

JANUARY 28, 2019

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JANUARY 28, 2019 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, Council President Morris, Councilwoman Bodanza, Councilman Epifanio..

Also Present- Solicitor, Alen Arnautovic, CFO, Joyce Tinnes, Township Engineer / Public Works Director, Chuck Riebel, Chief of Police Leonard Check, Animal Control / Property Maintenance, Josh Shellenberger.

Absent-

DEPARTMENTAL REPORTS

ENGINEER / PUBLIC WORKS REPORT (back of the minutes)

SOLICITOR REPORT

1. Water Agreement with Berlin Borough
2. C & M Repair Environmental
3. Bate Avenue Property Former Municipal Site
4. Rhonda Abbott V. Berlin Township Police
5. Open Public Records Act
6. Municipal Building Roof
7. Lester Avenue Drainage Project
8. Verizon Wireless Municipal Consent
9. Consolidated Fee Ordinance
10. Fire Safety Ordinance
11. Resale inspection Ordinance
12. Tax Sale Foreclosure Ellison

POLICE REPORT

Chief Check reported the Department Stats, for December 2018

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Total of 140 Motor Vehicle Summons, which include 2 for DWI, 44 Motor Vehicle Crashes, 61 Alarms calls. A total of 51 arrests, which include 3 for narcotics and 29 warrant services.

<u>2016 Stats</u>	<u>2017 Stats</u>	<u>2018 Stats</u>
35,914 calls for service	37,192 calls for service	39,162 calls for service
1677 MV summons	2635 MV Summons	2832 MV Summons
372 MV Crashes	387 MV Crashes	407 MV Crashes
1388 Alarms	774 Alarms	639 Alarms
797 Total Arrests	580 total Arrests	556 Total Arrests
5,178.93 Monies collected	\$5,919.12 Monies collected	\$6,736.17 Monies Collected

There was an increase of 1970 calls for service from 2017 to 2018, which include 197 MV Summons issued and 20 MV Crashes, there was also an increase of \$817.05 monies collected. There was a decrease of 135 alarms and 24 total arrests during this same timeframe. The increase in total calls for service and MV summons is directly related to manpower. The timely replacement of Ptl. Murray and Lt. Siderio after their retirements allowed the department to progress forward and I thank Mayor and council for that. The addition of the 18 full time officers will allow me to utilize a power shift with all rotations without sacrificing the detective unit or our community outreach efforts in 2019.

There were a total of 8 internal affairs investigations for 2018, 4 were citizen complaints, (3 were exonerated, and 1 is pending and outcome in 2019). 4 were administrative investigations, (3 were sustained, and 1 not sustained). The Internal Affairs summary report will be posted in the Municipal building and police department lobbies.

Officers completed all mandatory training and qualifications on all weapon systems as required by the Attorney General Directives, also random drug testing was conducted as per Attorney General Directive and all passed.

Respectfully,

Chief Leonard Check

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ORDINANCE 2019-1 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, REPEALING AND REPLACING ARTICLE VIII, ENTITLED “APPEALS,” REPEALING AND REPLACING ARTICLE V, ENTITLED “ZONING BOARD OF ADJUSTMENT,” AMENDING ARTICLE VI, ENTITLED “PROVISIONS APPLICABLE TO BOTH PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT,” AND AMENDING ARTICLE VII, ENTITLED “DEVELOPMENT PROCEDURES FOR PINELANDS AREA,” OF CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED “LAND USE AND DEVELOPMENT”

WHEREAS, Chapter 200 of the Code of the Township of Berlin, entitled “Land Use and Development,” guides the use and development of land within the Township of Berlin in accordance with and pursuant to New Jersey Municipal Land Use Law (“MLUL”); and

WHEREAS, Article VIII of Chapter 200 of the Code of the Township of Berlin, entitled “Appeals,” outlines an appeal process from the Berlin Township Joint Planning and Zoning Board (hereinafter the “JLUB”) to the Mayor and Township Council of the Township of Berlin; and

