

AUGUST 25, 2014

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL AUGUST 25, 2014 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 Courier Post, Record Breeze and posted on the bulletin board.
All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- , Councilman Epifanio, Councilman McIntosh, Councilwoman Bodanza, Mayor Magazzu

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

Absent- Council President Morris

Month of September is Ovarian Cancer Awareness- “Teal Ribbons of Hope” turn the town teal.

Ruth McCullen from the Susan Marie Rupp Foundation came out to talk about the Teal Ribbons of Hope. The Month of September is National Ovarian Cancer Month.

Departmental Reports

ENGINEER / PUBLIC WORKS

A. CHANGE ORDERS AND VOUCHERS

1. 2013 Street Improvement Program, Proposal Number 1- Mt. Vernon Avenue and Proposal Number 2- Edgewood Avenue

I recommend that the Governing Body consider approving the following final change orders and vouchers for Lexa Concrete, LLC:

- a. Proposal Number 1- Improvements to Mt Vernon Avenue
 - 1) Final Change Order No.1, adjusting the Contract amount from \$373,373.20 to \$364,412.84, a reduction of \$8,960.36 due to as-built quantities and pavement penalties.
 - 2) Final Voucher No. 3, for the amount of \$49,037.12

AUGUST 25, 2014

- b. Proposal Number 2- Improvements to Edgewood Avenue
 - 1) Final Change Order Number 2, adjusting the Contract amount from \$319,682.53 to \$317,604.07, a decrease of \$2,078.46 due to as-built quantities.
 - 2) Final Voucher Number 4, for the amount of \$9,237.14

B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION

1. 2013 Street Improvement Program

I recommend that the Governing Body consider passing resolutions for the above mentioned change orders.

2. Improvements to the Senior Citizens Building Roof and Ceiling, CDBG Year 35 Supplemental Grant Funding (\$11,760.00)

- a. I recommend that the Governing Body consider passing a resolution to adopt the Community Development Grant Agreement conditional upon the acceptance of the document by the Township Solicitor.

- b. I recommend that the Governing Body pass a resolution to authorize the preparation of the bid documents and advertise for and receive bids.

3. Request for Bond Release for the Diggerland Entertainment Park, Cooper Road and Pinedge Drive

The inspection firm has recommended that the amount of the performance guarantee be reduced to \$0.00. Based on their recommendation, I recommend that the Governing Body consider passing a resolution to release the performance guarantee, conditional upon the posting of an acceptable maintenance guarantee and the acceptance by the Township Solicitor.

4. Request for Release of Performance Bond for Resintech Realty, 160 Cooper Road, Phase 2 (Flex Building 1)

I recommend that the Governing Body consider passing a resolution to release the performance guarantee, conditional upon the comments in my letter, dated July 9, 2014 (reconstruction of the fire damaged building, the applicant addressing any open matters with the Planning Board as part of an amended site plan application and the posting of the necessary maintenance guarantee) and the recommendations and comments of the Township Solicitor.

AUGUST 25, 2014

5. 2015 County Solid Waste Disposal Contract

Even though it is not mandatory, I recommend that the Governing Body pass a resolution to participate in the bidding for these services, under the County, for just 2015.

C. ENGINEER'S REPORT

1. 2013 STREET IMPROVEMENT PROGRAM

- a. Proposal No. 1 – Improvements to Mt. Vernon Avenue from Minck Avenue to Franklin Avenue (Partial Funding Through N.J.D.O.T. - \$180,000)

I recommend that the Governing Body consider approving the final change order and voucher. Once these documents have been approved and final payment has been made, we will submit the necessary documents to the N.J.D.O.T. for final reimbursement.

Proposal Number 2-Improvements to Edgewood Avenue- From Cooper Road to the N.J.D.O.T. Project Near Rt. 73 (Partial Funding Through N.J.D.O.T. – (\$200,000.00)

The same applies for this project as noted, above, for Mt. Vernon Avenue.

- b. Proposal No. 3 – Various Streets

The contractor, Charles Marandino, LLC, has completed the construction.

- c. Construction of Doghouse Type “B” Inlet on Veteran’s Avenue

We had received a price of \$10,000 from Lexa Concrete, LLC for the construction of a Type “B” inlet, over the existing storm pipe, along Veteran’s Avenue, to intercept some of the stormwater, which is travelling along the street. I have informed the contractor that the price is too high. It is expected that the Public Works staff will construct the doghouse inlet and perform the pavement restoration.

2. IMPROVEMENTS TO THE WATER DISTRIBUTION SYSTEM

The Borough Water Department has installed the interconnecting water main, on Day Avenue at Rt. 73. I believe that the Borough intends to make other improvements, through the distribution system, within the Township, to improve circulation, which should result in improved water quality.

In regard to the water quality issues, I have no update to report. I believe that a meeting will be scheduled, in the near future, with Borough, Township and N.J.-American representatives to discuss the current conditions and possible improvements.

3. IMPROVEMENTS TO LESTER AVENUE – DEAD END

AUGUST 25, 2014

This project is included in Ordinance 2011-26 and is listed as “McClellan Avenue”, to my mistake. I have discussed the matter with Ms. Campisano and she has informed me that the work can be performed on Lester Avenue.

The Public Works staff has performed the construction of the subbase and asphalt millings surface course. We will continue to monitor the condition and perform any maintenance to the new surface.

4. STREET IMPROVEMENTS TO HILL AVENUE (C.D.B.G. YEAR 35 \$21,000+/- and YEAR 36 FUNDING \$21,000 +/-)

It is my intent to bid this project with the reconstruction of the basketball court at Spruce Avenue Recreation Park, in the near future.

As requested by the Camden County CDBG Department, I will be completing and submitting the Environmental Review Record document to their office for their review and approval. I have assured the County representative that the Township will be bidding this project, in the immediate future.

