

AUGUST 4, 2008

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 4, 2008 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 McIntosh, Councilman Morris, Council President DiGangi, Mayor Magazzu

Also Present- Lori Campisano, CFO; Solicitor, Donafaye Zoll; Michael McGee, PW Director; Police Chief, Michael Hayden; Michael Laginestra, Zoning Officer

Arrived at 7:05 - Charles Riebel, Jr., Engineer

Absent - Councilman Batten

GOOD AND WELFARE #1

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

Mr. Hertzberg of Lucas Avenue stated that he is still having a problem with drainage behind his property which goes down to the DOT pond. We have adequate drainage when the ditch is kept clean. The second week of July Camden County came out and cleaned the ditch. They did not clean the part of the ditch along Walker Avenue which is the DOT pond. Michael McGee, Public Works Director said that he spoke to Bob Kelley from the County and he said that they don't have the manpower to clean this ditch. Mayor Magazzu asked Mike McGee to call the County again to see what they can do to resolve this problem.

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

DEPARTMENTAL REPORTS

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough

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2. Increase in Sewer Allocation/Buildout Analysis
3. Vacation of a Portion of Kelley Drive - No update.
4. Haddon Avenue Redevelopment Plan/New Municipal Building
5. Verizon Peg Channel
6. C&M Auto Repair - No update.
7. Nelke V. Berlin Township and Mark Zirpoli - No update.
8. Richard Winans V. Berlin Twp. and Walter Shendock - No update.
9. Salahuddin Smart V. Berlin Twp. and Police - No update.
10. Tax Foreclosures
11. Highpoint II Development /Voorhees-Berlin Intermunicipal Sewer Agreement
12. New Legislation - Family Leave Act

PUBLIC WORKS DEPARTMENT

Mike McGee reported that the tractor which was broken down is now fixed.

PROPERTY MAINTENANCE/ZONING

Michael Laginestra reported that the old B&W car lot is now being cleaned up and we are asking that the old house on lot be demolished. There were numerous signs all over town namely "Stop Foreclosure" signs which I removed. I am trying to contact them to let them know that the signs are not allowed by Township ordinance. Councilman DiGangi suggested that we send them a bill for the cost to remove them or issue them a summons.

I am also starting to do the CO's for Greenway apartments and they are looking good.

I received a complaint on a wooded lot on North Avenue that needs to be cleaned up and owner is starting work on it. Mike McGee also stated that this lot has been a problem for the past two years.

POLICE DEPARTMENT

Michael Hayden, Police Chief reported that he reached out to Dave Mayer with reference to the traffic cameras and put me in contact with one of his sales representatives. I looked at the application and it does not look like we will qualify. The State is trying to pass the Bill S1976 for a surcharge of \$40 on every ticket issued in the State of New Jersey, and I would like to ask you not to write a letter to support this bill.

**FIRST READING OF ORDINANCE 2008-10 STATE FISCAL YEAR 2009
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

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Motion by Council President DiGangi, second by Councilman McIntosh to adopt Ordinance 2008-10 on first reading by title. Ordinance adopted by call of the roll, four member present voting in the affirmative.

PROCLAMATION SUPPORTING THE OVER THE LIMIT UNDER ARREST 2008 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, 28% 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 summer season is traditionally a time of social gatherings which often include alcohol; and
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 2008 Statewide Crackdown; and
WHEREAS, the project will involve increased impaired driving enforcement from August 15 through September 1, 2008; 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 2008 Statewide Crackdown from August 15 through September 1, 2008 and pledges to increase awareness of the dangers of drinking and driving.

Phyllis Magazzu, Mayor
Dated: July 7,2008

RESOLUTION 2008-149 CONFIRMING RESOLUTION OF OFFICIAL TAX:5-41 SALE N.J.S.A. 54

PURSUANT to New Jersey State Statute, following is a listing of the results of the official Berlin Township Tax Sale held on June 24, 2008 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>
218/6	Towne Properties LLC	18%	369.47
218/13	CJG Properties LLC	18%	901.19
519/6	Edison Tax Services LLC	17%	371.38
601/20	Towne Properties LLC	18%	186.34
602/1, 2.A	Mooring Tax Asset Group LLC	17%	366.23
614/3.01	<u>Life Center Academy</u>	18%	367.44
619/1	Joseph C or Nancy Hassab	16%	365.86
703/3.02	<u>Garden State Investment</u>	16%	375.89
703/14	Crusader Lien Services	95,000. PREMIUM	32743.00
708/3	TOWNSHIP OF BERLIN	18%	64.16

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816/1.01	Towne Properties LLC	18%	185.82
818/9	Betty Simon Trustee LLC	1,250. PREMIUM	4255.57
821/10	Atlantic Investment Resources LLC	14%	366.19
824/9	Garden State Investment	7%	547.04
827/1	Plymouth Park Tax Services LLC	1,200. PREMIUM	4676.89
903/10.02	Joseph C or Nancy Hassab	13%	1404.55
903/10.03	Joseph C or Nancy Hassab	15%	1404.55
903/10.04	Joseph C or Nancy Hassab	17%	186.09
1002/1.02 C201	Betty Simon Trustee LLC	3,050. PREMIUM	1334.90
1002/1.02 C202	Betty Simon Trustee LLC	3,250. PREMIUM	1407.88
1002/1.02 C203	Crusader Lien Services	3,500. PREMIUM	1383.40
1002/6 C00A6	USBank-Cust/SassMuniVdtr	100. PREMIUM	363.22
1203/51 C000C	CJG Properties LLC	100. PREMIUM	27.66
1203/51 C00D1	Crusader Lien Services	10,000. PREMIUM	6894.47
1306/6	USBank-Cust/SassMuniVdtr	800. PREMIUM	336.82
1403/12	USBank-Cust/SassMuniVdtr	3,500. PREMIUM	1060.62
1405/4	Betty Simon Trustee LLC	2,850. PREMIUM	1379.69
1411/4	Crusader Lien Services	3,800. PREMIUM	1980.08
1412/5	Plymouth Park Tax Services LLC	2,900. PREMIUM	1227.92
1412/14	Crusader Lien Services	4,900. PREMIUM	3588.18
1412/15	Joseph C or Nancy Hassab	100. PREMIUM	767.48
1417/11	Life Center Academy	5%	365.43
1602/2	CJG Properties LLC	200. PREMIUM	365.57
1815/1	Edison Tax Services LLC	3,100. PREMIUM	4921.26
1815/5	Crusader Lien Services	4,500. PREMIUM	4097.65
1815/12, 13, 14	Edison Tax Services LLC	2,100. PREMIUM	5523.76
1816/6	USBank-Cust/SassMuniVdtr	1,500 PREMIUM	897.37
1902/12	Garden State Investment	1,750. PREMIUM	2400.23
2103/9	TOWNSHIP OF BERLIN	18%	506.79
2301/11 CA01	Crusader Lien Services	2,500. PREMIUM	2528.09
2301/13 C0008	Betty Simon Trustee LLC	300. PREMIUM	1870.29
2301/13 C0017	Betty Simon Trustee LLC	1,050. PREMIUM	1870.29
2502-7.01 C000B	USBank-Cust/SassMuniVdtr	37,000. PREMIUM	11274.27
	TOTAL TOWNSHIP LIENS		\$570.95
	TOTAL LIENS SOLD	\$190,300. PREMIUM	\$106,940.0

