

JULY 6, 2020

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JULY
6, 2020 AT 5:30 PM**

(Meeting will be by telephone 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, Acting Chief of Police Wayne Bonfiglio, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger
Chief Financial Officer, Joyce Tinnes

Public Present-

Absent-

DEPARTMENT REPORTS

POLICE DEPARTMENT

Berlin Township Mayor and Council
July Monthly Police Department Report

- Thank you for my appointment
- June 30, 2020 at noon Chief Len Check did his final walk out from the department.
- Up until this past Friday the police department was short 8 officers for patrol due to injuries, work restrictions and retirement. One officer returned to his night shift on 7/3/20.
 - I had to do some shifting around of personnel. Because of shortage, we no longer have a full-time detective – Det Lex has be moved back to patrol to run a squad. Lt Silvestro is covering some of the detective work as well as handling many of the administrative details including, Internal Affairs, updating policies required by the Prosecutor’s Office and NJAG, extra duty details, writing subpoenas’, purging evidence, scheduling training, overseeing patrol, CJIS requirement... pretty much anything I throw on his desk.
- We had a 241% increase in firearms applications and permits. From Jan 1, 2019 to July 6, 2019 we processed 29 applications and permits. The same time period this year we have and are currently trying to process 99. I have been able to get one of the offices who is still rehabbing

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after his surgery to start learning the firearms process. To conduct a thorough investigation can take a minimum two hours to sometimes two weeks, depending upon the applicant. So, as you may be able to imagine, we are experiencing a little delay.

- Theft + 74%
- Forgeries +33%
- Criminal Mischief +31%
- Weapons offenses +50% - drug transaction & road rage
- Disorderly conducts +25%
- Fire related cases +31% - Kennedy fitness and two house fires
- 6 unattended deaths or suicides
- Missing person – 13 missing persons investigated and found
- Public Service calls - +56%
- Good News Burglary: -85% MV Crash: -26% - other traffic related issues are down by an average of 46%; even traffic summons are down - This mainly due to the stay at home restrictions during the first three months of Covid. Less pedestrian traffic, less motor vehicle traffic
- To highlight some of the theft and fraud cases that are be investigated –
 - \$8000 fraud from Red White and Blue – through three months of investigation – suspected identified and changed
 - \$9000 bail scam that spans Florida and Canada – still under investigation
 - \$3000 internet theft – subpoenas and perseveration letters sent to Facebook and google.
 - Stolen motorcycle – working with truck rental company to obtain id’s
 - \$26000 employee theft – suspect identified and charged
 - \$11K burglary/theft – still working to obtain data from Google to close this case.
 - I mention all of these because we also had a \$40 theft from an elderly woman at a local convenience store – the officers worked just as hard on this case as they are doing with thousand-dollar cases. They were able to identify the suspect and have the victim’s money returned to her.
- Our officers have assisted surrounding towns 6 times with protests against police as well as violations of the Governor’s Executive orders. Even with protesters getting in their faces, telling them how they should be ashamed of themselves for being police officer – our officers as well as every other officer there stayed calm and professional and allowed the protesters to express their freedom of speech.
- In another noteworthy incident one of our officers was investigating a suspicious motor vehicle. The female driver appeared to be upset. The officer spoke with her, not convinced when she told him she was fine. In the end he discovered that she was going to attempt suicide. She had a step stool, belt and tape. Plus, she had rearranged a swing set to give her the elevation that she needed. The officer convinced her to allow him to help her.
- I do want to thank the mayor for the email of support and confidence that she sent to the officer. I know sometimes the guys don’t always respond, but I can tell you that it was greatly appreciated.
- I did receive a proposal from the officers to pursue permission to get loadbearing vest carriers – aka out vest carriers. I have the proposal on my desk that includes photos of the carriers, the

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cost savings as well as physical benefits to the officers. When they started this project, they were told that the vests were not to appear too militaristic.

Respectfully Submitted,

Wayne Bonfiglio
Chief of Police (Acting)
Berlin Township Police Department

**FIRST READING ORDINANCE 2020- 3 AMENDING ORDINANCE 2019-8
FIXING AND DETERMINING SALARY RANGES 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 Ordinance 2019-8 on December 16, 2019 fixing and determining salary ranges for the officers and employees 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 range for the calendar year 2020 as follows:

POSITIONSALARY RANGE.....	
	FROM	TO
Finance Clerk- Part Time	\$0.00 per hr.	\$20.00 per hr.