5. IMPROVEMENTS TO SENIOR CITIZENS BUILDING ROOF AND CEILING, C.D.B.G. YEAR 35 SUPPLEMENTAL FUNDS (11,760)

I recommend that the Governing Body consider passing a resolution adopting the Community Development Grant Agreement, which the County Improvement Authority has submitted to the Township, conditional upon and comments from the Township Solicitor.

It is my understanding that \$12,000 has been allocated, under Ordinance No. 2011-26 for the replacement of the roof. Therefore, there should be sufficient funds to complete the project, this year.

I recommend that the Governing Body authorize the preparation of the bid documents and receive bids. It is my intent to receive bids for consideration for award, by the Governing Body, at the Council Meeting on September 22, 2014.

6. CAPITAL IMPROVEMENTS PROGRAM

As you know, there are many streets, which are in need of improvements (pavement, storm drainage, curb, etc.), in the immediate or near future. There are, also, various improvements, which are necessary for recreation facilities, public buildings and sanitary sewer.

The Governing Body has adopted the bond ordinance for the improvements to the sewer pumping stations.

I recommend that, if possible, the Governing Body consider implementing a long capital improvements program. I intend to prepare a Recommendations Report, detailing a possible long range plan for capital improvements, in the future.

7. N.J.D.O.T. FY 2014 APPLICATIONS

We had submitted the applications to the N.J.D.O.T. for the following projects

AUGUST 25, 2014

1. Oak Avenue- N.J.D.O.T. Ramp A to 80' Past Clover Avenue
2. Hazel Avenue – Chestnut Avenue to Cushman Avenue

The N.J.D.O.T. had notified the Township that no funds were allotted for either of these projects. The Governing Body could consider applying for Local Aid Infrastructure (discretionary) Funds or wait for the announcement of the acceptance of applications for the next round of funding. Typically, applications are accepted in the middle of the year for consideration for funding, the following year.

8. RECONSTRUCTION OF BASKETBALL COURT AT SPRUCE AVENUE RECREATION SITE (COUNTY OPEN SPACE GRANT - \$25,000)

I had mentioned to the Governing Body that I did not believe that the construction cost will exceed the County grant amount. I intend to receive bids, for this project, in the same bid package as the Hill Avenue Street Improvements Project, in hopes of receiving more competitive process for the larger scale projects.

9. CAMDEN COUNTY OPEN SPACE AND RECREATION ENHANCEMENT APPLICATION

An application was submitted for the proposed Dog Park at the Luke Avenue Recreational Complex. The County Representative has informed me that 45 applications were submitted for this funding. I believe the County Freeholders have funded the selected projects. Since the Township did not receive any notice of funding, I can only assume that funds were not allotted for this project.

10. BANDSHELL AT LUKE AVENUE RECREATION AREA (COUNTY OPEN SPACE GRANT - \$25,000)

Ms. Campisano had reminded me that the Township had requested that the \$25,000 grant, which was allotted for the amphitheater, be permitted to be used with the \$25,000 grant for the band shell. We are researching to see if the County ever approved the redesignation of the amphitheater funds for this project.

I have recommended that the construction be contracted as the Public Works staff will not be able to devote the necessary time, needed to complete this project, in a timely manner, due to the current workload. I am anticipating that the contracted cost may exceed the \$50,000 of county funding.

11. MUNICIPAL CERTIFICATION FOR FUTURE FEDERAL FUNDED PROJECTS

We must obtain the information from the N.J.D.O.T. Once received, we will inform the Governing Body and Ms. Campisano.

AUGUST 25, 2014

12. NO PARKING AND NO PASSING ZONES ALONG COOPER ROAD

It has been brought to my attention that there have been some concern with the possibility of motorists parking their vehicles along the road. I have travelled along the road to observe the geometric conditions. I recommend that the Governing Body consider adopting an ordinance, which would prohibit parking along the entire length of the road, within the Township as the lane widths are only suitable for travelling vehicles, the existing shoulder width is no ample for the parking of vehicles, the shoulder is used (and designated in areas) for a bike lane, businesses and residential properties has ample off- road parking facilities (except for one residential property), due to the type and speed of the travelling vehicles it is not a safe condition for parking along the road and there is no need to park in front of the vacant lots.

I believe that it will be necessary to obtain consent, from the County Freeholders, for the prohibition of parking, prior to the adoption of the ordinance. I defer this matter to Mr. Platt, for his comments and direction.

In regard to the prohibition of passing along the road, we are preparing the CAD profile plan, using the New Jersey – American Water Company plan. We will follow with the analysis to determine the portions of the road that meet the standard for no passing.

13. MUNICIPAL BUILDING

a. Roof Membranes

We are performing the design and prepare the bid documents for the opening of bids. I expect to receive bids in the Fall, 2014 for construction to follow, shortly thereafter.

b. Improvements to the Unfinished General Assembly Rooms

We must complete 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.

c. Free Standing Monument Sign

Quite some time ago, had recommended that the Governing Body consider awarding a contract to Dandrea Masonry for the installation of the brick facing and concrete capping to the masonry block base. The Public Works Department has, recently painted the masonry block. If the Governing Body desires to have the brick facing installed along the planter walls, I will contract Dandrea Masonry to see if they will honor their price from some time ago.

AUGUST 25, 2014

d. 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.

14. STORM DRAINAGE IMPROVEMENTS

a. Lester Avenue Storm Drainage and Stormwater Management

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

We are performing the design and preparing the construction plans. It is intended that the Public Works Department will perform the construction in 2014. It will be necessary for the Governing Body to appropriate the necessary funds for the construction of the improvements. Once the design has been completed, I will prepare a cost estimate for consideration for funding by the Governing Body.