WHEREAS, the Mayor and Township Council (hereinafter “the Governing Body”) have reviewed the existing provisions pertaining to an interested party’s ability to appeal final JLUB decisions to the Governing Body; and

WHEREAS, the Governing Body has determined that the appeal process to the Governing Body needlessly burdens its time and resources, fails to provide finality to the land use appeal process, and that it is in the best interests of the residents of the Township of Berlin to repeal Article VIII of Chapter 200; and

WHEREAS, the Township does not operate a separate Zoning Board of Adjustment and Township’s JLUB already exercises the combined powers of a Zoning

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Board of Adjustment and the Planning Board pursuant to the provisions of N.J.S.A. 40:55D-1 et seq. and N.J.S.A. 40:55D-70 et seq.; and

WHEREAS, the Governing Body deems it advisable to repeal Article V, entitled “Zoning Board of Adjustment,” of Chapter 200, amend Article VI, entitled “Provisions Applicable to Both Planning Board and Zoning Board of Adjustment,” of Chapter 200, amend Article VII, entitled “Development Procedures for Pinelands Area,” of Chapter 200, and repeal all other residual provisions pertaining to the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-25(c); 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.

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

SECTION 1: Article VIII, entitled, “Appeals,” of Chapter 200, entitled “Land Use Development,” is hereby repealed and replaced with a new Article VIII, to be entitled “(Reserved)”, as follows:

“Article I (Reserved)

§ 200-57 (Reserved)

§ 200-58 (Reserved)

§ 200-59 (Reserved)

§ 200-60 (Reserved)

§ 200-61 (Reserved)”

SECTION 2: Article V, entitled “Zoning Board of Adjustment,” of Chapter 200 is hereby repealed and replaced with a new Article V, to be entitled “(Reserved)”, as follows:

“Article V (Reserved)

§ 200-19 (Reserved)

§ 200-20 (Reserved)

§ 200-21 (Reserved)

§ 200-22 (Reserved)

§ 200-23 (Reserved)

§ 200-24 (Reserved)

§ 200-25 (Reserved)

§ 200-26 (Reserved)

§ 200-27 (Reserved)

§ 200-28 (Reserved)

§ 200-29 (Reserved)

§ 200-30 (Reserved)

§ 200-31 (Reserved)

§ 200-32 (Reserved)

§ 200-33 (Reserved)”

SECTION 3: Article VI, entitled “Provisions Applicable to Both Planning Board and Zoning Board of Adjustment,” of Chapter 200 is hereby amended, revised, and/or supplemented to read as follows:

“Article VI Administrative Procedures Applicable to the Planning Board

§ 200-34 Conflicts of interest.

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No member of the Planning Board shall act on any matter in which he has either directly or indirectly any personal or financial interest. Whenever any such member shall disqualify himself from acting on a particular matter, he shall not continue to sit with the Board on the hearing of such matter nor participate in any discussion or decision relating thereto.

§ 200-35 Meetings.

A. Meetings of the Planning Board shall be scheduled no less often than once a month, and any meeting so scheduled shall be held as scheduled unless cancelled for lack of applications for development to process.

B. [No Changes]

C. [No Changes]

D. [No Changes]

E. [No Changes]

§ 200-36 Minutes.

[No Changes]

§ 200-37 Fees.

Fees for applications or for the rendering of any service by the Planning Board or any member of its administrative staffs, which is not otherwise provided by this chapter, may be provided for and adopted as part of the rules of the Board, and copies of said rules or of the separate fee schedule shall be available to the public.

§ 200-38 Hearings.

A. Rules. The Planning Board shall make rules governing the conduct of hearings before said body, which rules shall not be inconsistent with the provisions of N.J.S.A. 40:55D-1 et seq. or of this chapter.

