, is not encumbered. In order to remove the encumbrance, a major diversion must be granted. The representative noted that the major hurdle will be demonstrating the compelling public need or benefit to eliminate the park. He noted that the Township would be required to offset the designation of a new site by providing lands, which are four times larger than the current site, which would be 0.72 acres.

The first step would be to identify another site and hold a public hearing, prior to requesting a pre-application conference. The entire process will take quite some time.

It would also be possible to change the use of the property, which could consist of replacing the playground equipment with other passive recreation equipment and purposes or deleting all equipment and creating an open lawn and/or landscaped/ wooded area. The process for a change of use is relatively, simple. A public hearing must be held, with proper notices issued and a notice board, installed at the site.

I would be glad to discuss this matter, in further detail, with the Governing Body. I do recommend that the Governing Body determine and implement the desired course of action, in the immediate future.

b. Expungment of the Deed Restriction

JUNE 28, 2010

Mayor Magazzu is addressing this matter with the Board of Education.

4. REDESIGNATION OF PINELANDS ZONING AND EXTENSION OF SANITARY SEWER FOR EDGEWOOD AVENUE AND ALLIED PARKWAY

I believe that Ms. Zoll, Esq., is preparing the amending ordinance. I have revised the Zoning Map to depict the change to the C-3 RGA Commercial Pinelands zoning area for the lots-in-question.

The Pinelands Commission has recommended that, in order to expedite the process, the Township may want to apply for the sewer extension, as soon as possible. If the Governing Body would like to obtain this approval, I recommend that we be authorized to perform the necessary survey and engineering work.

It is my understanding that Emergency Medical Services will be performing the design for their connection to the sewer main on Cushman Avenue.

5. SIDEWALK ALONG N.J.S.H. ROUTE 73 – EDGEWOOD AVENUE TO JACKSON ROAD (N.J.D.O.T. FY 2008 AND FY 2009 FUNDING - \$320,000 PROJECT NO. E-494)

We are waiting for The Pinelands Commission to approve the application. Once the approval is received, the Township will be able to receive bid for the construction of the project.

6. RESURFACING OF MT. VERNON AVENUE – FRANKLIN AVENUE TO MINCK AVENUE (N.J.D.O.T. FY 2010 MUNICIPAL AID FUNDING - \$180,000)(PROJECT NO. E-506)

At the last Council Meeting, the Governing Body authorized the preparation of the bid documents and advertisement for for bids. I hope to be performing the engineering design and preparing the bid documents in the immediate future.

7. MICRO-RESURFACING OF HILL AVENUE (C.D.B.G. YEAR 32 FUNDING - \$30,257(PROJECT NO. E-1000)

At the last Council Meeting, the Governing Body authorized the preparation of the bid documents and advertisement for bids. I expect to be preparing the bid documents in the immediate future.

JUNE 28, 2010

I will be preparing and submitting the Environmental Review Record, which has been requested by the County C.D.B.G. Program.

8. **COLLECTION AND HAULING OF SOLID WASTE**

At the last Council Meeting, the Governing Body authorized the preparation of the bid documents and the advertisement of bids.

I intend to prepare the proposal with options for various, multi-year contracts, with and without provisions for supplying trash cans and use of automated side, mounted collection vehicles.

The State requires that a minimum 60 day period be provided, between the publication of the Notice to the Bidders and the opening of bids. They also require publication in two newspapers, one being circulated throughout the State (Newark – Star Ledger).

9. **LESTER AVENUE STORM DRAINAGE AND MANAGEMENT**

I recommend that the Governing Body authorize the Solicitor and me to contact Public Service Electric and Gas to request their granting of a storm drainage easement and allow the construction for a proposed storm pipe, across their property, on the Luke Avenue Recreation Complex.

10. **REQUEST TO PAVE A PORTION OF WARREN AVENUE
BETHEL AVENUE TO 60 +/- FEET NORTH**

Mr. Paul Bruninghaus of 181 Bethel Avenue had contacted question if the Township would be willing to allow him to pave a 55 feet +/- portion of the unimproved section of Warren Avenue, from Bethel Avenue to his driveway on Warren Avenue, slightly wider than the existing dirt roadway. He has requested that the Governing Body consider allowing him to construct the pavement with a lesser 3” thick pavement cross section (7” is required) and street width (approx. 28’; 30 feet is required) and without concrete curb. If the Governing Body considers the request for the lesser than standard pavement, he will determine if he would like to proceed with the construction.

