

JANUARY 25, 2016

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JANUARY 25, 2016 AT 5:30 P.M.**

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

**ROLL CALL**

**Present-** Mayor Magazzu, Councilman McIntosh, Councilwoman Bodanza, Councilman Epifanio arrived 5:45 pm.

**Also Present-** Solicitor, Stuart Platt, CFO, Lori Campisano, Chief of Police Leonard Check, Josh Shellenberger, Maintenance/Animal Control.

**Absent-** Council President Morris, Township Engineer / Public Works Director Chuck Riebel

**Departmental Report**

**ENGINEERS REPORT**

**A. CHANGE ORDERS AND VOUCHERS**

None, at this time.

**B. RESOLUTIONS AND ORDINANCES FOR CONSIDERATION**

**1. Reduction of Performance Guarantee for Montebello, Sections 3 and 3B-Roadway and Site Improvements**

I recommend that the Governing Body consider reducing the amount of the guarantee from \$579,575.40 to \$46,200.00, which is less than the allowable maximum 30%retainage there is another guarantee posted for the remaining work, associated with the surface course pavement.

**2. Release of Maintenance Guarantee for Taco Bell Restaurant, 198 Route 73 North; Block 703, Lot 13**

Ms. Campisano has informed me that the Township is holding a maintenance guarantee, for \$3,700.80, which was posted on September 30, 2005and required to be posted for a two year period. I recommend that the Governing Body consider releasing this maintenance guarantee.

**3. Street Lighting for Montebello, Section 3 and 3b**

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I recommend that the Governing Body consider authorizing the Mayor to sign the Street Lighting Request form for four street lights within this section of the development. The developer is responsible for the installation cost of \$4,174.12 to Atlantic City Electric Co.

**4. Hiring for the Position of Sanitation Laborer, Class 4 for Public Works Department**

I have reviewed the applications for employment and have recommended the hiring of Robert Eisinger, Jr. This candidate has been employed by the Township, as a Temporary and Seasonal Employee, over the past year, and has performed very well in whatever task that was asked of him.

**5. Possible Purchase of Vehicles for Public Works Department**

I recommend that the Governing Body consider the introduction of a bond ordinance, in the immediate future, for the purchase of various vehicles and equipment. We are preparing the list of requested vehicles and equipment with the respective, estimated costs for consideration by the Governing Body.

**C. ENGINEER'S REPORT**

**1. Dog Park at Luke Avenue Recreation Complex (Camden County Recreation Enhancement Funding- \$25,000)**

The Governing Body rejected the initial bids and authorized the re-bid of the project.

The bid documents have been revised to include a proposal for the initially bid fence and another proposal for another type of wood fence.

The second round of bids are scheduled to be opened on February 4, 2016. I expect to submit the Bid Summary and Engineer's Recommendation for consideration for formal action, by the Governing Body, at the Council Meeting on February 8, 2016.

**2. N.J.D.O.T. FY 2016 Municipal Aid Program Applications**

The applications, for the following street improvement, have been electronically submitted to the N.J.D.O.T. :

- a. Priority 1- Taunton Avenue- NJDOT Rt.73 Ramp "A" to 400' from Cooper Road- \$555,000
- b. Priority 2- Oak Avenue - Route 73 Ramp "A" to 80' Past Clover Avenue- \$ 94,000

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I would expect the announcement of the selected projects to be announced in the early Spring, 2016.

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

The N.J.D.O.T. has returned the signed Agreement for \$201,000 for the improvements to Hazel Avenue. A construction contract must be awarded by June 26, 2017. It is important that the contract be awarded and the work completed, as soon as possible, as the failure to complete the work, in a timely manner, will jeopardize the consideration for future NJDOT Municipal Aid funding.

The requested amount of funding was \$236,000. The estimated construction cost is estimated to be \$210,627 and materials testing costs is estimated to be \$9,000. The engineering, contract administration and inspection will be performed by the Engineering Department.

The Governing Body authorized the preparation of the bid documents and advertisement for and the opening of bids for this project. I recommend that the Governing Body consider appropriating the necessary funds.

Key Engineers, Inc. has completed the fieldwork and submitted the existing conditions plan and profile. We are, currently, preparing the bid documents and expect to receive bids within the next month for hopeful construction in the early Spring of 2016.

**4. Request for the Reduction of Amount for the Performance Guarantee for Montebello, Sections 3 and 3B Roadway and Site Improvements**

I recommend that the Governing Body consider reducing the bond amount from \$579,575.40 to \$46,200.00, which is less than the allowable, maximum retainage of 30 %since there is still a guarantee posted for the remaining work, associated with the construction of the surface course.

**5. Camden County Community Development Block Grant Funds, Year 35 (\$21,000+/-), 35 Supplemental (\$11,410), 36 (\$21,000+/-) and 37 (\$25,800 +/-)**

The push button activated openers and closers, for the front doors, remain to be installed. We are, currently, receiving quotes for this work.

I believe that payment has been made to the Borough of Somerdale for the construction work, which their work force performed for this project.

The Country CDBG Program has informed us that the grant monies must be spent in the immediate future as the Federal agency is threatening to recapture all funds, which have not be spent in a timely manner.

**6. Collection and Hauling of Solid Waste and Recyclable Materials**

It is my understanding that the Governing Body has determined that the collection and hauling, in the future, will remain in-house, using automated

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collection vehicles. We are, currently, analyzing the various apparatus that is available and will select the one that we feel is best for the Township. I would like to advertise to receive bids, in the immediate future, for the implementation of the new collection process in late 2016.

### **7. Street Improvements to Hill Avenue**

I have included the roadway improvements in my request to the Governing Body for funding in 2016.

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

I have recommended that the Governing Body consider allocating the necessary funds for the environmental testing and analysis for the site and for the demolition of the former administrative building.

At the recommendation of a realtor, we have prepared a concept plan, depicting a possible twin homes layout, for use when reviewing and considering this possible proposal. I recommend that the matter of possible alternatives for the development of the site be discussed with the members of the Governing Body and Planning Board.