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B. [No Changes]

C. [No Changes]

D. [No Changes]

E. Records. The Board shall provide for the verbatim recording of the proceedings by either stenographer, mechanical or electronic means. The Board shall furnish a transcript or a duplicate recording in lieu thereof on request to any interested party at his expense. The Board shall not charge more than the maximum permitted in N.J.S.A. 2A:11-15. Said transcript shall be certified in writing by the transcriber to be accurate.

F. [No Changes]

§ 200-39 Notice requirements for hearings.

[No Changes]

§ 200-40 List of property owners to be furnished.

[No Changes]

§ 200-41 Decisions.

[No Changes]

§ 200-42 Publication of decision.

A brief notice of every final decision shall be published in the official newspaper of the municipality. Such publication shall be arranged by the Secretary of the Planning Board without separate charge to the applicant. Said notice shall be sent to the official newspaper for publication within 10 days of the date of any such decision. Nothing contained in this section shall be construed as preventing the applicant from arranging such publication if he so desires. The period of time in which an appeal of the decision may be made shall run from the first publication of the decision, whether arranged by the Township or the applicant.

§ 200-43 Payment of taxes.

Pursuant to the provisions of N.J.S.A. 40:55D-39 and 40:55D-65, every application for development submitted to the Planning Board shall be accompanied by proof that no tax assessment for local improvements are due, or, if it is shown that taxes or assessments are delinquent on said property, any approvals or other relief granted by the Board shall be conditioned upon either the prompt payment of such taxes or assessments or the making of adequate provisions for the payment thereof in such manner that the municipality will be adequately protected.

§ 200-44 Conditional approvals.

[No Changes]

SECTION 4: Section 200-47, entitled “Application for development of single-family dwellings,” of Article VII, entitled “Development Procedures for Pinelands Area,” of Chapter 200 is hereby amended, revised, and/or supplemented to read as follows:

“§ 200-47 Application for development of single-family dwellings.

A. [No Changes]

B. [No Changes]

C. [No Changes]

D. [No Changes]

E. [No Changes]

F. Refusal to issue preliminary zoning permit.

(1) [No Changes]

(2) A refusal to issue a preliminary zoning permit shall expressly reference the reasons why the refusal was issued. If the refusal is predicated solely upon the need to obtain

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a variance from Chapter 340, the refusal shall also indicate that upon the applicant's submission of evidence of Planning Board approval of the necessary variance, the Zoning Officer shall determine whether a preliminary zoning permit may be issued pursuant to Subsection D above.

(3) [No Changes]

(4) [No Changes]

G. [No Changes]

SECTION 5: Section 200-49, entitled “Notices to Pinelands Commission,” of Article VII, entitled “Development Procedures for Pinelands Area,” of Chapter 200 is hereby amended, revised, and/or supplemented by deleting Subsection 200-49C(2) as follows:

“§ 200-49 Notices to Pinelands Commission.

A. [No Changes]

B. [No Changes]

C. Notice of approvals and denials.

(1) [No Changes]

(2) [Deleted]

D. [No Changes]”

SECTION 6: Except as set forth in Sections 1 through 5 above, the balance of Chapter 200 of the Code of the Township of Berlin shall not be affected by this Ordinance.

SECTION 7: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8: 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

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judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 9: This Ordinance shall be referred to the Township Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

SECTION 10: Upon adoption, a copy of this Ordinance shall be filed with The Pinelands Commission for review and certification pursuant to the Pinelands Comprehensive Management Plan's rules and regulations. Notwithstanding anything herein to the contrary, this Ordinance shall not take effect until certified by The Pinelands Commission as required by law.

SECTION 11: Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board and other agencies as required by law.

SECTION 12: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Council President Morris, second by Councilwoman Bodanza to adopt Ordinance 2019-1 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

ORDINANCE 2019 -2 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING SECTION 340-17, ENTITLED "PROHIBITED USES," OF ARTICLE IV, ENTITLED "GENERAL PROVISIONS," OF CHAPTER 340, ENTITLED "ZONING," OF THE CODE OF THE TOWNSHIP OF BERLIN

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Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2019-2 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-57 APPROVING REQUEST FROM CHICK-FIL-A FOR A ONE YEAR SEWER EXTENSION ON SEWER CONNECTION PERMIT #549.

