

AUGUST 3, 2009

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY, WAS HELD IN THE CONFERENCE ROOM OF THE SCHOOL BOARD ADMINISTRATIVE BUILDING, 225 GROVE AVENUE, WEST BERLIN, NEW JERSEY ON MONDAY AUGUST 3, 2009 AT 6:30 P.M.

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

All in attendance joined in the Salute to the Flag.

ROLL CALL

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

Also Present- Donafaye Zoll, Solicitor, Scott Smith, Engineer Michael Laginestra, Zoning Officer, Michael McGee, Director Public Works, Lori Campisano, CFO, Joseph Jackson, Chief Of Police.

GOOD AND WELFARE #1

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

Mr. Hertzberg stated that the flooding on Walker Avenue from Sunday night's storm was caused by negligence by the County, the water was not reaching the pond, the pond wasn't full. So we are looking at the same problem for about 30 years of keeping the ditch clean. We need to do something different, that what I am asking, we just can't keep sitting and occurring a few thousand dollars of damage every time.

Mayor Magazzu asked Mike McGee our Public Works Director, What did the County say when they did come out.

Mike McGee responded that the County was out there today and said that they were going to redo, because the road way is sinking the asphalt, pipes and redo a section of the trench and basin. They are looking at, from the pipe to the state pond, whose property is who and what they can do, if they can remove that pipe or not. Chuck Riebel, Township Engineer got a hold of Soubasis (Owner) to talk about the situation.

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He is going to get back to Chuck. We have established that Jester put the pipe in. We don't know if there was a permit with the state issued to put the pipe in or not. The new guy in the County seems to be very receptive on moving on this.

Councilman Batten stated that he was out there last night and that the ditch was flowing, the problem was that pipe could not take the water fast enough. The pipe opening is not big enough to take all the water on fast enough.

Mr. Hertzberg asked how long has that pipe been there.

Councilman Batten stated the pipe has to come out. The pipe has been there since Jester put it in years ago.

Mr. Hertzberg said then we have been talking about this same problem for 30 years and nothing happening.

Councilman Batten said that all he was clarifying is that the ditch was clean and water was flowing. The pipe is the problem.

Mr. Hertzberg asked we as a collective group, are asking what can you do to represent the people who are dealing with this problem.

Council President DiGangi asked if we have a right legally to go on to the property and fix it.

Mayor Magazzu replied that they would not let us.

Council President DiGangi responded that if we could fix it we would. Tom recommend that we leave it on the agenda every meeting and follow up that the County is going to meet there commitments and stay right on top of them.

M. Hertzberg asked if there are any legal steps that we could take.

Council President DiGangi stated we will see if the County is going to do what they say. If they are not going to do what they say, then we will see what other steps we can take.

Mayor Magazzu stated now we have someone from the county who is willing to work with us, in the past we didn't.

Mr. Hertzberg asked if we could be more aggressive and inspect the ditch and make a report and sent it to the county about the ditch findings and then from a legal point so that we can go back to the county that they were notified if something occurs.

Council President DiGangi responded that we will have our attorney send them a letter, putting them on notice.

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Resident commented we had the same problem right around the corner at Haddon and Lucas. It was the first time I had ever seen it flood like that yesterday. Police had Haddon and Lucas blocked off, it was about 2 ½ foot deep.

Councilman Batten stated it goes back to the pipe not taking it in so it is forcing the water to back up onto Haddon and Lucas. The whole half of town water is going to that ditch and to that pipe and because of the amount of rain it backed up because it had no place to go but Lucas. Unfortunately the resident at 87 Walker Ave had about 3 ½ foot of water in her basement.

Mr. Hertzberg responded that it is kind of ironic; we have been talking about the same problem for 30 years. We haven't mandated ourselves to do anything to fix the damages that are occurring to these people, that happen numerous times. That's new heaters, hot water heaters, that is a terrible expense to go through, and that's because we are deciding who owns a piece of pipe. In this day and age and our legal representative, we can't find out who owns the ditch.

Donafaye Zoll, Solicitor replied I think it has already been established that the County owns the ditch. The question is, who put the pipe in and who is responsible for the maintenance. Up to this point the Township has done everything that it can. We can only do so much if we don't own the property. The Township can't go on a property to remove or fix the problem; we don't have the right to do that regardless to what damage it has caused someone else.

Mayor Magazzu commented that hopefully with this new person we have someone that will help us, if not we will put it in writing and go after them.

Council President DiGangi remarked we will do that if we have too, but we will give this new guy a shot at least a couple of weeks to find out what he is going to do.

Donafaye Zoll replied that maybe some of these residents who have had damages with home owner insurance should go after the County.

Kathryn Schmidt replied that her mom and dad's homeowner insurance is tired of doing that and that there was a water shed study done 25 years ago on this section which we were told numerous times, and have in writing from council which I understand, it was somebody else's problem, but my father broke his back and is disabled. That puts everything on me. It is very hard for me to do that, cleaning up her basement. We have been coming to you for about 25 years, we have been fighting this. But Minick Avenue is constantly getting work done. Why is Minick and not Haddon. When Mr. Jester bought that property we asked him to address that problem and you told us that he would maintain that sewer drain. I have that down in writing too, but why isn't he being responsible to maintain this piece of property whether County pipe or not. He should make sure his property section is clean. I can't tell you all the trash I see and it doesn't flow and it doesn't just stop at the pipe. There is other problem areas along that ditch. I got water in my basement for the first time since the shopping center went up. I know we had a lot of rain, I understand that but we keep building properties, and where do you think this water is going to go to. All the water runs to my parents side of town no

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curbing and sidewalks. But everyone else is getting curbing and sidewalks. Why can't we get curbing and sidewalks to stop the problem with sewer drains, that we have been asking for years? Yesterdays was the toll of everything my mother spent money on sand and another pump and now its we need another new washer, dryer and I don't have the money to give her. I lost all my grandmothers thing do you know how upsetting that is to me, pictures, birth certificates because the basement flooded fifty some times. Nothing gets done, they push the buck on somebody else.

Mayor Magazzu suggested to the group to go to the County freeholder meeting because everyone would be there, and we will send a letter prior to that meeting.

Mr. Hertzberg replied that we will get the double talk, that they don't have any money or the man power. We have heard all those stories for the last 30 years, so many times.

