

SEPTEMBER 9, 2019

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL SEPTEMBER 9, 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, Council President, Morris, Councilman Epifanio, Councilwoman Bodanza.

**Also Present-** Solicitor, Alen Arnautovic, CFO, Joyce Tinnes, Chief of Police Leonard Check.

**Absent-** Township Engineer / Public Works Director, Chuck Riebel

**Departmental Reports**

**ENGINEER AND DIRECTOR REPORT** ( is in back on the minutes)

**POLICE DEPARTMENT**

**Department Stats, August, 2019**

Total calls for service for August – 3,963.

Total of 280 Motor Vehicle Summons, 34 Motor Vehicle Crashes, 62 Alarms calls.

Total of 79 arrests, which include 2 for narcotics, 6 assault, 6 shoplifting, 7 frauds, 4 disorderly persons, and 42 warrant services.

Lt. McVeigh is officially retired as of September 1, 2019. He refused any type of sendoff, We all wish him well in the next phase of his life.

SSO Sawyer resigned from his position as a school security officer. He took a position closer to his residence in Gloucester County.

SSO Wilson (Retired from Berlin Twp.) was hired as our new school security officer.

As you may or may not be aware there has been a lot of movement within the department, with the recent retirements and the hiring of new full time and SLEO II officers. There has been a substantial increase in the activity of our officers contact stops, traffic enforcement, and criminal arrests. I would say the moral within the department is high with the influx of new officers.

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We are coming to the end of our promotional process for Sergeant and Lieutenant and I would ask for the governing bodies support in filling the open supervisory positions in a timely manner.

We will continue to have officers present at the schools and on Franklin Ave for the remainder of this week.

Respectfully,  
Chief Leonard Check

**PROPERTY MAINTENANCE / ANIMAL CONTROL**

Joshua Shellenberger stated that he is currently working on the Mercantile Renewals and some vacant property issues. Josh commented that he has been in contact with the contractor of the old Golden Coral location and they are hoping to be open by mid-October so all the landscaping issues should be complete by then. He also has been dealing with raccoon issues on Centaurian Drive and as of today our shelter count is 27.

**PROCLAMATION: OVARIAN CANCER AWARENESS MONTH**

**WHEREAS**, Ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle, and a woman’s lifetime risk of getting Ovarian cancer is 1 in 72; and

**WHEREAS**, there is no early detection test for Ovarian Cancer, the leading cause of gynecological cancer deaths in the United States, and where each year, more than 22,000 women are diagnosed with the disease and approximately 17,000 die from it; and

**WHEREAS**, if it can be detected in its early stages, survival from Ovarian Cancer is 90-95 percent. However, the five year survival rate for the disease is only 28 percent because it usually is not detected until the later stages; and

**WHEREAS**, the Ovarian Cancer awareness campaign was launched nationwide by the Ovarian Cancer National Alliance, Washington DC, to promote public awareness of this silent disease. A visual aid was established by utilizing the recognized cancer ribbon logo, with the ribbon color in teal.

**WHEREAS**, The Susan Marie Rupp Foundation set as their mission to promote public awareness of this silent, deadly disease and its symptoms through their “teal ribbons of hope” Ovarian Cancer awareness campaign:

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Berlin, New Jersey joins the Ovarian Cancer National Alliance and the nation in declaring the month of September as Ovarian Cancer Awareness month and support the goals of this awareness campaign.

**RESOLUTION 2019-150 RESOLUTION 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: June 27, 2019  
Dana O'Hara, CTC - Tax Collector

NAME	BLOCK/LOT	YEAR	AMOUNT	REASON
Unknown owner	214-9	2019 Final	1.86	Unknown owner
Unknown owner	214-9	2020 Preliminary	1.87	Unknown owner
			\$ 3.73	TOTAL

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-150. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-151 RESOLUTION 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, cancelled and refundable. 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 August 13, 2019  
Dana O'Hara, CTC – Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
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Gottfried Benjamin	2019	2501-42 Final	559.37	100% Disabled Vet
	2020	2501-42 Preliminary	279.68	100% Disabled Veteran as per NJSA 54:4-3.30 seq
			<b>\$ 839.03</b>	<b>Total Uncollectible</b>

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

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-151. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-152 RESOLUTION AUTHORIZING THE APPOINTMENT OF RICHARD ANNAONE AND SHANNON WILSON AS PART TIME CLASS II SPECIAL LAW ENFORCEMENT OFFICER (SLEO II) TO PROVIDE SCHOOL SECURITY FOR BERLIN TOWNSHIP PUBLIC SCHOOLS.**

WHEREAS the Township of Berlin and Berlin Township Board of Education have agreed to enter into a shared service agreement to provide School Security Officers to the Berlin Township public school; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Township of Berlin authorizes the Appointment of **Richard Annaone** and **Shannon Wilson** as Part Time Class II Special Law Enforcement Officers, who will provide School Security for the Berlin Township Public school.