I believe that the owner of the lot, which is adjacent to the Township owned lot, along Lester Avenue, would like to discuss the possibility of constructing the storm drainage improvements for the transfer of the Township lot. I defer this matter to the Township Solicitor for his comments.

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

The Governing Body passed Resolution No. 2013:200, authorizing the advertisement and opening of bids for the reconstruction of the basin. We must prepare the bid documents so that the reconstruction work can be performed. I am expecting that the construction documents will be completed by the end of 2014.

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

On occasion, the street has flooded, due to the apparent limited capacity of the drainage system and receiving ditch, which is on the

AUGUST 25, 2014

Board of Education property. I have discussed the matter with Mr. Pfluger, School Buildings and Grounds Superintendent.

The ditch must be reconstructed to provide additional capacity and a positive outflow.

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

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

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

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

15. MAINTENANCE OF THE SPILLWAY AT BERLIN CIRCLE PLAZA SHOPPING CENTER

Several months ago, Council President Morris has notified the property manager that the water level of the stormwater basins (ponds) is higher than it should be, as a result of the outflow orifice being blocked at the spillway. I believe that the owner of the shopping center has discussed the implementation of improved maintenance procedures with the Council President Morris.

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

I met with the representatives of the Pinelands Commission Planning staff to discuss the matters of greater development for the Dandrea and Triple-T parcels. The representatives have informed me that they will not consider the individual parcels but may consider a comprehensive approach to the development of the remaining Pinelands area. They have suggested that the Township prepare and submit a proposal for this comprehensive plan.

17. MONTEBELLO PUMPING STATION

The developer has, requested that we meet, again, in September, after they have had some time to perform the corrective measures. Therefore, at this time, I continue to recommend that the Governing Body not take any action to accept the ownership of this facility.

18. TAX MAP REVISIONS

AUGUST 25, 2014

We are performing the revisions to the Tax Maps as a result of the review comments, which have been received from the N.J. Department of Treasury. We expect to re-submit the revised set of Tax Maps, which address their comments, to the State agency by the end of August, 2014.

FORMER MUNICIPAL BUILDING SITE, BATE AVENUE

The Public Works Department has applied the two coats of encapsulant to the lead base painted curbs. I have notified the County representative that we have completed this work.

I am hopeful that I will be able to address the remaining issues with the surveying of the property so I can issue the survey of the premises.

Key Engineers has submitted the Preliminary Site Assessment Report. I have requested that Key Engineers submit a proposal for the performance of the necessary environmental work. Once I receive their proposal, I will discuss the matter with the Governing Body and Ms. Campisano...

19. IMPROVEMENTS TO THE INTERSECTION OF HADDON AND FRANKLIN AVENUES/ REQUEST FOR CHANGES TO SIGNAL TIMING

Quite some time, ago, Chief Check has recommended that the green time be extended for Haddon Avenue (coming from Voorhees Twp) between 4:30 and 6:30 p.m. In order to change the signal timing it was necessary to perform traffic counts and a traffic engineering study and obtain County consent of re-timing of the signal sequence.

In anticipation that the County would be making the necessary permanent improvements to the intersection, the above work was delayed. The County Engineer has informed me that a construction contract was to be awarded to R.E. Pierson Construction in July, 2014 with the anticipated construction to commence in September, 2014.

20. TRAFFIC CALMING PROGRAM

I believe that the Governing Body is still considering the implementation of a traffic calming program, using portable speed humps and warning signage, flashing speed notice boards with flashing white strobe lights and other traffic calming devices.

Residents along Minck Avenue, Fairview Avenue and Taunton Avenue have voiced their concerns with the excessive speeding, along their streets. Several residents along Mt. Vernon Avenue have voiced their concern of vehicles speeding within the section where the reconstruction project will be eliminating the high crown area at the intersections.

21. REVISIONS TO TRAFFIC ORDINANCE

I believe that another meeting is being scheduled to discuss the final changes to the Traffic Code.

22. REVISIONS TO THE STREET OPENING ORDINANCE

AUGUST 25, 2014

I have been meeting with Township Solicitor's staff to discuss the possible amendments to address the issues, which have been discussed by the members of the Governing Body.

23. INVESTIGATION FOR SIDEWALK ALONG OAK AVENUE

At the Council Meeting, in November 2013, the Governing Body discussed the possible construction of sidewalk along one side of the street, due to the narrow width of the roadway. I will be investigating this matter and will report to the Governing Body.

24. SOLID WASTE DISPOSAL CONTRACT

The current County Contract amount expires at the end of this year. The Contract included an option to extend the Contract at an increased rate of \$76.00/ ton. The current rate is \$63.00. The County has decided to bid for the disposal of solid waste for 2015. It is expected that the low bid price will be approximately \$65.50/ ton. The County has requested that all municipalities respond to them, regarding the interest in participating with this bid. I recommend that the Governing Body consider participating in the bid and respond to the County by the deadline date.

25. INVESTIGATION OF THE CONDITION OF THE RECENTLY CONSTRUCTED CONCRETE SIDEWALK ALONG HADDON AVENUE

It has been brought to my attention that the concrete sidewalk is severely spalling, after the past winter season. I will investigate the condition and report to the Governing Body with my recommendations.

D. PUBLIC WORKS DEPARTMENT

1. STAFFING ISSUES

William Townsend retired on May31, 2014. I believe that the Township will be recognizing him for his services, in the near future. We have hired two temporary employees and Messrs. Eisinger and Curtis have returned to full duty work.

We have advertised and are receiving applications for the Deputy Director. We will be performing interviews of the selected candidates during the week of August 18, 2014. I intend to make a recommendation for an individual to be appointed prior to the Council Meeting on August 25, 2014... I am hopeful that we will be able to fill this position, in the immediate future.

