

FEBRUARY 24, 2020

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL FEBRUARY 24, 2020 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 Epifanio, Councilwoman Bodanza, Councilman Sykes

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

Absent-

Departmental Reports

PUBLIC HEARING ORDINANCE 2020-1 AMENDING ORDINANCE 2019-8 FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.

ORDINANCE IS LOCATED IN THE BACK OF THE MINUTES.

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 2020-1.

No comments were to be heard.

Motion by Council President Morris second by Councilman Sykes 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 2020-1.

Motion by Councilwoman Bodanza second by Council President Morris adopt Ordinance 2020-1. Ordinance approved by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-77 RESOLUTION APPROVING THE CONTRACT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT BETWEEN THE TOWNSHIP OF BERLIN AND THE BERLIN TOWNSHIP PUBLIC WORKS DEPARTMENT.

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

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

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

BE IT FURTHER RESOLVED, that the appropriate Township Officials be authorized to sign and execute said contract for the period of February 24, 2020 to December 31, 2021.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-77. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-78 AUTHORIZING REFUND OF OVERPAYMENT ON TAX ACCOUNT KNOWN AS BLOCK 504 LOT 2.

WHEREAS, the 2016 tax assessment was reduced due to municipal wide reassessment in 2015, and;

WHEREAS, PSEG Services Corporation were billed based on the original 2015 tax assessment for the first half of 2016 and was paid creating the original overpayment. Overpayment credits have been continuously transferred to unpaid quarters as per the request of the owner and;

WHEREAS, the owner made an erroneous payment within their quarterly batch payment of accounts which created a double overpayment to the existing credit amount. At this time, the tax collector's opinion is to refund the overpayment in order to avoid any further overpayments to the account, and;

THEREFORE, BE IT RESOLVED that the overpayment in the amount of one hundred, ninety - six dollars and seventy - nine cents (\$196.79) be refunded to taxpayer as shown below:

PSEG Services Corp.
80 PARK PLAZA-TAX T-6B
Newark, NJ 07102

Submitted for the February 24, 2020 meeting by Tax Collector, Dana OHara, CTC.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-78. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-79 AUTHORIZING REFUND OF SEARCH FEE
ERRONEOUSLY PAID.**

WHEREAS, the tax collector received a tax search request for a property owned by PMC REO, Trust 2015-1, Block 213 Lot 5, property located at 148 North Avenue in the Township of Berlin, and;

WHEREAS, property was scheduled for a closing on January 31, 2020, and the search request was received after the date of closing. Payment for search was processed and then tax collector confirmed that the search was no longer needed and a refund is needed at this time, so;

THEREFORE, BE IT RESOLVED that a refund be made in the amount of Ten Dollars and zero cents to:

Trident Land Transfer
3 Executive Campus – Suite 100
Cherry Hill, NJ 08002

These funds are in the Current Fund/General Account.

Submitted for the February 24th, 2020 meeting.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-79. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-80 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.

Dated: February 7, 2020

Dana O’Hara, CTC - Tax Collector

NAME	YEAR	BLOCK/LOT	AMOUNT	REASON
Jesus M. Morales	2019	108-4	250.00	Veteran
			\$ 250.00	TOTAL to Aug/Nov 2020

Submitted for February 24, 2020 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 Council President Morris second by Councilman Epifanio to adopt resolution 2020-80. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-81 AUTHORIZING CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING REALLOCATIONS: YEAR 35,36,37,38 and 39 TO BE REMARKED FROM THE SENIOR CENTER TO HOUSING REHABILITATION FOR LOW AND MODERATE INCOME FAMILIES.

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to reallocate CDBG funding as follows.