Councilman Batten replied that the Gentleman this morning did not say they didn't have the money but they were looking into doing it now and to move on it quicker, to correct the road way and taking out that pipe. He is looking into that site, whether they are aloud to take that out. Soubasis is not the guy who put that pipe in Jester. Soubasis is the guy who bought that property and to take care of it, but nothing is happening.

Kathryn Schmidt asked when they did that sewer drain thing, that big pond with the mosquito trap, how come no one is maintaining that.

Council President DiGangi replied the state is not maintaining anything.

Mr. Hertzberg stated that Councilman Batten is saying that they are going to take the pipe out, we hope, they are going to repair the asphalt road where it is caving in, where the drain is, which is good and they are going to clean the ditch this is good it will last for six months. Now where the cement stops at the corner and dirt ditch going all the way down to the pond and as you get pass the red light the ditch gets about 5 ½ feet deep, it's a deep ditch, if somebody falls in there. Anyway it's a continual maintenance that is required. So what we are going to do to is fix it for 6, 7 months and next August I will be right back here saying the ditch needs to be cleaned again.

Council Batten responded no we are going to open it up and get it moving, then stay on them to keep it cleaned.

Mr. Hertzberg said then why don't we have inspections on the ditch every 3 months and send our finding to the County.

Mayor Magazzu asked Mike McGee if he could keep up on this and inspect it.

Mike McGee replied that he does check the ditch periodically, but will check it more often. The problem is going to be that we have to file for a permit from the State every time we touch the ditch, and it takes several months, it's a state law you can't touch it without one.

No other comments were to be heard.

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

DEPARTMENTAL REPORTS

ENGINEERS REPORT

A. CHANGE ORDER(S) AND/OR VOUCHER(S)

None at this time.

B. ENGINEER'S REPORT

1. TRAFFIC SIGNAL AND GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF COOPER ROAD AND TAUNTON AVENUE (KEI # 393BT0203):

We have submitted the application to the Camden County Soil Conservation District. We have received a review letter and will be revising the plans and calculations to address their comments.

Last month we had contacted Mr. Sparacio and he had advised our office that he had been out of town and that he would endorse and forward the consent to our office.

We have not yet received the endorsed consent. We have again contacted Mr. Sparacio and left a message for him to contact our office.

2. SIDEWALK ALONG N.J.S.H. ROUTE 73, EDGEWOOD AVENUE TO JACKSON ROAD, [N.J.D.O.T. FY 2008 AND FY2009 FUNDING - \$320,000.00]:

The N.J.D.O.T. has issued the Highway Occupancy Permit. We have submitted the application to The Pinelands Commission and are waiting for their, hopeful, approval. Once we receive the Pinelands approval, we recommend that the project be advertised for receipt of bids.

3. PURCHASE AND/OR LEASE OF SENIOR CITIZENS BUS, (C.D.B.G. YEARS 30 AND 31 FUNDING- \$60,500.00+/-) (KEI# 165.01BT0209):

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Bids are scheduled to be received on July 28, 2009. We will submit the Bid Summary and Engineer's Recommendation to the Governing Body for consideration for action at the Council Meeting on August 3, 2009.

4. N.J.D.O.T. FY2010 MUNICIPAL AID APPLICATION:

The following applications for street improvements were, electronically, submitted to the N.J.D.O.T.:

- Priority No. 1: Resurfacing of Mt. Vernon Avenue – Franklin Avenue to Minck Avenue
Requested funding = \$254,000.00

- Priority No. 2: Improvements to Hazel Avenue- Chestnut Avenue to Cushman Avenue
Requested funding = \$167,000.00

Typically, the funding is limited to a maximum of \$180,000.00. The announcement of selected projects is, typically, made near the end of the year.

In regard to a previous request, which was submitted to the N.J.D.O.T. for discretionary funds for Katherine Avenue, I received a copy of a letter from the N.J.D.O.T. The letter notified the Borough that discretionary funds were not allotted to Katherine Avenue.

5. PROPOSED MUNICIPAL BUILDING, N.J.S.H. ROUTE 73 AND DAY AVENUE (KEI# 422BT0804):

a. Proposed Irrigation System:

It is our understanding that bids will not be received for the installation of the irrigation system, at this time. We recommend that piping be installed in the proposed storm pipe trenches, within the existing pavement, and underneath the proposed parking area now, for use when a sprinkler system is installed in the future.

We have requested a price from a local well driller to test the existing well to determine the pumping capabilities. The cost for the work is \$200.00 if there is electric power of \$400.00 if the contractor must provide a generator. We recommend that the Governing Body consider authorizing this testing, as it will be valuable information in determining the usage or replacement of the well and future design for the irrigation system.

b. Site Work:

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We will assist the Township in whatever manner is directed by the Governing Body. We are, currently, attending the bi-weekly construction meetings, which are conducted by the Architect.

6. 2008 STREET IMPROVEMENT PROGRAM (KEI# 491BT0308)

We met the Contractor, again, on Toomer Avenue. The Contractor believes that the pavement is continuing to settle in one area. We have obtained a pavement core to determine the asphalt thickness. We will be performing fieldwork, this week, to determine if any settlement has occurred. We will then report our findings to the Contractor. We are hopeful that the work will be completed, in the near future, so the project can be closed out.

7. HADDON AVENUE STREETScape IMPROVEMENTS (KEI #430BT1104 & #431BT1104):

- a. Phase 2 – Franklin Avenue to Bate Avenue (N.J.D.O.T. Discretionary Fund – \$200,000.00) (KEI #431BT0105):

As discussed, a request was submitted to Assistant Commissioner Sharon Shinkle-Gardner, Government/Community Relations and Communications for her assistance in obtaining the \$3,180.00 reimbursement.

We have, again, contacted Ms. Sharon Shinkle-Gardner, from the N.J.D.O.T. and she has advised our office that she has contacted the Office of Local Aid and will be forwarding a response to the request, shortly.

Since we have not received a response we will contact the Office of Local Aid to determine the status.

- b. Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (FY2004 Transportation Enhancement Program and FY2005 SAFETEA-LU) (KEI #29-430BT1104):

As reported, the Governing Body had decided not to accept the funds and requested that the project be bypassed to the future time when the Township would be in the position to bond the project.