2. AUCTION FOR VEHICLES AND EQUIPMENT

There is a large number of vehicles, which have been seized or become inoperable, which are being stored at the Public Works yard. We have been directed by the JIF consultant to remove these vehicles from the yard.

AUGUST 25, 2014

I recommend that the Governing Body consider authorizing the auctioning of vehicles, equipment, computers, etc., which are no longer usable. I believe that the Governing Body is considering the posting with electronic bidding firm(s).

3. SEWER JETTER/VACUUM TRUCK/APPARATUS

The new jetter/ vacuum apparatus has been delivered and the staff is using it.

4. IMPROVEMENTS TO SEWER PUMPING STATIONS

Ordinance No. 2013-12 was adopted at the last Council Meeting. We have received quotes for the inspection and evaluation services for the pumping stations. A.C. Schultes of Woodbury Heights has performed services, which I must review. Once I complete the review of their report, I will report to the Governing Body.

We will begin to order the various items, perform the design for upgrades and make the improvements, after the completion of the pumping station evaluation

5. REQUEST FOR 2013 CAPITAL PURCHASES FOR VEHICLES AND EQUIPMENT

I strongly recommend that the Governing Body consider allocating the necessary funds for trash trucks, dump trucks, tub grinder and several other vehicles and pieces of equipment for the Public Works Department. We have been experiencing frequent breakdowns, requiring repairs and making them unreliable and unavailable for usage for the performance of Public Works tasks.

Due to the need for the application of line striping, for existing and proposed lane, stop, shoulder and parking space lines and crosswalks, I strongly recommend that the Governing Body consider the purchase of a small line striper. We can, no longer purchase replacement parts for the existing (year 1961) line striping machine.

I would like to discuss this matter with the Governing Body, in the immediate future, so that the necessary actions can be taken to purchase these items.

6. COLLECTION OF SOLID WASTE AND RECYCLABLES

As you know, we have been experiencing frequent breakdowns of the collection vehicles, to the point where several of the trucks have been inoperable, at the same time. Luckily, the Boroughs of Berlin and Lindenwold have been gracious in, immediately, providing us with their collection vehicles so that solid waste and recyclables can be collected, in the Township, during the normal collection schedule.

An analysis is being performed, regarding collection methods and other public works tasks. I hope to submit the analysis and findings report to the Governing Body, prior to the Council Meeting on August 25, 2014.

7. TEXTILE RECYCLING

I must, still, meet with the Westville Public Works Superintendent to obtain the information, regarding the implementation of this program.

8. LEAF COMPOST MATERIAL

I had, previously, mentioned that we experienced extreme difficulty in having the composted leaves removed from the composting area as there was very little interest in the partially composted leaves, which resulted from the inability to grind the leaves, due to the tub grinder becoming inoperable. I strongly recommend that the Governing Body consider the purchase of a new tub grinder if the Township will continue to operate the composting facility. Otherwise, it will be necessary for the Township to haul the leaves to another municipal composting facility and pay for the disposal at their facility.

9. ORDER FOR VARIOUS SIGNS

We have received the quotes for various signs, which we are not able to fabricate with the Township sign machine. I am reviewing the quotes and will report to the Governing Body.

10. PERFORMANCE OF VARIOUS TASKS

The Public Works staff is in the process of sweeping the streets, performing of the maintenance to the streets, sports fields and park areas...

SOLICITOR REPORT

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. DiluzioV. Berlin Township
5. Chief Jackson
6. Berlin Township ADS. Estate of Raj Kumar Chopra
7. Berlin Township ADS. David Carp
8. Berlin Twp. ADS. Jason Black
9. Berlin Twp. ADS. Jennnifer Vernacchio as Guardian Hannah Maslanka
10. Berlin Township ADS. Tarin Durham
11. Berlin Twp. ADS. Tyrone Powell
12. Open Public Records Act.
13. Fire Safety Ordinance
14. Traffic Ordinance Overhaul.
15. Political Sign Ordinance
16. Community Center Rental Ordinance
17. In Rem Tax Foreclosure
18. Street Opening Bond Requirements
19. Timothy Serrone / The Music Place

AUGUST 25, 2014

MAINTENANCE / ANIMAL CONTROL OFFICER

Maintenance Officer /Animal Control Officer, Joshua Shellenberger reported that the shelter numbers so far this year is approx. around 50. We have returned or found homes for 25 cats and dogs. Josh also informed the Council that a bat had tested positive for rabies. Josh commented that he has been trying to stay proactive with property maintenance issues on the vacant homes.

POLICE DEPARTMENT

Chief of Police, Lenny Check reported 35 vehicle accidents, 147 summons issued, 31 arrests including 5 drug arrests,1 DWI and 4 shoplifting arrest were made for the month of July.

Chief also updated the Governing Body on the month long investigation of the Berlin News Agency.

Chief also completed a study on Heights Avenue in regards to the parking regulations and has submitted his recommendations.

RESOLUTION 2014-112 AUTHORIZING PRESIDENTIAL TITLE AGENCY INC. TO FINISH THE IN REM FORECLOSURE SEARCHES FOR AN ADDITIONAL COST.

WHEREAS, pursuant to Resolution #2014-94 the Governing Body authorized the initiation of in rem tax foreclosure proceedings against certain properties as shown on a Certified In Rem Property list; and

WHEREAS, in furtherance of said in rem proceedings, the Township awarded title work to Presidential Title Agency, Inc.; and

WHEREAS, Presidential Title Company has advised that the scope of work for three of the properties identified on the Certified In Rem Property List exceeds the time and cost set forth in Presidential Title Agency's contract with the Township; and

WHEREAS, the Governing Body desires to pursue in rem foreclosure proceedings against all of the properties identified on the Certified In Rem Property List and acknowledges the need to complete the title searches for such additional cost identified by Presidential Title Agency;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Berlin, County of Camden, State of New Jersey, as follows:

1. That the Governing Body does hereby authorize, approve and/or ratify Presidential Title Agency to complete the extended title searches for the three properties identified by

AUGUST 25, 2014

Presidential Title Agency as requiring work outside the scope of the contracted services at a cost not to exceed an additional \$250 per property.