FURTHER, BE IT RESOLVED that the School Security Officers shall commence on September 3, 2019, the beginning of the school.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-152. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-153 RESOLUTION AUTHORIZING PURCHASES BASED UPON THE AWARD OF CONTRACT (BID A-41/2019) BY THE COUNTY OF CAMDEN TO WB MASON AND PAPER MART FOR THE PURCHASE OF COPYPAPER, COMPUTER PAPER AND ENVELOPES 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 August 8, 2019, at 11:00 a.m., Prevailing Time, for Bid A-41/2019 Purchase of Copy

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Paper, Computer Paper and Envelopes 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 W.B. Mason Co., and Paper Mart; and

**WHEREAS**, WB Mason and Paper Mart were the lowest responsible bidders, submitted pricing for each category, for both the County and participating municipalities in the Cooperative, as follows:

Copy paper, Computer Paper, and envelopes per schedule

**WHEREAS**, WB Mason and Paper Mart are the responsible bidders 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 August 16, 2019, 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 WB Mason and Paper Mart; and

**WHEREAS**, the term of the contract awarded shall be for two (2) years commencing September 1, 2019 through February 28, 2020; 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 CY 2019, and 2020 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 supplies pursuant to Camden County Bid A-41/2019, Purchase of Copy paper, Computer paper and envelopes for a term of two (2) years commencing September 1, 2019.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-153. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-154 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948).**

**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

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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 Neighborhood Preservation Program Grant for \$125,000.00;

**BE IT FURTHER RESOLVED** that a like sum of \$125,000.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Neighborhood Preservation Program Grant	\$125,000.00

**BE IT FURTHER RESOLVED** that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-154. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-155 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT.**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year **2018** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no

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later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and Council of the Township of Berlin hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-155. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-156 RESOLUTION AMENDING RESOLUTION 2019-96 LIST OF UNCOLLECTIBLE TAXES.**

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a resolution AMENDING prior adopted Resolution 2019-96 which was submitted containing an error and originally submitted as uncollectible for eligibility for the 2018 tax year. Veteran did not own said property on October 1<sup>st</sup> of the pre-tax year, which means he is not eligible for the Veteran Deduction for the 2018 calendar year thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4-8.15. Veteran is only eligible for the deduction for the 2019 calendar year.

Dated: August 28, 2019  
Dana O’Hara, CTC - Tax Collector

NAME	DESCRIPTION	YEAR	AMOUNT	REASON
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<b>John K. Bish</b>	<b>2503-46</b>	<b>2018</b>	<b>250.00</b>	<b>Veteran - Ownership eligibility error Not Eligible for 2018 only</b>
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By prior adoption of Resolution 2019-96 of the Mayor and Council of the Township of Berlin, the taxes listed therein said prior resolution for 2019 only have been ordered remitted and the Collector relieved thereof.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-156. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-157 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 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:

<b><u>Property: Block/Lot</u></b>	<b><u>REASON</u></b>
244 Briarwood Rd.	lawn care
6 Pine Terr.	lawn care/ trash removal
319 Hazel Ave.	lawn care
248 Powell Ave.	lawn care/pool maint./pest control
Haddon Ave./Veterans Ave.	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

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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>
244 Briarwood Rd.(B-1806 L-24)	Sept. 9, 2019	\$150.00	lawn care
6 Pine Terrace 9B-1301 L-23)	Sept. 9, 2019	\$275.00	lawn care/trash removal
319 Hazel Ave. (B-1815 L-5)	Sept. 9, 2019	\$70.00	lawn care
248 Powell Ave.(B-1811 L-19)	Sept. 9, 2019	\$551.43	lawn care/pool maint/pest control
Haddon/Veterans Ave. (B-625 L-8.01)	Sept. 9, 2019	150.00	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.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-157. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-158 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

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**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 September 9, 2019, 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 Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-158. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-159 CONFIRMING TRANSFER OF CREDITS from November 2019 CURRENT TAX to February 2020 PREPAID TAX VARIOUS LOTS.**

WHEREAS, Homestead Benefit Tax Credits have been given for eligible homeowners that were to be applied to the November 2019 tax quarter, and;

WHEREAS, the owners of said properties have previously paid all or part of the November 2019 tax quarter which has now created an overpayment that must be credited to the next fiscal year's taxes, so;

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

Block/Lot	Amount	Block/Lot	Amount
208/4	91.01	814/10	235.74
601/33	162.45	1101/7	129.42
618/1	238.10	1302/8	165.59
702/5	197.00	1308/44	259.74
702/7	221.28	1409/10	262.43
704/5.01	278.81		

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NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the credits totaling \$ 2,241.57 be transferred from the overpaid November 2019 current tax to the February 2020 prepaid tax.

