

JULY 3, 2017

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JULY 3, 2017 AT 5:30 P.M.**

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

All in attendance joined in the Salute to the Flag.

**ROLL CALL**

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

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

**Absent-**

The Inter-Community Celebration Association recognized Tom DiGangi for the many years of service that he contributed to ICCA and acknowledged Tom as the Honoree Guest for the parade.

**Departmental Reports**

**ENGINEER'S AND DIRECTOR'S REPORT**

**A. CHANGE ORDERS AND VOUCHERS**

None at this time.

**B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION**

**1. WalMart Bond Release**

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

**2. Request for Vacation of a Portion of Pinedge Drive**

I believe that the surveyor for Diggerland will be submitting the plan and legal description for the vacation of a strip of the right-of-way of Pinedge Drive to the Governing Body, in the immediate future.

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**3. Recommend the Authorization for Employment for Engineering Technician**

I am hopeful that the candidate will accept the Offer of Employment and the Governing Body will consider taking action to authorize employment of the individual at the Council Meeting on July 3, 2017. If the action is taken at this meeting, the candidate will commence with employment on July 10, 2017.

**4. Purchase of Wheel Loader Through NJPA Cooperative Purchasing Program**

I am hopeful that all documentation and required procedures will be in place for the Governing Body to consider an award of contract at the Council Meeting in August, 2017.

**5. County Recreation Enhancement Funds**

It may be necessary for the Governing Body to taken formal action for the acceptance of the funds from the last round.

**C. ENGINEER'S REPORT**

**1. 2017 Automated Refuse Truck**

It is anticipated that the truck will be delivered within the 1.5 months. Once it is delivered, it will be placed into the collection process, immediately.

**2. Camden County Community Development Block Grant Program, Year 39 (2017-2018) Funding and Remaining Balances From Funding From Previous Years**

The intended work consists of the continuation of improvements to the Senior Citizens Building. I recommend that the priority of the remaining improvements be established, so the work can be performed in the near future.

Mr. Simone has ordered the tables and chairs and is working on the replacement of the rear door and automation of the front doors for handicap access. Mr. Simone has received quotes for these items.

**3. N.J.D.O.T. FY 2018 Municipal Aid Program Application**

It is expected that the N.J.D.O.T. will be announcing the acceptance of applications for the next round of funding. It is expected that additional funds, generated from the increased gas tax, will be available in this round. Since the N.J.D.O.T. has not allocated funds for Oak Avenue and Taunton Avenue, under the last two rounds of funding, I recommend that another project be selected for the application for this round.

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

The NJDOT has notified the Mayor that funds have not been allotted for the two streets.

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**5. Improvements to Hazel Avenue (NJDOT FY 2015 Funding)**

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

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

**6. 2016 Street Improvements Program**

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

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

I am hopeful to begin the preparation of bid documents in the near future with the construction occurring in the late Summer/ early Fall of 2017.

**7. Recommendation for Capital Improvements for 2017**

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

**8. Shared Services with Berlin Borough for Public Works Equipment**

No update to report, at this time.

**9. Bate Avenue Site (Former Municipal Building and Administrative Building)**

No further update to report, at this time.

**10. Re-Examination of the Master Plan**

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

**11. Request for Vacation of a Portion of Pinedge Drive**

No further update to report.

**12. Improvements to the Municipal Building**

a. Improvements to the Unfinished General Assembly Rooms

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

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

b. Irrigation and Landscaping

The design for the irrigation system remains to be completed. I am hopeful that we will be able to have an irrigation contractor donate their design services. Otherwise, we must purchase design software to complete the task.

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

c. Recoating of the Front Parking Area

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

**13. 2017 Camden County Open Space Trust Fund Recreation Facility Enhancement Application**

The application package has been submitted to the County for funding for spectator seating at the band shell at the Luke Avenue Recreation Complex. The County representative has informed me that consideration for funding is not favorable due to the unexpended funds from previously approved grants.

We are hopeful to resolve the redesignation of funds, from past funding years. It may be necessary for the Governing Body to take formal action on the acceptance of the grant from the last round.