I recommend that the Governing Body consider the demolition of the existing building, in the immediate future, as it continues to deteriorate. I have not included the funding for this demolition in my capital request but strongly recommend funding for demolition in early 2016.

### **9. Improvements to the Municipal Building**

#### **a. Improvements to the Unfinished General Assembly Rooms**

I expected to complete the bid documents for the ceiling, the remainder of the ceiling lighting, HVAC system and reconfiguration of the fire suppression system in early 2015 for a bid opening in early Spring, 2015. At this time, I am not sure when we will be completing these documents. I am hopeful that, during the Winter, we will be able to obtain bids for the installation in the Spring, 2016.

It has been determined that the Public Works staff will install the vinyl floor tiles, after the above mentioned, contracted work has been completed.

#### **b. Irrigation and Landscaping**

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

We are hopeful that we can include a rainwater recapturing system for irrigation use. I have requested the allocation of funds in my request for capital funding in 2016.

#### **c. Recoating of the Front Parking Area**

Due to the need to address higher priority projects, throughout the Township, I do not believe that funding will be allocated for this project, in the immediate future.

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**10. Application for the Camden County Open Space/ Recreation Enhancement Funds for the Reconstruction of the Surface for the Large Hockey Rink**

This project was not selected, under the last round of funding.

The Public Works Department continues to perform temporary repairs to the playing surface and other components of the rink.

I have included the request for funding for the reconstruction of the pavement surface in my capital request for funding in 2016.

**11. Band Shell at Luke Avenue Recreation Complex (County Open Space Grant- \$50,000 and \$5,000 donation)**

The County Open Space Director has accepted my letter, regarding the status of the project and the use of the funds.

We are preparing the quote package and expect to be requesting quotes for the furnishing and delivery of the kit for the wooden structure, in the immediate future. It will be necessary to construct the foundation, prior to the erection of the band shell. I believe that a group of volunteers have stated that they would be willing to construct the foundation and erect the structure. It will be necessary to hire an electrician to install the power supply and electrical components.

**12. Reconstruction of Basketball Court at Spruce Avenue Recreation Site (County Open Space Grant - \$25,000)**

The County Open Space Director has accepted my letter, regarding the status of the projects and the use of the funds.

I had mentioned to the Governing Body that the construction cost will exceed the County grant amount.

I have requested that the Governing Body consider allocating the necessary additional funds for this construction, in my capital request for 2016.

**13. Capital Improvements Program**

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

The Governing Body has adopted the bond ordinance for the improvements to the sewer pumping stations. I expect to commence with the improvements to the pumping stations in early 2016.

I have prepared and submitted my request for the consideration for various pieces of equipment and vehicles for the Public Works Department. In my request, I have, also, included the request for various capital improvements for construction in 2016.

**14. Ponding Along Gutterline of Hudson Avenue at 182 Patton Avenue**

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As requested by Council President Morris, I have observed the conditions, where ponding is occurring along the edge of pavement, along Hudson Avenue. In order to determine the scope of the work to eliminate the ponding condition, we will take elevations of the existing pavement. I will, then, prepare a cost estimate for the necessary improvements for consideration by the Governing Body.

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

I have been informed that the current Governing Body for the Borough is considering the appropriation of, I believe \$375,000 +/-, for the looping of the water main on Katherine Avenue.

I strongly recommend that a meeting be scheduled, between members of the Governing Bodies for both municipalities to discuss current issues and possible improvements to the identified problem areas, within the Township.

**16. Municipal Certification for Future Federal Funded Projects**

We must obtain the information, from the N.J.D.O.T., for this program, in the immediate future. We will complete the necessary documents, with the assistance from Ms. Campisano, and submit the documents for Federal and State approval, in the near future.

**17. No Parking and Passing Zones Along Cooper Road**

We still must complete the study to determine for the creation of the no passing zone along the road. Once completed, it is my understanding that the Governing Body will take formal action to request that the County Freeholders establish prohibition of passing and parking along the road.

**18. Storm Drainage Improvements**

a. Lester Avenue Storm Drainage and Stormwater Management

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

It has been determined that the project must be bid. Therefore, we must complete the plans and specification for public bidding. Key Engineers, Inc. is performing the soils testing for the stormwater management basin. I have recommended the Governing Body consider allocating funds for this project, in my request for capital funding in 2016.

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

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

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

### b. Kelley Drive Stormwater Basin Reconstruction

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

I do not see our department completing the bid documents until, some time, in 2016.

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

On occasion, the street has flooded, due to the apparent limited capacity of the drainage system and receiving ditch, which is on the Board of Education property. A while ago, I discussed the matter with Mr. Pfluger, School Buildings and Grounds Superintendent.

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

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

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

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

I had reported to the Governing Body, some time ago that I am estimating that the overall construction cost for the necessary improvements is approximately \$11.8 million. I have requested a meeting with Congressman Norcross to discuss the possibility of receiving Federal funding, for this project. It may be worth requesting the assistance of the N.J.D.E.P., regarding this matter, as there was some interest raised by a representative that I had, recently, met with in October, 2015.

## **19. Request to the Pinelands Commission for Redesignation of Lands to Regional Growth**

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

## **20. Tax Map Revisions**

We have not completed the revisions, which were required by the second review by the N.J. Treasury Department. Since it has been determined that the

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revisions are not necessary, as part of the revaluation, we have delayed the revisions so that more pressing projects can be completed by the department.

**21. Request to the N.J.D.O.T. for the Installation of a Traffic Signal at the Intersection of Route 73 and D'Angelo Drive.**

In July, 2015, the Governing Body passed Resolution No. 2015-143 requesting the NJDOT consider the installation of a traffic control signal at the intersection. Several years ago, Wal-Mart offered to pay for the installation. I will be requesting that representatives of the N.J.D.O.T. meet with Township Officials to discuss this matter, in further detail.