WHEREAS, a request has been submitted by Chic-fil-A for a one year extension for sewer connection from the date of expiration on the following permit

Permit #549 Block 7.03 Lot 11.01 at 240 Route 73 and South Side of Minck Ave

WHEREAS, the adoption of this resolution is contingent upon payment of the additional fees due of \$2,400.00 for said connection.

Connection Certificate #549 for 8 EDU's expired 1/5/19 – Paid \$3,200.00 per EDU

This approval will require additional charges of \$300.00 per EDU extending expiration to 1/5/20.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the request by Chic-Fil-A for a one year extension on the above sewer connection permit is hereby granted.

Submitted by Dana O'Hara, CTC for the January 28, 2019 meeting.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-57. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-58 AUTHORIZING THE MAYOR TO SIGN A MAINTENANCE AND REPAIR CONTRACT WITH TECHNA-PRO FOR THE TRAFFIC SIGNAL EMERGENCY SERVICE .

WHEREAS, the Township of Berlin has advertised and received one quote for traffic Signal Maintenance and Repair Program for 2019; and

WHEREAS the Township of Berlin would like to enter into a contract with Techna-Pro Electric LLC, Mt. Laurel New Jersey for \$4,908.75 Item #1 Inspection and Preventative Maintenance for all traffic signals systems, the listed rates for item # 2. Repair and replacement Services and item #3. Materials cost mark-up at plus 25%. (see the attached document)

***Shall be charged to the Township's CY 2019 temporary Budget and permanent budget.**

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, that a contract be awarded to Techna-Pro LLC of Mount Laurel, and hereby authorize the Mayor to sign the contract for traffic Signal Maintenance and Repair Program for 2019; and

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-58. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-59 AUTHORIZATION TO SIGN CONTRACT AGREEMENT FOR SHARED SERVICES BY AND BETWEEN THE BERLIN TOWNSHIP AND THE BOROUGH OF SOMERDALE FOR PROFESSIONAL ENGINEERING AND ENGINEERING SUPPORT SERVICES.

WHEREAS, the Township of Berlin desires to Share Services by and between the Berlin Township and the borough of Somerdale for Professional Engineering and Engineering support services; and

WHEREAS, the Township Of Berlin has determined that proceeding a shared service agreement would be beneficial to Berlin Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the shared services by and between the Berlin Township and the Borough of Somerdale is hereby authorized.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to sign the contract for shared services by and between the Township of Berlin and the Borough of Somerdale for Professional Engineering and Engineering Support Services on contingent of review and approval of the contract from Township Solicitor.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-59. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-60 AUTHORIZING THE TOWNSHIP CLERK AND ENGINEER TO ADVERTISE FOR AND RECEIVE PROPOSALS FOR THE LEASE OF THE MUNICIPAL SPORTS FACILITIES AND FOR THE OPERATION AND MANAGEMENT OF YOUTH AND ADULT SPORTS PROGRAMS.

WHEREAS, over the past several years there has been a decline in the number of Township youth participating in organized sports within the Township of Berlin, resulting in a minimal number of organized Township youth sports teams and usage of the sports facilities within the Township; and

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WHEREAS, due to the lack of organized Township sports teams within the Township, those Township youth, which desire to participate in organized sports, must seek other sports organizations, outside of the Township, to participate in the various sports activities; and

WHEREAS, it is the desire of the Mayor and Council, many parents and youth within the Township to encourage and be able to offer the youth and adults of the Township the ability to participate in organized and recreational sports within the Township; and

WHEREAS, there are organizations and clubs, which are willing and able to offer organized and recreational sports activities to the residents of Berlin Township and others at the existing Township sports facilities; and