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

The Freeholders approved a total of \$50,000 for this project. I have recently contact the County representative to obtain the status of the consideration of the County Open Space Committee, regarding our request to utilize the funds for the replacement of the hockey rink boards

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and construction of a safety surface at the playground, which is adjacent to the hockey rink.

The County representative has informed me that they have not received the agreement document from the Township. Therefore, it may be necessary for the Governing Body to take formal action at the Council Meeting on July 3, 2017, to address this matter.

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

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

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

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

**16. Improvements to the Water Distribution System by Berlin Borough**

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

**17. Storm Drainage Improvements**

a. Lester Avenue Storm Drainage and Stormwater Management

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

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

2) Phase 2 – Extension of Storm Drainage to the Existing Stormwater Management System within the Luke Avenue Recreation Complex

We must perform the land surveying and engineering design. I will be preparing a cost estimate for the construction for consideration for funding by the Governing Body.

It will be necessary to obtain an easement for the proposed storm drainage piping, which will be crossing the P.S.E.G. lands.

b. Kelley Drive Stormwater Basin Reconstruction

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It is my understanding that the funds must be re-allocated for this project.

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

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

No update to report.

d. Storm Drainage Issues with the Southwest Portion of the Township

I had reported to the Governing Body, some time ago that I am estimating that the overall construction cost for the necessary improvements is approximately \$11.8 million. I recommend that a meeting be requested with Congressman Norcross to discuss the possibility of receiving Federal funding, for this project. It may, also, be worth requesting the assistance of the N.J.D.E.P.

I would note that, as a result of the Mayor's efforts, the N.J.D.O.T. has completed the clearing of the vegetative growth and trees within the ditch on the State property, which receives the stormwater from the County channel/ ditch along Walker Avenue. The vegetation and trees were restricting the stormwater flow, resulting in the stormwater backing up into said ditch and County channel.

**18. Request to the Pinelands Commission for Redesignation of Lands**

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

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

**19. Tax Map Revisions**

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

**20. Request for the Installation of a Traffic Signal at the Intersection of Route 73 and D'Angelo Drive**

Mayor Magazzu has informed me that she hasn't receive any response from the Lt. Governor, regarding her request for the installation of the traffic signal. I will be contacting her staff to obtain the status of their consideration, regarding this request.

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**21. Request for Improvements to Traffic Conditions at the Intersections of Route 73 and Cooper Road and Route 73 and Jackson Road**

As a result of the comments made at the recent Freeholders Meeting, the County Engineer has sent a letter to the N.J.D.O.T. Commissioner, requesting a meeting with the Commissioner's Office and the N.J.D.O.T. Traffic Engineering staff. I have requested that the County Engineer inform the Township Officials of the scheduling of the meeting with the N.J.D.O.T. representatives.

**22. Investigation for Sidewalk Along Oak Avenue**

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

**23. Investigation of the Condition of Decorative Concrete Sidewalk Along Haddon Avenue**

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

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

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

**25. Staffing for Engineering Department**

As noted in Item B.3 of this report, I am hopeful that the candidate for Engineering Technician accepts the Offer of Employment and the Governing Body takes action to authorize the employment at the Council Meeting on July 3, 2017. After the candidate becomes acclimated with the procedures of the Engineering Department, I will review potential candidates for the other Engineering Technician.

I have received many applications for the Engineering/Public Works Clerk. I will be selecting potential candidates and scheduling interviews. I am hopeful that I will be recommending a candidate for consideration for employment, to the Governing Body, by September, 2017.

**D. PUBLIC WORKS DEPARTMENT**

**1. Operations and Staffing**

The staff is performing the typical Summer tasks. The automated collection of trash and recyclables has provided for available staffing to

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perform the Summer tasks. Therefore, at this time, it has not been necessary to add seasonal employees to the staff.

The new collection process of solid waste, recyclables and solid waste continues to improve with time. For the most part, the residents have adjusted to the automated collection of solid waste and recyclable materials. The collection of bulky waste items, once per month, continues to improve as more residents become familiar with the new procedure. The drop off of various waste items, by the residents, to the designated containers at the Public Works Complex, rather than placing them curbside, continues to increase with time.