YEARS 35-37	\$7,522.93	Senior Center	to	Housing Rehabilitation
YEAR 38	\$14,150.64	Senior Center	to	Housing Rehabilitation
YEAR 39	\$21,000.00	Senior Center	to	Housing Rehabilitation

WHEREAS, the public hearing notice for the reallocation was published in the Courier Post on January 30, 2020 for a hearing on February 24, 2020; and

WHEREAS, the hearing has been conducted and any comments from the public will be reflected in the minutes and a copy provided to the Camden County Community Development Block Grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that they hereby authorize the CDBG Funds for years 37, 38 and 39 in the amount of \$26,167.77 be changed from Senior Center to Housing Rehabilitation.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

RESOLUTION 2020-81						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAYE	ABSTAIN	ABSENT
BODANZA			X			
SYKES			X			
MORRIS	X		X			
EPIFANIO		X	X			

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MAYOR MAGAZZU			X			
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It is hereby certified that the foregoing is a true and correct copy of a resolution duly adopted by the Mayor and Council of the Township of Berlin at a meeting held the February 24, 2020.

Dated: February 24, 2020

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-8. Resolution adopted by call of the roll, five members present voting in the affirmative.

Written comments also may be addressed to the Camden County Office of Community Development, 520 Market Street, 12 Floor. Camden NJ 08102 and will be accepted up to 30 days from the date of this publication. Camden County Office of Community Development will consider all comments. Comments may also be sent directly to the HUD Newark Office, 1 Newark Center, NJ, 07102 up to 30 days from the date of this notice.

Equal Housing and Employment Opportunities

Catherine Underwood
Berlin Township RMC

RESOLUTION 2020-82 RESOLUTION TO RELEASE PERFORMANCE BOND FOR MC DONALD’S USA LLC, BLOCK 708, LOT 2.02.

WHEREAS, Mc Donald’s USA LLC located at 270 North Route 73 has requested the release of their Performance Bond # 6661999 in the amount of \$275,953.20; and

WHEREAS, the Engineer has recommended that the Township grant the release of their Performance Bond, and recommends waiving the Maintenance Bond since this project has been completed for more than two years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the request for the release of the Performance Bond # 6661999 in the amount of \$275,953.20 for Mc Donald’s USA LLC located at 270 North Route 73 is hereby granted.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-82. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020- 83 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INFORMATION TECHNOLOGY AGREEMENT WITH MCM TECH SOLUTIONS.

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BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign an agreement with MCM Tech Solutions for the maintenance, support and services associated with its information technology infrastructure (IT).

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-83. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-84 A RESOLUTION AUTHORIZING APPLICATION FOR PROGRAM YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT, TOWNSHIP OF BERLIN ,COUNTY OF CAMDEN , STATE OF NEW JERSEY.

WHEREAS, the Camden County Improvement Authority provides funding for certain infrastructure improvements or services under the Community Development Block Grant funding; and

WHEREAS, the Governing Body has chosen to submit an application for Program Year 2020; and

WHEREAS, the governing body has agreed to apply for funding for the following projects:

Project: Conversion of playground equipment at the Luke Avenue Recreational Complex to Handicap Accessibility

NOW THEREFORE BE IT RESOLVED by the Governing Body of Berlin Township that the Mayor is hereby authorized to sign the Project Description Form for Program Year 2020 along with the Community Development Grant Agreement.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-84. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-85 PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TO MAGIC OF VOLCANO INC.

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption license 0406-33-004-005. Hereto fore issued to Heshun Management LLC for the premises located at 461 Route 73 North West Berlin , NJ 08091; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by title 333 of the New Jersey Statutes, regulations promulgated thereunder, as well pertinent local ordinances and conditions consistent with title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of funds used in the purchased of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW THEREFORE, BE IT RESOLVED that the Township of Berlin does hereby approve, effective February 24, 2020, the transfer of the aforesaid plenary retail Consumption license and does hereby direct the municipal clerk to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to Magic of Volcano Inc.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-85. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-86 RESOLUTION AMENDING SALARY RESOLUTION 2019-199 ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.

WHEREAS, the Mayor and Council of the Township of Berlin adopted Resolution 2019-199 on December 16, 2019, establishing the salary and wages for the officers and employees of the Township of Berlin for the calendar year 2020; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary effective;

POSITION	AMOUNT
Assistant Township Clerk / Registrar Certify/ Assist with Public Works Clerical Duties	\$35,003.84
Administrative Secretary to Land Use / Registrar Certify Assist with Public Work Clerical Duties	\$54, 651.08

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the above mentioned salaries are amended as stated.
Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-86. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-87 PAYMENT OF BILLS FOR FEBRUARY.

