

SEPTEMBER 24, 2018

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL SEPTEMBER 24, 2018 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, Council President Morris, Councilman McIntosh Councilwoman Bodanza, Councilman Epifanio

Also Present- Solicitor, Stuart Platt, CFO, Lori Campisano & Joyce Tinnes, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance /Animal Control, Joshua Shellenberger.

Absent-

Acknowledgement of Retirement:

**Chief Financial Officer, Lori Campisano
Police Officer, Robert Murray**

Mayor Magazzu and Council presented plaques of recognition on the retirement of Chief Financial Officer, Lori Campisano who has been employed by the Township for 25 years and Officer Robert Murray who has been employed by the Police department.

Oath of Office:

**Police Officer, Timothy Freeman
SLEO Officer, Rodney Sawyer
SLEO Officer, Richard Annacone**

Mayor Magazzu administered the oath of office to the recently hired police officers.

Departmental Reports

ENGINEER AND DIRECTORS REPORT

A. CHANGE ORDERS AND VOUCHERS

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1. IMPROVEMENTS TO HAZEL AVENUE, PARTIAL NJDOT FUNDED

We expect to be submitting a change order and the contractor's initial voucher for consideration for approval by the Governing Body at the September Council Meeting.

2. BASKETBALL COURT SURFACE IMPROVEMENTS AT SPRUCE AVENUE RECREATION COMPLEX

We expect to be submitting a change order and the contractor's initial voucher for consideration for approval by the Governing Body at the September Council Meeting.

B. ORDINANCES AND RESOLUTIONS

1. AMENDMENTS TO THE ZONING CODE AND MAP

I recommend that the Governing Body consider authorizing the Planning Board to review the current zoning code, redevelopment plan for Haddon Avenue and zoning map and submit their recommendations for amendments to the above-mentioned code, plan and map.

2. CONSIDERATION FOR THE PROCUREMENT OF PROFESSIONAL SERVICES FOR REAL ESTATE CONSULTANT FOR THE MARKETING OF THE FORMER MUNICIPAL BUILDING SITE

I recommend that the Governing Body consider taking the necessary formal action to procure the services of a real estate consultant for the possible marketing of the sale of the Township owned land along Bate Avenue.

3. NJDOT FY2019 MUNICIPAL AID APPLICATION

I recommend that the Governing Body select the streets and pass resolution(s) for the respective street(s), endorsing the project, authorizing the submission of the application(s) and to enter into an agreement with the NJDOT for the selected(project(s), if funded. The deadline date for the electronic submission of the application(s) to the NJDOT is October 8, 2018.

4. RELEASE OF THE PERFORMANCE GUARANTEE FOR AARNE REID, CONCEPT GROUP, 380 COOPER ROAD, BLOCK 1905, LOTS 3.01 AND 3.02

I recommend that the Governing Body consider releasing the performance guarantee, conditional upon the posting of the necessary two-year maintenance guarantee. The applicant must, also, obtain

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amended site plan approval from the Planning Board for the as-built changes and additions to the site improvements.

5. LEAF COLLECTION MACHINE

I request that the Governing Body authorize the advertisement and opening of bids for a leaf collection machine to replace the machine, which is no longer operating and parts are not available to make repairs.

6. INSPECTION ESCROW FOR DIGGERLAND DEVELOPMENT

I recommend that the Governing Body consider authorizing the release of the remaining inspection escrow, except for the amount of the inspection time, which remains to be billed by the Township Engineering Department. I will submit an invoice, in the immediate future, for the billable inspection time.

B. ENGINEERING

1. IMPROVEMENTS TO HAZEL AVENUE, CHESTNUT AVENUE TO CUSHMAN AVENUE (PARTIAL N.J.D.O.T. FY2015 MUNICIPAL AID FUNDING)

The contractor has completed the construction of the storm drainage and concrete improvements. I would expect the construction of the pavement cross section over the next few weeks, weather pending.

2. BASKETBALL COURT SURFACE IMPROVEMENTS AT SRUCE AVENUE RECREATION COMPLEX (PARTIAL CAMDEN COUNTY RECREATION ENHANCEMENT FUNDING)

The contractor has removed the pavement. I have requested a price from the contractor to replace the existing posts and backboards due to the current conditions. Once I receive the price, I will discuss the matter with the Governing Body. At this time, the construction of the new pavement is on hold until a decision is made, regarding the posts and backboards.

3. IMPROVEMENTS TO CLARENCE AVENUE, HADDON AVENUE TO VETERAN'S AVENUE (N.J.D.O.T. FY2018 FUNDING) - \$210,000.00

The estimated construction cost for this project is \$237,000.00 and the estimated material testing cost is \$4,000.00. Therefore, there is shortfall of funding of approximately \$31,000.00. I recommend that the Governing Body allocate the necessary funds to cover the shortfall in funding. The Governing Body has authorized the performance of engineering work and the opening of bids. We have completed the surveying field work and have commenced with the drafting and design of the project. I am hopeful that bids will be received in the Fall 2018.

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4. **CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, YEAR 2018**

a. **ROUND 12, IMPROVEMENTS TO THE BASKETBALL COURT SURFACE AT SPRUCE AVENUE RECREATION COMPLEX**

The County has allotted \$25,000.00 and, I believe, that the Governing Body has allocated an additional \$22,000.00 for this project. The Governing Body awarded a contract to DiMeglio Construction, Inc. of Atco, N.J. for the reconstruction of the pavement and line striping for the amount of \$32, 320.00.

b. **ROUNDS 15 AND 16, IMPROVEMENTS TO THE BOARDS FOR THE LARGE STREET HOCKEY RINK AND SAFETY SURFACE FOR THE PLAYGROUND AT ROBERT T. CLYDE PARK**

No further update to report, at this time.

5. **CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, IMPROVEMENTS TO THE SENIOR CITIZENS BUILDING**

Mr. Simone continues to supervise and perform the completion of various improvements and obtain quotes for other work and purchases for the improvements to and at the seniors building.

6. **CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, YEAR 2018**

To the best of my knowledge, the announcement of the selected projects has not been made. I believe that the County anticipates the announcement to be made before the end of 2018.

7. **POSSIBLE USE OF SPORTS FACILITIES BY ORGANIZATIONS/ GROUPS**

I will be preparing specifications for consideration by the Governing Body, to allow for the possible leasing of the various sports facilities, through the Township, to interested organizations and groups. We intend to discuss the matter with any organizations, which may be interested in the possible use of the various sports facilities.

8. **RELEASE OF PERFORMANCE GUARANTEE**

a. **AARNE REID, CONCEPT GROUPS, 380 COOPER ROAD**

I recommend the release of the performance guarantee, conditional upon the posting of the required two-year maintenance guarantee and the applicant's commitment to obtain amended site plan approval for the as-built changes and additions to the site improvements.

9. **CONSIDERATION FOR THE AMENDMENTS TO THE ZONING CODE, REDEVELOPMENT PLAN FOR HADDON AVENUE AND THE ZONING MAP**

I recommend that the Governing Body consider requesting the Planning Board to review the Zoning Code, the above-mentioned redevelopment plan and the zoning map and submit recommendations for possible amendments to each. I recommend that the following matters be reviewed, along with any others determined to be necessary by the members of the Governing Body and Planning Board:

- a. adjustment of zoning line district boundaries to coincide with the lot lots and eliminate split zoning of lots;
- b. change the seniors overlay zone for Montebello development to a zoning district;
- c. change the R-4 single family overlay zone to a zoning district;
- d. amend the redevelopment plan for Haddon Avenue and the requirements for the Central Business District to permit the desired form of residential development within the block, which contained the former municipal building and entices development within the zoning district. I may be beneficial for the limits of the CBD to be modified to better suit the existing uses and future redevelopment of the area.
- e. consider the reconfiguration of the limits of the regional growth and rural development areas within the Pinelands area.
- f. consider possible, future use(s) and zoning of the current library parcel.