**2. Auction for Vehicles and Equipment**

I continue to recommend that the Department retain those vehicles, which have been replaced with new vehicles but are still road worthy, to be used as backups with limited or minimal use. We continue to reevaluate the use of these vehicles and expect to recommend a listing of vehicles for auction, in the near future.

**3. Leaf Compost Material and Yard Waste**

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

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

No update to report.

**5. Traffic Signal Emergency Repairs Contract for the Remainder of 2017**

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

**6. Purchase of Loader**

Mr. Simone is receiving current proposals from manufacturers, through the National Joint Powers Alliance (NJPA) cooperative purchasing agreement. I recommend that the Governing Body permit the Notice of the Intent to Award be published in the Courier-Post newspaper, in the near future, so that the award of the contract, through NJPA can be made at the Council Meeting in August, 2017.

**7. Roadway, Sign and Walkways Management Program**

In 2017, the Public Works Department staff completed the inspection of the roadways, signs and walkways along all municipal streets. The areas of roadways and walkways and signs, in need of repairs or replacement, have been identified and recorded by the inspectors. The prioritization and



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implementation of the repair and replacement program must be established by the Township.

Since the property owners are responsible for the maintenance of the sidewalks, along the street frontage of their properties, notification to the property owners of the need for repair and/or replacement must be performed by the Township, in the immediate future.

The Public Works Department continues to repair or replace those sign, which have been identified by the inspectors. The Department continues to repair the identified areas of municipal streets.

**Property Maintenance / Animal Control**

Josh Shellenberger commented that he has gone through town with the upcoming parade and everything seems to be in order.

**Police Department**

Chief of Police, Leonard Check said the department held their first Police Department Youth Academy last week. They had about 30 participate in the academy and all the feedback has been positive.

**FIRST READING ORDINANCE 2017-6 AN ORDINANCE VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS TO A PORTION OF THE PAPER STREET KNOWN AS PINEDGE DRIVE CONTIGUOUS TO BLOCK 2601 LOT 1 AND PLATE # 26 OF THE TAX MAP OF THE TOWNSHIP OF BERLIN SUBJECT TO CERTAIN TERMS AND CONDITIONS REQUIRED BY LAW.**

Motion by Councilwoman Bodanza, second by Councilman McIntosh to adopt Ordinance 2017-6 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-133 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT.**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the

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Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and Council of the Township of Berlin hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-133. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-134 RESOLUTION TO GRANT THE RELEASE OF ENGINEERING REVIEW AND INSPECTION ESCROW FOR FELLOWSHIP BAPTIST CHURCH.**

**WHEREAS**, Fellowship Baptist Church located at 22 Zulker Avenue has requested the release of their remaining escrows for Block 1102, Lot 13; and

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**WHEREAS**, the site plan application has been amended and now complies with the site plan approval; and

**WHEREAS**, the Township Engineer has recommended that the Township grant the request for the release of the remaining escrow funds in the amount of \$2267.48.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the release of the escrows for Fellowship Baptist Church is hereby granted.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-134. Resolution adopted by call of the roll, five members present voting in the affirmative.

**CONFIRMING RESOLUTION 2017- 135 OF 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 7, 2017 at 10:30 AM of that day in Berlin Township Court Room:

<u>BLOCK/LOT(S)/QUAL</u>	<u>PURSHASER</u>	<u>%BID/PREMIU</u> <u>M</u>	<u>AMOUNT</u>
202-2	US Bank Cust for PC 6 LLC Sterling National	2500	557.16
519-1	US Bank Cust for PC 6 LLC Sterling National	3000	376.02
601-8	US Bank Cust for PC 6 LLC Sterling National	0%	1382.26
702-12	US Bank Cust for PC 6 LLC Sterling National	1000	467.36
805-10	US Bank Cust for PC 6 LLC Sterling National	1000	395.62
1301.01-11	US Bank Cust for PC 6 LLC Sterling National	1000	723.94
1414-3	US Bank Cust for PC 6 LLC Sterling National	0%	520.43
1815-3	US Bank Cust for PC 6 LLC Sterling National	1000	447.65
1306-27	US Bank as Cust for Actlien Holding Inc	200	134.83
1307-14	US Bank as Cust for Actlien Holding Inc	1200	855.22
1310-2.03	US Bank as Cust for Actlien Holding Inc	1500	874.42
210-8	Loramark Capital, LLC	100	161.29
610-4	Loramark Capital, LLC	1200	235.14
613-5	Loramark Capital, LLC	1100	381.65
903-6	Loramark Capital, LLC	1100	389.86
1203-16	Loramark Capital, LLC	1300	527.35