I defer this matter to Ms. Zoll, Esq., regarding the need for the Governing Body to grant a waiver from the Township standards for the roadway construction and the required, future maintenance responsibilities for the Township.

11. **HADDON AVENUE STREETScape, PHASES 1 AND 3**

JUNE 28, 2010

The resolution, stating that the Township is still interested in utilizing the \$677,000 of Federal and State funding, has been sent to the N.J.D.O.T.

I had informed the Governing Body that the estimated construction cost for the decorative street lights (Jefferson to Franklin and Bate to Lucas), and the decorative handicap ramps at all street corners (Jefferson to Lucas) is \$495,000. The remainder of the funds could be used for other approved streetscape improvements.

I had, previously, reported that the N.J.D.O.T. is requiring that the plans and specifications be revised. The estimated cost for KEI Associates to perform the work is \$7000.00. If acceptable to the Governing Body, I will meet with representatives of KEI Associates to see if the scope of their services can be limited to the computer drafting and they provide a revised proposal for the reduced scope of services.

It is my understanding that the Public Works Department will perform the construction and the in-house engineering staff will perform the administrative and inspection work.

a. Punch List Items – Sanitary Sewer Construction, N.J.D.O.T. Route 73 Project

I have discussed the matter with several N.J.D.O.T. representatives. KEI Associates has faxed a copy of the Punch List to the N.J.D.O.T. The N.J.D.O.T. has informed me that they have closed out the project since the Township accepted the construction. I had informed them that I do not believe that the Township accepted the project. I have been directed to discuss the matter with another N.J.D.O.T. representative. Once I discuss the matter with N.J.D.O.T., I will inform the Governing Body of the outcome.

13. ZONING ISSUES FOR BLOCK 2001, LOT 1, 120 E. COLLINGS AVENUE

Ms. Zoll, Esq., has been addressing this matter with The Pinelands Commission.

14. POTENTIAL SOLAR FARM AT THE PROPOSED PROMENADE SHOPPING CENTER, ROUTE 73 AND DAVENPORT AVENUE

The owner is attempting to obtain a letter from The Pinelands Commission, consenting to the installation of the solar farm. They will, then, apply to the Planning Board for an amended site plan approval.

JUNE 28, 2010

15. ALTERNATIVE ENERGY SOURCES AND EFFICIENCY PROGRAMS

There are many programs which are available to the Township, businesses and residents, through the State and the utility companies. I would be glad to provide the Governing Body with a revised listing of the programs, if there is any interest by any party.

16. AUCTION FOR VARIOUS VEHICLES, EQUIPMENT AND FURNITURE

We have nearly completed the list of items and recommend that the auction be held, as soon as possible.

17. SHARED SERVICES

a. Winslow Township

A meeting was held with the Mayors, Winslow Township Administrator, Ms. Campisano and Public Works Directors. We discussed many ways in which the municipalities could be sharing services.

We will be meeting with the Winslow Township Director and Chief Mechanic to discuss their possible performance of repair services, which we are contracting out to firms.

We also, discussed the performance of land surveying and engineering services for Winslow Township.

18. FOURTH OF JULY CELEBRATION

The Public Works Department will be preparing Haddon Avenue for the parade. We will also be preparing and delivering the stage to the park.

Please contact me if you have any questions or comments regarding this matter.

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough
2. Increase Sewer Allocation Build out
3. New Municipal Building
4. Nancy Anderson V. Berlin Township
5. Berlin Township ADS. Michael Brown
6. Berlin Township ADS. David Carp
7. Berlin Township ADS. Karen Cella
8. C&M Auto Repair Environmental Issues
9. High Point Sewer Connections
10. BerlinTwp.ADS. Richard Davies,ET.AL
11. Block 2001, Lot1 Collings Avenue

PUBLIC WORKS DIRECTOR

Chuck Riebel Public Works Director stated that the South Jersey Barons Soccer Club is looking to use the soccer fields a few nights a week in July. They are willing to contribute money towards the maintenance of the soccer fields.

ZONING/MAINTENANCE

Michael Laginestra, Zoning and Maintenance Officer talked about the landscaping for the municipal grounds and requested that a letter be written to hand out to the local landscapers. Mike also stated that the dog census is underway and that it should be completed this month and that on Wednesday we are doing a clean up on the property on Warren Avenue.