10. **TRAFFIC MATTERS ALONG N.J.S.H. ROUTE 73**

a. **PROBLEM STATEMENTS TO N.J.D.O.T.**

I must prepare and submit the Problem Statement, along with the supporting documentation, for the request for the "DO NOT BLOCK INTERSECTION" along the northbound lanes at Fairview Avenue and for the improvements along Rt. 73 northbound at Franklin Avenue to address the excessive stacking of vehicles, in the left turn lane and into the through-passing lane.

b. **REQUEST FOR A TRAFFIC SIGNAL AT D'ANGELO DRIVE**

I recommend that the Governing Body consider contracting the representing State Legislators to request their assistance in scheduling a meeting with the new N.J.D.O.T. staff to discuss this matter.

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c. IMPROVMENTS TO THE INTERSECTION of NJSH ROUTE 73 AND COOPER ROAD

I have no update to report, regarding this matter. It is my understanding that the N.J.D.O.T. representatives have been discussing the matter with representatives of the County and Voorhees Township.

11. TRAFFIC SIGNAL MAINTENANCE AND REAIR PROGRAM FOR 2018

I have requested that the contractor submit a schedule for the performance of the inspection and reporting of the conditions and operations of the Township owned traffic signals. Once I receive the schedule, I will inform the Governing Body.

12. 2018 STREET IMPROVEMENTS PROGRAM

I am hopeful that we will be able to perform the necessary engineering and prepare the bid documents for the opening of bids, in the near future.

13. CAPITAL IMPROVEMENTS PROGRAM FOR 2018 AND FUTURE YEARS

I would deeply appreciate it if we could meet with the members of the Governing Body and the Chief Financial Officer to discuss out request for capital improvements and purchases, especially for 2018.

14. TOWNSHIP OWNED BATE AVENUE SITE (FORMER MUNICIPAL BUILDING AND ADMINISTRATIVE BUILDING)

I continue to recommend that the demolition of the existing building be performed, in the immediate future. I have, also, recommended that consideration be given to the rezoning of the block and the redevelopment plan be amended to allow for the desired residential development of the Township owned lands and, possibly, the adjacent privately-owned lands. Over the years, I prepared sketches for possible lot layouts for various types of residential development for consideration by the Township.

I have recommended that the Governing Body consider authorizing the Planning Board to review the current zoning and redevelopment plan and submit recommendations for possible amendments to the zoning code, redevelopment plan and zoning map.

15. TOWNSHIP OWNED PRPOERTY AT 191 MCCLELLAN AVENUE; BLOCK 521, LOT 9

Mr. Simone has informed me that the existing building should be demolished in the immediate future. I recommend that the Governing Body consider placing the property

16. WATER DISTRIBUTION SYSTEM- BERLIN BOROUGH WATER DEPARTMENT

Lat month, I informed the Governing Body that I had requested that the Borough consider upgrading and interconnecting water mains along First, Second and Third Avenues, within the vicinity of Clarence Avenue, since the street is slated for improvements, in the near future. A repair clamp was recently installed on the leaking, undersized and dead-end water main on Third Avenue. The Borough Water Operator has informed me that they will not be upgrading these water mains.

17. STORM DRAINAGE IMPROVEMENTS

a. Lester Avenue Drainage and Stormwater Management

1) Phase 1- Construction of Storm Inlets, Piping and Temporary Stormwater Management Facility

I am hopeful that bids will be received in the immediate future.

2) Phase 2- Extension of Storm Drainage to the Existing Stormwater Management Facility at the Luke Avenue Recreation Complex

All engineering work must, still, be performed so that the request can be made to Public Service Electric and Gas to grant an easement for and allow for the construction of the storm pipe across their property.

b. Flooding of the Intersection of Haddon Avenue and Lucas Avenue

As a result of the recent flooding of the intersection caused by an intense storm event, the County performed maintenance and minor improvements to the storm drainage system at the intersection. Shortly after the storm, I had met with the Director of Camden County Public Works Department and the County Engineer. I believe that the County will be authorizing the performance of a study to identify the drainage issues and possible improvements. Based upon the recommendations noted in the study, it is my understanding that applications will be submitted for funding for the improvements.

c. Kelley Drive Stormwater Basin Reconstruction

It is my understanding that, in order for the work to be performed, the funds must be re-allocated for this project. At this time, I do not envision that this work will be performed in 2018.

d. Mt. Vernon Avenue at the Elementary School

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At this time, this project has not been scheduled for any engineering work.

e. Proposed Subsurface Stormwater Management System at Kennedy Elementary School

The bids were rejected since they exceeded the amount of funds, which are available for the project. I believe that the Board of Education may rebid the project, in the near future, with the hope of receiving lower bids for the work.

f. Storm Drainage Issues within the Southwest Portion of the Township

At this time, it appears that the improvements, which were made as part of the development of the Commons at Berlin Township, have reduced the frequency and extent of flooding in the nearby area. I, still, recommend that funding for improvements to the drainage system, within this area, be pursued by the appropriate agencies.

18. TAX MAP REVISIONS AND ZONING MAP

We are, currently, updating both maps and hope to submit the revised maps to the necessary parties, in the near future.

At the request of the Tax Assessor, we have provided him with two sets of prints of the revised Tax Map.

We are nearing completion of the revisions to the Zoning Map to adjust the zoning lines to be coincident with the property lines, where possible. I hope to be submitting the revised map to the Planning Board for their review and, hopeful, approval and recommendation for adoption by the Governing Body, in the near future.

19. REQUEST TO THE PINELANDS COMMISSION FOR THE REDESIGNATION OF ZONES WITHIN THE PINELANDS AREA/ AMENDMENTS TO THE TOWNSHIP CODE DUE TO THE REVISIONS TO THE PINELANDS COMPREHENSIVE MANAGEMENT PLAN

I have recommended that the Governing Body consider authorizing the Planning Board to review the matter and submit recommendations to the Governing Body, if determined to be appropriate.

20. STUDY FOR THE DESIGNATION OF TRUCK ROUTES THROUGHOUT THE TOWNSHIP

I must, still, complete the study and submit my recommendations to the Governing Body for consideration for adoption of the necessary ordinance.

21. CONSIDERATION FOR SIDEWALK ALONG OAK AVENUE

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This matter was discussed several years ago. I have not performed any investigation and have not prepared any report for consideration for action by the Governing Body.

22. REQUEST FOR ADDITIONAL STREET LIGHT AT THE INTERSECTION OF TAUNTON AVENUE AND PIEDMONT BOULEVARD

I had reported to the Governing Body that Atlantic City Electric has estimated that the cost for the street light would be approximately \$12,000. I do not believe that the developer is willing or able to contribute the necessary funds for this street light.

23. 2018 SAFE ROUTES TO SCHOOL (SRTS)

This is a federally funded, administered by the N.J.D.O.T. in partnership with the DVRPC. Projects must be located within two miles of the school and serve k-8 students. This federal funding is for the construction of sidewalks, crosswalks, bike lanes, multi-use paths, traffic calming measures and other means to ensure the ease and safety of children walk and biking to school. Municipalities, throughout the Delaware Valley region will be competing for these funds.