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1304-1.16	Loramark Capital, LLC	1100	472.38
1304-24	Loramark Capital, LLC	0%	135.37
1306-8	Loramark Capital, LLC	1200	651.99
1403-12	Loramark Capital, LLC	100	317.40
1411-4	Loramark Capital, LLC	1100	522.17
1415-6	Loramark Capital, LLC	0%	317.09
1415-24	Loramark Capital, LLC	18%	692.42
1805-11	Loramark Capital, LLC	1500	638.28
1903-3.01	Loramark Capital, LLC	1100	415.25
215-19	MTAG c/f Empire VIII NJ Portfolio	1500	3132.87
601-1	MTAG c/f Empire VIII NJ Portfolio	3000	3001.88
621-1	MTAG c/f Empire VIII NJ Portfolio	2500	5975.40
801-4	MTAG c/f Empire VIII NJ Portfolio	10000	6460.68
805-8	MTAG c/f Empire VIII NJ Portfolio	9500	3721.79
1309-7	MTAG c/f Empire VIII NJ Portfolio	8000	5425.75
1309-7.02	MTAG c/f Empire VIII NJ Portfolio	12000	7890.41
1811-19	DSHC Enterprises, LLC	18%	2796.34
904-4	MTAG c/f ATCF II NEW JERSEY, LLC	35000	6884.51
1405-11	MTAG c/f ATCF II NEW JERSEY, LLC	27000	12076.03
625-8.01	Township of Berlin	18%	7394.92
1815-5	Township of Berlin	18%	4141.29

TOTAL COLLECTED FOR DELINQUENT CHARGES - \$ 69,958.17

TOTAL TRANSFERRED TO MUNICIPAL LIEN - \$ 11,536.21

TOTAL PREMIUM COLLECTED - \$ 131,800.00

Prepared by: Dana O'Hara, CTC

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-135. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-136 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.**

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

**WHEREAS**, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged

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against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

**WHEREAS**, the Tax Collector has confirmed receipt of payment for the liens against the following properties representing maintenance work performed; the maintenance liens against the following properties have been discharged, as follows:

<b>Property:</b>	<b>AMOUNT</b>	<b>DATE PAID</b>
9 Holly Drive	\$ 175.00	03/06/17
210 Chestnut Avenue	\$ 2000.00	03/27/17
210 Chestnut Avenue	\$ 300.00	03/27/17
210 Chestnut Avenue	\$ 275.00	03/27/17
320 Minck Avenue	\$ 290.00	03/31/17
362 Franklin Avenue	\$ 75.00	04/03/17
404 Lincoln Avenue	\$ 225.00	04/03/17
107 Chestnut Avenue	\$ 430.00	04/24/17
148 North Avenue	\$ 240.00	05/09/17
384 Morton Avenue	\$ 75.00	05/09/17
309 Cleveland Avenue	\$ 2,200.00	05/26/17

**Submitted for July 3, 2017 Meeting**  
**Dana O'Hara, CTC - Tax Collector**

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-136. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-137 LIST OF UNCOLLECTIBLE TAXES VETERAN.**

**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 16, 2017**  
**Dana O'Hara, CTC - Tax Collector**

<b>NAME</b>	<b>YEAR</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>	<b>REASON</b>
Joseph P. Farese	2017	2204-8	250.00	Veteran – Aug/Nov
			<b>\$ 250.00</b>	<b>TOTAL to Aug/Nov 2017</b>

**Submitted for July 3, 2017 meeting.**

**By resolution of the Mayor and Council of the Township of Berlin, the taxes listed above have been ordered remitted and the Collector relieved thereof.**

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Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-137. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-138 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.**