SECOND READING AND PUBLIC HEARING ORDINANCE 2010-4 AMENDING ORDINANCE 2009-17 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, the Mayor and Council of the Township of Berlin adopted Ordinance 2009-17 on January 25, 2010 fixing and determining salary ranges for the officers and employees for the calendar year 2010; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary range effective May 3, 2010:

POSITIONSALARY RANGE.....	
	FROM	TO
Building Custodian	\$0.00	\$14.00 per hour

JUNE 28, 2010

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

Motion by Council President Morris, second by Councilman Batten 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 2010-4.

Barbara Cubitt asked if the microphone will be fixed for next meeting. Councilman Di Gangi said that we are working on it.

There were no more requests to be heard. Motion by Councilman Batten, second by Councilman DiGangi to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Councilman DiGangi, second by Councilman Batten to adopt Ordinance 2010-4. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**AN ORDINANCE 2010-5 AMENDING CHAPTER 117 OF THE CODE
OF THE TOWNSHIP OF BERLIN CAPTIONED
"VEHICLES AND TRAFFIC"**

WHEREAS, there have been additional roads which have provided for additional traffic along certain streets within the Township of Berlin, as well as other changes which require a review of the traffic regulations in certain areas of the Township; and

WHEREAS, the Governing Body has determined that it is appropriate to add or delete provisions for stop signs in certain areas of the Township, so as to protect the health, safety and welfare of persons utilizing the roads within the Township; and

WHEREAS, the Governing Body is authorized pursuant to the Township's Ordinances to adopt new parking and traffic regulations as may be necessary.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Berlin, County of Camden and State of New Jersey as follows:

SECTION 1: The Code of the Township of Berlin, §117-19, "Through Streets", shall be amended to delete the following portion of a road: "Grove Avenue, from 200 feet south of Thurman Avenue to Franklin Avenue (CR 692)."

SECTION 2: The Code of the Township of Berlin, §117-20, "Stop Intersections", shall be amended to delete the current §117-20(B) and replace that section with the following:

B. Four way stops.

Intersection

Stop Sign On

JUNE 28, 2010

Grove Avenue and Harrison Avenue

All sides

SECTION 2: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause or phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void or ineffective for any cause or reason, shall not affect any other portion of this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency only.

SECTION 4: This Ordinance shall take effect twenty (20) days following adoption and publication as required by law.

:

Motion by Council President Morris, second by Councilman Batten 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 2010-5. There were no more requests to be heard. Motion by Council President Morris, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Councilman McIntosh, second by Council President Morris to adopt Ordinance 2010-5. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2010- 6 OF THE TOWNSHIP OF BERLIN AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "ZONING" TO REDESIGNATE A PORTION OF THE PINELANDS RURAL DEVELOPMENT AREA TO THE PINELANDS REGIONAL GROWTH AREA

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Ordinance 2010-6 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2010- 7 AMENDING CHAPTER 117 OF THE CODE OF THE TOWNSHIP OF BERLIN CAPTIONED "VEHICLES AND TRAFFIC"

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Ordinance 2010-7 on first reading by title. Ordinance adopted by call of the roll, four members present voting in the affirmative, one abstained.

RESOLUTION 2010- 133 TO AMEND RESOLUTION 2010-123 FOR GRANTING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES AND TO RESCIND TIECUT INC. LICENSE RENEWAL UNTIL DIRECTOR OF ALCOHOLIC BEVERAGE CONTROL ISSUES A SPECIAL RULING.

JUNE 28, 2010

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, 2010 and ending June 30, 2011;

WHEREAS, Tieceut Inc. is an inactive or pocket license and needs to obtain a Special Ruling from the Director of New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Township of Berlin has not received a ruling from the Director of New Jersey Alcoholic Beverage Control: and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the licenses for Tieceut be rescinded until notification of Special Ruling from the Director of New Jersey Alcoholic Beverage Control.

Motion by Councilman Batten, second by Councilman DiGangi to adopt Resolution 2010-133. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2010-134 RESOLUTION TO REFUND ZONING PERMIT FEE FOR WAYNE McNEELY

WHEREAS, Wayne McNeely, 178 Franklin Avenue West Berlin New Jersey, applied for a Zoning Permit, for construction to be done in the Township of Berlin but decided to withdraw his application and

WHEREAS, Wayne McNeely is requesting a refund of \$50.00 for the Zoning Permit.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey that a refund be issued for a total of \$50.00 to Wayne McNeely.