At the Council Meeting in August, 2018, the Governing Body passed Resolution No. 2018-140 supporting an application for sidewalk along the north side of Franklin Avenue, between Haddon Avenue and Grove Avenue. It was the intent that an application was going to be submitted for the next round of funding. Since the NJDOT is requiring that the results of a "Student Arrival and Departure Tallies" study, asking the students the mode of transportation that they use (walking, bicycling, family vehicle, carpool, school bus, public transit or other) to arrive and leave from school, the application will not be submitted until the next round, after the study has been completed by the school staff.

24. DVRPC SAFE ROUTE TO TRANSIT PROGRAM

The Township is eligible for this program, due to the proximity to the NJ Transit Atco Train Station for the Atlantic City Rail Line. The program has been created to assist municipalities with bicycle and pedestrian access issues to the train station "in order to prepare strong applications for competitive transportation funding programs." It was determined that, at this time, an application would not be submitted for the Township, which may improve the possibility for the host community to be successful in obtaining assistance through the program.

C. PUBLIC WORKS DEPARTMENT

1. OPERATIONS AND STAFFING

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The staff, with the recently hired employee and the use of a temporary employee, continue to perform the various tasks for the season. The recent amount of rainfall has resulted in a greater extent of the lawn mowing than what is, typically, required during the end of the summer season. Mr. Simone continues to direct the staff in the performance of building related improvements rather than having to contract the services.

2. **DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS**

The current disposal contract with Covanta expires at the end of 2018. It is my understanding that the County has requested that those municipalities, which are interested in participating in the County bid, to pass a resolution committing to the participation in the next contract for disposal. I question if the Governing Body has received any correspondence from the County, regarding this matter.

The Governing Body should, also, be receiving information from the County, in regard to the possibility of bidding a County-wide solid waste disposal contract, through flow control. It is expected that, if all municipalities were on-board with this proposal, it will take several years to accomplish, which is why the County is bidding the above-mentioned contract, as an interim measure to address solid waste disposal.

It is my understanding, with the current global issues with the processing of recyclables, that it will continue to be more costly to recycle the collected residential recyclable materials. It is my understanding that representatives of the County and several municipalities will be meeting with ReCommunity (now owned by Republic Services) to discuss the matter, in further detail.

3. **NJDEP STORMWATER GENERAL PERMIT**

The NJDEP has scheduled an inspection of the Township stormwater documents and procedures for September 17, 2018. I request that any Planning Board members, which have not participated in the required Stormwater Management Training Tool session, do so before September 17, 2018 so that we can demonstrate full compliance with this requirement.

4. **REPLACEMENT OF BANNERS**

We will obtain prices for the replacement of damaged banners and submit the prices to the Governing Body for consideration for the authorization of the work.

5. **IMPROVEMENTS TO THE UNFINISHED ROOMS AT THE MUNICIPAL BUILDING**

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Mr. Simone had received quotes for the HVAC system, electrical work and necessary work for the modification to the fire suppression system. Understanding that the project must be considered, in the aggregate, we will be preparing bid documents and receiving bids for the work.

It is the intent to have the Public Works staff to install the vinyl tile floor, in both rooms, once the above-mentioned work has been completed and when the staff has the time to devote to the installation of the flooring.

6. REQUEST FOR VARIOUS CAPITAL IMPROVEMENTS AND PURCHASES

I am preparing bid specifications for a leaf machine and, if authorized by the Governing Body, expect to receive bids in the immediate future. It is doubtful that the equipment will be delivered in time for the upcoming leaf season.

I request that a meeting be scheduled, in the immediate future, with members of the Governing Body and the Chief Financial Officer to discuss the needs for the Public Works Department for 2018 and the future.

7. CONTRACT WITH THE DEPARTMENT OF PUBLIC WORKS EMPLOYEE ASSOCIATION

The current contract expires at the end of 2018. I have requested that the employees select their representatives and consider developing any discussion items for the next contract. Mr. Simone and I will, also, prepare a list of discussion issues for consideration for inclusion in the next contract. I, also, recommend that a date be scheduled for the first meeting, between the Township and employee representatives, to discuss the contract.

SOLICITORS REPORT

Nothing new to report at this time.

POLICE DEPARTMENT

Department Stats, August, 2018

Total calls for service for August – 3,130.

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Total of 270 Motor Vehicle Summons, 24 Motor Vehicle Crashes, 55 Alarms calls. Total of 46 arrests, which include 5 for narcotics, 3 juvenile arrests, and 10 warrant services.

The 5 drug arrests were 4 for simple possession of marijuana, and 1 possession with intent to distribute methamphetamine.

I met with several representatives from the Montebello community reference to speeding issues.

Traffic study was set up and the results were a 6.7% report of vehicles traveling over 33 MPH. I also discussed the volume of vehicles traveling to and from the Sturbridge woods development. The box will be replaced on the roadway closer to the Sturbridge woods development after most construction is completed in the part of the community.

Project SAVE is up and running. Officers have provided people with several SAVE advocate cards and 3 defendants will be referred to an advocate in court. I had all good feedback reference to our school security officers. Teachers and parents are pleased that we along with the school district were able to get this project done.

We want to honor Ptl. Robert Murray on his retirement and wish him well in the next phase of his life.

I am very excited to have Ptl. Freeman sworn in tonight along with our two new school security officers Rodney Sawyer and Richard Annacone.

Respectfully,
Chief Leonard Check

PROPERTY MAINTENANCE / ANIMAL CONTROL

Joshua Shellenberger, Property Maintenance Officer stated that he has been maintaining several vacant properties for high grass and other maintenance issues.

Josh reported that our animal intake for the shelter is 52.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2018-7 AN
ORDINANCE AMENDING CHAPTER 333-16 SECTION A OF THE
CODE OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE
OF NEW JERSEY, ENTITLED SEWER CONNECTION FEE.**

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WHEREAS, The Township of Berlin may on an annual basis evaluate its sewer connection fee; and

WHEREAS, said analysis has been performed which is attached hereto and incorporated by reference herein; and

WHEREAS, as a result of this analysis, it is necessary for the Township to increase its sewer connection fee from \$3,200.00 to \$3,500.00; and

WHEREAS, as required, a public hearing is to be held in regard to the consideration to revise the sewer connection fee.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council, in the Township of Berlin, County of Camden, State of New Jersey, as follows:

SECTION 1: As required by law, a public hearing will be held on September 24, 2018 to increase the Township sewer connection fee from \$3,200.00 to \$3,500.00.

SECTION 2: As a result of said public hearing, the Township has approved a revision to the sewer connection fee from \$3,200.00 to \$3,500.00 effective November 1, 2018.

SECTION 3: All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed as to such inconsistencies only.

SECTION 4: This ordinance shall take effect 20 days after adoption and publication as required by law.

Solicitor stated , Mrs. Campisano will you please raise your right hand, Mrs. Underwood will you please raise your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you god.

Mrs. Campisano, I do.

Mrs. Underwood, I do

Solicitor asked Municipal Clerk, Mrs. Underwood to state for the record that the notice for this Ordinance was advertised in the required newspapers (exhibit #1), and notice was given to Voorhees Township as well as Berlin Borough with respect to the sewer connection fee (exhibit #2) .

Solicitor, asked CFO, Lori Campisano, are you familiar with the statutory requirements for the establishment of the sewer connection fee.

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Mrs. Campisano, yes I am.

Solicitor, have you completed those calculations?