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

Motion by Council President Morris, second by Councilman Epifanio to adopt Ordinance 2020-3 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-125 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.**

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 of the Code of the Township of Berlin establish, *inter alia*, the procedure by which such property maintenance shall be performed and the process through which

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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:

<u>Property: Block/Lot</u>	<u>REASON</u>
103 Walker Ave. B-702 L-4	Lawn care
6 Pine Terr. B-1301 L-23	Lawn care

WHEREAS, pursuant to Chapter 249 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>
103 Walker Ave B-702 L-4	July 6, 2020	\$80.00	Lawn care
6 Pine Terrace B-1301 L-23	July 6, 2020	\$65.00	Lawn care

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 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 until said charges are paid the lien is released in the matter required by law.

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Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-125. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-126 TO AMEND RESOLUTION 2020-123 PERMITTING TEMPORARY COVID-19 OUTDOOR DINING AND SEATING FOR EXISTING RESTAURANTS, INCLUDING THOSE THAT POSSESS A VALID AND ACTIVE RETAIL CONSUMPTION LIQUOR LICENSE BUSINESS WITHIN BERLIN TOWNSHIP.

WHEREAS resolution 2020-123 was passed by the Governing Body of Berlin Township on June 8, 2020 to permit temporary covid-19 outdoor dining and seating; and

WHEREAS the Governing Body wishes to amend resolution to the following:

- Item 12- Amend the permitted opening time from noon, each day, to 8:00 a.m. to allow for the serving of breakfast with the condition that no alcoholic beverages can be served before noon.
- Item 12- Amend the closing time, Sunday through Thursday, from 8:00 a.m. to 9:00 p.m, amend the closing time, Friday and Saturday, from 8:00 a.m. to 10:00 p.m.
- Item 3- If and when, indoor dining and seating becomes permitted, the limitation for the total number of indoor and outdoor seats will be limited to the number of the existing, available parking spaces, based upon the parking schedule in Section 340-95 of the Township Code.
- Item 14- Amend to limit the maximum, overall number of tents to four (4) and the maximum tent area to the area necessary to cover all dining seating up to a maximum of 1,800 square feet.
- Item 6- If the Governor does not eliminate the prohibition of indoor dining prior to November 30, 2020, all temporary outdoor dining and seating permits will, automatically, expire no later than November 30, 2020 unless the permit is extended or a new permit is issued by the Township.
- New Item 21- Add the restriction that the existing surface material, within the designated outdoor dining and seating area shall remain and not be altered, except where it is determined to be a safety issue and the proposed surface alteration is approved by the Township, prior to disturbing the existing surface(s).

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New Item 22- No changes can be made to the original plans unless approved by the Township Engineer.

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-126. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-127 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 salaries effective July 1, 2020:

POSITION	AMOUNT PER YEAR
Acting Chief of Police	\$115,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the above mentioned salaries are amended.

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-127. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-128 RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN AGREEMENT FOR SHARED SERVICES BETWEEN BERLIN TOWNSHIP AND WINSLOW TOWNSHIP FOR ANIMAL CONTROL SERVICES.

WHEREAS, the Township of Berlin desires to Share Services by and between the Berlin Township and Winslow Township; and

WHEREAS, both Winslow Township and Berlin Township recognize the need to share animal control services in the event of the absence of their respective animal control officers; and

WHEREAS, the Township of Berlin has determined that a shared service agreement with Winslow Township would be beneficial to Winslow Township and Berlin Township.

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the shared services agreement between Berlin Township and Winslow Township is hereby approved.

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-128. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-129 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.

Dated: March 12, 2020

Dana O'Hara, CTC - Tax Collector

NAME	BLOCK/LOT	YEAR	AMOUNT	REASON
Barbara Badran	1819-6	2020	250.00	Senior Citizen Approved 2019-140 Not included in January 2020 Book
			\$ 250.00	TOTAL to November 2020

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-129. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-130 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.

Prepared by Dana O'Hara, CTC

Dated: 06/06/20

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Unknown Owner	2020	214-9	\$.93	Lot created by Township

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Unknown origin

\$.93 TOTAL Estimated Aug Qtr

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-130. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-131 PAYMENT OF BILLS FOR JULY.