Motion by Councilman DiGangi, second by Councilman Batten to deny Resolution 2010-134. Resolution adopted by call of the roll, four members present voting no, one member abstained.

RESOLUTION 2010- 135 RESOLUTION INCREASING BID AND QUOTATION THRESHOLDS EFFECTIVE JULY 1, 2010

WHEREAS, the recent changes to the Local Public Contract Law effective July 1, 2010 gave local contracting units the ability to increase their bid threshold up to \$36,000 and its quotation threshold to \$5,400 (15% of the bid threshold); and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid and quotation thresholds if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the thresholds; and

JUNE 28, 2010

WHEREAS, Lori Campisano possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq. and was appointed to the position of Qualified Purchasing Agent on 4/26/10; and

WHEREAS, Lori Campisano desires to take advantage of the increased bid and quotation threshold:

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Berlin , in the County of Camden, in the State of New Jersey hereby increases its bid threshold to \$36,000 and its quotation threshold to \$5,400 (15% of the bid threshold) effective July 1, 2010; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the local unit clerk is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

Motion by Councilman Batten, second by Councilman DiGangi to adopt Resolution 2010-135. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2010-136 RESOLUTION CANCELING OUTSTANDING CHECK IN THE GENERAL CAPITAL FUND

WHEREAS, there exists an outstanding check on the books in the General Capital Fund; and

WHEREAS, the outstanding check has been investigated and it has been determined it should be canceled;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the following outstanding check listed be and is hereby canceled:

Date	Check Number	Vendor	Amount
4/24/09	3295	Fazzio Machine & Steel	\$195.50

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2010-136. Resolution adopted by call of the roll, five members present voting in the affirmative.

Resolution 2010-137 Payment of Bills June 28, 2010

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

JUNE 28, 2010

Township of Berlin that the following claims are hereby approved and the bills be paid.

TO	ACCOUNT	AMOUNT
AWSCC	Dog Trust	960.00
Camden County Div Health	Dog Trust	1,697.50
State of New Jersey	Dog Trust	7.20
Robert DePersia, II	Mun Public Defender	375.00
	Mun Public Defender	225.00
KEI Associates	Planning Board Esc # 308	3,442.50
Townsend Press	Planning Board Esc # 311	935.39
Township of Berlin	Planning Board Esc # 308	441.32

CONFIRMING

Ameriac on Line	01-201-20-120-2105	32.90
Atlantic City Electric	01-201-31-435-2075	6,047.96
	01-201-31-435-2071	8,354.55
AT & T Mobility	01-201-31-440-2076	664.12
The Barclay Group	01-201-28-370-2105	3,530.12
Postmaster,Cherry Hill	01-201-20-110-2120	291.24
	01-201-20-110-2120	298.20
Shannon Mechanical	01-201-26-310-2024	288.75
Twp General Acct	Police Sick Leave	42,035.80
	Friends of the Library	364.26
	Snow Removal Trust	29,544.22
	Planning Bd Escrow	174.75
Twp Sewer Operating	Snow Removal Trust	2,120.00
Verizon Communications	01-201-20-120-2105	563.78
	01-201-20-120-2105	99.99
NJ State Health	01-201-23-220-2092	16,876.35
	01-201-23-220-2092	47,812.66
Payroll, Current Fund	5/6/2010	62,024.44
Payroll, Sewer	5/6/2010	3,398.38
Payroll, Current Fund	5/13/2010	61,462.03
Payroll Sewer	5/13/2010	3,183.08
Payroll, Current Fund	5/20/2010	61,437.36
Payroll, Sewer	5/20/2010	3,205.47
Payroll, Current Fund	5/27/2010	87,082.56
Payroll, Sewer	5/27/2010	3,205.47
Payroll, Current Fund	6/3/2010	70,411.02
Payroll, Sewer	6/3/2010	3,398.38

JUNE 28, 2010

Payroll, Current Fund	6/10/2010	67,360.09
Payroll Sewer	6/10/2010	3,183.08
Payroll, Current Fund	6/17/2010	62,291.04
Payroll, Sewer	6/17/2010	3,183.08
Payroll, Current Fund	6/24/2010	81,861.23
Payroll, Sewer	6/24/2010	3,263.16