**22. Revisions to Ordinances**

A meeting has been scheduled with Ms. Walters, Esq., from the Solicitor's Office, to discuss the status of various code amendments.

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

The Governing Body discussed the possible construction of sidewalk along one side of the street, due to the narrow width of the roadway. I will be investigating this matter and will report to the Governing Body.

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

It has been brought to my attention and I have observed spalling of the concrete sidewalk, in several areas. I have observed the condition and suspect that it may be a result of the application of de-icing materials, placed by the owners of the properties. I will continue to observe the conditions to see if they worsen, over time. It may be necessary to epoxy the spalled areas and apply a clear sealant to the concrete and brick surfaces.

**25. Conditions of the Haddon Avenue Bridge and Roadway**

I will be contacting the Chief Engineer, from N.J. Transit, requesting a formal letter, stating that the bridge structure is structurally sound.

**26. Re-examination of the Master Plan**

The County Planning Director is scheduled to attend the Planning Board Meeting on February 23, 2016 to initiate the discussion for the performance of the re-examination process.

**D. PUBLIC WORKS DEPARTMENT**

**1. Negotiations for Contract With the Public Works Employees Association for 2016-2018**

I am hopeful that the negotiation process will be completed, during the week of January 18, 2016, and the Governing Body will be able to accept and

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authorize the Mayor to sign the new Agreement at the Council Meeting on January 25, 2016.

**2. Staffing Issues**

I have recommended the hiring of Robert Eisinger, Jr. for the full time Laborer position, effective January 25, 2016. I will discuss the possible hiring of additional full time and temporary personnel with the Governing Body, in the future.

**3. Auction for Vehicles and Equipment**

I recommend that the Governing Body consider authorizing an electronic auction for various pieces of equipment, which is no longer operating or being used at the Public Works Department.

**4. Request for Capital Purchases for Vehicles and Equipment**

Now that we have met with the sales representatives for the various pieces of equipment and vehicles, we will finalize the list of requested items with the respective costs. I expect to be submitting the list to the Governing Body, in the immediate future, for consideration for inclusion in the bond ordinance.

**5. Textile Recycling**

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

**6. Leaf Compost Material**

I had, previously, mentioned that we have experienced difficulty in having the composted leaves removed from the composting area as there was very little interest in the partially composted leaves, which resulted from the inability to grind the leaves, due to the tub grinder becoming inoperable. I have, recently, discussed the issue with our current contractor and he believes that it may be an issue for 2016 and the future. It is probable that it will be necessary for the Township to haul the leaves to another municipal or private composting facility and pay for the disposal at their facility. Due to the need for other vehicles and equipment and the limited funds, which will be available for the department, I have not included the purchase of the tub grinder.

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

We have provided the businesses along Haddon Avenue with the prices for directory signs at three intersections. At this time, I do not believe that they have informed us of their interest in the ordering of the signs.

**8. Request to FEMA for Reimbursement of Costs Associated With the Cleanup from the Storm of June 23, 2015**

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I believe that the Township has received one reimbursement, from FEMA. The Township should be receiving a second reimbursement check, in the immediate future, it has not been received, already.

Please contact me with any questions or comments, regarding the contents of this report.

### **Solicitor Report**

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Sherwood, Orio, Olyroyd & Fruggerio
5. Saverio Garofalo V. Township of Berlin
6. Michael Curtis V. Berlin Township
7. Estate of Carol Bowne
8. Open Public Records Act
9. Ordinance Revision
10. In Rem Tax Foreclosure
11. Municipal Building Roof Claim
12. Lester Avenue Drainage Project

### **Police Department**

#### **Department Stats, December, 2015**

Total of 165 motor vehicle summons which include 4 for DWI, 40 M.V Accidents, 94 Alarm calls. A total of 57 arrests which include 3 narcotics, 1 Juvenile, and 18 warrant services.

#### **2015 Stats:**

38,397 calls for service  
2263 summons issued  
369 Accidents  
1009 Alarms  
670 total arrests  
\$6,464.09 total monies

#### **2014 stats:**

36,000 calls for service  
2191 summons  
390 Accidents  
1051 alarms  
472 total arrests  
\$4,476.81 total monies

#### **2013 stats:**

36546 calls for service  
1852 summons  
374 accidents  
1032 alarms  
540 total arrests  
\$1,850.59 total monies

There was an increase of 2,397 calls for service, 72 more summons issued, a decrease of 21 accidents and 42 alarms, and an increase of 198 arrests compared to last year. In addition the police department collected 6,464.09 in fees, and increase of 1,987.28.

There was a total of 9 internal investigations for 2015, 7 were citizen complaints. 4 were exonerated, 2 were unfounded, and 3 were administratively closed.

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All Officers completed all mandatory training and qualified with all weapon systems as required by the Attorney General. Random drug testing was conducted as per the Attorney General, all test results were negative.

**Department news:**

The department participated in the DWI Holiday Crack down Grant which ran from December 11, 2015 till January 1, 2016. The department had an additional 12 shifts working (72 hours) assigned to DWI and traffic enforcement. A total of 127 summonses were issued including 4 DWI arrests, (2 for drugs and 2 for Alcohol), 13 for driving while suspended.