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Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-149. Resolution adopted by call of roll, four members present voting in the affirmative.

AFFIDAVIT OF TAX SALE

N.J.S.A. 54:5-41

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STATE OF NEW JERSEY

COUNTY OF CAMDEN

DIANE MACRI-ZOPPEL, being duly sworn according to law, on her oath says:

1. She is the CERTIFIED TAX COLLECTOR of taxes of the TOWNSHIP OF BERLIN in NEW JERSEY.
2. Notice of Sale was mailed to each property on May 29th and June 5th, 2008 in lieu of advertisement and then published in the official newspaper circulating in the municipality, THE RECORD BREEZE, an additional two weeks on June 12th and June 19th, 2008, once in each of the four calendar weeks preceding the calendar week containing the day appointed for sale, June 24th, 2008.
3. A copy of the NOTICE OF SALE was set up at five of the most public places in the municipality, namely;
West Berlin Post Office Municipal Bulletin Board
West Berlin Fire Dept. Berlin Twp. Police Dept.
Berlin Twp. Library
4. A copy of the NOTICE OF SALE was mailed to the owners of record whose names appear in the tax sale list, at the address known and all interested parties.

DIANE MACRI-ZOPPEL, CTC
TOWNSHIP OF BERLIN

RESOLUTION 2008-150 RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE MUNICIPALITY OF THE TOWNSHIP OF BERLIN AND THE COUNTY OF CAMDEN FOR THE PROVISION OF MICROFILMING OF RECORD BOOKS AND RECORDS ORGANIZATION SERVICES

WHEREAS, pursuant to funding provided by the Public Archives and Records Infrastructure Support (PARIS) grants program, the County of Camden will provide microfilming of record books and record services to various municipalities in the County of Camden and;

WHEREAS, the Municipality of the Township of Berlin desires to participate in these services with the County of Camden for the benefit of its residents and;

WHEREAS, participation by the Municipality of the Township of Berlin will be at no cost to the municipality and all costs for these services will be borne by the County;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin to hereby authorize a shared services agreement by and between the Township of Berlin and the County of Camden for the provision of microfilming for record books and records organization services.

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Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-150. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-151 RESOLUTION AUTHORIZING TRANSFER OF A VEHICLE AND TITLE TO THE BOROUGH OF BERLIN

WHEREAS, the Mayor and Council of the Township of Berlin, Camden County, New Jersey wishes to transfer the title and vehicle of a 1998 Ford Crown Victoria VIN#2FAFP71W8WX119108, to the Borough of Berlin, Camden County, New Jersey. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin to hereby authorize the transfer of title and vehicle of the 1998 Ford Crown Victoria to the Borough of Berlin.

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-151. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008:152 RESOLUTION AUTHORIZING ENGINEER TO PERFORM ENGINEERING FOR TAX ASSESSMENT MAPS AS REQUIRED BY THE CAMDEN COUNTY BOARD OF TAXATION

WHEREAS, the Engineer has submitted a cost estimated dated June 27, 2008 to perform revisions to the tax assessment maps as required by the Camden County Board of Taxation: and

WHEREAS, the estimate for the engineering services to be performed total \$3,805.00, with additional prints costing approximately \$176.00 for each full sized print and \$100.00 for each half sized print, as required by Township personnel,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Engineer is hereby authorized to perform the engineering necessary to perform revisions to the tax assessment maps, not to exceed \$3,805.00 plus \$176.00 for each full size print and \$100.00 for each half sized print.

Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2008-152. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008:153 2008/2009 TEMPORARY BUDGET – CURRENT FUND CALCULATION OF MAXIMUM ALLOWABLE APPROPRIATION

WHEREAS, Revised Statutes 40:2-12 provides that where there are any contracts, commitments or payments that are to be made prior to the adoption of the Fiscal Year 2009 Budget, temporary appropriations should be made for the purposes and accounts required in the manner and time provided: and

WHEREAS, the date of this resolution is within the first thirty days of the Fiscal Year 2009 Budget and is twenty-six and one quarter percent (26.25%) of the total appropriations made for all purposes in the Budget for the year 2008 Fiscal Year, excluding appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the foregoing is the Temporary Budget for the Fiscal Year 2009 and; Twenty-

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Uniform Construction Code	
Salaries & Wages	23,000.00
Other Expenses	3,000.00
Other Code Enforcement	
Salaries & Wages	9,000.00
Other Expenses	300.00
INSURANCE	
Liability Insurance	
Other Expenses	3,000.00
Workers Compensation Insurance	
Other Expenses	1,000.00
Employee Group Insurance	
Other Expenses	350,000.00
Unemployment Insurance	
Other Expenses	1,000.00
PUBLIC SAFETY FUNCTIONS	
Police Department	
Salaries & Wages	450,000.00
Other Expenses (including vehicles)	80,000.00
Emergency Management	
Salaries & Wages	1,000.00
Other Expenses	300.00
Aid to Volunteer Ambulance Company	
Other Expenses	28,000.00
Municipal Prosecutor	
Salaries & Wages	3,000.00
Other Expenses	1,000.00
PUBLIC WORKS FUNCTION	
Streets and Road Maintenance	
Salaries & Wages	47,000.00
Other Expenses	5,000.00
Solid Waste Collection	
Salaries & Wages	78,000.00
Other Expenses	4,000.00
Buildings & Grounds	
Salaries & Wages	28,000.00
Other Expenses	11,000.00
Vehicle Maintenance	
Salaries & Wages	30,000.00
Other Expenses	22,000.00
NJPDES – Stormwater Management	
Salaries & Wages	12,000.00
Other Expenses	4,000.00