8. N.J.D.O.T. MATTERS

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- a. Planting of Trees Along the Rear of the Retail Center, Along the N.J.D.O.T. Ramp, Connecting Oak Avenue to Taunton Avenue (KEI484BT0108):

I have contacted the owner's representative, on several occasions, and am waiting for a return call. I believe that the owner may be reluctant to speak with me since I have requested that they provide a schedule for the repairs to the trash enclosures and address the maintenance and management of grease from their restaurant tenants.

It may be beneficial if the property maintenance officer and the sewer operator contact them for these items, since I have not been successful in receiving any response.

- b. Request for No U-Turn at Median Opening Along Route 73 at the Proposed Driveway for the Golden Corral Restaurant:

There are no updates to report at this time.

9. CAMDEN COUNTY OPEN SPACE, ROUND 10 APPLICATION (KEI #487BT0208):

It is my understanding that the County has awarded funds to the Township for the hockey courts at Robert T. Clyde Memorial Park and the amphitheater at Luke Avenue. I believe that Mr. McGee has been discussing the funding with Mr. Sworaski from the County. Mr. McGee has informed me that he would like to utilize the funding for the re-coating of the hockey courts at Robert T. Clyde Memorial Park.

10. SANITARY SEWER ALLOCATION:

- a. Sewer Extensions within the Pinelands Area:

As a result of my request to the Pinelands for a sewer extension to the Public Works Complex, I have discussed the matter with a Pinelands representative. After my discussion, I submitted a request for four different scenarios for their consideration for sewer extensions. The options are as follows:

- Option 1- Sewer extension to the Public Works Complex, only
- Option 2- Add the existing buildings and vacant lot along Edgewood Avenue and Allied Parkway and the Dandrea lot on Cooper Road
- Option 3- Add the residential properties along Hopewell Road, Cooper Road, and Collings Avenue
- Option 4- Add the area west of Route 73

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The Pinelands staff will be discussing the request during the week of July 27, 2009.

11. N.J.D.E.P. ENVIRONMENTAL INFRASTRUCTURE TRUST PROGRAM:

If the Pinelands Commission, N.J.D.E.P., and C.C.M.U.A. approved the extension of sanitary sewer into the Pinelands Area, the Governing Body may want to consider applying for a N.J.D.E.P. loan for the construction of the extensions. Typically, Commitment Letters and the Initial application package must be submitted by October for consideration for funding at the end of the following year.

12. BERLIN BOROUGH WATER ALLOCATION AND CONNECTIONS FOR NEW DEVELOPMENTS:

Ms. Zoll addressed this matter, last month.

13. ALTERNATIVE ENERGY SOURCES:

There are several programs being offered through the N.J. Bureau of Public Utilities *Clean Energy Program* and N.J.D.E.P. Local Government Greenhouse Gas Reduction Grant Program.

I had previously reported on the Local Government Energy Audit Program, which evaluates the inefficiencies of municipal facilities. Since the Township did not have a municipal building, the Governing Body elected not to participate in the Program. Through this program, the N.J.B.P.U. is offering 100% funding, upfront, if the municipality is willing to commit to implementing the measures, listed in the Energy Audit.

Other programs offered by the N.J.B.P.U. are:

- a. Residential Energy Efficiency Programs for existing homes
- b. N.J. Energy Star for new homes
- c. N.J. Climate Choice Home Pilot for developers of new homes
- d. N.J. Smart Start Building Projects for new construction, renovation, and equipment replacement for commercial, industrial, and municipal buildings (\$500,000.00 max/utility/year)
- e. Pay for Performance (for larger municipalities) for buildings using over 200 KW average annual peak.
- f. Direct Install Program (for smaller municipalities) this program is used to implement the measures, which are listed in the Energy Audit.
- g. 2009 Renewable Energy Programs provide for rebates through the Renewable Energy Incentive Program (REIP) and SREC
- h. Community Partners Program provides for up to \$4,000.00 for municipalities to provide support, outreach, and education to the public

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The N.J.D.E.P. Office of Planning and Sustainable Communities is providing for funding through the N.J.D.E.P. Greenhouse Gas Reduction Grant Program, for those projects, which are not eligible for N.J.B.P.U. and for innovative projects. There is \$2.5 million available for the first round of funding. Pre-applications must be submitted any time before September 4, 2009 (the earlier the better). Projects will then be determined to be eligible or not eligible. Applications, which are very detail oriented, must be submitted by December 11, 2009. Funding to those selected projects will be available in late Spring/Early Summer of 2010. Funds are available for Land Use Planning and Transportation System efficiency, green infrastructure sequestration and conservation, strengthening local economies, outreach and education campaigns, and other innovative projects.

14. **SUSTAINABLE JERSEY CERTIFICATION:**

This certification program is for municipalities, wishing to “go green”, control costs, and save money and take steps to sustain their quality of life over the long term. The program also provides access to grants and other respective funding sources.

Fourteen towns received grants for \$25,000.00 or \$10,000.00 to promote sustainability.

15. **AMENDMENTS TO LAND USE AND ZONING ORDINANCES:**

a. Tree Protection Ordinance:

The Planning Board intends to review the current ordinance and submit recommendations, in the near future. I recommend that Council President DiGangi and/or Mr. McGee discuss this matter with Planning Board Chairman Simone, prior to the Planning Board taking any action, since they have created a list of possible amendments to the ordinance.

b. Other Amendments:

I have submitted a listing of items, which the Planning Board may want to review in the Land Use and Zoning Ordinances and submit recommendations to the Governing Body.

16. **STATE LEGISLATION:**

a. New Jersey Economic Stimulus Act of 2009 (A4048/S2299):

This bill passed both Houses and is waiting for the Governor’s signature. This legislation authorizes State and Local incentive grants to developers in qualifying economic redevelopment and growth

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incentive areas, exempts projects that received site plan approval before July 2010 from the 2.5% non-residential development fee, as long as a construction permit is issued by January 1, 2013. Funds, which have been deposited for the 2.5% non-residential development fee shall be returned, if the developer submits a written claim for said fees.

- b. Inclusion of Facilities Supplying Electrical Energy from Wind, Solar, Photovoltaic Technologies, as "Inherently Beneficial Uses" (S1303/A3062):

Both Houses have approved this bill and it is waiting for the Governor's signature. This bill declares alternative energy sources as "inherently beneficial uses" in all zoning districts.