2. That a certified copy of this resolution be forwarded to the Tax Collector, Township Attorney and Presidential Title Company.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-112. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-113 CONFIRMING LIST OF UNCOLLECTIBLE TAXES .

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 July 3, 2014 & July 17, 2014
Diane Zoppel, CTC - Tax Collector

<u>NAME</u>	<u>YEAR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>REASON</u>
Phillip & Sharon Mangini	2014	805-6	2774.40	100% Disabled Veteran Per NJSA 54:4-3.30et seq
	2015		2842.10	
Francis & Elizabeth De Paul	2014	2203-25	269.74	100% Disabled Veteran Per NJSA 54:4-3.30et seq
	2015		284.75	
			\$ 6170.99	TOTAL

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 Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-113. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-114 AUTHORIZATION TO HOLD TAX SALE FOR 2013 OPEN DELINQUENCIES PER THE OFFICIAL EXTENDED TAX DUPLICATE LIST RULES AND REGULATIONS PURSUANT TO N.J.S.A. 54:5-19.

WHEREAS, according to the amended regulations set forth in N.J.S.A. 54:5-19 et seq., all taxes and municipal sewer and other lienable charges payable through December 31, 2013 shall be

AUGUST 25, 2014

subject to tax sale and offered for sale of lien to the lowest bidder or highest premium bidder at a tax sale to be held on the 17th day of September 2014 at 10:30 AM at the Municipal Building, and;

WHEREAS, there are delinquencies appearing in the records of the Township of Berlin for monies levied on the owners of record as they appear in the official tax list filed in the office of the Collector of Taxes of Berlin Township, as well as certified listings from the Borough of Berlin Water Department and the Camden County Municipal Utilities Authority, and;

WHEREAS, at any time before a scheduled tax sale, the collector shall receive payment of the amount due on any property, with the interest and costs incurred up to the time of payment, and;

WHEREAS, the taxpayer shall pay the full amount advertised which includes the costs, at two percent of the total delinquency not to be less than \$15.00 nor more than \$100.00, and now must be paid in order to remove the property from sale and;

WHEREAS, the Tax Collector may mail NOTICE OF SALE for any two weeks and advertise for any two weeks, or just advertise consecutively for the full four weeks, with the official tax sale held the following week, and;

WHEREAS, the costs incurred for each mailing of NOTICE OF SALE be set at \$25.00 per mailing, and be collected in order for the property to be removed from said tax sale, so;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Tax Collector be authorized to hold a Tax Sale for all unpaid charges through the end of the 2013 calendar year, properties located in our municipality on September 17, 2014 and being advertised and/or with official notices of sale for four consecutive weeks and notice to the owners of record according to the requirements of N.J.S.A. 54:5-19 et seq.

Submitted for August 25th, 2014 meeting.
Diane Macri-Zoppel, CTC

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-114. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-115 AUTHORIZING THE TOWNSHIP OF BERLIN TO ENTER INTO AND EXECUTE A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF BERLIN, THE BOROUGH OF PINE HILL AND THE TOWNSHIP OF WATERFORD FOR THE MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN PARTICIPATING UNITS.

WHEREAS, each municipality recognizes that there may be a disaster which may endanger the health, safety or property of the residents of participating Municipality, that is so large in scope and magnitude that it exceed the resources of a single Municipality; and

AUGUST 25, 2014

WHEREAS, such agreement would utilized public works personnel and equipment whenever one of the municipalities requires such mutual aid and assistance such as catastrophic events, emergencies and devastation caused by the threats of nature; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et seq) permits local municipalities to enter into Agreements for Shared Services for a mutual public purpose.

NOW, THEREFORE BE IT RESOLVED, in consideration of the mutual covenants and agreements set forth between the parties to this agreement, the parties agree as follows. (see attached)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to sign the contract for shared services by and between the Borough of Berlin, Borough of Pine Hill and the Township of Waterford for the mutual aid and assistance agreement between participating units.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-115. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-116 RESOLUTION TO GRANT THE RELEASE OF SOUTH JERSEY GAS ESCROW FUND.

WHEREAS, South Jersey Gas located at 1 South Jersey Plaza, Folsom NJ has requested the release of their escrow for a street opening permit; and

WHEREAS, the Engineer has recommended that the Township grant the request for the release of \$ 5172.77 in escrow funds.

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 South Jersey Gas is hereby granted.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-116. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-117 PAYMENT OF BILLS FOR AUGUST.

