

NOVEMBER 25, 2019

**BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL NOVEMBER 25 , 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, Councilman Sykes

**Also Present-** Solicitor, Eric Riso, CFO, Joyce Tinnes, Chief of Police Leonard Check, Township Engineer / Public Works Director, Chuck Riebel

**Absent-**

**Mayor Magazzu administered the Oath of Office to Officer Luis Sibaja**

**Mayor presented a proclamation to the family for longtime resident Jack Turner who recently passed away.**

**Departmental Reports**

**ENGINEER'S AND DIRECTOR'S REPORT**

**A. CHANGE ORDERS AND VOUCHERS**

None at this time

**B. ORDINANCES AND RESOLUTIONS**

The Governing Body may want to consider passing resolutions and an ordinance for the following matters:

**1. SEWER EXTENSION, TREATMENT WORKS APPLICATION FOR SONOMA TRAILS (FORMERLY PINEDGE III; BLOCK 2103, LOTS 1,2 AND 3; BLOCK 2201, LOT 1; COOPER ROAD AND TAUNTON AVENUE**

I expect to receive an application for the endorsement of the NJDEP Treatment Works Application (TWA) for a portion of the proposed development. The Planning Board has granted conditional, preliminary subdivision approval for the development. Therefore, I recommend that the Governing Body consider passing a resolution, endorsing the application.

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**2. REQUEST FOR INCREASE IN SEWER ALLOCATION**

I recommend that the Governing Body consider passing a resolution, requesting that the CCMUA and NJDEP grant an increase in the sewer allocation to the Township. At this time, the Township is very close to committing the current allocation amount and is unable to allow for the full development of recently approved developments and anticipated developments.

**3. POSSIBLE AMENDMENTS TO CHAPTER 280, SOLID WASTE**

I recommend that the Governing Body consider introducing an ordinance to amend Chapter 280 to address the necessary changes for limitations of acceptable recyclable materials, delete the collection of recyclables from commercial establishments, along with other changes.

**4. REQUEST FOR THE RELEASE OF PERFORMANCE GUARANTEES**

Requests have been made for the release of the performance guarantees for the following sites:

- a. West Berlin Equities at the corner of NJSH Rt. 73 and D'Angelo Drive,
- b. McDonald's Restaurant, BJSH Rt. 73 and
- c. CPAP Shop, Cooper Road

Due to outstanding site issues, which must be addressed by the applicants, I do not recommend that the performance guarantees for any of these sites be released, at this time.

**5. PROHIBITION OF VEHICULAR TRAVEL ALONG RT. 73 SOUTHBOUND SHOULDER- PEP BOYS DRIVE TO RIGHT TURN LANE FOR BERLIN CIRCLE PLAZA DRIVE.**

I recommend that the Governing Body consider passing a resolution, supporting Police Chief Check's recommendation for the prohibition of vehicular travel along the shoulder of Rt. 73 southbound lane, from the drive at Pep Boys to the right turn lane for Berlin Circle Plaza, and the installation of the necessary signage and pavement markings. I recommend that the resolution be submitted to the Traffic Division of the NJDOT to support the request that has been submitted to and is being considered by the NJDOT.

**C. ENGINEERING**

**1. IMPROVEMENTS TO HAZEL AVENUE, CHESTNUT AVENUE TO CUSHMAN AVENUE (PARTIAL N.J.D.O.T. FY2015 MUNICIPAL AID FUNDING)**

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We are preparing and expect to submit the paperwork to the N.J.D.O.T., in the immediate future, for project closeout and release of the final reimbursement of the grant funds.

### **2. IMPROVEMENTS TO CLARENCE AVENUE, HADDON AVENUE TO VETERAN'S AVENUE (N.J.D.O.T. FY2018 FUNDING - \$210,000.00) AND SPRUCE AVENUE, CHESTNUT AVENUE TO CUSHMAN AVENUE (NJDOT FY 2019 FUNDING-\$186,000)**

The N.J.D.O.T. has allotted \$210,000 for Clarence Avenue. The estimated cost for this project is \$275,626.00. I believe that the Governing Body has allocated the shortfall in funding, in the amount of \$65,626.00. The NJDOT funding should cover the cost for the improvements to Spruce Avenue.