- c. Permission of the Conversion of Age-Restricted Housing Units to Non-Restricted Housing Units (S2577/A3772):

The Governor signed this into law on July 2, 2009, which allows for the conversion of non-developed age-restricted residential developments into market rate developments.

- d. Prevailing Wage on B.P.U. Funding:

This legislation become Law on July 15, 2009, which requires that prevailing wages be paid for use of any B.P.U. financially assisted project, excluding new residential dwellings.

- e. Protection of Sewer Service Areas (S2985):

This proposed legislation would extend the period of validity of wastewater and sewer service areas to April 7, 2011. It also allows for the C.C.M.U.A. to prepare a Wastewater Management Plan Update by the same date. The proposed legislation was introduced by the Senate on June 22, 2009, and referred to the Senate Environment Committee.

SOLICITORS REPORT

1. Water Agreement with Berlin Borough
2. Increase Sewer Allocation Buildout
3. Vacation Portion Kelley Drive
4. New Municipal Building
5. C & M Auto Repair
6. Richard Winans V. Berlin Township Walt Shendock
7. Salahuddin Smart V. Police Officer
8. Nancy Anderson V. Berlin Township

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9. Thomas D'Autrechy V. Berlin Township School
10. Berlin Township ADS. Michael Brown
11. Tax Foreclosures
12. 2009 Real Estate Tax Appeal

DIRECTOR OF PUBLIC WORKS

Mike McGee, Public Works Director asked that before awarding the contract for the senior bus, to check to see if the bid had included a wheel chair lifted. Mike added that they have replaced the old senior bus with a new transmission in the mean time. He also stated that they have started working at the new municipal building site.

ZONING/MAINTENANCE OFFICER

Michael Laginestra, Zoning Officer commented that he is mostly dealing with high grass on vacant properties, trying to get them cut or trying to get paid for cutting them. I have to send notices to who ever owns the property, which in most cases are in foreclosure. Then I have to give them a chance to cut the grass, or we cut it. Then they have to pay for it, if they don't pay for it, then I lien the property. All this takes time in the mean while the grass is still growing. Mike stated that the back end of the properties on Taunton Ave and Chestnut Ave are in violations and notices are going to be sent out to those homes.

PROCLAMATION
SUPPORTING THE OVER THE LIMIT UNDER ARREST
2009 STATEWIDE CRACKDOWN

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 26% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, a enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the end of the summer season is traditionally a time of social gatherings which often include alcohol; and

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WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2009 Statewide Year End Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 21, 2009 through September 7, 2009; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, be is resolved that the Township of Berlin declares it's support for the Over the Limit Under Arrest 2009 Statewide Crackdown from August 21, 2009 through September 7, 2009 and pledges to increase awareness of the dangers of drinking and driving.

SECOND READING AND PUBLIC HEARING ORDINANCE 2009- 9 AMENDING ORDINANCE 2008-17 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, the Mayor and Council of the Township of Berlin adopted Ordinance 2008-17 on January 26, 2009 fixing and determining salary ranges for the officers and employees for the calendar year 2009; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges effective June 15, 2009:

POSITIONSALARY RANGE.....	
	FROM	TO
Police Department – Clerk Typist – Part Time	\$0.00	\$12.64 per hour

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following ranges effective July 1, 2009:

POSITIONSALARY RANGE.....	
	FROM	TO
Public Works- Clerk Typist/Bus Driver	\$21,000.00	\$26,000.00

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

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Motion by Councilman Morris, second by Councilman McIntosh to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2009-9. There were no requests to be heard. Motion by Councilman Batten, second by Councilman Morris to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Councilman Batten, second by Councilman Morris to adopt Ordinance 2009-9. Ordinance adopted by call of the roll, five members present voting in the affirmative.

SECOND READING AND PUBLIC HEARING
ORDINANCE 2009-10 AMENDING ORDINANCE
2007-8 OF THE TOWNSHIP OF BERLIN, COUNTY
OF CAMDEN, NEW JERSEY

BE IT ORDAINED, by the Township Council of the Township of Berlin, County of Camden, New Jersey ("Township") (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. Section 7 of Bond Ordinance 2007-8 ("Bond Ordinance") heretofore duly adopted by the Township Council is hereby amended to provide as follows:

"Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment/ Available Funds</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Various Improvements to the Township's Drainage System, including, but not limited to, improvements to the drainage basins located at Veterans Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$42,787.00	\$2,150.00	\$40,637.00	40 years
B. Improvements to Various Township Roadways, including but not limited to, the construction, reconstruction, resurfacing, milling, overlay and curb and sidewalk construction to Haddon Avenue, Veterans Avenue, Cushman Avenue, Minck Avenue and Grove Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	257,273.97	12,000.00	245,273.97	10 years
C. Acquisition of and Improvements to Various Pieces of Equipment for the Public Works Department, including, but not limited to, acquisition of winter street signs, acquisition of confined space entry & safety equipment, acquisition of an intercom system for the trash trucks,	154,980.00	7,500.00	147,480.00	5 years

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<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment/ Available Funds</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
repair and refurbishing of the leaf vacuum units and acquisition of two (2) utility trucks, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto				
D. Acquisition of Computer Equipment for use by the Township Assessor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	3,150.00	150.00	3,000.00	5 years
E. Improvements to Various Municipal Facilities, including, but not limited to, the installation of asphalt around the salt dome, replacement of overhead doors on the Public Works building and installation of flooring and shelving in the municipal library, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	43,575.00	2,200.00	41,375.00	10 years
F. Preliminary Costs essential for the Construction of a New Municipal Facility, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	84,000.00	84,000.00	0.00	5 years
G. Construction of Sidewalks along Route 73 Northbound between Jackson Road and Edgewood Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	118,234.03	6,000.00	112,234.03	10 years
TOTALS	\$704,000	\$114,000	\$590,000"	

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Township Clerk and available for public inspection.

Section 4. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 5. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Motion by Councilman Batten, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2009-10.

Mr. Hertzberg asked what the address was for the sidewalks.

Lori Campisano, CFO replied that it would be sidewalks along Jackson Road to Edgewood Ave on Route 73 north.