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
Ameriflex (May/June 2020)		
Flex Claims Week of 05/29-06/04/2020	T-18-56-850-030208	\$68.40
Ameriflex (June 2020)		
Flex Claims Week of 06/05-06/11/2020	T-18-56-850-030208	\$9.59
Ameriflex (June 2020)		
Flex Claims Week of 06/12-06/18/2020	T-18-56-850-030208	\$34.00
Ameriflex (June 2020)		
Flex Claims Week of 06/19-06/25/2020	T-18-56-850-030208	\$43.97
State of Jersey Health Benefits – June 2020	0-01-23-220-2092	\$63,458.91
(A)	0-01-23-220-2092	\$12,517.18
State of Jersey Health Benefits – June 2020	0-01-23-220-2092	\$32,863.08
(R)		
State of New Jersey NJ Division of Employer Accts	T-17-56-850-1001	\$42.32
Payroll, Current Fund	06/05/2020	\$127,148.80
Payroll, Sewer Operating Fund	06/05/2020	\$7,234.07
Payroll, Open Space	06/05/2020	\$4,197.46
Payroll, Animal Control	06/05/2020	\$290.72
Payroll, Current Fund	06/19/2020	\$128,095.84
Payroll, Sewer Operating Fund	06/19/2020	\$6,991.63
Payroll, Open Space	06/19/2020	\$4,197.46
Payroll, Animal Control	06/19/2020	\$290.72
Payroll, Current Fund	07/03/2020	\$122,200.25
Payroll, Sewer Operating Fund	07/03/2020	\$7,234.07
Payroll, Open Space	07/03/2020	\$4,197.46
Payroll, Animal Control	07/03/2020	\$290.72

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Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-131. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-132 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) – CLEAN COMMUNITIES GRANT.

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 FY 2020 Clean Communities Grant from the Department of Environmental Protection for \$12,529.89;

BE IT FURTHER RESOLVED that a like sum of \$12,529.89 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Clean Communities Grant	\$ 12,529.89

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 Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-132. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-133 RESOLUTION REQUESTING THE RELEASE OF PERFORMANCE GUARANTEE FOR DIGGERLAND WATER-RELATED ADVENTURE PARK AND THE POSTING OF A MAINTENANCE BOND.

WHEREAS, Diggerland Water Related Adventure Park located at 441. East Franklin Avenue, West Berlin, New Jersey; Block 2601, Lots 2 has requested the release of their Performance Bond in the amount of \$78,194.00; and

WHEREAS, the Engineer has recommended that the Township grant the request for the release of the Performance Bond contingent upon the posting of a two year Maintenance Bond in the amount of \$13,393.65 and the following conditions listed below:

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- 1) The applicant agreeing to record the Stormwater Maintenance Plan, revised to the satisfaction of the Township, with the County Clerk's Office.
- 2) The applicant agreeing to revise the as-built survey plan and obtaining Planning Board approval for the administrative amendment to the site plan.
- 3) The applicant agreeing to complete the site improvements, noted in my correspondence to the applicant, dated July 3, 2020.

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 for Diggerland Water Related Adventure Park is hereby granted with the conditions stated above.

Motion by Councilwomen Bodanza, second by Councilman Sykes to adopt resolution 2020-133. Resolution adopted by call of the roll, five members present voting in the affirmative.

Business Approvals

1) Brandon Moore, Sahara Sam Water Park, APX Sahara Sam's Oasis, 535 North Route 73, West Berlin NJ 08091. Indoor & Outdoor Water Park.

Motion by Councilman Sykes, second by Councilman Epifanio to approve the mercantile license above. Mercantile license approved by call of the roll, four members present voting in the affirmative. Council President Morris recused himself.

2) Erin Fralinger T/A Re/Max Live Well. 39 North Route 73, West Berlin NJ 08091. Real Estate Broker, buying and selling real estate.

Motion by Councilman Sykes, second by Councilman Epifanio to approve the mercantile above. Resolution adopted by call of the roll, five members present voting in the affirmative.

Approval of Special Meeting Minutes for June 8, 2020.

Motion by Council President Morris second by Councilman Sykes to approve the Special Meeting Minutes for June 8, 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Correspondence Calendar for June 2020.

Motion by Council President Morris, second by Councilman Epifanio to approve the

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Correspondence Calendar for June 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Consent Agenda for May & June.

Motion by Council President Morris, second by Councilman Sykes to approve the Consent Agenda for May 2020 and June 2020. Motion carried by voice vote, five members present voting in the affirmative.

All Other Business

Nothing to report at this time

Public Portion

Motion by Councilman Sykes, 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.

No 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 Councilman Sykes, second by Councilman Epifanio 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**