

MARCH 23, 2020

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL MARCH 23, 2020 AT 5:30 P.M.**

**(Meeting was by telephone conference due to Coronavirus)**

Mayor Magazzu opened the meeting by telephone 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, Stuart Platt, CFO, Joyce Tinnes, Chief of Police Leonard Check, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger

**Public Present-** Carolyn Picciotti

**Absent-**

**Mayor Magazzu gave an update on the Coronavirus and stated that this has become really scary and that we will be holding another Emergency Management meeting as we move forward during this pandemic.**

**Mayor Magazzu remarked the Chief of Police Leonard Check has given his notice to retirement as of June 30, 2020. Mayor thanked the Chief and Governing Body congratulated him on his retirement.**

**Chief Leonard Check thanked everyone.**

**Chief Reported that his is down a few guys in his department due to injuries and that he would like to start the process of hiring for his replacement now.**

**RESOLUTION 2020-90 AUTHORIZATION TO HOLD TAX SALE FOR 2019 OPEN DELINQUENCIES PER THE OFFICIAL EXTENDED TAX DUPLICATE LIST RULES AND REGULATIONS PURSUANT TO N.J.S.A. 54:5-19.**

WHEREAS, according to the amended regulations set forth in N.J.S.A. 54:5-19 et seq., all taxes and municipal sewer and other lienable charges payable through December 31, 2019 shall be subject to tax sale and offered for sale of lien to the lowest bidder or highest premium bidder at a

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tax sale to be held on the 2nd day of December 2020 at 10:30 AM at the Municipal Building, and;

WHEREAS, there are delinquencies appearing in the records of the Township of Berlin for monies levied on the owners of record as they appear in the official tax list filed in the office of the Collector of Taxes of Berlin Township, as well as certified listings from the Borough of Berlin Water Department and the Camden County Municipal Utilities Authority, and;

WHEREAS, at any time before a scheduled tax sale, the collector shall receive payment of the amount due on any property, with the interest and costs incurred up to the time of payment, and;

WHEREAS, the taxpayer shall pay the full amount advertised which includes the costs, at two percent of the total delinquency not to be less than \$15.00 nor more than \$100.00, and now must be paid in order to remove the property from sale and;

WHEREAS, the Tax Collector may mail NOTICE OF SALE for any two weeks and advertise for any two weeks, or just advertise consecutively for the full four weeks, with the official tax sale held the following week, and;

WHEREAS, the costs incurred for each mailing of NOTICE OF SALE be set at \$25.00 per mailing, and be collected in order for the property to be removed from said tax sale, so;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey that the Tax Collector be authorized to hold a Tax Sale for all unpaid charges through the end of the 2019 calendar year, properties located in our municipality on December 2, 2020 and being advertised and/or with official notices of sale for four consecutive weeks and notice to the owners of record according to the requirements of N.J.S.A. 54:5-19 et seq.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-90. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-91 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.**

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.

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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:

Special Charge #:	Property:	AMOUNT	DATE PAID
PM19-002	95 Warren Ave (202-2)	\$ 75.00	12/18/2019
PM19-005	244 Briarwood Rd (1806-24)	\$ 75.00	7/16/2019
PM19-006	248 Powell Ave (1811-19)	\$ 145.00	8/22/2019
PM19-008	157 Haddon Ave (601-29)	\$ 60.00	8/16/2019
PM19-011	308 Cleveland Ave (804-11)	\$ 60.00	8/13/2019
PM19-012	309 Cleveland Ave (804-11)	\$ 75.00	8/13/2019
PM19-013	202 Redman Ave (822-1.01)	\$ 75.00	8/5/2019
PM19-014	244 Briarwood Rd (1806-24)	\$ 75.00	12/2/2019
PM19-015	248 Powell Ave (1811-19)	\$ 60.00	8/22/2019
PM19-016	248 Powell Ave (1811-19)	\$ 55.00	8/22/2019
PM19-019	244 Briarwood Rd (1806-24)	\$ 75.00	12/2/2019
PM19-024	243 Briarwood Rd (1806-24)	\$ 75.00	12/2/2019
PM19-025	244 Briarwood Rd (1806-24)	\$ 75.00	12/2/2019
PM19-026	248 Powell Ave (1811-19)	\$ 306.43	12/20/2019
PM19-027	248 Powell Ave (1811-19)	\$ 60.00	12/20/2019
PM19-028	248 Powell Ave (1811-19)	\$ 60.00	12/20/2019
PM19-029	248 Powell Ave (1811-19)	\$ 125.00	12/20/2019
PM19-031	148 North Ave (213-5)	\$ 1,900.00	2/6/2020

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-91. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-92 PAYMENT OF BILLS MARCH**

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.