HEALTH AND HUMAN SERVICES FUNCTIONS

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Public health services	
Salaries & Wages	3,000.00
Other Expenses	500.00
PARKS AND RECREATION	
Recreation Services and Programs	
Other Expenses	3,000.00
Maintenance of Parks	
Salaries & Wages	28,000.00
Other Expenses	4,000.00
Maintenance of Free Public Library	
Salaries & Wages	7,000.00
Other Expenses	2,000.00
OTHER COMMON OPERATING FUNCTIONS (UNCLASSIFIED)	
Celebration of Public Events	
Other Expenses	4,000.00
UTILITIES EXPENSES AND BULK PURCHASES	
Electricity & Natural Gas	12,000.00
Street Lighting	24,000.00
Telephone	15,000.00
Water	3,000.00
Petroleum Products (Fuel Oil & Gas)	44,000.00
Sewerage	2,000.00
Landfill/Solid Waste Disposal Costs	48,000.00
STATUTORY EXPENDITURES	
Public Employees Retirement System	0.00
Social Security	100,000.00
Police & Fire Retirement System	0.00
FEDERAL & STATE GRANTS	
Supplemental Fire Services Grant	2,780.00
Over the Limit Under Arrest 2008 Grant	5,000.00
MUNICIPAL COURT	
Municipal Court	
Salaries & Wages	30,000.00
Other Expenses	8,000.00
Public Defender	
Other Expenses	1,000.00
CAPITAL IMPROVEMENTS (AND CAPITAL IMPROVEMENT FUND)	
Capital Improvement Fund	80,000.00

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MUNICIPAL DEBT SERVICE

Bond Principal	160,000.00
Bond Interest	119,300.00

TOTAL TEMPORARY CURRENT FUND
APPROPRIATIONS

\$ 2,033,680.00

SEWER OPERATING FUND TEMPORARY BUDGET

Total of 2007/2008 Appropriations (Sewer Operating Fund)	\$ 1,061,917.28
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Less 2007/2008 Appropriations for:

Debt Services	\$ 563,877.28	
Capital Improvement Fund	0.00	563,877.28
	Sub-total	\$ 498,040.00
		<u>X26.25</u>
	Sub-total	\$ 130,735.50

Add 2008/2009 Temporary Appropriation for:

Debt Service	114,900.00	
Capital Improvement Fund	\$	114,900.00
Total Maximum Allowable Appropriations	\$	245,635.50

OPERATING

Salaries & Wages	63,000.00
Other Expenses	62,000.00
Debt Service – Payment of Bond Interest	114,900.00

STATUTORY EXPENDITURES

Public employees Retirement System	0.00
Social Security	4,900.00
Unemployment Compensation Insurance	100.00
TOTAL TEMPORARY SEWER OPERATING FUND APPROPRIATIONS	\$ 244,900.00

OPEN SPACE, RECREATION FARMLAND AND HISTORIC PRESERVATION TRUST FUND

Salaries and Wages	\$ 13,000.00
Other Expenses	5,000.00
Interest on Bonds	29,100.00
Principal on Bonds	5,600.00
Down payment on improvements	<u>0.00</u>
TOTAL OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION FUND APPROPRIATIONS	\$ 52,700.00

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Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-153. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008- 154 RESOLUTION AUTHORIZING THE HIRING OF TAX/SEWER CLERK BY THE TOWNSHIP OF BERLIN

WHEREAS, a recommendation has been made to Mayor and Council to hire Dana Christina O'Hara as a full time Tax/Sewer Clerk for the Tax/Sewer Office of the Township of Berlin; and

WHEREAS, the Mayor and Council have reviewed the recommendation and found same to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes and approves the hiring of Dana Christina O'Hara as a full time Tax/Sewer Clerk effective August 11, 2008.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-154. Resolution adopted by call of roll, four members present voting in the affirmative.

ENGINEER'S REPORT

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

2007 Street Improvement Program:

- Krisanna Construction has submitted their Final Voucher and Maintenance Bond. We expect to submit the Final Change Order and Voucher for consideration for approval at the Council meeting on August 4, 2008.
- We are currently processing Voucher No. 3 and Change order No. 2- Final for the Improvements to Cushman Avenue. American Asphalt Company, Inc. for consideration for approval at the Council Meeting of August 4, 2008.

B. ENGINEER'S REPORT

1. 2008 STREET IMPROVEMENT PROGRAM (KEI # 491BT0308):

The Governing Body awarded a contract in the amount of \$282,477.53 to DiMeglio Construction for the following projects:

Base Bid Toomer Avenue and Larch Avenue	\$212,312.38
Alt No. 1-Intersection of Clarence and First Avenue	\$53,764.15

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Alt No. 2- Sidewalk along First Avenue at the Fire House	\$16,401.00
TOTAL	\$ 282,477.53

The Pre-construction Meeting was held on July 8, 2008. We will prepare and submit the meeting minutes to the Governing Body. The Contractor anticipates commencing with construction within two weeks.

2. 2007 STREET IMPROVEMENTS PROGRAM:

a) Improvements to Veteran's Avenue and Minch Avenue

The contractor, Krisanna Construction, has performed all corrective work. We recommend that the Governing Body consider approving the final Change Order and Voucher.

b) Grove Avenue and Cushman Avenue

The contractor, American Asphalt, has been notified that, even though the area consists of grass, the lawn areas along each side of Grove Avenue must be excavated and topsoil and seed applied. It would be beneficial that this work be performed in the Fall since the weather is not suitable for the germination of grass, at this time of year.