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Motion by Councilman Batten, second by Councilman Morris to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Motion by Councilman Morris, second by Councilman McIntosh to adopt Ordinance 2009-9. Ordinance adopted by call of the roll, four members present voting in the affirmative, one member abstain.

FIRST READING ORDINANCE 2009-11 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45 14)

Motion by Councilman McIntosh, second by Councilman Morris, to adopt Ordinance 2009-11 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2009-12 AMENDING ORDINANCE 2008-17 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN ,NEW JERSEY.

WHEREAS, the Mayor and Council of the Township of Berlin adopted Ordinance 2008-17 on January 26, 2009 fixing and determining salary ranges for the officers and employees for the calendar year 2009; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges effective August 3, 2009:

POSITIONSALARY RANGE.....	
	FROM	TO
Township Clerk	40,000.00	45,000.00
Building Inspector – New Mun. Bldg.	0.00	25.00 per hour
Coordinator on Aging/Disabled	500.00	600.00

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

Motion by Councilman Batten, second by Council President DiGangi, to adopt Ordinance 2009-12 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2009-13 ORDINANCE ESTABLISHING THE POSITION OF OFFICE MANAGER/ADMINSTRATOR.

Lori Campisano, CFO spoke because of recent questions and comments, I would like to provide a brief history of the situation concerning Mayor Magazzu's salary, specifically as it relates to the titles of Mayor and Office Manager, previously used on Salary Ordinances and Resolutions adopted by Mayor and Council.

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One of my responsibilities, as Chief Financial Officer, is to prepare the Salary Ordinance and Resolution annually, in accordance with decisions of Mayor and Council. Administrative salaries, meaning all salaries other than Police and Public Works are decided at that time.

On 12/12/05, Council introduced the Salary Ordinance and adopted the Salary Resolution for 2006. Council decided to give Mayor Magazzu a raise. The raise was for the substantial amount of time Mayor Magazzu was devoting to her administrative duties. I added the increase to her salary under the title of Mayor and revised the Salary Ordinance and Resolution to reflect the decision of the Council.

The following year in December 2006, in preparing the Salary Ordinance and Resolution for 2007, I suggested to Mayor Magazzu that maybe the salary should be split between Mayor and the title Office Manager, since it was used before by the Township. I was concerned it was possible for a new person to take the position, and the increased salary, and not devote as much time to it. My logic was to protect the Township by splitting the salary. The salary Ordinance and Resolution for 2007 were prepared with Mayor Magazzu's salary split between the two titles.

Police and some administrative salaries were amended by Ordinance and Resolution in February 2007. Mayor Magazzu received another raise from Council which I added to Office Manager. Again, the salary for Mayor Magazzu remained split between Mayor and Office Manager. The 2008 and 2009 Salary Ordinances and Resolutions were also adopted with the salary split as well. All Ordinances and Resolutions since 2006 were adopted unanimously.

Tonight on the agenda instead of combining the salaries is an Ordinance establishing the position of Office Manager/Administrator as well as a resolution appointing Phyllis Magazzu to the position of Office Manager/Administrator. I hope this answers all questions and comments in reference to this issue.

AMENDING FIRST READING ORDINANCE 2009-12 AMENDING ORDINANCE 2008-17 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN ,NEW JERSEY.

WHEREAS, the Mayor and Council of the Township of Berlin wish to amend first reading of Ordinance 2009-12 to amend as following

WHEREAS, the Mayor and Council of the Township of Berlin adopted Ordinance 2008-17 on January 26, 2009 fixing and determining salary ranges for the officers and employees for the calendar year 2009; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary ranges effective August 3, 2009:

SALARY RANGE.....	
POSITION	FROM	TO

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Mayor	\$27,000.00	\$32,000.00
Office Manager	0.00	0.00
Township Clerk	40,000.00	45,000.00
Owners Representative for New Mun.Bldg.	0.00	25.00 per hr. – up to 2 hrs. per day (10 hrs. per wk max.)
Coordinator on Aging/Disabled	500.00	600.00

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

Motion by Councilman Batten, second by Council President DiGangi, to amend Ordinance 2009-12 on first reading by title. Ordinance adopted by call of the roll, three members present voting in the affirmative, one member voting no, one member abstained.

NO MOTION TAKEN ON ORDINANCE 2009-13 AMENDED ORDINANCE 2009-12 FIRST READING.

Councilman Batten motion that resolution 2009-145 should read the mayor salary as \$27,011.00, no second motion, the motion fails.

Council President DiGangi motion to table resolution 2009-145

Council President DiGangi motion to rescind the tabling of resolution 2009-145 and second the motion of Councilman Batten motion on resolution 2009-145 reading the Mayor salary as 27,011.00

RESOLUTION 2009-145 RESOLUTION AMENDING SALARY RESOLUTION 2008: 207 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 2008: 207 on December 15, 2008, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2009; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salaries effective August 3, 2009:

POSITION	AMOUNT PER YEAR
Mayor	\$27,011.00
Office Manager	0.00

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Township Clerk	40,000.00
Assistant Township Clerk	22,840.00
Owners Representative for New Mun.	25.00 per hr. up to 2 hrs. per day (max. 10 hrs. per week)
Coordinator on Aging/Disabled	500.00

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 Batten, second by Council President DiGangi to adopt Resolution 2009-145. Resolution adopted by call of the roll, four members present voting in the affirmative, one member abstain.

Councilman Batten motion to eliminate the position of office manager, second by Councilman Morris.

RESOLUTION 2009- 156 RESOLUTION TO ELIMINATE THE POSITION OF OFFICE MANAGER

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the position of office manager be eliminated.

Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-156. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-142 CONFIRMING RESOLUTION 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 23, 2009 at 10:00 AM of that day in Berlin Township at the FOP Hall:

<u>BLOCK/LOT(S)/QUAL</u>	<u>PURSHASER</u>	<u>%BID/PREMIUM</u>	<u>AMOUNT</u>
203-4.02	Joseph C or Nancy Hassab	14%	419.86
512-9	US Bank Cust for CCTS Capital	7%	881.81
517-5	N. or D. Remick-Trustee	8%	795.75
518-3	TOWNSHIP OF BERLIN	18%	119.06
518-3.01	Atlantic Investment Resources LLC	18%	420.54
518-7	Royal Tax Lien Services LLC	3900. PREMIUM	5933.43
530-7	Plymouth Park Tax Services LLC	8%	421.06
601-26.02	TOWNSHIP OF BERLIN	18%	1222.93

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601-31	US Bank Cust for CCTS Capital	1%	772.41
602-15.02	Plymouth Park Tax Services LLC	18%	4992.02
623-2	Joseph C or Nancy Hassab	100. PREMIUM	837.28
702-4	Royal Tax Lien Services LLC	3000. PREMIUM	4301.11
802-8	US Bank Cust for CCTS Capital	3100. PREMIUM	1391.38
804-11	Plymouth Park Tax Services LLC	3500. PREMIUM	1511.13
810-1.04	USBank-Cust/SassMuniVdtr	6000. PREMIUM	4615.46
824-9	Joseph C or Nancy Hassab	100. PREMIUM	862.28
824-10	N. or D. Remick-Trustee	17%	329.07
827-5	Royal Tax Lien Services LLC	3700. PREMIUM	5148.99
901-22	Royal Tax Lien Services LLC	4500. PREMIUM	4238.83
903-10.03	TOWNSHIP OF BERLIN	18%	1097.86
1002-6 C0104	US Bank Cust for CCTS Capital	3000. PREMIUM	5184.63
1002-9	Royal Tax Lien Services LLC	22600. PREMIUM	17186.84
1203-25	Garden State Investment	3000. PREMIUM	5406.17
1306-1	Atlantic Investment Resources LLC	1%	421.88
1306-17	Royal Tax Lien Services LLC	2900. PREMIUM	1966.69
1307-30	US Bank Cust for CCTS Capital	300. PREMIUM	521.50
1310-2.01	Royal Tax Lien Services LLC	6900. PREMIUM	2367.74
1403-5	Plymouth Park Tax Services LLC	1600. PREMIUM	552.18
1403-6	N. or D. Remick-Trustee	100. PREMIUM	557.22
1412-14	Royal Tax Lien Services LLC	3100. PREMIUM	2505.64
1413-1	Joseph C or Nancy Hassab	100. PREMIUM	501.42
1413-4.01	Joseph C or Nancy Hassab	100. PREMIUM	409.27
1417-11	Joseph C or Nancy Hassab	100. PREMIUM	704.04
1702-6.03	Royal Tax Lien Services LLC	19000. PREMIUM	10836.32
1805-19	US Bank Cust for CCTS Capital	3600. PREMIUM	1549.34
1814-16	Joseph C or Nancy Hassab	1600. PREMIUM	4058.18
1817-1	Joseph C or Nancy Hassab	100. PREMIUM	326.72
1902-12	Royal Tax Lien Services LLC	2000. PREMIUM	3126.31
2103-9	TOWNSHIP OF BERLIN	18%	308.06
2301-13 C0016	Royal Tax Lien Services LLC	900. PREMIUM	1313.08
2301-13 C0017	US Bank Cust for CCTS Capital	800. PREMIUM	679.52
2302-1.02		36000. PREMIUM	13847.86
	TOTAL TOWNSHIP LIENS		2,747.91
	TOTAL LIENS SOLD	\$135,700 PREMIUM	111,894.96

Motion by Councilman Batten, second by Council President DiGangi to adopt Resolution 2009-142. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-143 LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

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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 16, 2009

Diane Zoppel, CTC-Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
I & I Holdings LLC Appeal Judgment	2009	103-4	6528.77	County Tax
Leon & Raphaela Rossi Appeal Judgment	2009	216-11.01	713.71	County Tax
J & P Farmhouse LLC Appeal Judgment	2009	702-17	958.00	County Tax
Artistic Developers Appeal Judgment	2009	1002-12	2155.50	County Tax
Township of Berlin Property	2009	1402-1.01	23018.93	Exempt

\$ 33374.91 TOTAL to

Aug/Nov 2009

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2009-143. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 144 RESOLUTION TO INTRODUCE THE 2010 FISCAL YEAR BUDGET

BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, that the budget shall constitute appropriations for the purpose stated herein set forth as appropriations and authorization of the amount of \$4,474,376.29

For the local tax to be raised by taxation for Municipal Purposes and \$137,042.00 for the local tax to be raised by taxation for Municipal Open Space, Recreation, Farmland and Historic Preservation and certification to the County Board of Taxation; and

BE IT FURTHER RESOLVED that said budget be published in the Record Breese Newspaper in the issue of August 27, 2009. The Governing Body of the Township of Berlin does hereby approve the following Budget for the Fiscal Year 2010. Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Berlin, County of Camden on August 3, 2009. A hearing on the budget and tax resolution will be held at the Berlin Township Board of Education Building, 225 Grove Avenue, Township of Berlin on September 14, 2009 at 630 p.m.; at

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time and place objections to said budget and tax resolution for the fiscal year 2010 may be presented by taxpayers or other interested persons.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2009-144. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 146 APPOINTMENT OF TOWNSHIP CLERK

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that **CATHERINE UNDERWOOD** be and is hereby appointed Township Clerk effective August 3, 2009 until August 3, 2012.

Motion by Council President DiGangi, second by Councilman Batten to adopt Resolution 2009-146. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 147 APPOINTMENT OF A MUNICIPAL COORDINATOR FOR DISABLED

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that **MICHAEL LAGINESTRA** be and is hereby appointed the Municipal Coordinator for the Disabled commencing August 3, 2009 until December 31, 2009.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2009-147. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 148 APPOINTMENT OF COORDINATOR ON AGING

WHEREAS, N.J.S.A. 40:69A-122 provides that the Mayor with the advice and consent of the Council, shall appoint such other officers as may be provided by ordinance; and **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **MICHAEL LAGINESTRA** be and is hereby appointed Coordinator on Aging for the Township of Berlin commencing August 3, 2009 until December 31, 2009.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2009-148. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 149 RESOLUTION CONFIRMING THE HIRING OF A TEMPORARY PART TIME CLERK TYPIST BY THE TOWNSHIP OF BERLIN

WHEREAS, over the past several weeks, with the retirement of the full time Public Works Secretary, the Public Works Department required the services of a temporary part time clerk typist to be hired to perform certain duties to continue to provide services to the residents of the Township of Berlin; and

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WHEREAS it has been necessary to hire Theresa Vandegrift temporarily, as of 7/20/09, for the position of part time clerk typist in the Public Works Department, in addition to her responsibilities as a bus driver.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes and approves the hiring of the above mentioned employee.