Motion by Councilman Batten, second by Council President Morris to adopt Resolution 2010-137. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2010-138 2010/2011 TEMPORARY BUDGET – CURRENT FUND, SEWER OPERATING FUND, AND OPEN SPACE, RECREATION, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND AND CALCULATION OF MAXIMUM ALLOWABLE APPROPRIATIONS

WHEREAS, Revised Statutes 40:2-12 provides that where there are any contracts, commitments or payments that are to be made prior to the adoption of the Fiscal Year 2011 Budget, temporary appropriations should be made for the purposes and accounts required in the manner and time provided: and

WHEREAS, the date of this resolution is within the first thirty days of the Fiscal Year 2011 Budget and is twenty-six and one quarter percent (26.25%) of the total appropriations made for all purposes in the Budget for the year 2010 Fiscal Year, excluding appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the foregoing is the Temporary Budget for the Fiscal Year 2011 and; Twenty-six and one quarter percent (26.25%) of the total appropriations made for all purposes in the budget for the year 2010 Fiscal Year excluding appropriations made for interest and debt redemption charges, capital improvement fund and public assistance.

CURRENT FUND TEMPORARY BUDGET

2009/2010 Budget Appropriations (Current Fund)		\$ 7,728,193.26
Less: 2009/2010 Appropriations for:		
Debt Service	\$ 929,000.00	
Capital Improvement Fund	0.00	
Reserve for Municipal Building	0.00	929,000.00
	sub-total	6,799,193.26
		x .2625
	sub-total	1,784,788.23
Add 2010/2011 Temporary Appropriations		
Debt Service	290,300.00	

JUNE 28, 2010

Capital Improvement Fund	15,000.00	
Reserve for Municipal Building	0.00	\$ 305,000.00
		<u>2,089,788.23</u>

GENERAL GOVERNMENT:

Mayor & Council		
Salaries & Wages		15,000.00
Other Expenses		8,000.00
Township Clerk		
Salaries & Wages		21,000.00
Other Expenses		11,000.00
Finance Administration		
Salaries & Wages		30,000.00
Other Expenses		3,000.00
Audit Services		
Other Expenses		1,000.00
Revenue Administration		
Salaries & Wages		21,000.00
Other Expenses		4,000.00
Tax Assessment Administration		
Salaries & Wages		7,000.00
Other Expenses		2,000.00
Legal Services and Costs		
Expenses		20,000.00
Engineering Services and Costs		
Salaries & Wages		16,000.00
Other Expenses		8,000.00

LAND USE ADMINISTRATION

Planning Board		
Other Expenses		3,000.00

CODE ENFORCEMENT AND ADMINISTRATION

Uniform Construction Code		
Salaries & Wages		25,000.00
Other Expenses		5,000.00
Other Code Enforcement		
Salaries & Wages		11,000.00
Other Expenses		300.00

INSURANCE

Liability Insurance		
Other Expenses		3,000.00
Workers Compensation Insurance		
Other Expenses		1,000.00
Employee Group Insurance		
Other Expenses		400,000.00
Unemployment Insurance		

JUNE 28, 2010

Other Expenses	1,000.00
PUBLIC SAFETY FUNCTIONS	
Municipal Court	
Salaries & Wages	30,000.00
Other Expenses	5,000.00
Public Defender	
Other Expenses	500.00
Police Department	
Salaries & Wages	480,000.00
Other Expenses (including vehicles)	88,000.00
Emergency Management	
Salaries & Wages	1,000.00
Other Expenses	500.00
Aid to Volunteer Ambulance Company	
Other Expenses	20,000.00
Municipal Prosecutor	
Salaries & Wages	4,000.00
Other Expenses	500.00
PUBLIC WORKS FUNCTION	
Streets and Road Maintenance	
Salaries & Wages	57,000.00
Other Expenses	8,000.00
Solid Waste Collection	
Salaries & Wages	96,000.00
Other Expenses	4,000.00
Buildings & Grounds	
Salaries & Wages	14,000.00
Other Expenses	8,000.00
Vehicle Maintenance	
Salaries & Wages	28,000.00
Other Expenses	24,000.00
HEALTH AND HUMAN SERVICES FUNCTIONS	
Public health services	
Salaries & Wages	3,000.00
Other Expenses	500.00
PARKS AND RECREATION	
Recreation Services and Programs	
Other Expenses	3,000.00
Maintenance of Parks	
Salaries & Wages	51,000.00
Other Expenses	4,000.00
Maintenance of Free Public Library	
Salaries & Wages	8,000.00
Other Expenses	3,000.00