Respectfully Submitted,  
Chief Leonard Check

**ORDINANCE 2016-1 ORDINANCE OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, REVISING, AMENDING AND SUPPLEMENTING CHAPTER 87 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "ANIMALS"**

**WHEREAS**, a significant number of puppies and kittens sold at pet shops come from large-scale commercial breeding facilities where the health and welfare of the animals are not adequately provided for (“puppy mills” and “kitten mills” respectively). According to the Humane Society of the United States it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

**WHEREAS**, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

**WHEREAS** the inhumane conditions in puppy and kitten mills facilities lead to health and behavioral issues in the animal bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both lack of education on the issue and misleading tactics of some pet shops in some cases. These health behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional cost on consumers; and

**WHEREAS** current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

**WHEREAS** restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from shelters and rescue organizations; and

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**WHEREAS**, according to the NJ Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on the local taxpayers; and

**WHEREAS** across the country, thousands of independent pet shops as well as large chains operate profitably with the business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

**WHEREAS** this ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dog or cat are bred, or can confer directly with the hobby breeder concerning those conditions; and

**WHEREAS** the Berlin Township Mayor and Council believes it is in the best interests of this municipality to adopt reasonable regulations to reduce costs to the municipality and its residents, protect the citizens of the municipality who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment within the municipality; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 87, Entitled "Animals," is hereby amended, revised and /or supplemented by adding a new Article IV, relocating and renumbering Sections 87-25 through Section 87-27 to the new Article IV and adding a new Section 27-33 thereto as follows:

**ARTICLE IV. Kennels, Pet Shops and Shelters**

**§87-30 License required**

- A. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound shall apply to the Township Clerk or other official designated to license dogs in the municipality where such establishment is located, for a license entitling him to keep or operate such establishment. The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained, and shall be accompanied by

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the written approval of the local municipal and health authorities showing compliance with the local and State rules and regulations governing location of and sanitation at such establishments.

- B. All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the establishment is maintained, and all such licenses shall expire on the last day of June of each year, and be subject to revocation by the Township on recommendation of the State Department of Health and Senior Services or the local board of health for failure to comply with the rules and regulations of the State department or local board governing the same, after the owner has been afforded a hearing by either the State department or local board, except as provided in subsection C. of this section. Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another owner or different premises.
- C. The license for a pet shop shall be subject to review by the Township, upon recommendation by the State Department of Health and Senior Services or the local health authority for failure by the pet shop to comply with the rules and regulations of the State department or local health authority governing pet shops or if the pet shop meets the criteria for recommended suspension or revocation provided under subsection c. or d. of section 5 of P.L.1999, c. 336 (C.56:8-96), after the owner of the pet shop has been afforded a hearing pursuant to subsection e. of section 5 of P.L.1999, c. 336 (C.56: 8-96). The Township, based on the criteria for the recommendation of the local health authority provided under subsections c. and d. of section 5 of P.L.1999, c. 336 (C.56:8-96), may suspend the license for 90 days or may revoke the license if it is determined at the hearing that the pet shop: (1) failed to maintain proper hygiene and exercise reasonable care in safeguarding the health of animals in its custody or (2) sold a substantial number of animals that the pet shop knew, or reasonably should have known, to be unfit for purchase.
- D. The Township may issue a license for a pet shop that permits the pet shop to sell pet supplies for all types of animals, including cats and dogs, and sell animals other than cats and dogs but restricts the pet shop from selling cats or dogs, or both.
- E. Every pet shop licensed pursuant to this Chapter shall submit annually and no later than May 1 of each year records of the total number of cats and dogs, respectively, sold by the pet shop each year to the Township, and the Township shall provide this information to the local health authority.

### **§87-31 License fees**

- A. The annual license fee for a kennel providing accommodations for ten or less dogs shall be ten dollars (\$10.00), and for more than ten dogs twenty-five dollars (\$25.00).

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- B. The annual license fee for a pet shop shall be ten dollars (\$10.00).
- C. No fee shall be charged for a shelter or pound.

**§87-32 Dogs in kennels, pet shops and shelters to remain on site**

No dog kept in a kennel, pet shop, shelter or pound shall be permitted off such premises, except on a leash or in a crate or other safe control.

**§87-33 Sale of dogs and cats from pet shops**

- A. Definitions: When used herein, the following terms shall have the following meanings:

**Animal Care Facility** means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

**Animal rescue organization** means any not- for –profit organization which has tax exempt status under section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is in whole or in significant part, the rescue and placement of animals in permanent homes.

**Cat** means a member of the species of domestic cat, Felis Catus.

**Dog** means a member of the species of domestic dog, Canis Familiaris.

**Offer for Sale** means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

**Pet Shop** means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

- B. Restrictions on the Sale of Animals
  - (1) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
    - (a) An animal care facility; or
    - (b) An animal rescue organization

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- (2) A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

**SECTION 2:** Chapter 87, entitled "Animals," is further amended, revised and/or supplemented by renumbering the following Article and Section numbers as follows:

<u>Current Article/Section Number</u>	<u>New Article/Section Number</u>
§87-28	§87-25
Article III	Article III [NO CHANGE]
§87-29	§87-26
§87-30	§87-27
§87-31	§87-28
§87-32	§87-29
Article IV	Article V
§87-33	§87-34
§87-34	§87-35
§87-35	§87-36
§87-36	§87-37
§87-37	§87-38
Article V	Article VI
§87-38	§87-39
§87-39	§87-40
§87-40	§87-41
§87-41	§87-42

**SECTION 3:** Except as set forth in Sections 1-2 above, the balance of Chapter 87 shall not be affected by this Ordinance.

**SECTION 4:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 6:** This ordinance shall become effective 90 days after passage.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Ordinance 2016-1 on first reading by title. Ordinance adopted by call of the roll, four members present voting in the affirmative.