	<b>CONFIRMING:</b>	
<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Ameriflex (Annual Renewal Admin Fee)	T-18-56-850-030208	\$175.00
Ameriflex (January 2020 Admin Fee)	T-18-56-850-030208	\$75.00
<b>Ameriflex (January 2020)</b>		
<b>Flex Claims Week of 01/03-01/09/2020</b>	<b>T-18-56-850-030208</b>	<b>\$114.97</b>

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**Ameriflex (January 2020)**

<b>Flex Claims Week of 01/17-01/23/2020</b>	<b>T-18-56-850-030208</b>	<b>\$128.46</b>
State of Jersey Health Benefits – January 2020 (A)	0-01-23-220-2092	\$63,777.63
	0-01-23-220-2092	\$12,584.92
State of Jersey Health Benefits – January 2020 (R)	0-01-23-220-2092	\$32,863.08

**Ameriflex (January/February 2020)**

<b>Flex Claims Week of 01/31-02/04/2020</b>	<b>T-18-56-850-030208</b>	<b>\$130.00</b>
Ameriflex (February 2020 Admin Fee)	T-18-56-850-030208	\$75.00

**Ameriflex (February 2020)**

<b>Flex Claims Week of 02/07-02/13/2020</b>	<b>T-18-56-850-030208</b>	<b>\$35.08</b>
<b>FP Mailing Solutions (Postage Download)</b>	<b>0-01-20-120-2022</b>	<b>\$2,000.00</b>

**Ameriflex (February 2020)**

<b>Flex Claims Week of 02/16-02/13/2020</b>	<b>T-18-56-850-030208</b>	<b>\$4.85</b>
State of Jersey Health Benefits – February 2020 (A)	0-01-23-220-2092	\$72,694.36
	0-01-23-220-2092	\$14,395.14
State of Jersey Health Benefits – February 2020 (R)	0-01-23-220-2092	\$32,863.08
Ameriflex (March 2020 Admin Fee)	T-18-56-850-030208	\$75.00
Payroll, Current Fund	02/28/2020	\$132,530.08
Payroll, Sewer Operating Fund	02/28/2020	\$7,620.53
Payroll, Open Space	02/28/2020	\$4,583.90
Payroll, Animal Control	02/28/2020	\$290.72
Payroll, Current Fund	03/13/2020	\$125,637.71
Payroll, Sewer Operating Fund	03/13/2020	\$7,076.74
Payroll, Open Space	03/13/2020	\$4,197.46
Payroll, Animal Control	03/13/2020	\$290.72

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-92. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-93 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"**

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

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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 Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-93. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-94 RESOLUTION OF THE TOWNSHIP OF BERLIN  
AUTHORIZING THE EXTENSION OF THE GRACE PERIOD FOR THE  
SECOND INSTALLMENT OF SEWER RENTS.**

**WHEREAS**, due to the global pandemic of the Corona virus aka COVID-19 and the Governor of the State of New Jersey declaring a state of emergency; the Township of Berlin Administration has made the decision at this time to close the municipal building to the public from March 16 thru March 31<sup>st</sup>, 2020.

**WHEREAS**, Administration has also decided that the second quarter sewer shall not be subject to any interest until the 12<sup>th</sup> day of May; and

**WHEREAS**, using statute R.S. 54:4-67 as a guide for this decision, payments received after the additional 30-day grace period, of May 12<sup>th</sup> will be charged interest back to April 1; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the grace period for the second quarter 2020 Township Sewer Payments be extended and original amount due accrue no interest until the thirtieth calendar day after the original 10 day grace period.

**BE IT FURTHER RESOLVED** that all subsequent quarter payments in the 2020-2021 billing cycle will be due as pre-printed on the SEWER bill coupons, with the regular 10-day interest-free grace period.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-94. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2020-95 REQUESTING AN EXTENSION OF TIME OF THE CONTRACT AWARD DEADLINE FOR N.J.D.O.T. FY2018 MUNICIPAL AID FUNDING FOR THE IMPROVEMENTS TO CLARENCE AVENUE AND TO COMBINE N.J.D.O.T. FY2018 AND FY2019 MUNICIPAL AID FUNDS.**