Dana O'Hara, CTC  
Submitted for the September 9, 2019.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-159. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 219-160 AUTHORIZING THE MAYOR TO SIGN AGREEMENT WITH THE COUNTY OF CAMDEN COUNTY OPEN SPACE TRUST FUND "RECREATION FACILITY ENHANCEMENT" FOR THE BANDSHELL SEATING AT THE LUKE AVENUE RECREATION COMPLEX.**

**WHEREAS**, the Township of Berlin has been approved for Round 19 Recreation Facility Enhancement Funding for the following area

<b>Luke Avenue Recreation Complex – Bandshell Seating</b>	<b>\$25,000.00</b>
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**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 execute the attached Agreement on behalf of the Township of Berlin contingent of review and approval of the contract from Township solicitor.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-160. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-161 RESOLUTION WAIVING THE PARK FEE FOR THE GREATER MT. CARMEL CHURCH, 250 CHESTNUT AVENUE FOR THE CHURCH HARVEST CELEBRATION TO BE HELD ON OCTOBER 31, 2019.**

**BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the Luke Avenue Recreational Complex park fee for the Harvest Celebration held by Greater Mt. Carmel Church, 250 Chestnut Avenue, Township of Berlin is hereby waived.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-161. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-162 RESOLUTION AUTHORIZING APEX PARK GROUP, LLC/ SAHARA SAM'S WATER PARK USE OF TOWNSHIP PROPERTY FOR THE FALL FAMILY FUN FESTIVAL EVENT.**

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**WHEREAS**, Berlin Township will be holding a Fall Family Fun Festival Event on September 21, 2019, rain date to be determined, on Berlin Township Luke Avenue Recreation facility; and

**WHEREAS**, Apex Park Group LLC / Sahara Sam's Water Park will be providing a beer and wine garden at the Spring Fest during the hours of 4:00 pm to 8:00 pm; and

**WHEREAS** Apex Park Group LLC / Sahara Sam's Water Park has applied for a catering permit with the Division Of Alcoholic Beverage Control and all paperwork has been submitted and reviewed by the Chief of Police.

**NOW THEREFORE, BE IT RESOLVED** Mayor and Council here by authorizes Apex Park Group LLC / Sahara Sam's Water Park use of the Township property contingent upon review and approval of their insurance liability certificate and their signed hold harmless agreement for the Fall Family Fun Festival Event on September 21, 2019.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-162. Resolution adopted by call of the roll, four members present voting in the affirmative. Council President Morris abstained.

**RESOLUTION 2019-163 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH J-DOGS AMUSEMENTS.**

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign an agreement with J-DOGS Amusements for the Fall Family Fun Festival scheduled for September 21, 2019.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-163. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-164 RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND.**

**WHEREAS** the Camden County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq.: and

**WHEREAS**, the Township of Berlin is a member of the Camden County Municipal Joint Insurance Fund; and

**WHEREAS**, effective December 31, 2020, said membership will expire unless earlier renewed and:

**WHEREAS**, the Mayor and Council of the Township of Berlin has resolved to renew said membership: desires to renew said membership;

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**NOW, THEREFORE**, it is agreed as follows:

1. The Township of Berlin hereby renews its membership in the Camden County Municipal Joint Insurance Fund for (3) three year period beginning January 1, 2020 and ending January 1, 2023.
2. The Township of Berlin hereby ratifies and reaffirms the Indemnity and Trust Agreement Bylaws and other organizational and operational documents of the Camden County Municipal Joint Insurance Fund ad from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Township of Berlin agrees to be a participating member of the Fund for the period herein provided for and to comply with all the rules and regulations, obligations associated with said membership.
4. In consideration of the continuing membership of the Township of Berlin in the Camden County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of Township of Berlin.

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign the 2020 renew membership in the Camden County Municipal Insurance Fund.