3. N.J.D.O.T. FY2009 MUNICIPAL AID APPLICATION:

Applications were submitted for the following projects:

a) Clarence Avenue-Haddon Avenue to Veteran's Avenue

Amount of funding requested: = \$ 415,725.00

b) N.J.S.H. Route 73 sidewalk, Phase 2-Jackson Road to Edgewood Avenue

Amount of funding requested: = \$ 174,000.00

It is anticipated that the selected projects will be announced by the end of the year.

4. SIDEWALK ALONG N.J.S.H. ROUTE 73, PHASE 1, N.J.D.O.T. FY 2008 FUNDED-\$150,000.00:

As mentioned at the last Council Meeting, we have contacted the N.J.D.O.T. Local Aid Office to discuss the possibility of applying for additional funding in the FY2009 Program. The Governing Body mentioned that they would like to complete the construction of the sidewalk, for the full length of the northbound side, between Jackson Road and Edgewood Avenue, under one contract.

The N.J.D.O.T. has stated that the FY2008 funding is secure until June 30, 2009. If necessary, it is possible for Mayor Magazzu to request an extension of the allocation of funds, as it gets closer to the deadline date.

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It is also necessary, before any construction can be performed, that the N.J.D.O.T. and Pinelands Commission approve the proposed construction.

At this time, we recommend that the Governing Body consider authorizing our office to perform the necessary engineering and prepare the bid documents so that the project could be bid in December 2008/January 2009.

5. IMPROVEMENTS TO KATHERINE AVENUE- N.J.S.H. ROUTE 73 TO THE End

We are still waiting for Paparone Housing to respond to the request for their consideration for the possible, coordinated construction with the Township. The final subdivision application will be heard, by the Planning Board, on August 5, 2008. I am hopeful that an agreement can be reached, with the Township, prior to the Planning Board Meeting.

I submitted an estimate, for the reconstruction of the entire length of the street, to the Governing Body. The estimated cost for the construction is \$ 864,232.00. The estimated engineering cost is \$100,000.00. The estimated cost for inspection and contract administration is \$95,000.00.

I recommend that, if an agreement is made with Paparone Housing, the Governing Body consider authorizing our office to perform the necessary engineering work, during the end of 2008, as it is expected the reconstruction of the street should commence in early 2009.

6. SAFE ROUTES TO SCHOOLS (KEI# 492BT0408):

We submitted the application to the N.J.D.O.T., electronically, by the submission deadline date of May 2, 2008, for the following projects:

- a. Sidewalk along Katherine and Grove Avenues to the elementary school.
\$ 240,590.00
- b. Permanent, flashing speed indicators along Franklin Avenue and Grove Avenue.
\$17,000.00

We have been advised that the New Jersey Department of Transportation anticipates announcing selected projects at the end of September 2008.

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):
Asphalt Paving Systems has completed the project. The Governing Body accepted the project at the Council Meeting of February 25, 2008.

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We have submitted the final State of New Jersey Payment Voucher, in the amount of \$64,426.25, for final reimbursement of funds from the New Jersey Department of Transportation.

- b. Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (KEI #29-430BT1104):
The N.J.D.O.T., Office of Local Aid, has responded to Mayor Magazzu, provided the available funding amounts and approved the reduced “scope of work” for Phase 3.

As a result, we must amend the Construction Plans and Specifications and resubmit to the Department for authorization to schedule the receipt of bids.

Since the Construction Plans were developed to utilize the County Routine Maintenance Contractor, Asphalt Paving Systems we must amend the Construction Plans and Specifications, accordingly, as the County contract is no longer available to the municipalities.

Therefore, we anticipate submitting the amended Construction Plans and Specifications to the Department by the end of August 2008.

8. LEASE OF SENIORS BUS, C.D.B.G. YEAR 30 FUNDING-\$30,257.00 (KEI #486BT0208):

We had informed the Governing Body, at the last Council Meeting, that the Township must contact Mr. John Slawson, from the County C.D.B.G. to coordinate the lease. It is anticipated that the funds will be available in September/October 2008.

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

Ms. Zoll has, recently, informed me that she has not been contacted by Mr. Sparaccio or his attorney, regarding the conveyance of land to Camden County and Berlin Township for the widening of the street right-of-ways along his site.

The County Engineer has informed us that they are required to hold a Public Information Center Meeting, before the end of this year. The Governing Body must endorse an alternative, before the meeting will be scheduled.

10. IMPROVEMENTS TO THE INTERSECTION OF HADDON AVENUE AND FRANKLIN AVENUE

On June 16, 2008, I sent a letter to the County consultant, informing them of Chief Hayden’s comments and the request for additional information. To date, I have not received any response from the County consultant and have requested an update from the County Engineer. Once I receive a response, I will inform the Governing Body.

11. N.J.D.O.T. MATTERS

Improvements to the Intersection of N.J.S.H. Route 73 and D'Angelo Drive (KEI#73BT3203):

On June 16, 2008, Mayor Magazzu sent a letter to the N.J.D.O.T., commenting on the various concepts which were included in the report by the N.J.D.O.T. consultant. I believe that the N.J.D.O.T. governmental relations representative has been discussing this matter with Mayor Magazzu.

- a. Request to the N.J.D.O.T. for Payment of Additional Inspection Costs for the Sanitary Sewer Work Along N.J.S.H. Route 73:
No update to report at this time.
- b. Landscape Screening along the N.J.D.O.T. Ramp Between Oak and Taunton Avenues:
No update to report.

12. TRAFFIC STUDIES ALONG N.J.S.H. ROUTE 73 IN VOORHEES TOWNSHIP:

As a result of the proposed hospital and other developments along Route 73, in Voorhees Township, the Planning Board directed me to request copies of the respective traffic studies so that they could determine possible impacts in Berlin Township. I have received several traffic reports for the Voorhees Township Planning Board Secretary and have forwarded them to each Planning Board member.

13. U.S.E.P.A. CLEAN WATER NEEDS SURVEY SURVEY (CWNS):

The survey is utilized by the members of Congress to lobby and demonstrate the need for funds for their district to address water pollution control. Eligible projects are improvements to wastewater treatment facilities (including addressing inflow and infiltration), pumping stations, sewer replacement/ rehabilitation, stormwater conveyance and treatment systems, stormwater management, Brownfields, etc.