**WHEREAS**, on February 21, 2018, the New Jersey Department of Transportation (N.J.D.O.T.) informed Berlin Township that \$210,000 of N.J.D.O.T. FY2018 Municipal Aid Funds were awarded for the Improvements to Clarence Avenue; and

**WHEREAS**, as part of the Agreement for the funding with the N.J.D.O.T., the Township was required to award a contract for the construction of the Improvements to Clarence Avenue by February 21, 2020; and

**WHEREAS**, the Township has not awarded a construction contract by the deadline date of February 21, 2020, but is requesting that the N.J.D.O.T. consider granting a six-month extension to award a contract by August 21, 2020 to allow for the Township to include the project in the same bid documents with the Improvements to Spruce Avenue (N.J.D.O.T. FY2019 Municipal Aid Funding), in order to obtain more competitive bid prices by providing an overall, larger scale project; and

**WHEREAS**, the Township requests that the N.J.D.O.T. allows the Township to combine the N.J.D.O.T. FY2018 and FY2019 Municipal Aid Funds for both projects, the Improvements to Clarence Avenue and the Improvements to Spruce Avenue; and

**WHEREAS**, the delay of the completion of the bid documents and the advertisement of bids has been delayed due to the reduction in staffing, delegation of all tasks to the remaining individual in the Township Engineering Department resulting in the need and use of a consultant to assist in the completion of the bid documents; and

**WHEREAS**, during the course of the land surveying work, it became evident that a road easement would be necessary for the construction of a portion of Spruce Avenue, which the Township is in the process of obtaining said easement, prior to the award of the contract, but has structured the bid proposal to include the portion of the roadway as an alternate bid, in case the Township is unsuccessful in obtaining the easement, in the immediate future; and

**WHEREAS**, the Township has submitted the bid specifications and plans to the N.J.D.O.T. Local Aid Office, has received their review comments and intends to revise the documents and to advertise for bids, for both projects, immediately after receiving authorization from the N.J.D.O.T.; and

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**WHEREAS**, the Township intends to award a contract to the low bidder shortly after the opening and review of the bid proposals and obtaining the approval of the bidding process and intended award of the contract from the N.J.D.O.T.,

**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 requests the understanding of the above-mentioned conditions and approval of a six-month extension to award a contract by August 21, 2020 for the construction of the Improvements to Clarence Avenue, by the N.J.D.O.T. and to allow for the combining of N.J.D.O.T. FY2018 and FY2019 Municipal Aid Funds for the Improvements to Clarence Avenue and the Improvements to Spruce Avenue within the same bid documents.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-95. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-96 RESOLUTION CONFIRMING THE MAYOR TO SIGN AN AGREEMENT WITH THE COUNTY OF CAMDEN OPEN SPACE TRUST FUND "RECREATION FACILITY ENHANCEMENT GRANT" FOR YEAR 2020**

**WHEREAS**, the Township of Berlin desires to submit an application to Camden County Open Space Enhancement Program; and

**BE IT RESOLVED**, that the Mayor and Council of the Township of Berlin formally approves the application submission of the next round of Camden County Open Space Recreation Enhancement Program for Improvements to Playground at Luke Avenue Recreation Complex; and

**BE IT FURTHER RESOLVED**, that the Mayor of the Township of Berlin is hereby authorized to sign the application and any other respective documentation.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-96. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-97 RESOLUTION AUTHORIZING EMERGENCY TEMPORARY CY2020 BUDGET APPRIATIONS.**

**WHEREAS, an emergency condition has arisen with respect to various budget accounts since the 2020 Budget has not been adopted. The Temporary budget included appropriations for the first three months of 2020 and N.J.S.A 40A-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and**

**WHEREAS, the local emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40A-20 (Chapter 96,P.L. 1951 as**

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**amended) including this resolution totaling \$785,240.27 for Current Fund, \$15,000.00 for Sewer Utility Fund and \$3,000.00 for Open Space, Recreation, Farmland and Historic Preservation Fund.**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin in accordance with N.J.S.A. 40 -20: An emergency temporary appropriation be and the same is hereby made to provide for operations of the Township of Berlin through December 31, 2020 in the total amount of \$782,240.27 for Current Fund, \$15,000.00 for Sewer Utility Fund and \$3,000.00 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund. That said emergency appropriation will be provided for the 2020 budget. That a certified copy of this resolution be filed with the Director of the Division of Local Government Services.**

**Current Fund**

**GENERAL GOVERNMENT**

Township Clerk

Salaries & Wages	120-01	9,000.00
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Revenue Administration

Salaries & Wages	145-01	7,000.00
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Tax Assessor