**Submitted for July 3, 2017 Meeting  
Dana O'Hara, CTC**

<b>NAME</b>	<b>DESCRIPTION</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
<b>Norma Sherwood</b>	<b>110-1</b>	<b>2017</b>	<b>250.00</b>	<b>Senior Citizen</b>
			<b>\$ 250.00</b>	<b>TOTAL to Aug/Nov 2017</b>

**By resolution of the Mayor and Council of the Township of Berlin, the taxes listed above have been ordered remitted and the Collector relieved thereof.**

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-138. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-139 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) – DRIVE SOBER OR GET PULLED OVER LABOR DAY CRACKDOWN 2017 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;

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**WHEREAS**, the Chief Financial Officer has certified that the Township has received a Drive Sober or Get Pulled Over Labor Day Crackdown 2017 Grant from the NJ Division of Highway Traffic Safety for \$5,500.00;

**BE IT FURTHER RESOLVED** that a like sum of \$5,500.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"  
Drive Sober or Get Pulled Over Labor Day  
Crackdown 2017 Grant \$5,500.00

**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 2017-139. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-140 PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE FROM DiVENTURA GIUSEPPE TO FILOMENA II, INC.**

**WHEREAS**, an application has been filed for a person-to-person transfer of plenary retail consumption License 0406-33-005-011. Hereto fore issued to DiVentura Giuseppe for the premises located at 13 Cross Keys Road West Berlin New Jersey 08091; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by title 333 of the New Jersey Statutes, regulations promulgated thereunder, as well pertinent local ordinances and conditions consistent with title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of funds used in the purchased of the license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW THEREFORE, BE IT RESOLVED** that the Township of Berlin does hereby approve, effective July 3, 2017, the transfer of the aforesaid plenary retail Consumption license and does hereby direct the municipal clerk to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to Filomena II, Inc.

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Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-140. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-141 PAYMENT OF BILLS JULY.**

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 detailed below and attached are hereby approved and the bills to be paid.

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Treasurer – State Dog Report May 2017 Total License 15	Dog Trust	24.00

**CONFIRMING:**

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
America On Line (April 2017)	7-01-31-443-2077	\$46.99
America On Line (May 2017)	7-01-31-443-2077	46.99
TSP deejays, LLC	7-01-30-420-2105	1,000.00
Ameriflex – June 2017	Flex Claims Account	75.00
David R. Perez	7-01-30-420-2105	500.00
TSP deejays, LLC	7-01-30-420-2105	3,545.75
RICOH USA, Inc.	7-01-20-145-2023	70.92
	7-01-29-390-2023	66.85
	7-01-25-240-2033	83.80
	7-01-26-310-2020	66.85
	7-01-43-490-2023	66.85
	7-01-22-195-2023	79.79
	7-01-20-120-2023	122.70
Verizon Communications – Internet 06/1-06/30/17	7-01-31-443-2077	109.99
Verizon Communications – TV 06/13-07/12/17	7-01-201-120-2105	168.63
State of Jersey Health Benefits – June 2017 (A)	7-01-23-220-2092	65,080.90
	7-01-23-220-2092	17,699.06
State of Jersey Health Benefits – June 2017 (R)	7-01-23-220-2092	36,909.22
Payroll, Current Fund	06/22/17	130,133.77
Payroll, Sewer Operating Fund	06/22/17	6,941.41

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-141. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-142 AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE COUNTY OF CAMDEN OPEN SPACE TRUST FUND “RECREATION**



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**FACILITY ENHANCEMENT GRANT” ROUND 15 - IMPROVEMENTS TO ROBERT T. CLYDE MEMORIAL PARK.**

**WHEREAS**, the Township of Berlin has been approved for funding from the Camden County Open Space Trust Fund “Recreation Facility Enhancement” for Round 15 for the following area:

**Improvements to Robert T. Clyde Memorial Park - \$25,000.00**

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that the Mayor is hereby authorized to execute the attached Agreement on behalf of the Township of Berlin, with the understanding that the purpose may be amended, to include improvements to the same Park, through subsequent correspondence between the Township Engineer and representatives of the County of Camden and contingent upon review and approval of the review and approval of the agreement with the Township Solicitor.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-142. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-143 AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE COUNTY OF CAMDEN OPEN SPACE TRUST FUND “RECREATION FACILITY ENHANCEMENT GRANT” ROUND 16 - IMPROVEMENTS TO ROBERT T. CLYDE MEMORIAL PARK.**