A new "Small Community (Population <10,000) Needs Form" has been developed, which allows for the submission of a lesser detail survey information.

We have discussed the projects with Mr. McGee, which are as follows:

- 1) Replacement of inlet curb pieces to the complaint "ECO" curb piece
- 2) Sanitary Sewer/Storm Drainage Televising System
- 3) Kelly Drive basin improvements
- 4) Vehicle wash facility

We will complete and submit the form by the submission deadline date of July 31, 2008.

14. PRE-MITIGATION FLOOD CONTROL PROGRAM:

The County should have contacted the Township Emergency Management Coordinator to discuss the projects, which were submitted to them for possible funding. They will also be scheduling field visits to observe the condition. I recommend that the Emergency Management Coordinator continue to cooperate with the County so that the Township will be eligible for Federal funds to address flooding and stormwater issues.

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

We have completed and submitted the application for the improvements to the hockey court at the Robert T. Clyde Park and terraced amphitheater construction at the Luke Avenue Recreation Complex.

We anticipate the County announcing the funded projects by the end of the Summer 2008.

16. REQUEST FOR ADDITIONAL SANITARY SEWER ALLOCATION (KEI #467BT0407):

Mayor Magazzu has informed me that she has, recently, spoken to Mr. Andrew Kricun, P.E., from the C.C.M.U.A. Mayor Magazzu has informed me that Mr. Kricun has suggested that the Governing Body provide him with some time to resolve the current allocation issues with several other municipalities, as he believe that Berlin Township will be better off, in the long run. Based upon the conversation with Mayor Magazzu, I recommend that the Governing Body continue to monitor the situation, and if determined to be necessary in the future, contact the New Jersey Department of Environmental Protection directly.

17. REQUEST FOR SANITARY SEWER ALLOCATION AND EXTENSIONS:

a. Berlin Promenade Shopping Center, Route 73 and Davenport Avenue (KEI# 472BT0307):

The applicant has submitted a request for the allocation of 11,390 gallons per day for 48,000 s.f. of retail floor area and a 186 seat restaurant. The proposed sewer main will be privately owned, operated, and maintained.

I recommend that, if appropriate, the Governing Body consider passing the resolution authorizing the submission of the N.J.D.E.P. application package and for the Mayor to sign the application forms.

b. Kepple Carpets (formerly Jersey Marine), Cushman Avenue (KEI# 493BT0508):

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I have been informed by the applicant's attorney that they will be discussing a proposed sewer connection for the existing use in the building with the Governing Body, at the Council Meeting on August 4, 2008.

The applicant is also proposing an expansion at the site. I believe that the applicant is only requesting the sewer extension for the existing use, not the expanded use, as they have not received Planning Board approval for the expanded use.

The applicant must provide the calculations and plans for the sanitary sewer flow and extension for the existing use.

18. IMPROVEMENTS TO KELLEY DRIVE STORMWATER BASIN (KEI #64BT3187):

No update to report at this time.

19. MAINTENANCE GUARANTEES FOR PRIVATELY OWNED STORMWATER MANAGEMENT FACILITIES:

The Governing Body has discussed this matter, in the past. The adopted amended Stormwater Control Ordinance provides for the property owner to maintain a fund for the annual inspection, testing, maintenance and repair program and annual contribution to a contingency fund for reconstruction/reconditioning. I have recommended that the Governing Body consider utilizing the agreement document, which is used in Winslow Township. The agreement document must be recorded at the County Clerk's Office.

20. WATER SUPPLY ALLOCATION PERMIT FOR ALL TOWNSHIP OWNED POTABLE AND IRRIGATION WELLS:

We have completed the application and supporting engineering documentation for the Water Use Registration. The signature of the Mayor is required.

Ms. Campisano has provided us with checks for the required fees and we will provide copies of the complete application package to Ms. Campisano, Mr. McGee, and the Governing Body, once the Mayor has signed the application.

21. AMENDMENT TO THE TREE PROTECTION ORDINANCE:

I believe that the Committee is reviewing the current ordinance and will be submitting recommendations to the Government Body and Planning Board.

22. REDEVELOPMENT OF HADDON AVENUE:

No update to report.

23. COALITION ON AFFORDABLE HOUSING, ROUND 3 RULES:

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The third round rules are now, in effect. The Council on Affordable Housing has amended the regulations. It is our understanding that a lawsuit has been filed, regarding these new regulations.

Governor Corzine has signed into law the elimination of Regional Contribution Agreements (RCA's) and the requirement that all non-residential construction and expansion, within participating municipalities, must pay a development fee at a rate of 2.5% of the equalized assessed value, which is to be placed in the municipal trust funds, in lieu of constructing affordable housing.

The current Round 3 Regulations require an obligation, for Berlin Township, of 228 affordable housing units (30.4 units- housing allocation model plus 198 affordable housing units- employment allocation model).

24. PERMIT EXTENSION ACT:

The Governor is expected to sign this legislation into law by the end of July, 2008. The legislation provides for the extension of permits and approvals, which are required for subdivisions and site plans. The period for the extension is January 1, 2007 to July 1, 2010. Permits, issued by the N.J.D.O.T. are not included in this Act. The same applies for permits and approvals under the Flood Hazard Area Control Act, unless the construction of the development has commenced.

When there is an issue of capacity for sanitary sewer systems, those developments with tolled approvals will take priority over approvals, which do not fall under the Permit Extension Act.

25. OPEN SPACE AND RECREATION CONTRIBUTION AND FEES:

The Appellate Court has determined, that the Municipal Land Use Law does not empower municipalities to create laws to require developers to save open space and construct, or contribute funds, for recreation facilities. It is my understanding that the defending municipalities have asked the Supreme Court to review the case.

26. REDEVELOPMENT LEGISLATION:

The Senate Committee has passed a statute, which limits the use of eminent domain for redevelopment, revises the definition of blight, requires per-condemnation negotiations, etc. The bill moves to the full Senate for their review and consideration.

27. TAX MAP REVISIONS:

Minor Subdivisions and Montebello Age Restricted Housing Development:

These revisions include general correction, lot consolidation, removal and addition of tax exempt properties, depiction of many condominium units, and Sections 1 and 1A of the Montebello Age Restricted Housing

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Development (two new tax map sheets). The estimated cost for said work is \$3,805.00.