**ORDINANCE 2016-2 ORDINANCE OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REVISING, AMENDING AND**

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**SUPPLEMENTING CHAPTER 340 OF THE CODE OF THE TOWNSHIP OF BERLIN  
ENTITLED "ZONING"**

**WHEREAS**, Chapter 340 of the Code of the Township of Berlin, entitled "Zoning," regulates, generally, land development within the Township of Berlin; and

**WHEREAS**, the Township Engineer of the Township of Berlin has made recommendations to establish regulations pertaining to below-grade window wells and emergency egress areas for basements for the health, safety and welfare of persons using and/or occupying buildings where same are utilized and/or constructed; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and the Township Council of the Township of Berlin, as follows:

**SECTION 1:** Chapter 340, entitled "Zoning," Article IV, entitled "General Provisions," is hereby amended, revised and/or supplemented by adding a new section 340-23.1 as follows:

**§340-23.1 Window Wells and Emergency Egress Areas for Basements**

All below-grade window wells and emergency egress areas for basements shall comply with the following requirements:

- A. All window wells and emergency basement egress areas shall comply with applicable building codes.
- B. No window well or emergency basement egress area shall be located within the front yard. No window well or basement egress area shall encroach into the required rear yard and side yard setbacks by more than five feet nor shall any window well or basement egress area be closer than five feet to the side property line.
- C. No window well or emergency basement egress area shall extend greater than 3.5 feet from the building or be more than 6 feet wide.
- D. Window wells and emergency basement egress areas shall not encroach into any easement and/or easement area.
- E. Window wells with or without basement egress areas shall not extend more than two inches above the adjacent ground surface. The ground surface around the window well shall be graded to ensure that surface water drains away from the window well. The top of the window well and adjacent ground

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surface shall be at least 6 inches above any nearby drainage swale/ditch. Window wells and emergency basement egress areas shall not be located within the flow path of surface water within a drainage swale/ditch.

- F. No more than two window wells, with or without basement egress areas, shall be located along any side or rear portion of any building. Window wells and/or basement egress areas shall not be located on the front portion of any building.

**SECTION 2:** Except as set forth in Sections 1 above, the balance of Chapter 340 shall not be affected by this Ordinance.

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

**SECTION 4:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 5:** This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Ordinance 2016-2 on first reading by title. Ordinance adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-59 RESOLUTION TO APPOINT DANA O'HARA AS TAX COLLECTOR FOR THE TOWNSHIP OF BERLIN.**

**WHEREAS** by the Mayor and Council of the Township of Berlin that **Dana O'Hara** be appointed Tax Collector for the Township of Berlin: and

**WHEREAS**, Dana O'Hara was appointed by resolution 2015-76 on February 9, 2015 for a term from February 9, 2015 till December 31, 2015 and:

**WHEREAS**, Dana O'Hara shall then be appointed for a four year term from January 1, 2016 to December 31, 2020: and

**WHEREAS** this appointment does not confer tenure on **Dana O'Hara** as Berlin Tax Collector unless and until she is appointed an additional term beyond December 31, 2020.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-59. Resolution adopted by call of the roll, four members present voting in the affirmative.

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**RESOLUTION 2016-60 RESOLUTION TO APPOINT DANA O'HARA TAX SEARCH CLERK.**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **DANA O'HARA** be and is hereby appointed **Tax Search Clerk** for the Township of Berlin, effective January 1, 2016 and terminating December 31, 2016.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-60. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-61 APPOINTMENT OF SEWER DEPARTMENT CLERK.**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that **DANA O'HARA** be and is hereby appointed Sewer Clerk for the Township of Berlin, effective January 1, 2016 and terminating December 31, 2016

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-61. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-62 RESOLUTION OF THE TOWNSHIP OF BERLIN TO CREATE AND APPROVE THE FOLLOWING MEMBERS TO THE BOARD OF HEALTH ADVISORY COMMITTEE.**

**WHEREAS**, the Governing Body of the Township of has created a Board of Health Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin, that the appointments be made as follows:

Phyllis Magazzu  
Christopher Morris  
Jerome McIntosh  
Marion Bodanza  
Frank Epifanio

**NOW BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the above are hereby appointed as members of the Board of Health Advisory Committee effective January 25, 2016 and terminating December 31, 2016.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-62. Resolution adopted by call of the roll, four members present voting in the affirmative.

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**RESOLUTION 2016-63 RESOLUTION TO GRANT THE RELEASE OF DEVELOPERS ESCROW FOR PINEDGE DEVELOPMENT.**

**WHEREAS**, Pinedge Developer Co. has requested the release of the escrow for 230 Cooper Road West Berlin NJ 08091; and

**WHEREAS**, the Engineer has recommended that the Township grant the request for the release of \$13,707.44 in escrow funds, once the final bills have been submitted.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the release of the escrows for Pinedge Developer Co. located at 230 Cooper Avenue in the amount of \$13,707.44 is for final payment.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-63. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-64 RESOLUTION TO GRANT THE RELEASE OF CASH MAINTENANCE BOND FOR TACO BELL.**

**WHEREAS**, Taco Bell / NJ Restaurant. has requested the release of the cash maintenance bond for 198 North Route 73 West Berlin NJ 08091 Block 703 Lot 13; and

**WHEREAS**, the Engineer has recommended that the Township grant the request to release the maintenance bond in the amount of \$3,700.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the release of Taco Bell / NJ Restaurant maintenance bond in the amount of \$3,700.00 is hereby granted.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-64. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-65 RESOLUTION TO REDUCE PERFORMANCE GUARANTEE FOR MONTEBELLO DEVELOPMENT SECTION 3 AND 3B.**

**WHEREAS**, Hovbros Berlin LLC 900 Birchfield Drive, Mount Laurel NJ 08054 block 2403 2404, lots 01-21 20-40 has requested the release of their Performance Bond; and

**WHEREAS**, the Engineer has performed an inspection of the site improvements and has recommended that the Township deny the request for the release of their performance bond since not all of the site improvements have not been completed, in accordance with the approval site plans; and

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**WHEREAS** the Engineer has recommended that performance bond in the amount of \$579,575.40 be reduced to \$46,200.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the request for the reduction of performance bond for Montebello Development section 3 and 3B is hereby granted.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-65. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-66 RESOLUTIONS AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH PHOENIX ADVISORS, LLC TO SERVE AS CONTINUING DISCLOSURE AGENT.**

**WHEREAS**, the Township of Berlin has agreed through the execution of Continuing Disclosure Agreements ("CDAs") in connection with one or more past bond issuances to provide certain financial and other information and notices, within specified timeframes, in a manner prescribed by the regulators of the underwriter that purchased said bond issues; and

**WHEREAS**, it is beneficial to retain the assistance of Phoenix Advisor who are experts and registered with the Securities and Exchange Commission, with knowledge and experience in these matters, to assist in assuring compliance with CDAs and to stand ready to provide advice as needed with the issuance of municipal debt; and

**WHEREAS**, Phoenix Advisors, LLC has submitted a proposal for 2016 dated December 18, 2015 to provide the following:

- a) Continuing Disclosure Agent – Ongoing for a fee of \$950.00 for up to three outstanding issues plus \$100 for each additional issue for a one year period commencing on January 1, 2016.