**WHEREAS**, the Township of Berlin has been approved for funding from the Camden County Open Space Trust Fund “Recreation Facility Enhancement” for Round 16 for the following area:

**Improvements to Robert T. Clyde Memorial Park - \$25,000.00**

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that the Mayor is hereby authorized to execute the attached Agreement on behalf of the Township of Berlin, with the understanding that the purpose may be amended, to include improvements to the same Park, through subsequent correspondence between the Township Engineer and representatives of the County of Camden and contingent upon review and approval of the review and approval of the agreement with the Township Solicitor.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-143. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-144 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY**

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**COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – RECREATION FACILITY ENHANCEMENT GRANT – ROUND 15 – IMPROVEMENTS TO ROBERT T. CLYDE MEMORIAL PARK.**

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 Recreation Facility Enhancement Grant – from Camden County for \$25,000.00 for Round 15 for Improvements to Robert T. Clyde Memorial Park;

BE IT FURTHER RESOLVED that a like sum of 25,000.00 and the same is hereby appropriated under the caption of:

Operation “Excluded From CAP”  
CC Recreation Facility Enhancement Grant for  
Round 15 – Improvements to Robert T. Clyde  
Memorial Park \$25,000.00

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 2017-144. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-145 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) – RECREATION FACILITY ENHANCEMENT GRANT – ROUND 16 – IMPROVEMENTS TO ROBERT T. CLYDE MEMORIAL PARK.**

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;

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WHEREAS, the Chief Financial Officer has certified that the Township has received a Recreation Facility Enhancement Grant – from Camden County for \$25,000.00 for Round 16 for Improvements to Robert T. Clyde Memorial Park;

BE IT FURTHER RESOLVED that a like sum of 25,000.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"  
CC Recreation Facility Enhancement Grant for  
Round 16 – Improvements to Robert T. Clyde  
Memorial Park \$25,000.00

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 2017-145. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-146 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, THE IMPOSITION OF LIENS IN ACCORDANCE WITH CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "PROPERTY MAINTENANCE," AND CHAPTER 289, ENTITLED "STREETS & SIDEWALKS AND SECTION 303 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE BOOK ENTILED 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 249 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><u>Property: Block/Lot</u></b>	<b><u>REASON</u></b>
325 Hazel Ave. B-1816 L-2	Lawn care
148 North Ave. B-213 L-5	Lawn care
162 North Ave. B-218 L-4	Lawn care, trash removal
Haddon & Veterans Ave. B-625 L-8.01	Lawn care, trash and debris removal
244 Briarwood Rd. B-1806 L-25	Lawn care
526 Rt. 73 North B-903 L-10.01	Lawn care

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9 Holly Dr. B1306 L-23	Clean up
167 Franklin Ave. B-519 L-1	Lawn care
30 Holly Dr. B-1307 L-30	Lawn care

**WHEREAS**, pursuant to Chapter 249 and Article III of 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 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:

<u>Property: Block/Lot</u>	<u>Date Charged</u>	<u>Amount</u>	<u>Reason</u>
325 Hazel Ave. B-1816 L-2	July 3, 2017	\$75.00	Lawn care
148 North Ave. B-213 L-5	July 3, 2017	\$150.00	Lawn care
162 North Ave. B-218 L-4	July 3, 2017	\$425.00	Lawn care, clean up
Haddon & Veterans Ave. B-625 L-8.01	July 3, 2017	\$425.00	Lawn care, clean up
244 Briarwood Rd. B-1806 L-24	July 3, 2017	\$35.00	Lawn care
526 Rt. 73 North B-903 L-10.01	July 3, 2017	\$75.00	Lawn care
9 Holly Dr. B-1306 L-23	July 3, 2017	\$290.00	clean up
167 Franklin Ave. (B-519 L-1)	July 3, 2017	\$120.00	lawn care
30 Holly Dr. (B-1307 L-30)	July 3, 2017	\$30.00	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