WHEREAS, in an effort to increase the participation of the residents of Berlin Township in sports activities within the Township, the Mayor and Council desires to receive proposals from sports organizations and clubs for the lease of the sports facilities and the operation and management of youth and adult sports programs,

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 Mayor and Council authorizes the Township Clerk and Engineer to prepare the request for lease and operation and management of sports programs and advertise to request proposals for the lease of the municipal sports facilities and for the operation and management of sports programs, within the Township.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-60. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-61 AUTHORIZING THE PUBLIC WORKS DIRECTOR PREPARATION OF BID DOCUMENTS, ADVERTISEMENTS AND OPENING OF BIDS FOR VARIOUS CONSTRUCTION MATERIALS, WHICH ARE ANTICIPATED TO BE UTILIZED BY THE PUBLIC WORKS STAFF FOR VARIOUS IMPROVEMENTS THROUGHOUT THE TOWNSHIP FOR YEAR 2019.

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 various construction materials which are anticipated to be utilized by the Public Works staff for improvements throughout the Township for year 2019.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-61. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-62 AUTHORIZING THE MAYOR TO SIGN A CONTRACT FOR THE RETROFIT OF THE CONTROL PANEL AND ELECTRICAL WORK FOR THE RETROFIT OF THE CONTROL PANEL AT MINCK AVENUE PUMP STATION.

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WHEREAS, the Township of Berlin has received quotes for the retrofit of the control panel and electrical work for the retrofit of the control panel at Minck Avenue pump station; and

WHEREAS the Township of Berlin would like to enter into a contract with Mid Atlantic Pump and Equipment Company, 228 North Route 73, Berlin New Jersey, for Proposal #1 for the amount of \$12,200.00 and the Electrical work under Proposal #2 to ABS Electric, Inc. of Elmer New Jersey for the amount of \$2,850.00.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, that a contract be awarded to Mid Atlantic Pump and Equipment in the amount of \$12,200.00 for proposal #1 and a contract be awarded to ABS Electric, Inc. for proposal #2 for the electrical work for the amount \$2,850.00, contingent upon the certification of the allotment of funds by the Township Chief Financial officer and any other conditions which are determined to be necessary by the Governing Body

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-62. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-63 REQUEST FOR REDUCTION OF PERFORMANCE BOND FOR MONTEBELLO, SECTIONS 1.

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 a bond reduction, and

WHEREAS, Mayor and Council had granted the following bond reduction as stated below; and

Bond No. SU1001778 Section 1:

Original Bond Amount of \$5,090,764.20
Reduced resolution 2007-216 to 2,991,679.80
Reduced resolution 2008- 164 to 1,879,893.00

WHEREAS, the Engineer has recommended that the Township grant the following bond reduction from **\$ 1,879,893.00 to \$220,893.76.**

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

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-63. Resolution adopted by call of the roll, five members present voting in the affirmative

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RESOLUTION 2019-64 REQUEST FOR REDUCTION OF PERFORMANCE BOND FOR MONTEBELLO, SECTIONS 2.

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 a bond reduction, and

WHEREAS, Mayor and Council had granted the following bond reduction as stated below; and

Bond No. 5033572 Section 2:

**Original Bond Amount of \$478,862.40
Reduced resolution 2016-119 \$199,159.20**

WHEREAS, the Engineer has recommended that the Township grant the following bond reduction from \$ 199,159.20 to \$143,658.72.

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

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-64. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-65 REQUEST FOR REDUCTION OF PERFORMANCE BOND FOR MONTEBELLO, SECTIONS 2A.

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 a bond reduction, and

WHEREAS, Mayor and Council had granted the following bond reduction as stated below; and

Bond No. 5033561 Section 2A:

**Original Bond Amount of \$707,089.20
Reduced resolution 2010-56 \$243,643.00**

WHEREAS, the Engineer has recommended that the Township grant the following bond reduction from \$ 243,643.00 to \$212,126.76.

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

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Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-65. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2019-66 REQUEST FOR REDUCTION OF PERFORMANCE BOND FOR MONTEBELLO, SECTIONS 3/3B- TOP COURSE.