Mrs. Campisano, yes I did. (exhibit #3)

Motion by Council President Morris, second by Councilman Epifanio to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2018-7.

No comments were to be heard.

Motion by Council President Morris second by Councilman Epifanio to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public for questions or comments on Ordinance 2018-7.

Motion by Council President Morris second by Councilman Epifanio to adopt Ordinance 2018-7. Ordinance approved by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-152 RESOLUTION AUTHORIZING THE SALE OF A PORTABLE STAGE TO WINSLOW TOWNSHIP.

WHEREAS, the Township of Berlin has determined that a Portable Stage owned by the Township of Berlin is no longer needed for use; and

WHEREAS, the Township is permitted to sell said items in accordance with applicable Law; and

WHEREAS, the Winslow Township Municipality has requested the Portable stage; and

WHEREAS, the Governing Body for the Township of Berlin has considered said request and has determined to approve the sale of the Portable Stage for a total amount of **\$1.00** to the Winslow Township Municipality..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin hereby **approves the sale of the above referenced item to Winslow Township Municipality for \$1.00 in “as is” condition.**

BE IT FURTHER RESOLVED that the Township of Berlin makes no representations or warranties as to the condition of said item.

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BE IT FURTHER RESOLVED that the appropriate Township official is hereby authorized to coordinate for the sale and delivery of said item to the Winslow Township Municipality.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-152. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-153 CONFIRMING LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Emma Cucuzza	2018 Final	1306-21	2,450.15	100% Disabled Veteran Per NJSA 54:4-3.30et seq
	2019 Preliminary	1306-21	2,420.36	
			\$ 4,870.51	TOTAL

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-153. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-154 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.

To the Mayor and Council to the Township of Berlin:

WHEREAS, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs

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associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

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

Property:	AMOUNT	DATE PAID
223 Peppermill Road	\$ 50.00	06/14/18
526 Route 73 North	\$ 60.00	06/21/18
30 Holly Drive	60.00	06/22/18
250 Fairview Avenue	325.00	06/22/18
230 Second Avenue	175.00	08/03/18
244 Briarwood Road	75.00	08/09/18
95 Warren Avenue	75.00	08/16/18
148 North Avenue	50.00	08/20/18
148 North Avenue	75.00	08/20/18
526 Route 73 North	150.00	08/20/18

**Submitted for September 24, 2018 Meeting
Tax Collector**

Dana O’Hara, CTC -

By resolution of the Mayor and Council of the Township of Berlin, for the reasons set forth hereinabove, it hereby approves and authorizes said liens against said properties pursuant to Chapter 280-7 of the Code of the Township of Berlin hereby discharged.

BE IT FURTHER RESOLVED, This Resolution shall take effect immediately upon adoption.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-154. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-155 LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and

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that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dated: August 14, 2018

Dana O'Hara, CTC - Tax Collector

NAME	YEAR	BLOCK/LOT	AMOUNT	REASON
Corrado Pierro	2018	2401-21	250.00	Veteran
			\$ 250.00	TOTAL to November 2018

Submitted for September 24, 2018 meeting.

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-155. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-156 CONFIRMING LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Neal Campbell	2018	Final	1309-19 4,230.51	100% Disabled Veteran Per NJSA 54:4-3.30et seq
	2019	Preliminary	1309-19 4,179.09	
			\$ 8,409.60	TOTAL

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

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Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-156. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-157 CONFIRMING THE APPOINTMENT OF TIMOTHY FREEMAN AS PATROLMAN FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT.

WHEREAS, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint Timothy Freeman as Patrolman in the Township Police Department; and

WHEREAS, the Mayor and Council of the Township of Berlin have reviewed the recommendation and found same to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Timothy Freeman, Patrolman in the Township Police Department effective September 1, 2018.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-157. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-158 RESOLUTION CONFIRMING THE APPOINTMENT OF JOYCE TINNES AS CHIEF FINANCE OFFICER FOR THE TOWNSHIP OF BERLIN.

WHEREAS , the Mayor and Council of the Township of Berlin hereby appoints Joyce E. Tinnes as Chief Financial Officer for the Township of Berlin: and

WHEREAS, Joyce Tinnes, will begin training for the position of Chief Financial Officer on September 4, 2018, and on October 1, 2018 she shall hold office till December 31, 2018: and

WHEREAS, Joyce Tinnes will then be appointed for a four year term from January 1, 2019 to December 31, 2023: and

WHEREAS, this appointment does not confer tenure on **Joyce Tinnes** as Berlin Township Chief Financial Officer unless and until she is appointed an additional term beyond December 31, 2023.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-158. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2018- 159 CHANGE ORDER NUMBER 1 FOR
BASKETBALL COURT RESURFACE AT THE SPRUCE AVENUE
RECREATION COMPLEX FUNDED BY THE CAMDEN COUNTY
RECREATIONAL ENHANCEMENT FUNDING ROUND 12.**

WHEREAS, it is necessary to make changes in the scope of the work to be done in the resurfacing of the basketball court at the Spruce Avenue Recreational Complex; and

WHEREAS, Change Order Number 1 was developed to itemize and authorize those changes for the complete removal and disposal of the existing basketball post, backboards, rims, nets, footings dismantling and complete disposal, backfilling the open holes with selected backfill and compaction of backfill material. The work also includes the boring of the necessary hole, construction of the necessary footings, assembly of the two basketball system consisting of the post, hardware, backboards, rims, nets in accordance with manufacturer's instructions and to the satisfaction of the Township Engineer; and

WHEREAS, the Change reflects an adjustment in the Contract amount from \$32,230.00 to \$37,198.00, a 15.4% increase in the amount of \$4,968.00; and

WHEREAS, said change order shall be charged to General Capital Bond Ordinance 2016-5 section E (C-04-15-860-160505) for \$4,968.00 as certified by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin Mayor and Council that Change Order Number 1 is hereby authorized and approved for the change in the Contract amount from \$32,230.00 to \$37,198.00, a 15.4% increase in the amount of \$4,968.00.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-159. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2018-160 CHANGE ORDER NUMBER 1 FOR
IMPROVEMENTS TO HAZEL AVENUE THROUGH THE N.J. D.O.T. FY
2015 MUNICIPAL AID FUNDING.**

WHEREAS, it is necessary to make changes in the scope of the work to be done in the improvements to Hazel Avenue in the Township of Berlin, Camden County, New Jersey, through the N.J.D.O.T. FY 2015 Municipal Aid Funding; and

WHEREAS, Change Order Number 1 was developed to itemize and authorize those changes for the as-built quantities reduction in the amount of Concrete Gutter, Reinforced at the intersections, extension of limits for 6"x8"x18' Concrete curb and Concrete Gutter, 6' thick, added driveway and replaced constructed driveway aprons.

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WHEREAS, the Change reflects an adjustment in the Contract amount from \$203,899.02 to \$213,188.02, a 4.6% increase in the amount of \$9289.00; and

WHEREAS, said Change Order Number 1 shall be charged to General Capital Bond Ordinance 2016-5 section A (C-04-15-860-160501) for \$9,289.00 as certified by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township of Berlin Mayor and Council that Change Order Number 1 is hereby authorized and approved for the change in the Contract amount from \$203,899.02 to \$213,188.02, a 4.6% increase in the amount of \$9,289.00.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-160. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-161 AMENDING RESOLUTION NUMBERS 2008-96 AND 2017-184 TO PERMIT SEWER CONNECTIONS TO SINGLE FAMILY DWELLINGS AT 4 ABBOTTS AVENUE AND 1005 LAFAYETTE AVENUE, VOORHEES TOWNSHIP, NEW JERSEY.