28. BOND REDUCTION FOR MONTEBELLO AGE RESTRICTED DEVELOPMENT (KEI# 104BT):

We recommend that the Governing Body consider reducing the Performance Bond for Section 1, from \$2,991,679.80 to \$1,879,893.00 and Section 1A from \$886,619.40 to \$312,463.80.

GOOD AND WELFARE #2

Motion by Councilman Morris, second by Councilman McIntosh 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.

GOOD AND WELFARE #2

Motion by Councilman Morris, second by Councilman McIntosh 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.

Phil Haines representing Kepple Enterprises for Doug Kepple spoke about their application for a proposed sanitary sewer lateral at Cushman Avenue (formerly known as Jersey Marine).

Mr. Kepple operates Kepple Carpets and he wants to operate at that site an office/showroom/warehouse. We would like to connect to the public sewer system and have submitted a plan to the Planning Board. We would need one EDU at this time. We do agree with the recommendations in Chuck Riebel's letter of August 1, 2008. Council said that once you get Planning Board approval you will need to go to the Tax Department for a sewer connection application.

I am Joseph Bernadino Managing Member for PlanLand LLC, and we are contract owners for three projects currently under development in Berlin Township known as Pinedge I, Pinedge II, and Pinedge III. The purpose of my visit is to educate you on the Inter-municipal Sewer Agreement of 2001. Normally our company is represented by Donald Nogowski, Esquire; however, he was not able to come.

Back in December of 2001, Paparone Housing was working on a project known as Highpoint II, Phase 2, in Voorhees Township and obtained a preliminary approval from Voorhees to enter into an inter-municipal sewer agreement. While Paparone was constructing a pump station to service its High Point II, Phase 2 development, Berlin Township was going to accept their sewer allocation until they got that pump station. Apparently no pump station was ever created. Paparone Housing also filed to the State for a TWA which was approved, and I presented you all with a copy. At the time of application they were not currently the owner of the property it was Cooper Rich. They were under agreement at that time and the deed was not transferred over to Paparone Housing. We would like to request that the inter-municipal sewer agreement be revoked and the TWA be voided since Paparone was not the proper owner. Ultimately,

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my request will garner on our behalf that the sewer application will be remitted back to its rightful owner and to benefit property that is actually situated in Berlin Township.

Solicitor Donafaye Zoll responded on behalf of Mayor and Council. I did speak with PlanLand's attorney previously and indicated that he should send a letter to Mayor and Council with his request. Instead he sent a representative. I also have done a good bit of research on these issues and had the opportunity to read a lengthy opinion of the Appellate Division regarding litigation between Mr. Paparone and Mr. Samost and all his entities. The Appellate Division specifically held that Mr. Paparone was authorized to make all the applications for the governmental approval and there is a court order to that effect. The Court ordered Samost to close on these properties and this also applied to PlanLand which is also controlled by Mr. Samost. I can also indicate that it is not my information that the CCMUA has actually determined that the prior TWA permit was void because Paparone was not the owner. Mr. Kricun's letter said that if it was determined that Mr. Paparone was not the owner, it would possibly be void, but I see nothing subsequent to that. That letter may be in this packet. Mr. Kricun was very careful to use the word if. Essentially, based upon my review of the Appellate Division decision, Paparone was authorized and there is no basis for the Township to rescind or void that Inter-municipal Sewer Agreement. There is a long history and reasons why Mr. Paparone was forced to apply for some of those approvals.

Mr. Bernadino said that he also did extensive research and it is my understanding that the TWA application did expire. Zoll replied: Whether the TWA permit expired is not the issue. You made a representation to Mayor and Council that TWA permit was found to be void by the CCMUA because Paparone was not the owner and that was not what Mr. Kricun's letter said. That letter actually came from your counsel Mr. Nogowski when he sent a packet and a letter to me and Voorhees and another person. I didn't bring the letter with me tonight as I did not know you were coming, but I am almost certain that the letter said: "that if it was determined". It was determined by the Court that Paparone was authorized to make all of these applications. Mr. Bernadino replied: Very well and thank you very much.

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

RESOLUTION 2008 – 155 RESOLUTION AUTHORIZING THE USE OF THE AN ALTERNATE METHOD FOR CALCULATING THE RESERVE FOR UNCOLLECTED TAXES FOR THE SFY 2009 BUDGET

WHEREAS, N.J.S.A. 40A:4-4c enacted in 1997, provides alternate methods of calculating the Reserve for Uncollected Taxes: and

WHEREAS, the Mayor and Council of the Township of Berlin has determined that it is in it's best interest to use an alternate method, which permits the use of a three-year average, instead of using the prior year tax collection rate for calculating the Reserve for Uncollected Taxes for the SFY 2009 Budget; and

WHEREAS, the three-year tax collection rate average is computed as follows:

Year	Tax Collection Rate
------	---------------------

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SFY 2008	99.11%
SFY 2007	99.88%
SFY 2006	99.86%

3 Year Average computes to 99.62%

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the three-year tax collection rate average of 99.62% be used when calculating the Reserve for Uncollected Taxes for the SFY 2009 Budget.

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-155. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008- 156 RESOLUTION TO INTRODUCE THE 2009 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 \$4,501,091.77 for the local tax to be raised by taxation for Municipal Purposes and \$136,646.00 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 28, 2008. The Governing Body of the Township of Berlin does hereby approve the following Budget for the Fiscal Year 2009. 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 4, 2008. 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 8, 2008 at 630 p.m.; at time and place objections to said budget and tax resolution for the fiscal year 2009 may be presented by taxpayers or other interested persons.