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

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

TO	ACCOUNT	AMOUNT
-----------	----------------	---------------

AUGUST 25, 2014

Berlin Township Animal Clinic	Dog Trust	\$ 157.00
Treasurer, State of NJ	Dog Trust	15.00
Voorhees Animal Orphanage	Dog Trust	400.00
Carlamere & Rowan	PB Escrow #308	75.00
Carlamere & Rowan	PB Escrow #378	125.00
Carlamere & Rowan	PB Escrow #381	95.00
Key Engineers	PB Escrow #286	2,300.00
Key Engineers	PB Escrow #286	1,818.75
David Capozzi, ESQ	Mun Public Defender Trust	150.00
South Jersey Gas	Street Opening Escrow	5,172.77

CONFIRMING

Various Current Fund,Sewer		
Operating Fund, General Capital	See Bill List attached dated:	
Fund & Sewer Capital Fund Checks	7/29/14	\$ 1,703,229.10
Robert E. DePersia II, ESQ.	Municipal Public Defenders Trust	675.00
Charles Block, ESQ	Municipal Public Defenders Trust	225.00
Voorhees Animal Orphanage	Dog Trust	400.00
Treasurer, State of NJ	Dog Trust	92.40
Verizon-Admin Internet (6/16/14)	4-01-31-443-2077	109.99
Wayne's Tree Service	4-01-26-310-2024	700.00
State of NJ Health Benefits	4-01-23-220-2092	63,306.07
State of NJ Health Benefits	4-01-23-220-2092	28,522.33
Verizon-Fios TV (6/13/14)	4-01-20-120-2105	160.86
Verizon Wireless (MDT's)	4-01-25-240-2028	228.18
TD Bank, N.A.	4-01-45-930-2105	230,887.50
TD Bank, N.A.	4-07-55-522-2105	62,774.76
	4-07-66-160-0168	7,659.62
USPS Hasler	4-01-20-120-2022	2,000.00
Verizon -PD Internet (7/1/14)	4-01-31-443-2077	109.99
America on Line (6/23/14)	4-01-31-443-2077	40.99
State of NJ, Health Benefits	4-01-23-220-2092	62,592.01
State of NJ, Health Benefits	4-01-23-220-2092	28,522.33
Ameriflex (07/2014)	Flex Claims Account	75.00
Chief Leonard Check	4-01-25-240-2105	192.00
	4-01-25-240-2137	82.00
Ameriflex(08/2014)	Flex Claims Account	75.00
State of NJ Health Benefits	4-01-23-220-2092	2,293.80
State of NJ Health Benefits	4-01-23-220-2092	28,522.33
Verizon-PD Internet (8/1/14)	4-01-31-443-2077	109.99
Payroll, Current Fund	06/26/2014	119,749.03
Payroll, Sewer Operating Fund	06/26/2014	6,100.64
Payroll, Current Fund	07/10/2014	126,887.64
Payroll, Sewer Operating Fund	07/10/2014	6,519.43
Payroll, Current Fund	07/24/2014	125,390.36
Payroll, Sewer Operating Fund	07/24/2014	6,106.22
Payroll, Current Fund	08/07/2014	124,384.95

AUGUST 25, 2014

Payroll, Sewer Operating Fund

08/07/2014

6,321.06

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-117. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-118 RESOLUTION CANCELING THE RECEIVABLE AND RESERVE BALANCE FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT – SIDEWALKS ALONG ROUTE 73.

WHEREAS, a receivable and reserve balance of \$79,733.00 titled New Jersey Department of Transportation Grant – Sidewalks Along Route 73 remains on the balance sheet at 8/25/14; and

WHEREAS, the grant is complete and it is necessary to formally cancel the receivable balance and its' offsetting appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the receivable and reserve balance of \$79,733.00 titled New Jersey Department of Transportation Grant – Sidewalks Along Route 73 is hereby canceled

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-118. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-119 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – CLEAN COMMUNITIES GRANT.

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

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

WHEREAS, the Chief Financial Officer has certified that the Township has received a FY 2014 Clean Communities Grant from the Department of Environmental Protection for \$10,958.27;

BE IT FURTHER RESOLVED that a like sum of \$10,958.27 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"

Clean Communities Grant

\$ 10,958.27

AUGUST 25, 2014

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 Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-119. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-120 AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT SUPPLEMENTAL FUNDING FOR YEAR 35.

WHEREAS, the Township of Berlin has been awarded supplemental funding for Year 35 in the amount of \$ 11,760.00; and

WHEREAS, an agreement with the County of Camden must be executed for the supplemental funding for the purpose of replacing the Senior Center Roof; and

WHEREAS, the Township Engineer recommends that the Governing Body authorizes the preparation of the bid documents and the advertising for the receiving of bids.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign the Supplemental CDBG Grant Agreement for Year 35, and is hereby authorized to receive bids for the replacement of the senior Center Roof contingent upon review and approval of the Township Solicitor.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-120. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-121 FINAL CHANGE ORDER NUMBER 1 FOR PROPOSAL NUMBER 1 IMPROVEMENTS TO Mt. VERNON AVENUE 2013 STREET IMPROVEMENT PROGRAM.

WHEREAS, it is necessary to make changes in the scope of the work to be done in completing Proposal Number 1, 2013 Street Improvement Program, in the Township of Berlin, Camden County, New Jersey; and

WHEREAS, Final Change Order Number 1 was developed to adjust Lexa Concrete, LLC contract amount from \$373,373.20 to 364,412.84 , a reduction of 8,960.36 due to as-built quantities and pavement penalties; and

WHEREAS, certification has been received from the Township Chief Financial Officer that sufficient funds have been allocated for this Final Change Order and;

AUGUST 25, 2014

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin Mayor and Council that Final Change Order Number 1 is hereby authorized and approved for the change in the Contract amount from \$373,373.20 to 364,412.84 and Final Voucher #3 is approved for the amount of \$49,037.12.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-121. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-122 FINAL CHANGE ORDER NUMBER 2 FOR PROPOSAL NUMBER 2 IMPROVEMENTS TO EDGEWOOD AVENUE 2013 STREET IMPROVEMENT PROGRAM.