Motion by Councilman Batten, second by Council President DiGangi to adopt Resolution 2009-149. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-150 RESOLUTION AUTHORIZING PURCHASES BASED UPON THE AWARD OF CONTRACT TO DEER CARCASS REMOVAL SERVICES IN ACCORDANCE WITH THE COOPERATIVE BID AWARDED BY THE COUNTY OF CAMDEN

WHEREAS, the County of Camden, as the lead agency for the Camden County Cooperative Pricing System, in which Berlin Township is a member, system identifier #57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on April 7, 2009 at 11:00a.m., Prevailing Time, Bid A-18, Deer Carcass Removal Services, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, Deer Carcass Removal Service, the only bidder, complied with the specifications and bid the sum of \$57.00 per carcass removal for both the County and participating municipalities in the Cooperative with a second year option at a cost of \$57.00 per carcass removal for both the County and participating municipalities in the Cooperative, said option to be utilized at the sole discretion of the County; and

WHEREAS, by resolution adopted on April 23, 2009, the Camden County Board of Chosen Freeholders awarded contracts for Camden County's needs and participating municipalities in the Cooperative, under the aforementioned Bid to Deer Carcass Removal: and

WHEREAS, the term of the contract awarded shall be for one year commencing June 1, 2009 with an additional one year option at the sole discretion of the County of Camden; and

WHEREAS, funding for this purpose shall not exceed the maximum budgeted line items for streets and roads in the SFY 2010 budget of the Township and temporary and/or permanent budget for SFY 2010 and 2011 and shall be encumbered in accordance with N.J.A.C. 5:34-5.3(b)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the public works department of police department are hereby authorized to purchase deer removal services pursuant to Camden County Bid A-1, Deer Carcass Removal Services for a one year term commencing June 1, 2009 with an additional one year option at the sole discretion of the County of Camden.

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Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2009-150. Resolution adopted by call of the roll, five members present voting in the affirmative.

Resolution 2009-151

Payment of Bills AUGUST 3, 2009

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

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

TO	ACCOUNT	AMOUNT
Camden County Animal Shelter	Dog Trust	440.00
Blackwood Animal Hospital	Dog Trust	141.00
Camden County Div of Health	Dog Trust	1,731.46
Robert E DePersia, II	Mun Public Defender	375.00
David F Carlamere	Planning Board Esc # 229	110.00
	Planning Board Esc # 346	100.00
KEI Associates	Planning Board Esc # 32	5,250.00
	Planning Board Esc # 32	917.50
	Planning Board Esc # 32	1,535.00
	Planning Board Esc # 152	255.00
	Planning Board Esc # 219	168.75
	Planning Board Esc # 267	397.50
	Planning Board Esc # 308	1,177.50
	Planning Board Esc # 343	148.75
	Planngng Board Esc # 351	770.00
	Planning Board Esc # 351	826.25
	Planning Boad Esc # 88888	411.25

CONFIRMING

Treasurer, State of NJ	Dog Trust	12.60
Heritage Flooring	04-215-55-860-41009	2,110.68
KEI Associates	04-216-55-861-0902	11,910.52

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NJ Dept of Transportation	04-216-55-861-09021	350.00
TD Bank	07-201-55-522-2105	1,550.03
	07-240-55-540-3000	111,602.47
	07-168-05-540-3000	12,751.25
America On Line	01-201-20-120-2105	32.90
America On Line	01-201-20-120-2105	32.90
Flagpole Technology	01-203-30-420-2105	1,625.00
Chief Jackson	01-201-25-240-2051	20.00
Chief Jackson	01-103-01-003-3000	300.00
Mobile Mini, Inc.	01-117-04-006-3000	109.55
NJ Dept of Transportation	01-213-87-031-3000	795.00
NJ Pinelands Commission	01-213-87-031-3000	300.00
Postmaster, West Berlin	01-201-20-120-2022	354.87
Shannon Mechanical	01-203-26-310-2024	1,425.00
Treasurer, State of NJ	01-292-55-020-3000	125.00
Treasurer, State of NJ	01-299-55-020-3000	80.00
William Austin Builders	01-213-85-029-3000	7,195.00
Catherine Underwood	01-103-01-002-3000	100.00
Twp of Berlin-Trust Other	01-201-26-290-2147	11,900.00
Twp of Berlin P/R Acct	01-201-23-225-2168	515.08
	01-201-33-275-2168	0.01
NJ State Health	01-201-23-220-2092	13,712.81
	01-201-23-220-2092	39,337.90
Payroll, Current Fund	6/4/2009	58,725.34
Payroll, Sewer	6/4/2009	4,116.33
Payroll, Current Fund	6/11/2009	58,164.02
Payroll Sewer	6/11/2009	3,933.95
Payroll, Current Fund	6/18/2009	58,792.82
Payroll, Sewer	6/18/2009	4,074.86
Payroll, Current Fund	6/25/2009	116,841.85
Payroll, Sewer	6/25/2009	3,968.78

Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-151. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-152 CONFIRMING THE WAIVING OF PARK FEE FOR THE GREEN GROVE BAPTIST CHURCH

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the municipal park fee for the Green Grove Baptist Church at 240 Cushman Avenue, Township of Berlin be waived.

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Motion by Councilman Batten, second by Council President DiGangi to adopt Resolution 2009-152. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-153 RESOLUTION TO WAIVE THE PARK FEE FOR SANDLOT BASEBALL ACADEMY

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the municipal park fee for Sandlot Baseball Academy be waived.

Motion by Councilman Batten, second by Councilman McIntosh to adopt Resolution 2009-153. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009-154 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT FOR SHARED SERVICES WITH THE COUNTY OF CAMDEN FOR ANIMAL CONTROL SERVICES WITH THE TOWNSHIP OF BERLIN FOR MONTH TO MONTH SERVICES

WHEREAS, the County of Camden Board of Chosen Freeholders and the Township of Berlin authorized a shared service agreement for the provision of a joint municipal animal control for the term ending August 31, 2009; and

WHEREAS, the County is in the process of procuring new animal control service through a publicly advertised request for proposal: and

WHEREAS, pending the award of a new agreement, the County would like to extend the current agreement on a month to month basis with the same terms, rate and conditions in accordance with N.J.S.A. 40A:65-1 et seq through December 31, 2009: and

WHEREAS, the Governing Body of the Township of Berlin wishes to execute this agreement for animal control services at the same rate, terms and condition through December 31, 2009.