I intend to bid both projects in one bid package. The consultant has completed the fieldwork and drafting of the existing conditions for Spruce Avenue. I have completed the design for Spruce Avenue and submitted to the consulting engineer for drafting. I have submitted the request to the two property owners for the granting of a roadway easement, within their properties. I have received a favorable response from one owner and am waiting for a response from the other owner. I will prepare the metes and bounds decryptions for easements and submit them to Mr. Platt, Esq. for preparation and recording of the deeds of easement.

I am, currently, performing the design for Clarence Avenue and expect to submit it to the consulting engineer for drafting, in the immediate future.

### **3. NJDOT FY2020 MUNICIPAL AID APPLICATIONS**

Applications have been submitted for the following projects:

Priority No. 1- Improvements to Lester Avenue- From Haddon Avenue to Pine Avenue (including storm drainage improvements) Amount Requested -\$545,000

Priority No. 2- Improvements to Day Avenue- From Rt. 73 to Clover Avenue Amount Requested- \$167,000

It was anticipated that the NJDOT would announce the selected projects on November 15, 2019. I could not find any posting of the selected projects, at the time of the preparation of this report.

### **4. CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, IMPROVEMENTS TO AND AT THE SENIOR CITIZENS BUILDING AND APPLICATION FOR 2019**

No update to report.

### **5. CAMDEN COUNTY OPEN SPACE AND RECREATION ENHANCEMENT GRANT PROGRAM**

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I believe that the Governing Body has authorized the endorsement of the Shared Services Agreement with the County. I anticipate that the Township Public Works staff will order and install the seating, in the early Spring of 2020.

**6. ACCEPTANCE OF THE SANITARY SEWER PUMPING STATION FROM THE DEVELOPER OF MONTEBELLO**

The Governing Body adopted Ordinance No.2019-7, on October 29, 2019, with conditions of the acceptance of the facility. I request that the Governing Body and/or Mr. Platt's Office inform me when the various documents have been submitted and recorded so we can implement the necessary maintenance and upgrades to the facility.

**7. REQUEST FOR AN INCREASE IN THE SANITARY SEWER ALLOCATION**

Several years ago, the Township requested an increase in the sewer allocation, for build-out conditions to approximately 1.6 million gallons per day (MGD). Due to restrictions, at that time with the CCMUA conveyance system, the Township was limited to an increase to 1.025 MGD. With the current requests for approved and potential developments, it is expected that the allocation will be exhausted in the immediate future. Therefore, I recommend that the Governing Body pass a resolution to authorize the request for an increase in allocation from the CCMUA and NJDEP. If acceptable to the Governing Body, the increase in allocation could include additional allocation for the sewer service area within the Haddon Avenue/Lafayette Avenue area of Voorhees Township.

**8. SEWER EXTENSION/ TREATMENT WORKS APPLICATION FOR SONOMA TRAIL SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, COOPER ROAD AND TAUNTON AVENUE**

The Planning Board has granted conditional, preliminary subdivision approval for 143 homes. It is expected that the developer will be requesting that the Governing Body authorize the endorsement of a sewer extension for the proposed development. Since only a portion of the needed allocation of sewer flow was provided for this site, under the past allocation increase, the application will be limited to the site-specific allocated flow. To assist the applicant in expediting the application process with the CCMUA and NJDEP, recommend that the Governing Body consider passing a resolution, endorsing the sewer extension for the limited flow and authorizing the Mayor to sign the NJDEP TWA package.

**9. PARTICIPATION IN THE CHERRY HILL TOWNSHIP TRAFFIC SIGNAL MAINTENANCE AND INSPECTION PROGRAM**

Last month, the Governing Body passed Resolution No. 2019-185, authorizing the participation in the Cherry Hill Township co-op. I believe that Cherry Hill is waiting for the State approval to formally enter into a co-op contract with interested municipalities. I will provide the Governing Body and Clerk with any information, which I receive from Cherry Hill Township.

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**10. POSSIBLE USAGE OF SPORTS FACILITIES FOR YOUTH AND ADULT SPORTS PROGRAMS**

Mayor Magazzu has informed me that she has been discussing the strengthening of the municipal sports programs and greater usage of the municipal fields with representatives of other municipalities, within the County.