WHEREAS, it is necessary to make changes in the scope of the work to be done in completing Final Proposal Number 2, 2013 Street Improvement Program, in the Township of Berlin, Camden County, New Jersey

WHEREAS, Final Change Order Number 2 was developed to adjust Lexa Concrete LLC contract amount from \$319,682.53 to 317,604.07, a reduction of \$2,078.26 due to as-built quantities; and

WHEREAS, certification has been received from the Township Chief Financial Officer that sufficient funds have been allocated for this Final Change Order and;

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin Mayor and Council that Change Order Number 2 is hereby authorized and approved for the change in the Contract amount from \$319,682.53 to 317,604.07 and Final Voucher #4 is approved for the amount of \$9,237.14.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-122. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-123 RESOLUTION TO RELEASE THE PERFORMANCE BOND FOR DIGGERLAND USA AND THE POSTING OF A MAINTENACE BOND

WHEREAS, Diggerland USA Holding Company, LLC, 535 Route 73 North, West Berlin, New Jersey; Block 2601, Lot 1 & 5, has requested the release of their performance bond # PRF09148806; and

WHEREAS, the Engineer has recommended that the Township grant the request for the release of their performance in the amount of \$2,177,946.00 contingent upon all outstanding vouchers be paid in full and the posting of a two year Maintenance Bond in the amount of \$272.243.25.

AUGUST 25, 2014

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the release of Diggerland USA performance bond # PRF09148806, is hereby granted with the conditions stated above.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-123. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-124 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – YEAR 35 COMMUNITY DEVELOPMENT BLOCK GRANT SUPPLEMENTAL FUNDS.

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 Year 35 Community Development Block Grant Supplemental Funds from the County of Camden for \$11,760.00;

BE IT FURTHER RESOLVED that a like sum of \$11,760.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Community Development Block Grant	
Supplemental Funds	\$11,760.00

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 Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-124. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-125 RESOLUTION APPOINTING A PUBLIC WORKS DEPUTY DIRECTOR.

WHEREAS, the Governing Body desires to appoint a new Deputy Director of Public Works; and

AUGUST 25, 2014

WHEREAS, the Governing Body has selected **Andrew Simone** for the position of Deputy Director of Public Works; and

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

1. Mr. Simone shall apply for and obtain his Certificate confirming his status as a Certified Public Works Manager in accordance with N.J.S.A. 40A:154.6a et. seq., and certifications in Composting Operator, Recycling Professional, CRP and Wastewater Operator.
2. The terms of Mr. Simone employment shall be governed by a Contract to be entered into between the Township of Berlin and Mr. Simone, as the Public Works Deputy Director.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, that **Andrew Simone** is hereby appointed the Deputy Director of Public Works for a term commencing September 2, 2014 and ending December 31, 2014 and that the Mayor is hereby authorized to sign the contract, subject to review of the Township Solicitor.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-125. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014- 126 RESOLUTION AMENDING SALARY RESOLUTION 2013: 196 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 2013: 196 on December 16, 2013, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2014; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective September 2, 2014:

POSITION	AMOUNT PER YEAR
Deputy Public Works Director:	
Date of Hire	\$ 55,000.00
On 11/2/14 (After 60 Day Probationary Period)	\$ 60,000.00
With N.J.C.P.W.M. Certification	\$ 64,000.00
Additional Compensation per year for the following:	

AUGUST 25, 2014

Composting Operator Certification	\$500.00
Enrollment in the Certified Recycling Professional Education Program	\$250.00
Enrollment in a N.J. approved Wastewater Operators Education Program	\$250.00

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

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-126. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-127 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) – DRUNK DRIVING ENFORCEMENT GRANT

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

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

WHEREAS, the Chief Financial Officer has certified that the Township has received a Drunk Driving Enforcement Grant from the NJ Division of Highway Traffic Safety for \$7,094.96;

BE IT FURTHER RESOLVED that a like sum of \$7,094.96 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"
Drunk Driving Enforcement Grant \$7,094.96

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 Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-127. Resolution adopted by call of the roll, four members voting in the affirmative.

AUGUST 25, 2014

RESOLUTION 2014-128 RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A BID OPENING FOR THE IMPROVEMENT TO THE SENIOR BUILDING ROOF AND CEILING.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Public Work's Director is hereby authorized to advertise and accept bids for the improvement to the senior building roof and ceiling.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-128. Resolution adopted by call of the roll, four members voting in the affirmative.

RESOLUTION 2014-129 RESOLUTION TO PARTICIPATE IN 2015 COUNTY SOLID WASTE DISPOSAL CONTRACT.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, hereby authorizes to participate in bidding for services under the County for the year 2015 County Solid Waste Disposal.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-129. Resolution adopted by call of the roll, four members voting in the affirmative.

Approval of Business License

- 1) Melissa Jenkins T/A RCI Auctions, North East LLC, 225 North Route 73 North. Online Auctions, building used as a storage office.
- 2) Dr. John Ruskey T/A Atlantic Care / Urgent Care Physicians LLC. 255 Route 73 North. Urgent Health Care Services.
- 3) Mark Denafio T/A Playmore Sports and Social, 419 Commerce Lane Unit 5. Office and storage for Playmore Sports and Social Administration.
- 4) Jatin Mehta T/A Metasense Inc. 403 Commerce Lane Unit 5. IT staffing and web design.
- 5) Salvatore Tamburo T/A A Plus Cleaners & Alteration, 115 Route 73 North. Organic Dry Cleaning, Laundry and Alterations.

Motion by Councilman Epifanio, second by Councilwoman Bodanza to approve the business licenses above. Licenses approved by call of the roll, four members present voting in the affirmative for license.

Approval of Pawn Broker License & Secondhand Dealers License

AUGUST 25, 2014

- 1) Peter M. DelBorrello T/A 1st United Pawn & Loan, 140 Route 73 North.
(Name change from United We Buy and owner added)

Motion by Councilman Epifanio, second by Councilman McIntosh to approve the Pawn Broker & Secondhand Dealer licenses above. Licensed approved by call of the roll, four members present voting in the affirmative for licenses.