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-164. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019- 165 PAYMENT OF BILLS FOR SEPTEMBER.**

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

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

**CONFIRMING:**

TO	ACCOUNT	AMOUNT
Various Current Fund, Dog, Open Space	See Bill List Attached dated:	
Trust Other , Escrow & Sewer Operating Fund Checks	08/05/2019	\$1,354,494.59
Ameriflex (June Admin Fee)	T-18-56-850-030208	\$75.00
Ameriflex (July Admin Fee)	T-18-56-850-030208	\$75.00
Ameriflex (July 2019)		
Flex Claims Week of 07/05-07/11/19	T-18-56-850-030208	\$51.00

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Ameriflex (July 2019)		
Flex Claims Week of 07/12-07/18/19	T-18-56-850-030208	\$10.00
FP Mailing Solutions (Postage Download)	9-01-20-120-2022	\$3,000.00
America On Line (July 2019)	9-01-31-443-2077	\$46.99
Ameriflex (July 2019)		
Flex Claims Week of 07/16-07/25/19	T-18-56-850-030208	\$98.00
State of Jersey Health Benefits – July 2019	9-01-23-220-2092	\$67,365.81
(A)	9-01-23-220-2092	\$14,731.98
State of Jersey Health Benefits – July 2019	9-01-23-220-2092	\$31,383.54
(R)		
Ameriflex (August 2019)		
Flex Claims Week of 08/02-08/08/19	T-18-56-850-030208	\$28.00
Ameriflex (August 2019)		
Flex Claims Week of 08/09-08/15/19	T-18-56-850-030208	\$41.64
Ameriflex (August 2019)		
Flex Claims Week of 08/16-08/22/19	T-18-56-850-030208	\$10.00
State of Jersey Health Benefits – August	9-01-23-220-2092	\$69,838.13
2019 (A)	9-01-23-220-2092	\$14,731.98
State of Jersey Health Benefits – August	9-01-23-220-2092	\$31,383.54
2019 (R)		
Ameriflex (August 2019)		
Flex Claims Week of 08/23-08/29/19	T-18-56-850-030208	\$15.00
Payroll, Current Fund	08/01/2019	\$125,265.42
Payroll, Sewer Operating Fund	08/01/2019	\$7,489.11
Payroll, Open Space	08/01/2019	\$5,140.50
Payroll, Animal Control	08/01/2019	\$285.03
Payroll, Current Fund	08/15/2019	\$128,293.64
Payroll, Sewer Operating Fund	08/15/2019	\$7,229.21
Payroll, Open Space	08/15/2019	\$4,406.15
Payroll, Animal Control	08/15/2019	\$285.03
Payroll, Current Fund	08/29/2019	\$131,694.85
Payroll, Sewer Operating Fund	08/29/2019	\$7,529.59
Payroll, Open Space	08/29/2019	\$4,390.41
Payroll, Animal Control	08/29/2019	\$285.03

Motion by Councilwoman Bodanza, second by Councilman Epifanio to adopt resolution 2019-165. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Business Approvals**

**1) Adam Freeman T/A REV IT UP.** 304 Pinedge Drive, West Berlin NJ.  
Martial Arts and Fitness Center.

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**2) John Simmons T/A Qela Balista Corp.** 154 Cooper Road Unit #1001. West Berlin NJ. Trading overseas and Warehouse.

**3) Igor Sakoian T/A Carnelian Motors LLC.** 154 Cooper Road West Berlin NJ. Specializes in high performance and exotic auto sales. No cars will be stored outside on the parking lot.

**4) Jason Walters T/A Viking Termite and Pest Control.** 270 Pinedge Drive West Berlin NJ. 08091. Office staff to support Pest Control Company.

**5) Satish Kodavali T/A Phyto-Biologic Pharmaceuticals.** 154 Cooper Road, Unit 202. Making Cosmetic from plants.

**6) Charles Romeyn T/A Keltec Inc.** 413 Bloomfield Drive Units 1-2. Light Manufacturing and Testing Electronic Article Surveillance Equipment.

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

### **Approval of Consent Agenda for March**

Motion by Council President Morris, second by Councilman Sykes to approve the Consent Agenda for March 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **Approval of Meeting Minutes for July 1, 2019**

Motion by Councilman Sykes, second by Council President Morris to approve the Meeting Minutes for July 1, 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **Approval of Meeting Minutes for July 18, 2019**

Motion by Council President Morris, second by Councilman Eifanio to approve the Meeting Minutes for July 18, 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **Approval Correspondences Calendar for June, July & August**

Motion by Council President Morris, second by Councilman Sykes to approve the Correspondence Calendar for July and August 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **All Other Business**

**SEPTEMBER 9, 2019**

**1) Montebello Pump Station Transfer**

Over the past several years, the developer has requested that the Township accept the ownership and operational responsibilities of the pumping station on Taunton Avenue. On each occasion, The Engineer recommended that the developer make various improvements, prior to my recommendation that the Governing Body consider accepting the facility. Recently, the developer requested that the Township consider accepting a cash payment, in lieu of their performance of the work. The Township would, then, utilize the funds to make all necessary improvements. I have estimated that the cost for the Township to perform the work is \$64,251.55

Township Solicitor stated that this ownership of the pumping station would need to be done by ordinance and if the governing body were to move forward he would start the process.