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 a bond reduction, and

WHEREAS, Mayor and Council had granted the following bond reduction as stated below; and

Letter of Credit # 1881 Section 3/ 3B:

Original Bond Amount of \$462,341.00

WHEREAS, the Engineer has recommended that the Township grant the following bond reduction from **\$ 462,341.00** to **\$160,591.20**.

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

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-66. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-67 REQUEST FOR REDUCTION OF PERFORMANCE BOND FOR MONTEBELLO, SECTIONS 4- TOP COURSE.

WHEREAS, Hovbros Berlin, L.L.C., 900 Birchfield Drive, Mount Laurel, New Jersey, has requested, on behalf of Montebello, Sections 1 a bond reduction, and

WHEREAS, Mayor and Council had granted the following bond reduction as stated below; and

Letter of Credit # 1865 Section 4:

Original Bond Amount of \$229,489.56

WHEREAS, the Engineer has recommended that the Township grant the following bond reduction from **\$ 229,489.56** to **\$68,849.57**.

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

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-67. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-68 REQUEST FOR THE RELEASE OF MAINTENANCE BOND FOR MONTEBELLO , SECTION 3/3B –BASE COAT.

WHEREAS, Hovbros Berlin, LLC has requested the release of their maintenance bond for Section 3 and 3B, base coat for Montebello an Age Restricted Residential Development and:

WHEREAS, the Engineer has recommended that the Township of Berlin grant, the request to release the maintenance bond in the amount of \$ 72,446.93.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request to release the maintenance bond for Hovbros Berlin LLC, is hereby granted.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-68. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-69 REQUEST FOR THE RELEASE OF MAINTENANCE BOND FOR MONTEBELLO , SECTION 4–BASE COAT.

WHEREAS, Hovbros Berlin, LLC has requested the release of their maintenance bond for Section 4, base coat for Montebello an Age Restricted Residential Development and:

WHEREAS, the Engineer has recommended that the Township of Berlin grant, the request to release the maintenance bond in the amount of \$ 85,601.85.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request to release the maintenance bond for Hovbros Berlin LLC, is hereby granted.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-69. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-70 PAYMENT OF BILLS – January 28, 2019

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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
America On Line (11/30/18)	8-01-31-443-2077	\$46.99
Ameriflex (December 2018)	T-18-56-850-030208	\$75.00
Flex Claims Week of 12/03/18		
Ameriflex (December 2018)	T-18-56-850-030208	\$158.00
Flex Claims Week of 12/07-12/13/18		
State of Jersey Health Benefits – November 2018 (A)	8-01-23-220-2092	\$65,550.55
	8-01-23-220-2092	\$17,740.29
State of Jersey Health Benefits – November 2018 (R)	8-01-23-220-2092	\$46,536.97
Ameriflex (December 2018)	T-18-56-850-030208	\$167.15
Flex Claims Week of 12/14-12/20/18		
Bank of America - Merchant Fee for November 2018	08-01-43-490-2028	\$253.94
Bank of America - Merchant Fee for December 2018	08-01-43-490-2028	\$355.45
TD Bank NA – Bond Series 2012 (01/02/19)	9-07-55-520-2105	\$270,000.00
	9-07-55-522-2105	\$51,209.38
TD Bank NA – Bond Series 2017 (01/02/19)	9-01-45-920-2105	\$170,000.00
	9-01-45-920-2105	\$183,881.26
TD Bank NA – Bond Series 2010A (01/02/19)	9-01-45-920-2105	\$250,000.00
	9-01-45-920-2105	\$21,375.00
US Post Office – Calendar Mailings	T-18-56-850-029802	\$368.48
Ameriflex (January 2019)	T-18-56-850-030208	\$45.00
Flex Claims Week of 01-04-01/10/19		
Ameriflex (January 2019)	T-18-56-850-030208	\$886.97
Flex Claims Week of 01/-11-01/17/19		
Verizon FIOS PD Internet - January 2019	9-01-31-443-2077	\$131.99
Verizon FIOS Administration Internet – December 2018 & January 2019	9-01-31-443-2077	\$299.98
Verizon FIOS PD Tv Service – December 2018 & January 2019	9-01-20-120-2105	\$342.42
Third Party Sick – McKay	9-01-36-472-2166	\$90.23
State of Jersey Health Benefits – December 2018 (A)	8-01-23-220-2092	\$71,565.33
	8-01-23-220-2092	\$15,090.11
State of Jersey Health Benefits – December 2018 (R)	8-01-23-220-2092	\$31,314.01
Payroll, Current Fund	12/20/2018	\$130,552.63
Payroll, Sewer Operating Fund	12/20/2018	\$7,466.57