Approval of Kennel License / Pet Shop

- 1) Best Friends Pet Care, 585 Route 73 North, West Berlin NJ 08091.
The Boarding and grooming of pets.

Motion by Councilman Epifanio, second by Councilman McIntosh to approve the Kennel License/ Pet Shop above. Permits approved by call of the roll, four members present voting in the affirmative for Permits.

Approval of Minutes for June 23, 2014

Motion by Councilman McIntosh, second by Councilman Epifanio to approve the minutes for June 23, 2014. Motion carried by voice vote, four present voting in the affirmative.

Approval of Minutes for July 11, 2014

Motion by Councilwoman Bodanza, second by Councilman McIntosh to approve the minutes for July 11, 2014. Motion carried by voice vote, four present voting in the affirmative.

Correspondences Calendar for June 2014 and July 2014

Motion carried by Councilman Epifanio, second by Councilwoman Bodanza to receive and file the correspondence calendar for June and July 2014. Motion carried by voice vote, all present voting in the affirmative.

Consent Agenda for June 2014 and July 2014

Motion by Councilwoman Bodanza, second by Councilman McIntosh to receive and file the monthly reports on the consent agenda for June and July 2014. Motion carried by voice vote, four present voting in the affirmative.

All other business

- 1) Abandon Property Legislation / Amendments

AUGUST 25, 2014

Stuart Platt, Township Solicitor went over the new legislation that has taken effect on July 14, 2014. The recently amended legislation deals with abandoned properties. It permits municipalities to impose penalties on banks that do not abate nuisances on these properties. The new law also requires municipalities to give notice to the bank before it can impose any penalties. Currently the Township does not have an abandoned Property Ordinance on the books

- 2) Solid Waste Disposal Contract – Year 2015
- 3) Resident letter – Planning and Zoning Board Solicitor will be addressing the resident letter.
- 4) Municipalities Continuing Disclosure Initiative- Proposal to conduct a Survey and serve as Continuing Disclosure Agent

Lori Campisano, Chief Financial Officer went over the Municipalities Continuing Disclosure Initiative and recommended that Mayor and Council take advantage of an experience professional company; Phoenix Advisory LLC to help assist with the self- assessments.

Stuart Platt, Township Solicitor commented that these appointed companies that are paid by the Township to perform a service should pay towards Phoenix Advisory LLC the services that they were paid to do but didn't.

The Mayor agreed.

RESOLUTION 2014- 130 RESOLUTIONS AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH PHOENIX ADVISORS, LLC TO CONDUCT CONTINUING DISCLOSURE SURVEY

WHEREAS, in accordance with LFN 2014-9 issued by the State of New Jersey Division of Local Government Services, there will be severe consequences for failing to identify to the Security Exchange Commission (SEC) past noncompliance with continuing financial disclosure requirements as related to outstanding bonds under the program known as the “Municipalities Continuing Disclosure Cooperation Initiative” by September 10, 2014 (extended to December 1, 2014); and

WHEREAS, as recommended by the State of New Jersey, to comply with the Initiative, the Township of Berlin, finds it necessary to obtain the services a professional firm with expertise in researching past continuing disclosure filings in accordance with SEC Rule 15c:2-12 adopted in 1997; and

WHEREAS, Phoenix Advisors, LLC has submitted a proposal dated August 22, 2014 to provide the following:

AUGUST 25, 2014

- a) Continuing Disclosure Compliance Services consistent with the MCDC Initiative to include the review and research of the Township's Continuing Disclosure Compliance, provide the Township with a report of findings, file all required documents to place the Township in compliance and prepare the SEC's "self-reporting" forms to be filed by the Township for a fee of \$950.00 (for up to three researched issues) plus \$150.00 for each additional issue

WHEREAS, funds are available as set forth on the attached Certification from the Township Chief Financial Officer;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor be and is hereby authorized to sign a contract, subject to the review of the Township Solicitor, with Phoenix Advisors, LLC for Continuing Disclosure Compliance Services consistent with the requirements of the MCDC Initiative as detailed above.

Motion by Councilman Epifanio, second by Councilman McIntosh to adopt Resolution 2014-130. Resolution adopted by call of the roll, four members voting in the affirmative.

Public Portion

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

Dorothy Mueller 6 Centaurian Court talked about an abandon property on Centaurian Court that seems to be vacant for some time and an eye soar. She asked what could be done.

Joshua Shellenberger said that he is aware of the property and that the bank had taken it over.

Mrs. Mueller was instructed to leave her contact information with the Township Clerk so they can update her.

Melanie Ketchum 223 Park Avenue, a representative for BTAA asked Chuck if the BTAA could meet with him to discuss the dek hockey courts since the hockey program is coming up. She also asked for if the soccer net and the outdoor lights could be put out.

Chuck replied yes he would get the soccer fields ready and that he would contact them to set up a meeting to discuss the up and coming hockey program.

AUGUST 25, 2014

Richard Grabowski 200 Centaurian Drive came in to discuss why his trash can was ticketed. Rich commented in the last 8 years he has not had any problems with his trash cans but now he is being told that his trash can exceed the weight limitations and can.

Chuck replied that ordinance 2011-2 was put in place and slowly he has been informing residents about the trash cans and weight limitations. He replied that the employees are to lift the trash cans up and dump the trash in the truck. They are not supposed to pull out bags from the cans because they are at risk of getting jab by needles or sharp objects.

Mayor Magazzu said this was ordinance was put in place for the health safety and welfare of the public works employees. Mayor noted that the changes to the trash cans have been in the newsletter many times.

Rich replied then let us do it for everyone, site everyone in town because I see everyone on my street with those cans.

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

Adjourn

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adjourn the meeting at 8:16 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 8:16 pm

Catherine Underwood, Township Clerk