WHEREAS, Resolution 2008-96 was passed by the Governing Body of Berlin Township to grant a sewer connection for a 3,000 square feet or less commercial office building at each of the properties at 4 Abbot Avenue (Block 275, Lot 1.01) and 1005 Lafayette Avenue (Block 275, Lot 3) in Voorhees Township; and

WHEREAS, Resolution 2017-184 was passed by the Governing Body of Berlin Township to grant continued allocation to the commercial connections at 4 Abbot Avenue and 1005 Lafayette Avenue in Voorhees Township; and

WHEREAS, single family dwellings have been constructed, in lieu of the previously proposed office buildings, on each of the above-mentioned lots and applications have been submitted to Berlin Township for sewer connections for the two dwellings; and

WHEREAS, in order to allow the connection of the two dwellings to the Berlin Township sanitary sewer collection system, it is necessary to amend the above-mentioned resolutions to allow the sewer connections for the single-family dwellings, rather than the previously approved connections to the commercial office buildings, which results in no change to the sewer allocation for each lot.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, in the County of Camden, State of New Jersey, that the above-mentioned resolutions be amended to allow for the for the connection of the two single family dwellings to the Berlin Township sanitary sewer collection system, rather than the previously approved commercial uses with no change in the allocation for each lot.

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Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-161. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-162 APPROVING AND AUTHORIZING A DISCHARGE OF LIENS AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.

To the Mayor and Council to the Township of Berlin:

WHEREAS, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

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

Property:	AMOUNT	DATE PAID
276 Peppermill Road	\$ 175.00	04/04/18
362 Franklin Avenue	50.00	04/23/18
47 S. Rose Lane	200.00	04/30/18
248 Powell Avenue	865.00	05/14/18
248 Powell Avenue	1505.00	05/14/18
232 Centaurian Drive	50.00	05/29/18
232 Centaurian Drive	175.00	05/29/18

Submitted for September 24, 2018 Meeting

Dana O’Hara, CTC - Tax Collector

By resolution of the Mayor and Council of the Township of Berlin, for the reasons set forth hereinabove, it hereby approves and authorizes said liens against said properties pursuant to Chapter 280-7 of the Code of the Township of Berlin hereby discharged.

BE IT FURTHER RESOLVED, This Resolution shall take effect immediately upon adoption.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-162. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2018-163 LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Prepared by Dana O'Hara, CTC

Dated: 9/24/18

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Unknown Owner Township	2018	214-9	\$ 1.89	Lot created by Unknown origin
Unknown Owner Township	2019	214-9	1.87	Lot created by Unknown origin
			\$ 3.76	TOTAL

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-163. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-164 LIST OF UNCOLLECTIBLE TAXES DUE BACK FROM STATE.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Prepared by: Dana O'Hara, CTC

NAME	DESCRIPTION	YEAR	AMOUNT	REASON
Dolores Batten	602.01-12	2018	250.00	Senior Citizen
Stephen Carr	827-4	2018	250.00	Senior Citizen

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Wendy Goldman Hall	1417-7	2018	250.00 Disabled Person
Elizabeth Green	1805-14	2018	250.00 Senior Citizen
			\$ 1000.00 Total to November 2018

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-164. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-165 AUTHORIZING REFUND OF TAX OVERPAYMENT.

WHEREAS, on August 1, 2018, the Township of Berlin previously cancelled the amount of \$1,186.28 for the August 1st, 2018 taxes for Kenneth Konopka, a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

WHEREAS, the mortgage company disbursed said August 1st, 2018 taxes to the Township of Berlin, which said quarterly installment included payment for the days after the date of disability due to 100% exempt status creating an overpayment which now requires a refund and;

WHEREAS, the mortgage company has requested the refund be returned to their servicing company, Lereta Tax Services and they will directly reimburse the owners through a refund, so,

THEREFORE, BE IT RESOLVED that the Township of Berlin authorizes a refund the amount of \$ 1,186.28 to:

Lereta Tax Services
Attn: Central Refunds Department
1123 Park View Drive
Covina, Ca 91724

Submitted for the September 24th, 2018 meeting.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-165. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-166 AUTHORIZING THE PUBLIC WORKS DIRECTOR PREPARATION OF BID DOCUMENTS, ADVERTISEMENTS AND OPENING OF BIDS FOR A LEAF COLLECTION MACHINE.

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BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Public Work's Director is hereby authorized to do preparation of bid documents, advertisements and opening of bids for the purchase of a leaf collection machine

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-166. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-167 RESOLUTION REQUESTING THE RELEASE OF ESCROW FOR DIGGERLAND ADVENTURE PARK.

WHEREAS, Diggerland Adventure Park located at 100 Pinedge Drive West Berlin, New Jersey; Block 2601, Lots 1, 2 and 5 has requested the release of their inspection escrow in the amount of \$5,165.37 ;and

WHEREAS, the Engineer has recommended that the Township grant the request to release of escrow monies contingent upon all final invoice have been submitted and paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the release of their inspection escrow for Diggerland Adventure Park is hereby granted with the conditions stated above.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-167. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-168 TO AFFIRM THE TOWNSHIP OF BERLIN'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.

WHEREAS, it is the policy of Township of Berlin to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Township of Berlin has determined that certain procedures need to be established to accomplish this policy

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NOW, THEREFORE BE IT ADOPTED by the Mayor and Council of the Township of Berlin that:

Section 1: No official, employee, appointee or volunteer of the Township of Berlin by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Berlin's business or using the facilities or property of the municipality.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Berlin to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township of Berlin shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

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Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township of Berlin shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township of Berlin shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Municipal Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Berlin. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Berlin Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Berlin in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-168. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-169 RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF BERLIN REGARDING REVIEW AND AMENDMENT OF THE PERSONNEL POLICY MANUAL.

WHEREAS, the Township has a Currently Approved Risk Control Plan for the Camden County Municipal Joint Insurance Fund; and

WHEREAS, the Township desires to maintain its status as a Member with an approved plan, so as to continue to receive preferential insurance benefits; and

WHEREAS, in order to maintain its Member status, the Governing Body is required to review and update the Township's Personnel Policy Manual.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, that the Personnel Policy Manual be reviewed and amended as recommended by the Township Solicitor to include provisions which are required to be set forth to maintain the Township's status as a Member with an Approved Risk Control Plan, and that the updated manual be distributed to all employees of the Township.

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Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-169. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-170 CONFIRMING LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON	
Gerard Chisnall	2018	Final	2503-8	560.70	100% Disabled Veteran Per NJSA 54:4-3.30et seq
	2019	Preliminary	2503-8	280.35	
				\$ 841.05	TOTAL

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-170. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-171 RESOLUTION REQUESTING THE RELEASE OF PERFORMANCE BOND FOR CONCEPT GROUP AND THE POSTING OF A MAINTENANCE BOND.

WHEREAS, Aarne Reid from Concept Group located at 380 Cooper Road, West Berlin, New Jersey; Block 1905 Lot 3.01 & 3.02, has requested the release of their Performance Bond in the amount \$23,596.80 ;and

WHEREAS, the Engineer has recommended that the Township grant the request to release of the Performance Bond contingent upon the posting of a two year Maintenance Bond in the amount of \$46,308.00; and

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WHEREAS, the Engineer has stated that the applicant must also obtain amended site plan approval from the Planning Board for the as-built changes and additions to the site improvements.