**2) Fall Family Fun Festival scheduled for September 21, 2019 at Luke Avenue Sport Complex form 4:00 pm to 8:00 pm.**

**Public Portion**

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

Herman Maurer, Montebello resident asked who would be responsible to pay the cost of the improvements for the Montebello pumping station the residents or the developer?

Mayor Magazzu stated that Chuck is not here tonight to answer your question but she stated that we are not taking any action tonight.

Mr. Maurer then asked what type of animals is the animal control officer responsible for, because Montebello seems to have some issues with raccoons and he also asked who is responsible for the maintenance of the fire hydrants like flushing and painting

Mayor Magazzu responded domestic animal, cat and dogs.

Josh, Animal Control Officer stated that he has some phone numbers that you can contact to see what they can be for you.

Council President Morris stated that Berlin Borough is responsible for the water and flushing.

Mr. Maurer commented that the Borough said they are not responsible since the developer has not turned the streets over yet.

**SEPTEMBER 9, 2019**

Council President Morris stated that after reading the Engineers Report, Hovs Berlin the developer would be providing the funding in the amount of \$64,251.55.

Jean Wysocki, Montebello resident replied that she is glad to hear that Hov Berlin would be paying the cost for the improvemnts and not the Home Owners Association.

No more comments were to be heard

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

**RESOLUTION 2019-166 PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Township of Berlin (“Township”) is subject to the requirements of the Open Public Meetings Act, [N.J.S.A. 10:4-6](#), et seq.; and

**WHEREAS**, the Open Public Meetings Act, [N.J.S.A. 10:4-12](#), provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Mayor and Council of the Township of Berlin to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

**To discuss Personal Employment Matters**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, assembled in public session on September 9, 2019, that an Executive Session closed to the public shall be held on September 9, 2019, at 5:30 P.M. in the Township of Berlin, 135 Route 73 South, West Berlin, New Jersey for the discussion of Personal Employment Matters.

Motion by Council President Morris second by Councilman Epifanio for resolution 2019-166 to go in closed session. Resolution adopted by call of the roll, five members present voting in the affirmative.

Motion by Council President Morris second by Councilwoman Bodanza to come out of closed session.

SEPTEMBER 9, 2019

**RESOLUTION 2019-167 AUTHORIZING THE APPOINTMENT OF SERGEANT WAYNE BONFIGLIO AS LIEUTENANT FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT**

**WHEREAS**, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint Sergeant Wayne Bonfiglio to Lieutenant in the Township Police Department; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Sergeant Wayne Bonfiglio to Lieutenant in the Township Police Department effective September 23, 2019.

Motion by Council President Morris, second by Councilman Epifanio to adopt resolution 2019-167. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-168 AUTHORIZING THE APPOINTMENT OF SERGEANT RONALD SILVESTRO AS LIEUTENANT FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT**

**WHEREAS**, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint Sergeant Ronald Silvestro to Lieutenant in the Township Police Department; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Sergeant Ronald Silvestro to Lieutenant in the Township Police Department effective September 23, 2019.

Motion by Council President Morris, second by Councilman Sykes to adopt resolution 2019-168. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-169 AUTHORIZING THE APPOINTMENT OF PATROLMAN WILLIAM PUMPHREY AS SERGEANT FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT**

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**WHEREAS**, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint Patrolman William Pumphrey to Sergeant in the Township Police Department; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of William Pumphrey to Sergeant in the Township Police Department effective September 23, 2019.

Motion by Council President Morris, second by Councilman Sykes to adopt resolution 2019-169. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-170 AUTHORIZING THE APPOINTMENT OF PATROLMAN EDWIN GRAMLEY AS SERGEANT FOR THE TOWNSHIP OF BERLIN POLICE DEPARTMENT**

**WHEREAS**, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint Patrolman Edwin Gramley to Sergeant in the Township Police Department; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Edwin Gramley to Sergeant in the Township Police Department effective September 23, 2019.

Motion by Council President Morris, second by Councilman Sykes to adopt resolution 2019-170. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Adjourn**

Motion by Council President Morris, second by, Councilwoman Bodanza to adjourn the meeting at 7:45 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 7:45 pm

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Catherine Underwood, Township Clerk

**SEPTEMBER 9, 2019**