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign a contract with Phoenix Advisors, LLC to serve as Continuing Disclosure Agent for a period of one year commencing on January 1, 2016.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-66. Resolution adopted by call of the roll, four members present voting in the affirmative.

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**RESOLUTION 2016-67 RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENT WITH ATLANTIC CITY ELECTRIC FOR STREET LIGHTING FOR MONTEBELLO.**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized and directed to sign an agreement with Atlantic City Electric for the placement of street lights for Montebello Development section 3 and 3B; and

**FURTHER BE IT RESOLVED** that the developer is hereby responsible for the installation cost of \$4,174.12 to Atlantic City Company.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-67. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-68 CY 2016 TEMPORARY BUDGET- CURRENT FUND,SEWER OPERATING FUND AND OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND AND CALCULATION OF MAXIMUM ALLOWABLE.**

**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 Calendar Year 2016 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 Calendar Year 2016 Budget and is twenty-six and one quarter percent (26.25%) of the total appropriations made for all purposes in the Calendar Year 2015 Budget, 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 Calendar Year 2016 and; Twenty-six and one quarter percent (26.25%) of the total appropriations made for all purposes in the budget for the year 2015 Calendar Year excluding appropriations made for interest and debt redemption charges, capital improvement fund and public assistance.

**CURRENT FUND TEMPORARY BUDGET**

CY 2015 Budget Appropriations (Current Fund)		\$ 9,838,205.11
Less: CY 2015 Appropriations for:		
Debt Service	\$ 1,517,500.00	
Capital Improvement Fund	315,000.00	
Improvements to Kelley Drive	150,000.00	1,982,500.00
Sub-total		7,855,705.11

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	<u>x .2625</u>
Sub-total	2,062,122.59

Add CY 2016 Temporary Appropriations

Debt Service	1,242,500.00	
Capital Improvement Fund	100,000.00	
Improvements to Kelley Drive	150,000.00	<u>\$ 1,492,500.00</u>
		3,554,622.59

**GENERAL GOVERNMENT:**

Mayor & Council

Salaries & Wages	16,000.00
Other Expenses	7,000.00

Township Clerk

Salaries & Wages	27,000.00
Other Expenses	9,000.00

Finance Administration

Salaries & Wages	28,000.00
Other Expenses	3,000.00

Audit Services

Other Expenses	9,000.00
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Revenue Administration

Salaries & Wages	20,000.00
Other Expenses	4,000.00

Tax Assessment Administration

Salaries & Wages	6,000.00
Other Expenses	2,000.00

Legal Services and Costs

Expenses	30,000.00
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Engineering Services and Costs

Salaries & Wages	29,000.00
Other Expenses	3,800.00

**LAND USE ADMINISTRATION**

Planning/Zoning Board

Salaries & Wages	4,000.00
Other Expenses	3,000.00

**CODE ENFORCEMENT AND ADMINISTRATION**

Uniform Construction Code

Salaries & Wages	27,000.00
Other Expenses	8,300.00

Other Code Enforcement

Salaries & Wages	6,000.00
Other Expenses	300.00

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**INSURANCE**

Liability Insurance	
Other Expenses	120,000.00
Workers Compensation Insurance	
Other Expenses	60,000.00
Employee Group Insurance	
Other Expenses	600,000.00
Health Benefit Waiver	10,000.00
Unemployment Insurance	
Other Expenses	2,000.00

**PUBLIC SAFETY FUNCTIONS**

Municipal Court	
Salaries & Wages	33,000.00
Other Expenses	8,000.00
Public Defender	
Other Expenses	500.00
Police Department	
Salaries & Wages	430,000.00
Other Expenses	22,000.00
Emergency Management	
Salaries & Wages	700.00
Other Expenses	700.00
Aid to Volunteer Ambulance Company	
Other Expenses	1,000.00
Municipal Prosecutor	
Salaries & Wages	4,000.00
Other Expenses	500.00

**PUBLIC WORKS FUNCTION**

Streets and Road Maintenance	
Salaries & Wages	20,000.00
Other Expenses	10,000.00
Traffic Signal Monitoring	
Other Expenses	3,000.00
Solid Waste Collection	
Salaries & Wages	120,000.00
Other Expenses	3,000.00
Buildings & Grounds	
Salaries & Wages	15,000.00
Other Expenses	8,000.00
Vehicle Maintenance	
Salaries & Wages	35,000.00
Other Expenses	27,000.00

**HEALTH AND HUMAN SERVICES FUNCTIONS**

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Public health Services	
Salaries & Wages	2,000.00
Other Expenses	500.00
<b>PARKS AND RECREATION</b>	
Recreation Services and Programs	
Other Expenses	2,600.00
Maintenance of Parks	
Salaries & Wages	1,000.00
Other Expenses	5,000.00
Maintenance of Free Public Library	
Salaries & Wages	7,000.00
Other Expenses	3,000.00
<b>OTHER COMMON OPERATING FUNCTIONS (UNCLASSIFIED)</b>	
Celebration of Public Events	
Other Expenses	3,000.00
<b>UTILITIES EXPENSES AND BULK PURCHASES</b>	
Electricity & Natural Gas	40,000.00
Street Lighting	25,000.00
Telephone	9,000.00
Telecommunication Charges	1,500.00
Water	1,500.00
Petroleum Products (Fuel Oil & Gas)	20,000.00
Sewerage	5,000.00
Landfill/Solid Waste Disposal Costs	40,000.00
<b>STATUTORY EXPENDITURES</b>	
Public Employees Retirement System	2,000.00
Social Security	80,000.00
DCRP	2,000.00
Police & Fire Retirement System	1,000.00
<b>OPERATIONS EXCLUDED FROM CAPS</b>	
Solid Waste Recycle Tax	3,000.00
NJPDES – Storm water Management	
Salaries & Wages	12,000.00
Other Expense	5,000.00
<b>FEDERAL &amp; STATE GRANTS:</b>	
Body Worn Camera Assistance Program	8,000.00
<b>CAPITAL IMPROVEMENTS (AND CAPITAL</b>	