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-170. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2018-172 CONFIRMING TRANSFER OF CREDITS from
November 2018 CURRENT TAX to various quarters 2019 PREPAID TAX
VARIOUS LOTS.**

WHEREAS, Homestead Benefit Tax Credits have been given for eligible homeowners that were to be applied to the November 2018 tax quarter, and;

WHEREAS, the owners of said properties have previously paid all or part of the November 2018 tax quarter which has now created an overpayment that must be credited to the next fiscal year's taxes, so;

WHEREAS, the following properties need a transfer of credit as follows:

<u>Block/Lot</u>	<u>Amount</u>	<u>Block/Lot</u>	<u>Amount</u>
208/4	91.01	814/10	235.73
208/6	151.01	821/8	189.65
521/7	219.20	1302/8	165.59
601/33	162.45	1308/44	259.73
618/1	238.10	1405/13	272.36
702/5	196.99	406/10	265.34
702/7	221.28	1409/10	262.43

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the credits totaling \$ 2,930.87 be transferred from the overpaid November 2018 current tax to 2019 various quarters prepaid tax.

Submitted for the September 24, 2018 meeting. Dana O'Hara, CTC

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-172. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2018-173 AUTHORIZING REFUND OF REBATE N.J.S.A.
54:49-15 BLOCK 1306 LOT 21.**

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WHEREAS, the Division of Taxation has directed the Tax Collector to adjust the November 2018 tax quarter for qualified homeowners for the 2015 State of New Jersey Homestead Rebate program, and;

WHEREAS, the property owner has been approved for a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

WHEREAS, the taxes levied to this property from the date of application/purchase of have been approved as exempt from paying real estate taxes thus requiring a refund of this to be made for the 2015 New Jersey Homestead Rebate to the current property owner, so;

THEREFORE, BE IT RESOLVED that a refund be made in the amount of One hundred, eighty - nine dollars and seventy – five cents (\$ 189.75) to:

Emma Cucuzza
5 Holly Drive
West Berlin, NJ 08091

Submitted for the September 24th, 2018 meeting.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-173. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-174 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, THE IMPOSITION OF LIENS IN ACCORDANCE WITH CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "PROPERTY MAINTENANCE," AND CHAPTER 289, ENTITLED "STREETS & SIDEWALKS AND SECTION 303 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE BOOK ENTILED SWIMMING POOLS, SPAS AND HOT TUBS".

WHEREAS, N.J.S.A. 40:48-2.12(f) authorizes a municipality to perform certain acts of property maintenance and to charge the costs thereof as a lien against the real property on which such maintenance is performed; and

WHEREAS, Chapters 249 and 289 of the Code of the Township of Berlin and 303.1 of the IPM Code Book establish, *inter alia*, the procedure by which such property maintenance shall be performed and the process through which the costs thereof shall be established as municipal charges and/or liens against the real property upon which such maintenance is performed; and

WHEREAS, the Code Enforcement Officer for the Township of Berlin was notified and became aware that property maintenance was necessary for certain real properties located in the Township of Berlin listed as follows:

Property: Block/Lot

REASON

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248 Powell Ave. B-1811 L-19	Lawn care
319 Hazel Ave. B-1815 L-5	Lawn care
30 Holly Dr. B-1307 L-30	Lawn care
Haddon Ave./Veterans Ave. B-625 L-8.01	Lawn care
2 Maple Dr. B-1303 L-3.01	Lawn care
315 Fairview Ave. B-1903 L-3.01	Lawn care
309 Cleveland Ave. B-804 L-11	Lawn care
231 Briarwood Rd. B-1805 L-13	Lawn care/bees nest removal
95 Warren Ave. B-202 L-2	Lawn care
334 Magnolia Ave. B-1412 L-19	Clean up
4 Astor Ave. B-1306 L-4	Lawn care
244 Briarwood Rd. B-1806 L-24	Lawn care
148 North Ave. B-213 L-5	Lawn care

WHEREAS, pursuant to Chapter 249 and Article III of 289, the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

WHEREAS, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

WHEREAS, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

<u>Property: Block/Lot</u>	<u>Date Charged</u>	<u>Amount</u>	<u>Reason</u>
248 Powell Ave. B-1811 L-19	Sept. 24, 2018	\$185.00	Lawn care/clean up
319 Hazel Ave. B-1815 L-5	Sept. 24, 2018	\$70.00	Lawn care
30 Holly Dr. B-1307 L-30	Sept. 24, 2018	\$265.00	Lawn care/clean up
Haddon/Veterans Ave. B-625 L8.01	Sept. 24, 2018	\$145.00	Lawn care
2 Maple Dr. B-1303 L-1	Sept. 24, 2018	\$70.00	Lawn care
315 Fairview Ave. B-1903 L-3.01	Sept. 24, 2018	\$85.00	Lawn care
309 Cleveland Ave. B-804 L-11	Sept. 24, 2018	\$75.00	Lawn care
231 Briarwood Rd. B-1805 L-13	Sept. 24, 2018	\$160.00	Lawncare/bee removal
95 Warren Ave. B-202 L-2	Sept. 24, 2018	\$150.00	Lawn care
334 Magnolia Ave. B-1412 L-19	Sept. 24, 2018	\$250.00	Clean up
4 Astor Ave. B-1306 L-4	Sept. 24, 2018	\$75.00	Lawn care
244 Briarwood Rd. B-1806 L-24	Sept. 24, 2018	\$75.00	Lawn care
148 North Ave. B-213 L-5	Sept. 24, 2018	\$75.00	Lawn care

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BE IT FURTHER RESOLVED, that each of the above-referenced charges and/or liens shall be filed with and shall remain on file with the Tax Office until payment in full thereof, including any penalties and/or interest that may accrue thereon; and

BE IT FURTHER RESOLVED, that all unpaid liens authorized herein shall bear interest at the same rate allowed for unpaid taxes and shall be collected and enforced in the same manner as unpaid taxes and further that the Tax Collector is further authorized to subject same to Tax Sale in the calendar year next following the date thereof in accordance with the Tax Sale Law; and

BE IT FURTHER RESOLVED, that payment of the full amount of said municipal charges and/or liens, plus any accumulated penalties and/or interest thereon, has been tendered to the Tax Collector regarding certain of the aforementioned liens and therefore the Tax Collector is further authorized and instructed to discharge and remove same of record with respect to said properties as follows:

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Township Tax Collector and said Resolution, together with all invoices evidencing certification of costs expended for said work, shall be filed with and/or shall remain on file with the Township Tax Collector.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-174. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-175 PAYMENT OF BILLS.