**11. IMPROVEMENTS TO HADON AVENUE, ZULKER AVENUE TO WALKER AVENUE**

Council President Morris had informed the Governing Body that the Freeholders have authorized a study to evaluate the possible resurfacing of the roadway pavement.

**12. AMENDMENTS TO THE ZONING CODE, REDEVELOPMENT PLAN FOR HADDON AVENUE AND THE ZONING MAP**

I recommend that any amendments to zoning district lines, be addressed as soon as possible so the zoning map can be adopted by the Governing Body.

**13. TRAFFIC MATTERS ALONG N.J.S.H. ROUTE 73**

**a. Request for Do Not Drive on Shoulder, Southbound Rt. 73 at Minck Avenue**

As recommended by Chief Check, I have requested that the NJDOT prohibit vehicular travel within the southbound shoulder, from the Pep Boys drive to the exclusive right turn lane at Prospect Avenue. The Chief has informed me of current conflicts in vehicular movements, at this intersection, and expects them to worsen with the opening of the Chick-Fil-A restaurant. The NJDOT Government Relations Office is trying to expedite the matter through the various departments of the NJDOT.

**b. Problem Statements to N.J.D.O.T. for the Left/U-Turn Movement at Franklin Avenue and DO NOT BLOCK INTERSECTION at Fairview Avenue**

I, still, must complete and submit the Problem Statements to the N.J.D.O.T, which I expect to do in the near future.

**c. Request for a Traffic Signal at D'Angelo Drive and Improvements to the Intersection at Franklin Avenue**

I will be contacting the NJDOT to, again, request a meeting to discuss the existing conditions and possible improvements.

**14. POSSIBLE REDUCTION OF SPEED LIMIT ALONG HOPEWELL ROAD**

Waterford Township has adopted Ordinance No. 2019-4, reducing the speed limit along northbound Hopewell Road, within Waterford Township, to 25 MPH. Chief Check is recommending that the Governing Body follow suit by reducing the speed limit along the southbound lane to 25 MPH. I believe that it may be necessary for the Freeholders to consent to the reduction in the speed limit. I defer this matter to Mr. Platt for his recommendations and direction.

**15. 2018 STREET IMPROVEMENTS PROGRAM**

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We must complete the fieldwork and design work for the gutter reconstruction project within the Pinecrest section of the Township. Once we complete the design, we will determine if the Pinecrest project can be performed by the Public Works Department, in whole or parts and/or what must be bid for contracted work. I am using an engineering consultant for the CAD work. The Governing Body has authorized the advertisement and opening of bids or quotes, dependent upon the anticipated costs, for the supply and delivery of roadway construction materials.

**16. 2020 CAPITAL IMPROVEMENTS PROGRAM**

Ms. Tinnes, CMFO, QPA, has provided us with a list of the projects and purchases, which have been authorized by the adoption of Ordinance No. 2019-6.

**17. TOWNSHIP OWNED BATE AVENUE SITE (FORMER MUNICIPAL BUILDING AND ADMINISTRATIVE BUILDING)**

I continue to recommend that the demolition of the existing building be performed, in the immediate future. I have, also, recommended that consideration be given to the rezoning of the block and the redevelopment plan be amended to allow for the desired residential development of the Township owned lands and, possibly, the adjacent privately-owned lands. Over the years, I prepared sketches for possible lot layouts for various types of residential development for consideration by the Township.

**18. TOWNSHIP OWNED PROPERTY AT 191 MCCLELLAN AVENUE; BLOCK 521, LOT 9**

We continue to strongly recommend that the building be demolished in the immediate future. I do not believe that funding has been allocated for this demolition.

**19. WATER DISTRIBUTION SYSTEM- BERLIN BOROUGH WATER DEPARTMENT**

I believe that the Borough has completed the flushing of the targeted water mains, within the Township.

**20. STORM DRAINAGE IMPROVEMENTS**

**a. Lester Avenue Drainage and Stormwater Management**

**1) Phase 1- Construction of Storm Inlets, Piping and Temporary Stormwater Management Facility**

The Governing Body has decided to apply for NJDOT FY2020 Municipal Aid funds to supplement the Township funds for this project. I am hopeful that bids will be able to be received, immediately after the NJDOT notifies the Township of the approval or denial of funding for the project.