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
Payroll, Current Fund	02/14/2020	\$123,161.54
Payroll, Sewer Operating Fund	02/14/2020	\$7,160.52
Payroll, Open Space	02/14/2020	\$4,581.62
Payroll, Animal Control	02/14/2020	\$290.72

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-87. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-88 RESOLUTION WAIVING PARK PERMIT FEES FOR WESLEY UNITED METHODIST CHURCH FOR NATIONAL DAY OF PRAYER.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Park Permit fees for Wesley United Methodist Church, be waived for National Day of Prayer to be held on May 7th, 2020.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-88. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-89 RESOLUTION TO WAIVE YARD SALE PERMITS FOR THE RESIDENTS OF MONTEBELLO FOR A COMMUNITY YARD SALE TO BE HELD ON APRIL 28th, 2020.

WHEREAS all Berlin Township residents who participate in Montebello Community Yard Sale shall be waived the fee for a yard sale permit for one day, April 28, 2020.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Yard Sale permits be waived for all the residents of Berlin Township who participate in Montebello Community Yard Sale.

Motion by Council President Morris second by Councilman Epifanio to adopt resolution 2020-89. Resolution adopted by call of the roll, five members present voting in the affirmative.

Business Approvals

- 1) **Tammy Daddazio T/A Cookhouse @ Nardi's Corner**, 201 Haddon Avenue. Deli and Catering Services.
- 2) **Dashiell Shannahan T/A South Jersey Calligan Water. Shannahan Water Company, LLC**, 780 South Route 73. Showroom, Offices and Warehouse.
- 3) **Kartik Patel T/A Subway**, 265 Route 73 North. Sandwich Shop.
- 4) **Nicholas Sambucci T/A Huen Electric Inc.**, 414 Bloomfield Drive, Suite #3. Offices / Warehouse.
- 5) **Michael Schum T/A MJR Vision**, 424 Commerce Lane Suite #6. Design and Modification of Inkjet & Camera System for mailing and packaging machine.

Motion by Councilman Sykes, second by Councilwoman Bodanza to approve the business licenses above. Business License approved by call of the roll, five members present voting in the affirmative.

Business Registration

- 1) **Frank J. Ciala T/A Caring Chiropractic PC**, 299 Route 73 South.
Provide Chiropractor services

Motion by Council President Morris, second by Councilman Epifanio to approve the business registration above. Business registration approved by call of the roll, five members present voting in the affirmative.

Solicitor Permit

- 1) **Daniel Campbell T/A Pristine Management Group Inc**
(Verizon Fios) Solicitation for Verizon Fios and / TV and internet

Motion by Councilman Sykes, second by Councilman Epifanio to approve the Solicitor Permit above. Permit approved by call of the roll, five members present voting in the affirmative.

Approval of Reorganization Meeting Minutes for January 6, 2020.

Motion by Council President Morris second by Councilman Sykes to approve the Meeting Minutes for January 6, 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of Meeting Minutes for January 27, 2020.

Motion by Councilman Sykes second by Council President Morris to approve the Meeting Minutes for January 27, 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Consent agenda for January 2020

Motion by Councilwoman Bodanza, second by Councilman Sykes to approve the Consent Agenda for January 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Correspondence Calendar for January 2020.

Motion by Councilwoman Bodanza, second by Councilman Sykes to approve the Correspondence Calendar for January 2020. Motion carried by voice vote, five members present voting in the affirmative.

All other Business.

Mayor Magazzu remarked that the Black History Event was held this past Saturday and was well attended.

Public Portion.

Motion by Councilman Sykes, 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.

No comments were to be heard.

Motion by Council President Morris, second by Councilman Sykes 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

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Motion by Councilman Sykes, second by Councilman Epifanio to adjourn the meeting at 6:17 pm. Motion carried by voice vote, all members voting in the affirmative.

Meeting adjourned 6:17 pm

Catherine Underwood, RMC