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

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

CONFIRMING:

TO	ACCOUNT	AMOUNT
Various Current, Sewer Operating, Capital, Escrow, Dog & Trust Checks	See Bill List Attached dated: 09/07/18	\$106,897.42
America On Line (02/23/18)	7-01-31-443-2077	46.99
America On Line (03/23/18)	7-01-31-443-2077	46.99
America On Line (04/23/18)	7-01-31-443-2077	46.99
America On Line (05/23/18)	7-01-31-443-2077	46.99
America On Line (06/25/18)	7-01-31-443-2077	46.99
America On Line (07/23/18)	7-01-31-443-2077	46.99
Ameriflex (August 2018)	Flex Claims Acct.	75.00
Ameriflex (September 2018)	Flex Claims Acct.	75.00
Atlantic Irrigation	8-01-28-375-2058	397.80

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Home Depot (Voided on 08/16/18)	G-02-40-780-0998	4,703.08
Berlin Township BOE (August 2018)	8-01-55-207-0000	747,205.67
Chief Leonard Check (IACP Conference)	8-01-25-240-2041	1,431.71
Verizon FIOS PD Internet Service (08/01-08/31/18)	8-01-31-443-2077	131.99
Verizon FIOS Administration (08/16-09/15/18)	8-01-31-443-2077	149.99
Verizon FIOS PD TV Service (08/13-09/12/18)	8-01-20-120-2105	171.23
Treasurer, State of NJ/727 GSPT (Green Acres)	8-01-55-160-0170	7,772.90
Verizon FIOS PD Internet Service (09/01-09/30/18)	8-01-31-443-2077	131.99
State of Jersey Health Benefits – February 2018 (A)	8-01-23-220-2092	58,556.17
	8-01-23-220-2092	15,972.74
State of Jersey Health Benefits – February 2018 (R)	8-01-23-220-2092	38,510.11
TD Bank NA – Bond Series 2008 (09/15/18)	8-07-55-520-2105	120,000.00
	8-07-55-522-2105	3,000.00
Catherine Underwood (Pumpkins – Fall Festival)	8-01-30-420-2105	200.00
Dana O’Hara (Pumpkins – Fall Festival)	8-01-30-420-2105	235.00
Rob McMahon (Music - Fall Festival)	8-01-30-420-2105	200.00
Payroll, Current Fund	08/02/2018	130,368.53
Payroll, Sewer Operating Fund	08/02/2018	7,137.13
Payroll, Open Space	08/02/2018	4,204.04
Payroll, Animal Control	08/02/2018	279.43
Payroll, Current Fund	08/16/2018	128,085.21
Payroll, Sewer Operating Fund	08/16/2018	6,865.22
Payroll, Open Space	08/16/2018	4,365.15
Payroll, Animal Control	08/16/2018	279.43
Payroll, Current Fund	08/30/2018	133,952.01
Payroll, Sewer Operating Fund	08/30/2018	7,110.27
Payroll, Open Space	08/30/2018	4,220.99
Payroll, Animal Control	08/30/2018	279.43
Payroll, Sick Time Buyout (retired Ptl. Murray)	08/30/2018	31,206.01
Payroll, Current Fund	09/13/2018	132,068.73
Payroll, Sewer Operating Fund	09/13/2018	7,100.45
Payroll, Open Space	09/13/2018	4,177.41
Payroll, Animal Control	09/13/2018	279.43

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-175. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2018-176 RESOLUTION AUTHORIZING THE PURCHASE OF ITEMS FROM VENDORS WITH STATE CONTRACT IN EXCESS OF BID THRESHOLD DURING CY 2018.

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

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

WHEREAS, the following purchases will be made during CY 2018 in excess of the bid threshold:

CONTRACT	VENDOR	ITEM	DATE OF EXPIRATION
1. 80912	Majestic Oil Co. Inc.	Gasoline, Unleaded	3/31/19
2. 82767	Majestic Oil Co. Inc.	Diesel Fuel	5/31/19

WHEREAS, the Mayor of the Township of Berlin be and is hereby authorized and instructed to sign and execute any necessary legal instruments in connection with the purchases; and

WHEREAS, funding for this purpose shall not exceed the maximum budgeted line items for Petroleum Fuel in the Current and Sewer Operating Fund CY 2018 and CY 2019 temporary and permanent line items consisting of approximately \$95,000.00 in account 8-01-31-447-2074 and approximately \$48,000.00 in account 8-07-55-502-2074 and shall be encumbered prior to incurring the obligation in accordance with N.J.A.C. 5:30-5.3(b) (2); and

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-176. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-177 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948) – CAMDEN COUNTY REGIONALIZED DWI ENFORCEMENT SOBRIETY CHECKPOINT GRANT.

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

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

WHEREAS, the Chief Financial Officer has certified that the Township has received a Regionalized DWI Enforcement Sobriety Checkpoint Grant from Camden County for \$1,500.00;

BE IT FURTHER RESOLVED that a like sum of \$1,500.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"

Camden County Regionalized DWI
Enforcement Sobriety Checkpoint
Grant

\$1,500.00

BE IT FURTHER RESOLVED that the Chief Financial Officer shall submit electronically the application to the Director of the Division of Local Government Services for approval.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-177. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-178 RESOLUTION AUTHORIZING PURCHASES OF ELECTRIC GENERATION SUPPLY SERVICES BASED UPON THE AWARD OF CONTRACTS FOR FACILITIES TO SOUTH JERSEY ENERGY COMPANY AND FOR STREET LIGHTING TO CONSTELLATION NEW ENERGY, INC. 2 IN ACCORDANCE WITH THE COOPERATIVE BID AWARDED BY THE COUNTY OF CAMDEN FOR THE SOUTH JERSEY POWER COOPERATIVE.

WHEREAS, the County of Camden, on behalf of the South Jersey Power Cooperative ("SJPC"), in which Berlin Township is a member, received and opened bids at its Division of Purchasing on July 17, 2018, for Electric Generation Supply Service for the South Jersey Power Cooperative (Bid A-17/2018); and

WHEREAS, bids were received from five vendors of which all did not meet the County of Camden's requirements for terms of 24 months for the Facility and Street Lighting accounts beginning September 2018; and

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WHEREAS, South Jersey Energy Company is the second lowest responsible bidder for electric generation services for Facility accounts of which Berlin Township is included in Group 3 and was the lowest responsible bidder who complied with the specifications and submitted the following rates in the Atlantic City territory:

- Facility only in the Atlantic City Electric territory at a rate of \$0.08132 per kWh for a 24 month contract starting September 2018; and

WHEREAS, Constellation New Energy, Inc. is the second lowest responsible bidder for electric generation services for Street Lighting accounts of which Berlin Township is included in Group 4 and was the lowest responsible bidder who complied with the specifications and submitted the following rates in the Atlantic City territory:

- Street Lighting accounts only in the Atlantic City Electric territory at a rate of \$0.04569 per kWh for a 24 month contract starting September 2018; and

WHEREAS, by resolution adopted on July 17, 2018, the Camden County Board of Chosen Freeholders awarded contracts for Camden County's needs and participating members of the SJPC as described above commencing on the above-specified dates; and

WHEREAS, the term of the contracts awarded shall be for 24 months for both the Facility accounts and for the Street Lighting accounts commencing on the above-specified dates; and

WHEREAS, funding for this purpose (for Bid A-17/2018) shall be encumbered at the rates of the above-stated per kilowatt-hour amounts to the limit of the budget appropriation for this purpose in accordance N.J.A.C. 5:30-5.5(b) (2) and shall further be contingent upon the availability and appropriation of sufficient funds for this purpose in the Township's 2018 permanent budget and 2019 and 2020 temporary and /or permanent budgets;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Chief Financial Officer/Qualified Purchasing Agent is hereby authorized to purchase electric energy services for the terms listed above.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-178. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-179 RESOLUTION AMENDING SALARY RESOLUTION 2017-209 ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.