Motion by Council President DiGangi, second by Councilman Morris to adopt Resolution 2008-156. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION NO. 2008-157 AUTHORIZING THE SUBMISSION OF THE N.J.D.E.P. TREATMENT WORKS APPLICATION FOR THE SEWER EXTENSION FOR THE BERLIN PROMENADE RETAIL CENTER BLOCK 1501, LOT 1

WHEREAS, Berlin Promenade, L.L.C., applicant, desires to submit a Treatment Works Application to the New Jersey Department of Environmental Protection; and

WHEREAS, Berlin Promenade, L.L.C., desires to install sanitary sewer extension to serve 48,800 s.f. of retail floor area and 186 seat restaurant on Block 1501, Lot 1 within the Township of Berlin and as a prerequisite, such application, plans and specifications must be submitted to the New Jersey Department of Environmental Protection; and

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WHEREAS, the projected sanitary sewer flow from the proposed development is 11,390 gallons per day (using the chart in the N.J.A.C. 7:14A-23.3)

WHEREAS, the applicant will be responsible for the construction, ownership, operation and maintenance of the sewer extension as it will be privately owned by the applicant; and

NOW, THEREFORE BE IT RESOLVED by Mayor and Council that the Mayor and Council authorizes the submittal of the application, plans, specifications and related information for said development; and

BE IT FURTHER RESOLVED that the Township of Berlin will accept the connection of the sanitary sewer extension to the existing municipal wastewater collection system and the sewer generated from the proposed development, if permitted by the Camden County Municipal Utilities Authority, after the sanitary sewer extension improvements have been constructed and approved by the Township; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign all forms related to the submission on behalf of the Township, subject to the foregoing conditions.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-157. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-158 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT FOR SHARED SERVICES BETWEEN THE COUNTY OF CAMDEN AND THE TOWNSHIP OF BERLIN FOR LOCAL PUBLIC HEALTH SERVICES

WHEREAS, the County of Camden Board of Chosen Freeholders passed a resolution on June 19, 2008, authorizing a shared services agreement with each Camden County municipality for Public Health Services; and

WHEREAS, the Governing Body of the Township of Berlin wishes to execute this agreement to provide these public health services for a term of two years commencing August 1, 2008 and ending July 31, 2010; and

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 Council President DiGangi, second by Councilman Morris to adopt Resolution 2008-158. Resolution adopted by call of roll, four members present voting in the affirmative.

Resolution 2008:159

Payment of bills August 4, 2008

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.

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TO	ACCOUNT	AMOUNT
CC Animal Shelter	Dog Trust	440.00
CC Division of Health	Dog Trust	1,731.46
Robert DePersia	Mun Public Defender	825.00
David F. Carlamere	Planning Board Esc #327	75.00
KEI Associates	Planning Board Esc #153	327.50
	Planning Board Esc # 229	630.00
	Planning Board Esc# 285	1,090.00
	Planning Board Esc # 286	1,997.50
	Planning Board Esc # 304	793.75
	Planning Board Esc # 308	1,890.00
	Planning Board Esc # 309	355.00
	Planning Board Esc # 313	3,486.25
	Planning Board Esc # 319	1,283.75
	Planning Board Esc # 332	502.50

CONFIRMING

Treasurer, State of NJ	Dog Trust	77.40
D&D Company	Planning Board Escrow	43,606.94
Philip Kogan	Planning Board Escrow	14,162.45
Commerce Bank	07-240-55-540-3000	115,350.41
	07-201-55-522-2105	1,602.09
	07-168-05-540-3000	14,051.25
America on Line	01-201-20-120-2105	32.90
Atlantic City Electric	01-203-31-435-2075	5,385.78
	01-203-31-435-2071	3,708.43
AT&T Mobility	01-203-31-440-2076	589.23
Berlin Twp Bd of Education	01-207-55-020-3000	710,855.00
Rich Hastings	01-213-84-028-3000	3,150.00
	01-213-84-028-3000	3,400.00
	01-213-84-028-3000	3,080.00
Chief Michael Hayden	01-103-01-003-3000	300.00
Mark Bresani LLC	01-213-84-028-3000	567.00
	Housing Rehab Trust	2,500.00
Phyllis Magazzu	01-201-20-110-2105	200.00
	01-201-20-110-2105	74.73
	01-201-31-440-2076	553.88
	01-203-31-440-2076	514.68

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Sean-Tor Gen Contracting	01-213-77-021-3000		10,000.00
	01-213-84-028-3000		21,350.00
	01-213-84-028-3000		2,000.00
Twp Planning Board Trust	01-201-30-415-1017		54,400.00
	01-201-26-290-2147		15,000.00
Twp Payroll Account	01-201-23-225-2168		521.92
Treasurer, State of NJ	01-201-26-310-2024		400.00
	01-201-26-310-2024		30.00
Mary Trout	01-201-26-305-2151		38.00
	01-103-01-002-3000		100.00
Verizon Wireless	01-201-25-240-2028		565.98
Dian Zoppel	01-201-20-145-2041		22.22
State of New Jersey	01-201-23-220-2092		39,423.48
State of New Jersey	01-201-23-220-2092		11,456.79
Payroll, Current Fund		6/5/2008	60,037.47
Payroll, Sewer		6/5/2008	4,854.21
Payroll, Current Fund		6/12/2008	58,965.63
Payroll Sewer		6/12/2008	4,638.86
Payroll, Current Fund		6/19/2008	58,892.05
Payroll, Sewer		6/19/2008	4,961.93
Payroll, Current Fund		6/26/2008	80,162.45
Payroll, Sewer		6/26/2008	4,638.85

Motion by Councilman Morris, second by Councilman McIntosh to adopt Resolution 2008-159. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-160 A RESOLUTION TO ADOPT THE YEAR 30 COMMUNITY DEVELOPMENT GRANT AGREEMENT

WHEREAS, A cooperative agreement was heretofore entered into between the Township of Berlin and the County of Camden for the establishment of a cooperative means of conducting certain community development activities; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-4 et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the County has achieved "Urban County" status in accordance with the requirements set forth in Title I of the Housing and Community Development Act of 1974, as amended and the Housing and Urban-Rural Recovery Act of 1983; and

WHEREAS, the County has entered into a grant agreement with the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act, as amended, for an Entitlement Grant ; and

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WHEREAS, this Grant is administered for the County by the County's Community Development Office; and
WHEREAS, the Township of Berlin has proposed certain activities to be carried out under the 30th Year Program: and
WHEREAS, the County has approved funding for eligible project of the Township of Berlin from said grant and desires the Township of Berlin to undertake said project.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, that the Year Municipal CDBG Grant Agreement be adopted between the Township of Berlin and the County of Camden, a copy of the Agreement which is attached thereof; and
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its enactment as provided by law.