Salaries & Wages	150-01	1,000.00
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Engineering

Salaries & Wages	165-01	6,000.00
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**LAND USE ADMINISTRATION**

Planning/Zoning

Salaries & Wages	180-01	1,000.00
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Other Code Enforcement

Salaries & Wages	200-01	1,000.00
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**PUBLIC SAFETY FUNCTIONS**

Police



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Salaries & Wages 240-01 50,000.00

Other Expenses 240-02 10,500.00

OEM

Salaries & Wages 252-01 350.00

Other Expenses 252-02 15,000.00

Municipal Prosecutor

Salaries & Wages 275-01 750.00

**PUBLIC WORKS FUNCTIONS**

Buildings & Grounds

Salaries & Wages 310-01 5,000.00

Vehicle Maintenance

Salaries & Wages 315-01 3,000.00

Other Expenses 315-02 6,000.00

Maintenance of Parks

Other Expenses 375-02 1,000.00

NJDEP-Stormwater Management

Salaries & Wages 510-01 5,000.00

**PUBLIC HEALTH**

Salaries & Wages 330-01 200.00

**PARKS & RECREATION**

Municipal Library

Salaries & Wages 390-01 3,000.00

**INSURANCE**

Other Expenses

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PERS	471-02	192,592.90
Social Security	472-02	5,000.00
PFRS	475-02	440,347.37
<b>UTILITIES</b>		
Other Expenses	440-02	5,000.00
Other Expenses	443-02	500.00
Other Expenses	447-02	10,000.00
Other Expenses	465-02	16,000.00
<b>MUNICIPAL COURT</b>		
Municipal Court Salaries & Wages	490-01	6,000.00
<b>TOTAL CURRENT FUND</b>		
		<u><u>800,240.27</u></u>
<b>Sewer Operating</b>		
Salaries & Wages	501-01	5,000.00
PERS		10,000.00
<b>TOTAL SEWER OPERATING</b>		
		<u><u>15,000.00</u></u>
<b>Open Space Trust</b>		
9-12-28-375-1011 Salaries & Wages	375-01	3,000.00

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TOTAL OPEN SPACE TRUST

3,000.00

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-97. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-98 AUTHORIZING PURCHASES BASED UPON THE AWARD OF CONTRACT (BID A-2/2020) BY THE COUNTY OF CAMDEN TO OFFICE BASICS, INC., FOR THE PURCHASE OF OFFICE SUPPLIES IN ACCORDANCE WITH THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM ID #57-CCCPS.**

**WHEREAS**, the County of Camden, as the lead agency for the Camden County Cooperative Pricing System, in which Berlin Township is a member, system identifier #57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on February 14, 2020, for Bid A-2/2020 Purchase of Office Supplies under the Camden County Cooperative Pricing System, System Identifier #57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

**WHEREAS**, bids were received from Office Basics, Inc., WB Mason & Staples Contract & Commercial, LLC; and

**WHEREAS**, Office Basics, Inc., the lowest responsible bidder, submitted pricing for each category for both the County and participating municipalities in the Cooperative; and

**WHEREAS**, Office Basics is the responsible bidder who complied with the specifications for bidding on behalf of the County of Camden and participating municipalities in the Cooperative; and

**WHEREAS**, by resolution adopted on February 20, 2020, the Camden County Board of Chosen Freeholders awarded contracts for Camden County's needs and participating municipalities in the Cooperative, under the aforementioned Bid to Office Basics; and

**WHEREAS**, the term of the contract awarded shall be for two (2) years commencing March 1, 2020 through February 28, 2021; and

**WHEREAS**, funding for this purpose shall not exceed the maximum budgeted line items for office supplies in each department line item budget in the Township's temporary and/or permanent budgets of CY2020 and CY2021 and shall be encumbered in accordance with N.J.A.C. 5:30-5.5(b)(2); and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that department heads are hereby authorized to purchase office

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supplies pursuant to Camden County Bid A-2/2020, Purchase of Office Supplies for a term of two (2) years commencing March 1, 2020.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt resolution 2020-98. Resolution adopted by call of the roll, five members present voting in the affirmative.

**All Other Business**

Nothing to report

**Public Portion**

Motion by Councilman Sykes, 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.

Carolyn Picciotti Congratulated the Chief on his retirement.

No more comments were to be heard.

Motion by Council President Morris, 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 for questions or comments.

**Adjourn**

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adjourn the meeting at 6:15 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:15 pm

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**Catherine Underwood  
Berlin Township RMC**