JUNE 28, 2010

OTHER COMMON OPERATING FUNCTIONS

(UNCLASSIFIED)

Celebration of Public Events	
Other Expenses	20,000.00

UTILITIES EXPENSES AND BULK PURCHASES

Electricity & Natural Gas	15,000.00
Street Lighting	27,000.00
Telephone	10,000.00
Water	3,000.00
Petroleum Products (Fuel Oil & Gas)	20,000.00
Sewerage	3,000.00
Landfill/Solid Waste Disposal Costs	45,000.00

STATUTORY EXPENDITURES

Public Employees Retirement System	0.00
Social Security	65,000.00

Police & Fire Retirement System	0.00
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OPERATIONS EXCLUDED FROM CAPS

Solid Waste Recycle Tax	2,000.00
NJPDES – Stormwater Management	
Salaries & Wages	13,000.00
Other Expense	4,000.00

FEDERAL & STATE GRANTS:

CAPITAL IMPROVEMENTS (AND CAPITAL IMPROVEMENT FUND)

Capital Improvement Fund	15,000.00
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MUNICIPAL DEBT SERVICE

Bond Principal	200,000.00
Bond Interest	90,300.00

TOTAL TEMPORARY CURRENT FUND

APPROPRIATIONS		\$ 2,089,600.00
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SEWER OPERATING FUND TEMPORARY BUDGET

Total of 2009/2010 Appropriations (Sewer Operating Fund)		\$ 1,111,400.00
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Less 2009/2010 Appropriations for:

Debt Services		\$ 574,300.00
Capital Improvement Fund	0.00	574,300.00

JUNE 28, 2010

	Sub-total	\$	537,100.00
			<u>X.2625</u>
	Sub-total	\$	140,988.75
Add 2010/2011 Temporary Appropriation for:			
Debt Service	120,400.00		
Capital Improvement Fund		\$	120,400.00
Total Maximum Allowable Appropriations		\$	261,388.75

SEWER OPERATING:

Salaries & Wages			50,000.00
Other Expenses			72,000.00
Debt Service – Payment of Bond Principal			85,000.00
- Payment of Bond Interest			35,400.00

STATUTORY EXPENDITURES

Public employees Retirement System			0.00
Social Security			4,000.00
Unemployment Compensation Insurance			100.00
TOTAL TEMPORARY SEWER OPERATING FUND APPROPRIATIONS		\$	246,500.00

OPEN SPACE, RECREATION FARMLAND AND HISTORIC PRESERVATION TRUST FUND
TEMPORARY BUDGET

Total of 2009/2010 Appropriations (Open Space Trust Fund)		\$	212,700.00
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Less 2009/2010 Appropriations for:

Debt Services		\$	151,900.00
Capital Improvement Fund	0.00		151,900.00
	Sub-total	\$	60,800.00
			<u>X.2625</u>
	Sub-total	\$	15,960.00

Add 2010/2011 Temporary Appropriation for:

Debt Service	31,200.00		
Capital Improvement Fund		\$	31,200.00
Total Maximum Allowable Appropriations		\$	47,160.00

OPEN SPACE TRUST:

Salaries and Wages		\$	0.00
Other Expenses			10,000.00
Interest on Bonds			25,300.00
Principal on Bonds			5,900.00
Down payment on improvements			0.00
TOTAL OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION			

JUNE 28, 2010

FUND APPROPRIATIONS \$ 41,200.00

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2010-138. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2010-139 RESOLUTION AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year;

BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, that transfers between 2009/2010 Budget Appropriations be made as follows:

CURRENT FUND

	ACCOUNT	FROM	TO
Salaries and Wages:			
Township Clerk	20-110-1		\$1,300.00
Revenue Administration	20-145-1		900.00
Police	25-240-1	\$20,000.00	
Office of Emergency Management	25-252-1		100.00
Streets and Roads	26-290-1		1,300.00
Solid Waste Collection	26-305-1		3,700.00
Buildings and Grounds	26-310-1	15,000.00	
Public Health Services	27-330-1		100.00
Maintenance of Parks	28-375-1		6,000.00
Municipal Library	29-390-1	3,000.00	
Accumulated Leave Compensation	30-415-1		28,000.00
Other Expenses:			
Township Clerk	20-120-2		2,000.00
Revenue Administration	20-145-2		1,000.00
Tax Assessment Administration	20-150-2	1,500.00	
Legal Services and Costs	20-155-2	2,000.00	
Engineering Services and Costs	20-165-2	2,000.00	
Planning Board	21-180-2		4,000.00
Workers Compensation Insurance	23-215-2	14,000.00	
Group Insurance	23-220-2	38,900.00	
Unemployment Compensation Insurance	23-225-2		27,000.00
Aid to Ambulance	25-260-2	2,000.00	
Streets and Roads Maintenance	26-290-2		32,000.00
Vehicle Maintenance	26-315-2		5,000.00
Maintenance of Parks	28-375-2		2,000.00

JUNE 28, 2010

Municipal Library	29-390-2		2,000.00
Celebration of Public Events	30-420-2	20,000.00	
Electricity and Natural Gas	31-430-2		15,000.00
Street Lighting	31-435-2	5,000.00	
Telephone	31-440-2	2,000.00	
Petroleum Products	31-447-2	4,000.00	
Landfill/Solid Waste Disposal Costs	32-465-2	10,000.00	
Social Security	36-472-2		8,000.00
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Totals		\$139,400.00	\$139,400.00

SEWER OPERATING FUND

	<u>ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
Salaries and Wages	55-501-1		\$13,000.00
Other Expenses	55-502-2	\$14,000.00	
Social Security System	55-541-2		1,000.00
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Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2010-139. Resolution adopted by call of the roll, five members present voting in the affirmative.

ANIMAL PERMITS

APPROVAL OF ANIMAL PERMITS

- 1) Cossette Worthington, 206 Chestnut Ave- 2 goats 1 rooster
- 2) Joseph Romeo, 212 North Ave- 2 horses
- 3) Delores Ross, 177 Third Ave-60 pigeons
- 4) Linda Townsend, 165 Collings Ave- 7/10 chickens
- 5) Joseph Fabrico 149 McClellan Ave- 2 horses

CONSENT AGENDA

Motion by Councilman DiGangi, second by Council Batten to receive and file the monthly reports on the consent agenda. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF CORRESPONDENCE CALENDAR FOR MAY

Motion carried by Councilman DiGangi, second by Councilman McIntosh to receive and file the correspondence calendar for May 2010. Motion carried by voice vote, all present voting in the affirmative.

JUNE 28, 2010

APPROVAL OF MAY 10, 2010 MEETING MINUTES

Motion by Councilman Batten, second by Councilman McIntosh to approve the minutes for May 10, 2010. Motion carried by voice vote, five present voting in the affirmative,

APPROVAL OF MAY 24, 2010 MEETING MINUTES

Motion by Councilman DiGangi, second by Council President Morris to approve the minutes for May 24, 2010. Motion carried by voice vote, five present voting in the affirmative,

APPROVAL OF MAY 10, 2010 CLOSED SESSION MEETING MINUTES

Motion by Councilman DiGangi, second by Council President Morris to approve the closed session minutes for May 10, 2010. Motion carried by voice vote, five present voting in the affirmative,

Good & Welfare #2

Motion by Councilman Batten, second by Council President Morris to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for comments.

Diana Horan asked about the property that was going to be cleaned on Warren Avenue. She stated that if we clean the property then what steps are you going to be take if they do not keep it clean, so we are not back there cleaning it up again.

Mayor Magazzu stated that our Maintenance Officer will keep on them .

Mrs. Delfino asked how will the public be notified if there are going to be any meetings.

Mayor Magazzu replied that a notice will be in the Courier Post paper if any meetings are going to be held.

Mrs. Stellar remarked about all the traffic that is going to create with the new McDonalds that has opened up.

Mayor Magazzu stated that we will have Chief Jackson take a look at the traffic.

Motion by Councilman Batten, second by Council President Morris to close the meeting to public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu closed the meeting to the public.

ALL OTHER BUSINESS

JUNE 28, 2010

Councilman DiGangi stated that we are moving ahead with our July 4th plans. The festivities will end around 2:00 p.m. We are also looking into holding the Fourth of July next year in Berlin Township.

ADJOURN

Motion by Councilman Batten, second by Council President Morris to adjourn the meeting at 8:38 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 8:38 pm

Catherine Underwood, Township Clerk