Motion by Councilman McIntosh, second by Councilman Morris to adopt Resolution 2008-160. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-161 RESOLUTION APPROVING REQUEST FROM ERIC SCHWARTZ OF VOORHEES TOWNSHIP FOR A ONE YEAR SEWER EXTENSION ON SEWER CONNECTION PERMITS #0244 AND #0245

WHEREAS, Eric Schwartz of Voorhees Township, Camden County, New Jersey request for a one year sewer extension from the date of expiration on the following permits: Permit #0245. Block 285, Lot 1.03 at 8 Second Avenue, Voorhees Twp.
Permit #0244 Block 285, Lot 1.02 at 203 Jefferson Avenue, Voorhees Twp.
BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the request by Eric Schwartz of Voorhees Township, for two sewer extensions on the above permits are hereby granted.

Motion by Council President DiGangi, second by Councilman Morris to table Resolution 2008-161 until further notice. Motion carried by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-162 RESOLUTION FOR CHANGE ORDER NO. 2 FINAL FOR 2007 STREET IMPROVEMENTS PROGRAM – CUSHMAN AVENUE

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the 2007 Street Improvements Program Proposal No. 2– Cushman Avenue, (Partially funded by the CDBG Program, Year 29) in the Township of Berlin, Camden County, New Jersey.
WHEREAS, Change Order No. 2 Final was developed to itemize and authorize those changes.
WHEREAS, certification has been received by the Treasurer/Finance Director that sufficient funds have been allocated for this Change Order;
NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin that Change Order No. 2 Final is hereby authorized and approval, is hereby granted to revise the contract amount from **\$111,486.42 to \$111,130.22**.

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Motion by Councilman McIntosh, second by Council President DiGangi to adopt Resolution 2008-162. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION NO. 2008-163 RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE NJDEP WATER USE REGISTRATION APPLICATION

WHEREAS, it is necessary for the Township of Berlin, Camden County to submit a New Water Use Registration application to the New Jersey Department of Environmental Protection, for the State of New Jersey, and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the mayor is hereby authorized to sign the application for New Water Use Registration application for Luke Avenue Recreation Complex, Edgewood Avenue Soccer Complex, and Berlin Township Public Works Department.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-163. Resolution adopted by call of roll, four members present voting in the affirmative.

RESOLUTION 2008-164 REQUEST FOR REDUCTION OF PERFORMANCE SURETY BOND FOR MONTEBELLO, SECTIONS 1 AND 1A

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 and 1A, a bond reduction, and **WHEREAS**, the Engineer has recommended that the Township grant the following bond reduction:

Bond No. SU1001778 Section 1:

Current Bond Amount of \$2,991,679.80 be reduced to \$1,879,893.00

And

Bond No. SU1001779 Section 1A:

Current Bond Amount of \$886,619.40 be reduced to \$312,463.80

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the above Performance Surety Bond for Hovbros Berlin, LLC, (Montebello) be reduced as stated above.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-164. Resolution adopted by call of roll, four members present voting in the affirmative.

APPROVAL FOR KENNEL LICENSE FOR BEST FRIENDS PET RESORT

Motion by Council President DiGangi, second by Councilman McIntosh to approve Kennel license for Best friends Pet Resort on the condition that they correct violations on State Board of Health Inspections. License approved by call of the roll, four members present voting in the affirmative.

APPROVAL OF BUSINESS LICENSES

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- a) **We R Wireless, Selling Verizon Wireless Services and Products, 200 Route 73 Suite 4B.**
Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for We R Wireless. License approved by call of the roll, four members present voting in the affirmative.
- b) **Recreational Management Service, Lifeguard Service provided to apartment complexes, pool construction and renovations, 420 Kelley Drive Suite C.**
Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for Recreational Management Services. License approved by call of the roll, four members present voting in the affirmative.
- c) **Stone Impression, Office Warehouse for granite and Marble, 443 Commerce Lane Suite 3.**
Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for Stone Impression. License approved by call of the roll, four members present voting in the affirmative.
- d) **Jake Dog House, Office Warehouse for products to be shipped. 417 Bloomfield Drive Units 1 & 2**
Motion by Councilman McIntosh, second by Councilman Morris to approve Business license for Jake Dog House. License approved by call of the roll, four members present voting in the affirmative.

RESOLUTION 2008-165 CLOSED SESSION TO DISCUSS THE SECOND PHASE OF HIRING A POLICE CHIEF

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor and Council are now going into closed session to discuss the second phase of hiring a Police Chief for 2009.

Motion by Councilman Morris, second by Council President DiGangi to adopt Resolution 2008-165. Resolution adopted by call of roll, four members present voting in the affirmative.

REOPENED PUBLIC MEETING

Motion by Councilman McIntosh, second by Councilman Morris to reopen to public meeting. Motion carried by voice vote, four members present in the affirmative.

CONSENT AGENDA

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

APPROVAL OF THE MINUTES OF JUNE 23, 2008

AUGUST 4, 2008

Motion by President Council DiGangi, second by Councilman McIntosh to approve the Minutes of June 23, 2008. Motion carried by voice vote, four members present voting in the affirmative.

APPROVAL OF CORRESPONDENCE CALENDAR FOR JUNE 2008

Motion by Council President DiGangi, second by Councilman McIntosh to receive and file the correspondence calendar for June 2008. Motion carried by voice vote, four members present voting in the affirmative.

GOOD AND WELFARE #3

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

There were no comments to be heard.

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

ALL OTHER BUSINESS FOR DISCUSSION

Mayor Magazzu talked about how successful the July 4th was, thanks to Tom DiGangi and the committee again for a great job.

Mayor Magazzu talked about the group "Walking about 2008", which is a group of students who journey through 49 towns in two weeks, viewing the beauty and celebrating the importance of its trees. The group said that Berlin Township Police Department was the friendliest Department and voted on Berlin Township as the most fun.

Councilman President DiGangi commented about a letter of appreciation from the Lions Club for all their help from Police Officer Sheen , Lex and Hill on the two days of finger printing.

ADJOURNED

Motion by Councilman Morris, second by Council President DiGangi to adjourn the meeting at 8:32 p.m. Motion carried by voice vote, all members present voting in the affirmative.

Jamey Eggers, Township Clerk