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WHEREAS, the Mayor and Council of the Township of Berlin adopted Resolution 2017: 209 on December 18, 2017, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2018; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective September 4, 2018 as follows:

POSITION	AMOUNT
Chief Financial Officer (hired 9/4/18)	\$68,000.00 per year
Chief Financial Officer (with QPA Certification)	\$70,000.00 per year
Part-time Class II SLEO Officer (School Security)	\$25.00 per hour

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-179. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-180 RESOLUTION CANCELING THE RECEIVABLE AND RESERVE BALANCE FOR THE 2018 DISTRACTED DRIVING CRACKDOWN GRANT

WHEREAS, a receivable and reserve balance of \$1,740.45 titled 2018 Distracted Driving Crackdown Grant remains on the balance sheet at 8/31/18; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the receivable and reserve balance of \$1,740.45 titled 2018 Distracted Driving Crackdown Grant is hereby canceled.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-180. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-181 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FY2019 FOR THE IMPROVEMENTS TO TAUNTON AVENUE PROJECT.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Township of Berlin formally approves the grant application for the above stated project.

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BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Improvements to Taunton Avenue-00380 to the New Jersey Department of Transportation on behalf of the Township of Berlin.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Berlin and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on this 24th day of September, 2018.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-181. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-182 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FY2019 FOR THE IMPROVEMENTS TO SPRUCE AVENUE PROJECT.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Township of Berlin formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Improvements to Spruce Avenue Project-00381 to the New Jersey Department of Transportation on behalf of the Township of Berlin.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Berlin and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on this 24th day of September, 2018

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-182. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-183 FOR THE GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964".

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WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the **Mayor and Council** of the **Township of Berlin** , hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-183. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2018-184 RESOLUTION TO REDUCE PERFORMANCE GUARANTEE FOR ROADWAY AND SITE IMPROVEMENTS BOND FOR MONTEBELLO, SECTION 5.

WHEREAS, Hovbros Berlin LLC 900 Birchfield Drive, Mount Laurel NJ 08054 has requested a reduction in their performance bond; and

WHEREAS, the Engineer has performed an inspection of the site improvements and has recommended that the Township approve reducing the bond amount to 30% of the original bond; and

WHEREAS the Engineer has recommended that performance bond in the amount of \$1,463,401.20 be reduced to \$439,020.36.

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 5 is hereby granted.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt Resolution 2018-184. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2018-185 RECOMMENDING, AUTHORIZING THE PLANNING AND ZONING BOARD TO REVIEW THE ZONING CODE, REDEVELOPMENT PLAN FOR HADDON AVENUE AND THE ZONING MAP AND RECOMMEND POSSIBLE AMENDMENTS.

WHEREAS, Township Engineer, Chuck Riebel recommends the Governing Body authorize the Planning and Zoning Board of the Township of Berlin to review the Zoning Code, Redevelopment Plan for Haddon Avenue and the zoning map and submit recommendations for possible amendments: and

WHEREAS, The Engineer request that the Planning and Zoning Board review and submit amendment recommendations for the matters stated below:

1. Adjustment of zoning line district boundaries to coincide with the lot lots and eliminate split zoning of lots;
2. Change the seniors overlay zone for Montebello development to a zoning district;
3. Change the R-4 single family overlay zone to a zoning district;
4. Amend the redevelopment plan for Haddon Avenue and the requirements for the Central Business District to permit the desired form of residential development within the block, which contained the former municipal building and entices development within the zoning district. I may be beneficial for the limits of the CBD to be modified to better suit the existing uses and future redevelopment of the area.
5. Consider the reconfiguration of the limits of the regional growth and rural development areas within the Pinelands area.
6. Consider possible, future use(s) and zoning of the current library parcel.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, hereby authorize the Planning and Zoning Board of the Township of Berlin to review the Zoning Code, Redevelopment Plan for Haddon Avenue and the Zoning and submit recommendations for possible amendments to the Governing Body.

Councilman Frank Epifanio, excused himself and left the Mayor and Council meeting.

Business Approvals

- 1) **Brandon Moore, Sahara Sam's Oasis, 535 North Route 73, West Berlin NJ 08091. Water Park.**

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Motion by Councilman McIntosh, second by Councilwoman Bodanza to approve Mercantile License above. Mercantile License approved by call of the roll, three members present voting in the affirmative, Council President Morris abstained.

2) Marc Nelson T/A Nelson Eye Associates, Vision Center, 188 North Routh 73, West Berlin NJ 08091. Optometry.

3) Sandra D. Friedman T/A Law Sandra D. Friedman Office LLC, 125 North Route 73 West Berlin NJ 08091. Law Office.

4) Brian Smith T/A Grey Squirrel Digital, 430 Commerce Lane Unit 2 West Berlin NJ 08091. Printing Signs / Banners ect.

5) Dean Smith T/A Icu Investgations Inc. 125 North Route 73, West Berlin NJ 08091. Insurance Claims investigator.

6) Robert Piccoli T/A Modern Precision Technology. 225 Old Egg Harbor Road West Berlin NJ 08091. Engine/ Machine Shop Services.

7) Charles D. Sacco T/A TEAM Physical Therapy, 798 South Route 73 West Berlin NJ 08091. Medical Practice.

8) Robert Critelli T/A Reading Rock Russell, LLC, 400 Cooper Road West Berlin NJ 08091. Manufacturer of Architectural Cast Stone.

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

Approval of Consent Agenda

Motion by Council President Morris, second by Councilwoman Bodanza to receive and file the Consent Agenda. Motion carried by voice vote, all present voting in the affirmative.

Approval of the Meeting Minutes for August 1, 2018

Motion by Councilman McIntosh, second by Councilwoman Bodanza to approve the Meeting Minutes for August 1, 2018. Motion carried by voice vote, four members present voting in the affirmative.

All Other Business

Mayor and Council commented the Family Fall Festival was well attending and get better and better each year! Well done to everyone involved.

Public Portion

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

Herman Maurer, Montebello, asked about RESOLUTION 2018-184 TO REDUCE PERFORMANCE GUARANTEE FOR ROADWAY AND SITE IMPROVEMENTS BOND FOR MONTEBELLO, SECTION 5. Mr. Maurer stated that there is issues with the some of the work that has been completed and wants to make sure that it is corrected before monies are released.

Mr. Maurer asked what will the trash modification be in regards to Montebello. He also asked if anything has happened with the letter regarding the intersection of 73 and Cooper Road.

Carolyn Picciotti, asked what the difference is between a Special Law Enforcement Officer (SLEO) and a Police Officer. She asked what the status of the Do Not Knock Registry ordinance.

Jennifer Knight, BTAA talked about building bleacher at the hockey rink (handed Chuck documents in regards to the bleachers) and asked if they could get into the concession stand to clean up. BTAA also would like to see if they could combine the regular hockey season with the tournament season.

Responses

Township Engineer, Chuck Riebel replied to Mr. Maurer questions. Chuck remarked that the resolution 2018-185 is to reduce a performance bond for roadway and site improvements, not for the sidewalks which you are referring to. Before an monies are release an inspection on the prior to releasing. As for the trash modification Montebello will not be effect. Chuck stated that he was not heard anything back from the Department of Transportation.

Mayor Magazzu responded to Carolyn Picciotti and stated that we are in the process of getting the sticker printed and soon will start the registry. Chief Check replied to Carolyn and commented that the SLEO Officers are part time with limited hours and tonight officers are retired and are assigned to the school, they have full law enforcement powers.

Mayor Magazzu stated Chuck will look at the paper work for the bleachers and get back to them with his comments. Mayor questioned the status of BTAA and asked if any other team were playing with BTAA, besides hockey. In regards to the extending the hockey season to tournament season, the ordinance states that a new team and roster would need to apply for a permit.

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

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Adjourn

Motion by Councilwoman Bodanza, second by, Councilman McIntosh to adjourn the meeting at 6:47 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:47 pm

Catherine Underwood
Berlin Township RMC