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.

Motion by Councilman Batten, second by Councilman Morris to adopt Resolution 2009-154. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2009- 155 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM A VENDOR WITH STATE CONTRACT IN EXCESS OF BID THRESHOLD DURING SFY 2010

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WHEREAS, the Township of Berlin may, pursuant to N.J.S.A.40A:11-12, purchase materials, supplies and equipment under contracts entered into on behalf of the State of New Jersey by the Division of Purchases and Property in the Department of the Treasury; and

WHEREAS, purchases under the aforesaid State Contract may be made by the Township without the necessity of advertising for bids or may be made in cases where advertisements for bids have produced either no bids or have produced rejected bids; and

WHEREAS, the following purchases will be made during SFY2010 in excess of the bid threshold:

CONTRACT#	VENDOR	ITEM	DATE EXPIRATION
1. 42293	RFP Solutions Inc.	Telecommunications Equip./Wiring/Data	8/31/09

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Berlin hereby formally authorize the above purchases be available under State Contract, to the Township pursuant to N.J.S.A. 40A:11-12.

Motion by Councilman Morris, second by Council President DiGangi to adopt Resolution 2009-155. Resolution adopted by call of the roll, five members present voting in the affirmative.

APPROVAL OF ANIMAL PERMITS

COSSETTE WORTHINGTON	1 CHICKEN
JOSEPH ROMEO	2 HORSES
DELORES ROSS	60 PIGEONS
JOSEPH FABRICO	2 HORSES
LINDA TOWNSEND	10 CHICKENS

Motion by Council President DiGangi, second by Councilman Batten to approve animal permits. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF BUSINESS LICENSES

1) Jackson Hewitt Tax Service, Rajan Bhatia, 175 route 73 north. Preparation of individual income tax returns.

Motion by Councilman Batten, second by Council President to approve new business licenses for Jackson Hewitt Tax Service. License approved by call of the roll five members present voting in the affirmative.

2) American Bikers, Richard Oliver, 299 route 73. Retail Sales
Motion by Council President DiGangi, second by Councilman Batten to approve new business licenses for American Bikers. License approved by call of the roll five members present voting in the affirmative.

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3) Duesmann & Hensel Recycling, Robert Henning, 1003 Industrial Drive. Recycling of spent automobile catalytic converters and precious metal trading. Motion by Council President DiGangi, second by Councilman Batten to approve new business licenses for Duesmann & Hensel Recycling. License approved by call of the roll five members present voting in the affirmative.

4) Apartment Supply Warehouse, Amie Carroll, 412 Bloomfield Drive. Supply apartments with miscellaneous materials. Motion by Councilman Batten, second by Council President to approve new business licenses for Apartment Supply Warehouse. License approved by call of the roll five members present voting in the affirmative.

CONSENT AGENDA

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

APPROVAL OF CORRESPONDENCE CALENDAR FOR JUNE

Motion carried by Council President DiGangi, second by Councilman Batten to receive and file the correspondence calendar for June 2009. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF JUNE 15, 2009 MINUTES

Motion by Council President DiGangi, second by Councilman Morris to approve the minutes of June 15, 2009. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF JULY 7, 2009 MINUTES

Motion by Councilman Morris, second by Councilman McIntosh to approve the minutes of July 7, 2009. Motion carried by voice vote, all present voting in the affirmative.

GOOD & WELFARE #2

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

Diana Horan said what is the status of the Municipal Building, we don't know what is going on, and there haven't been any additional meetings with the committee that was set up.

Mayor Magazzu commented that they just started the demo work today.

Diana asked if we already received the bids back.

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Mayor Magazzu replied that it went out once and then we did it again.

Diana said then it has already been awarded.

Mayor Magazzu stated that we have to award it to the lowest bidder, we didn't have a choice.

Donafaye Zoll stated that there was a meeting.

Council President DiGangi noted that we did everything at the meeting on July 7th.

Diana asked if it was a public meeting.

Mayor Magazzu said it was a public meeting and that is was advertised. Phyllis said that we officially have to award it to the lowest bidder.

Councilman Morris added that we have to award it to the lowest responsible bidder, so it is reviewed for all the term of the contract. All terms are reviewed by Mayor and Council and as long as it meets all the legal requirements, we really had no choice and it was under budget.

Diana asked when is the next meeting will be.

Mayor Magazzu replied I guess we will wait until they start doing something. They have already pulled all of the permits.

Diana asked who was awarded the contract.

Mayor Magazzu responded MJJ Construction from Atco.

Councilman Morris said the Electrical Sub is DEC from Berlin Township.

Resident asked what the final bid was.

Council responded \$4,546,600.00

Mr. Hertzberg asked if the township is still looking into funds to help offset the cost.

Mayor Magazzu said that we still are.

Mr. Hertzberg asked about moving the library on Franklin Avenue to the school and then selling that property.

Mayor Magazzu said that we also talked about moving it to the building.
Council President DiGangi said in any event that building would be sold.

Mr. Hertzberg asked if we are still looking at that to off set.

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Council President DiGangi responded absolutely

Mayor Magazzu replied right, we are still looking at stimulus money and applying for any grant money, whatever we can do to off set it.

Council President DiGangi noted that the projected completion date is set for March 31st.

Dolores Hertzberg discussed the property not being maintained on Haddon Avenue. She has health issues and can't sit in her back yard because the grass is too high with poison oak and poison ivy.

Louise Amato said that the property needs to be cleaned up and to leave the trees alone, when he cut down the grass and trees he took down all of our privacy.

Council Batten stated that there are no trees; Councilman Batten asked Louise and Dolores if they wanted the fields cut down.

Louise and Dolores stated that they would like it cut and cleaned up with them maintaining it daily instead of once a year.

No other comments were to be heard.

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

ALL OTHER BUSINESS

Mayor Magazzu noted that the Interboro Cheerleaders wrote a nice letter thanking us for helping them out, for the use of the fields again.

ADJOURN

Motion by Council President DiGangi, second by Councilman Morris to adjourn the meeting at 9:15 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 9:15 pm

Jamey Eggers, Township Clerk

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