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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.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-146. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-147 RESOLUTION AUTHORIZING THE RECYCLING SERVICE CONTRACT WITH FCR CAMDEN, LLC THROUGH THE COUNTY MASTER CONTRACT AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT**

**WHEREAS** Berlin Township, principal address at 135 Route 73 South, West Berlin New Jersey 08091, is a participating member of the Camden County Pricing System, System Identifier #57-CCPS; and

**WHEREAS** the bids have been received, evaluated through the Camden County Cooperative Pricing System and determined that FCR Camden LLC, 809 West Hill Street, Charlotte, North Carolina 28208 has comply with the uniform bid specification: and

**NOW FURTHER, BE IT RESOLVED**, that the Mayor is hereby authorized to execute the attached Agreement on behalf of the Township of Berlin, contingent upon solicitors review.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-147. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-148 RESOLUTION AMENDING SALARY RESOLUTION 2016- 198 ESTABLISHING SALARY AND WAGES 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 Resolution 2016-198 on December 19, 2016, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2017; and

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective July 10, 2017 as follows:

POSITION	AMOUNT
Engineering Technician	\$50,000.00 per year

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

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-148. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-149 RESOLUTION APPOINTING JESSALYNN WRIGHT AS ENGINEER TECHNICIAN**

**WHEREAS**, the Governing Body desires to appoint an Engineer Technician; and

**WHEREAS**, the Township Engineer has recommend Jessalynn Wright for the position of Engineer Technician.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, that **Jessalynn Wright** is hereby appointed effective July 10, 2017.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-149. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2017-150 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING THE GRACE PERIOD FOR THE THIRD INSTALLMENT OF TAXES TO BE EXTENDED SUBJECT TO ADOPTION OF THE STATE BUDGET AND CERTIFICATION OF TAX RATE.**

**WHEREAS**, due to the New Jersey State budget not yet being adopted to date and therefore, the certified tax rate having not been established nor certified by the Camden County Board of Taxation has caused a delay in the printing and mailing of the 2017/18 tax bills.

**WHEREAS**, R.S. 54:4-67 states that the third quarter taxes shall not be subject to interest until the later of either August 1, the additional 10-day grace period or the twenty-fifth calendar day after the date that the tax bill was mailed or otherwise delivered; and

**WHEREAS**, R.S. 54:4-67 also states payments received after the later of August 1, the additional 10-day grace period or the twenty-fifth calendar date after the date that the tax bill was mailed, may be charged interest back to August 1; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the grace period for the Third quarter 2017 Property Tax Payments, accrue no interest until the later of either August 1, the additional 10-day grace period or the twenty-fifth calendar day after the date that the tax bill was mailed or otherwise delivered

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if the tax bills are not mailed on or by July 18, 2017.

**BE IT FURTHER RESOLVED** that all subsequent payments in the 2017-2018 billing cycle will be due as pre-printed on the tax bill coupons, with the regular 10-day interest-free grace period.

Submitted by Dana O'Hara, CTC for the July 3, 2017 meeting.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Resolution 2017-150. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Approval of Meeting Minutes for June 12, 2017**

Motion by Councilman McIntosh, second by Councilwoman Bodanza to approve the Meeting Minutes for June 12, 2017. Motion carried by voice vote, four members present voting in the affirmative, Council President Morris abstained

**Consent Agenda for May 2017**

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

**Correspondences Calendar May 2017**

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

**All Other Business**

1) Irish Pub Children's Foundation 30<sup>th</sup> Annual Irish Pub Tour de Shore charity bike ride will be held on Sunday July 30<sup>th</sup> 2017. This organization and event helps families of fallen police officers.

2) Engineer Technician

**Public Portion**

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

Eric Van Emburgh Owner of Vancrete Custom Engraving LLC came in to talk about his company and all the services that he could provide the Township.

No more comments were to be heard.

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

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**Adjourn**

Motion by Councilwoman Bodanza, second by, Council President Morris to adjourn the meeting at 5:59 pm. Motion carried by voice vote, all members voting in the affirmative.

Meeting adjourned 5:59 pm

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Catherine Underwood  
Berlin Township RMC