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IMPROVEMENT FUND)	
Capital Improvement Fund	250,000.00
MUNICIPAL DEBT SERVICE	
Bond Principal	980,000.00
Bond Interest	262,500.00
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TOTAL TEMPORARY CURRENT FUND APPROPRIATIONS	\$ 3,547,400.00

SEWER OPERATING FUND TEMPORARY BUDGET	
Total of CY 2015 Appropriations (Sewer Operating Fund)	\$ 1,040,500.00

Less CY 2015 Appropriations for:			
Debt Services	\$ 568,100.00		
Deferred Charges – Emergency	0.00		
Capital Improvement Fund	0.00	568,100.00	
	<hr/>		
Sub-total	\$	472,400.00	
			X.2625
	<hr/>		
Sub-total	\$	124,005.00	

Add CY 2016 Temporary Appropriation for:			
Debt Service	278,400.00		
Capital Improvement Fund		\$ 278,400.00	
		<hr/>	
Total Maximum Allowable Appropriations		\$	402,405.00

SEWER OPERATING:	
Salaries & Wages	47,000.00
Other Expenses	70,000.00
Debt Service – Payment of Bond Principal	265,000.00
- Payment of Bond Interest	13,400.00

STATUTORY EXPENDITURES	
Public employees Retirement System	0.00
Social Security	4,000.00
Unemployment Compensation Insurance	1,000.00
TOTAL TEMPORARY SEWER OPERATING FUND APPROPRIATIONS	<hr/> \$ 400,400.00

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

Total of CY 2015 Appropriations

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(Open Space Trust Fund)		\$	150,360.00
Less CY 2015 Appropriations for:			
Debt Services	\$ 15,560.00		
Capital Improvement Fund	0.00		15,560.00
	Sub-total	\$	134,800.00
			<u>X.2625</u>
	Sub-total	\$	35,385.00
Add CY 2016 Temporary Appropriation for:			
Debt Service	7,800.00		
Capital Improvement Fund		\$	7,800.00
Total Maximum Allowable Appropriations		\$	43,185.00

**OPEN SPACE TRUST:**

Salaries and Wages		\$	27,000.00
Other Expenses			7,000.00
Interest on Bonds			1,280.00
Principal on Bonds			6,520.00
Down payment on improvements			<u>0.00</u>
<b>TOTAL OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION FUND APPROPRIATIONS</b>		\$	41,800.00

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-68. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-69 PAYMENT OF BILLS FOR JANUARY 2016**

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

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

<b>TO</b>	<b>ACCOUNT</b>		<b>AMOUNT</b>
Treasurer, State of NJ	Dog Trust	\$	13.20
Township of Berlin	PB Escrow #219		1,142.50
	PB Escrow #304		87.80
	PB Escrow #305		175.77
	PB Escrow #308		2,841.61
	PB Escrow #382		175.77
	PB Escrow #386		878.85
	PB Escrow #387		644.49
	PB Escrow #388		2,050.65
	PB Escrow #389		227.24

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PB Escrow #390	527.31
PB Escrow #392	263.65

**CONFIRMING:**

America On-Line (10/23/15)	5-01-31-443-2077	\$	43.99
America On-Line (11/23/15)	5-01-31-443-2077		43.99
State of NJ Health Benefits (A-Nov)	5-01-23-220-2092		60,588.93
State of NJ Health Benefits (R-Nov)	5-01-23-220-2092		37,682.78
Verizon Admin (11/16-12/15/15)	5-01-31-443-2077		139.99
Verizon Fios TV (11/13-12/12/15)	5-01-20-120-2105		165.60
Atlantic City Electric	5-07-55-502-2071		1361.00
Verizon	5-07-55-502-2076		256.13
Atlantic City Electric	5-01-31-435-2071		8,482.09
Verizon	5-01-31-440-2076		1,442.62
Ameriflex (12/5/15)	Flex Claims Acct		75.00
Borough of Somerdale	G-02-40-766-0987		13,163.80
Charis Matey	5-01-30-420-2105		500.00
SG Entertainment	5-01-30-420-2105		250.00
Verizon Int PD (12/1-12/31/15)	5-01-31-443-2077		109.99
M Brace Advisors	5-01-30-420-2105		63.00
Catherine Underwood-Petty Cash	5-01-30-420-2105		43.08
Chief Leonard Check-Petty Cash	5-01-25-240-2137		100.00
	5-01-25-240-2129		116.00
Verizon Fios TV (12/13/15-01/12/16)	5-01-20-120-2105		165.60
Shop Rite	5-01-30-420-2105		472.54
Township of Berlin-Gen Acct	PB Developer Escrow		215.33
	Snow Trust		19,750.30
Township of Berlin-Trust Other	5-01-26-290-2147		20,000.00
Township of Berlin-Trust Other	5-01-30-415-1017		25,500.00
State of NJ Health Benefits (A-Dec)	5-01-23-220-2092		59,866.05
State of NJ Health Benefits (R-Dec)	5-01-23-220-2092		37,682.78
Treasurer, State of NJ	Dog Trust		88.80
Voorhees Animal Orphanage	Dog Trust		800.00
Robert E DePersia	Municipal Public Def Trust		600.00
Carlamere & Rowan	PB Escrow #386		150.00
Mr. Georgious Papathanasiou	PB Escrow #377		3,104.32
James A Gregory	Berlin Twp Loan Fund		55.00
Key Engineers	PB Escrow #308		1,722.50
Maaco Collision	Police Donations Acct		790.00
Ronald L Conklin	Berlin Twp Loan Fund		130.00
Township of Berlin-General Acct	PB Escrow #377		545.68
Township of Berlin-Trust Other	5-01-55-260-0261		6,371.00
TD Bank	6-01-45-920-2105		200,000.00
	6-01-45-930-2105		226,637.50
TD Bank	6-07-55-520-2105		265,000.00
	6-07-66-240-0262		64,434.38
	6-07-66-160-0168		87,550.00
Catherine Underwood-Petty Cash	6-01-55-103-0102		100.00