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Payroll, Open Space	12/20/2018	\$4,135.44
Payroll, Animal Control	12/20/2018	\$279.43
Payroll, Current Fund	01/03/2019	\$133,562.64
Payroll, Sewer Operating Fund	01/03/2019	\$7,291.70
Payroll, Open Space	01/03/2019	\$4,221.50
Payroll, Animal Control	01/03/2019	\$285.03
Payroll, Current Fund	01/17/2019	\$128,011.25
Payroll, Sewer Operating Fund	01/17/2019	\$6,924.65
Payroll, Open Space	01/17/2019	\$4,515.18
Payroll, Animal Control	01/17/2019	\$285.03

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-70. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-71 RESOLUTION REQUESTING THE ISSUANCE OF RAFFLE LICENSES FOR BERLIN TOWNSHIP PEACE

WHEREAS, Berlin Township PEACE has requested the issuances of a Raffle License by the Township of Berlin for;

Designer Bag Bingo, March 29, 2019 7:00 pm to 9:00 pm at Berlin Township School 235 Grove Avenue West Berlin NJ 08091

On-Premises 50/50

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes the issuances of a raffle licenses to Berlin Township PEACE.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-71. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2019-72 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

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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 29, 2019 to December 31, 2019.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2019-72. Resolution adopted by call of the roll, five members present voting in the affirmative.

BUSINESS APPROVALS

1) **Brian Dempsey T/A Wrap that Car**, 423 Commerce Lane, Suite #2
Vehicle Wrap & Graphics, Large formatted Printing and Murals.

2) **Roxann Large T/A Staples**, 200 North Rote 73. Retailer of Office
supplies, Equipment and Furniture.

Motion by Council President Morris second by Councilman Epifanio to approve the Businesses License above. Mercantile licenses approved by call of the roll, five members present voting in the affirmative.

Consent Agenda December 2018

Motion by Council President Morris, second by Councilman McIntosh to receive and file the Consent Agenda for December 2018. Motion carried by voice vote, all present voting in the affirmative.

Approval of Minutes for December 17, 2018

Motion by Councilman McIntosh, second by Council President Morris to approve the Meeting Minutes for December 17, 2018. Motion carried by voice vote, five members present voting in the affirmative.

Correspondence Calendar December 2018

Motion by Council President, second by Councilman McIntosh to approve the Correspondence Calendar for December 2018. Motion carried by voice vote, five members present voting in the affirmative.

All Other Business

Councilwoman Bodanza commented the Annual Black History will be held February 23, 2019

Public Portion

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

Mr. Steve Simpson of 104 Warren Avenue came in to personally thank Mayor Magazzu, Animal Control Officer, Josh Shellenberger and everyone else who help capture the abandon dog a few weeks ago. Mr. Simpson stated it is nice to live in a community that goes above and beyond for our furry friends.

No more comments were to be heard

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

Adjourn

Motion by Council President Morris, second by, Councilwoman Bodanza to adjourn the meeting at 6:05 pm. Motion carried by voice vote, all members voting in the affirmative.

Meeting adjourned 6:05 pm

Catherine Underwood
Berlin Township RMC