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Chief Leonard Check-Petty Cash	6-01-55-103-0103	300.00
America on Line	5-01-31-443-2077	43.99
United States Postal Service	6-01-20-110-2120	636.33
Verizon (PD FIOS 1/1-1/31/16)	6-01-31-443-2077	109.99
Big Boulder Stone Company	5-01-32-465-2020	10,500.00
Various Current Fund and Sewer Operating Fund Checks	See Bill List attached dated: 12/23/15	803,474.38
Payroll, Current Fund	11/25/2015	224,414.82
Payroll, Sewer Operating Fund	11/25/2015	7,461.93
Payroll, Current Fund	12/10/2015	134,318.34
Payroll, Sewer Operating Fund	12/10/2015	6,886.93
Payroll, Current Fund	12/24/2015	140,936.93
Payroll, Sewer Operating Fund	12/24/2015	6,705.15
Payroll, Current Fund	01/07/2016	134,426.07
Payroll, Sewer Operating Fund	01/07/2016	6,842.29
Payroll, Current Fund	01/21/2016	140,829.00
Payroll, Sewer Operating Fund	01/21/2016	6,630.79

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-69. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2016-70 RESOLUTION APPROVING THE CONTRACT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT BETWEEN THE TOWNSHIP OF BERLIN AND THE BERLIN TOWNSHIP PUBLIC WORKS DEPARTMENT**

**WHEREAS**, there exists a need for a contractual understanding of employment services to be rendered to the Township of Berlin by the Berlin Township Public Works Department; and

**WHEREAS**, negotiations for such a contractual understanding were undertaken and completed between representatives from the Township of Berlin and the Berlin Township Public Works Department; and

**WHEREAS**, the terms and conditions of said contractual understanding are incorporated into a written document identified as the Contract between the Township of Berlin and the Berlin Township Public Works Department as herein above described, be approved subject to review by the Solicitor.

**BE IT FURTHER RESOLVED**, that the appropriate Township Officials be authorized to sign and execute said contract for the period of January 1, 2016 to December 31, 2018.

Motion by Councilman McIntosh, second by Councilman Epifanio to adopt Resolution 2016-70. Resolution adopted by call of the roll, four members present voting in the affirmative.

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**Business Approvals**

**1) RK Tuning, Robert Kats**, 447 Commerce Lane Unit D, West Berlin NJ 08091. Automotive Software Calibration.

**2) AA Cleaning Company, Darek Szeremeta**, 423 Commerce Lane Unit #2, West Berlin NJ 08091. Cleaning Service Offices and Storage.

**3) The Cellar Connection, Malik Rowell**, 199 North Route 73 Unit A, West Berlin NJ 08091. Retail sales of cellular phones and accessories. Verizon Wireless premium retailer.

**4) Mr. Crash Cart, Ely Swerdlin** 154 Cooper Road Suite #602 West Berlin NJ 08091. Distribution of medical supplies to medical offices.

**5) Terminix International Company, Nancy Pelouze**, 411 Bloomfield Drive Unit #5. Termite and Pest Control Services.

Motion by Councilwoman Bodanza, second by Councilman McIntosh to approve the mercantile licenses above. Mercantile Licenses approved by call of the roll, four members present voting in the affirmative.

**Pawnbrokers and Dealers Second Goods Approvals**

**1) 1<sup>st</sup> United Pawn and Loan, Peter DelBorrello**, 140 North Route 73 West Berlin NJ 08091.

Motion by Councilwoman Bodanza, second by Councilman McIntosh to approve the Pawnbroker and Dealers Secondhand Goods license above. License approved by call of the roll, four members present voting in the affirmative.

**Correspondence Calendar for December 2015**

Motion by Councilman McIntosh, second by Councilwoman Bodanza to receive and file the Correspondence Calendar for December 2015. Motion carried by voice vote, all present voting in the affirmative.

**Approval of Consent Agenda for November and December 2015**

Motion by Councilwoman Bodanza, second by Councilman McIntosh to receive and file the monthly reports on the consent agenda for November 2015 and December 2015. Motion carried by voice vote, all present voting in the affirmative.

**Approval of Meeting Minutes for December 14, 2015**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to approve the

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Meeting Minutes for December, 2015. Motion carried by voice vote, four present voting in the affirmative.

### **Approval of Meeting Minute for January 4, 2016**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to approve the Meeting Minutes for January 4, 2016. Motion carried by voice vote, four present voting in the affirmative.

### **All Other Business**

Councilwoman Bodanza commented that the Berlin Township Historical Association Event will be February 27<sup>th</sup> 2016 starting at noon.

### **Public Portion**

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

Nancy Bonsall, Animal Advocate thanked Mayor and the Councilmembers for taking action on ordinance 2016-1 tonight. She remarked with this ordinance we can help stop the sale of puppy mill dogs and cats throughout New Jersey.

Mayor Magazzu remarked that she has a dog that has health issues due to this and knows firsthand.

No Comments were to be heard

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

### **Adjourn**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to adjourn the meeting at 6:20 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:20 pm

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Catherine Underwood, Township Clerk

**JANUARY 25, 2016**