**2) Phase 2- Extension of Storm Drainage to the Existing Stormwater Management Facility at the Luke Avenue Recreation Complex**

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All engineering work must, still, be performed so that the request can be made to Public Service Electric and Gas to grant an easement for and allow for the construction of the storm pipe across their property.

**b. Flooding of the Intersection of Haddon Avenue and Lucas Avenue**

No update to report. I have not received any word from the County that they have proceeded with the study that we discussed several months ago.

**c. Kelley Drive Stormwater Basin Reconstruction**

It is my understanding that, in order for the work to be performed, the funds must be re-allocated for this project. It is my understanding that the funds were contributed by Walmart, several years ago.

**d. Mt. Vernon Avenue at the Elementary School**

I believe that the Board of Education

**e. Storm Drainage Issues within the Southwest Portion of the Township**

Two months ago, the N.J.D.O.T. removed the beaver dams on their properties to lower the water elevation of the pond. The beavers have reconstructed their dam, resulting in the rise of the water level in the pond. The owner of Berlin Circle Plaza has requested the contact information for the NJDOT maintenance yard as the rise in the water level is affecting the draining of their stormwater ponds.

I had asked the NJDOT if a valve could be installed to further lower the water elevation to provide for additional storage capacity for storms, in the pond. The N.J.D.O.T. has informed me that this improvement cannot be performed for several reasons.

### **21. TAX MAP REVISIONS AND ZONING MAP**

The Tax Maps and Zoning Map must, still be revised. I have reported, in the past, that it will be necessary to procure the services of other parties to make the revisions. Now that the final plan of lots has been filed for Section 6 of the Montebello development, we will be revising the Tax Maps to include this section.

It is necessary for the Governing Body to adopt the revised Zoning Map as the official map, after it has been revised to be consistent with the direction of the Planning Board and Governing Body.

### **22. REQUEST TO THE PINELANDS COMMISSION FOR THE REDESIGNATION OF ZONES WITHIN THE PINELANDS AREA/ AMENDMENTS TO THE TOWNSHIP CODE DUE TO THE REVISIONS TO THE PINELANDS COMPREHENSIVE MANAGEMENT PLAN**

To date, I have not met with the Pinelands planning staff to obtain their input, regarding the matter. After discussing the matter with the Pinelands staff, the matter will be reviewed by the Township Planning Board. The Planning Board will, then, submit their recommendations to the Governing Body for their

consideration for introducing and adopting an amending ordinance.

**23. STUDY FOR THE DESIGNATION OF TRUCK ROUTES THROUGHOUT THE TOWNSHIP**

I must, still, complete the study and submit my recommendations to the Governing Body for consideration for adoption of the necessary ordinance.

**24. MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT**

**a. Transfer of the Sanitary Pumping Station to the Township**

No further update to report.

**b. Possible Multi-way Stop Conditions at Intersections**

I believe that no action can be taken, regarding this matter, since the warrants, as listed the MUTCD, cannot be met to substantiate multi-way stop conditions at the requested intersections.

**c. Replacement of Sidewalk Along Various Streets**

We observed the conditions and marked the sections of sidewalk and driveway aprons to be replaced with the developer. It was my understanding that the developer intended to perform the replacement work, before the end of the year. Since I haven't received any schedule from the developer, I can only assume that they have decided to wait to perform the replacement work after the winter season.

**d. Possible Traffic Improvements at the Intersection of Cooper Road and Commerce Lane/ Montebello Drive**

I recommend that, in the near future, traffic counts be performed to determine if the traffic volumes warrant the installation of a traffic control signal. I, also, recommend that the necessary consents be obtained from the necessary property owners, if and where necessary, to allow for the clearing of trees to improve the sight lines at the intersection.

**e. Stormwater Maintenance Plan and Responsibility for Cleaning of the Receiving Ditch Across Taunton Avenue**

The developer must, still, revise the Stormwater Maintenance Plan to address my comments and questions. The matter of responsibility for the cleaning and de-snagging of the ditch, across Taunton Avenue must be resolved by the developer. I recommend that this matter be resolved, in the immediate future, so that the required party commences with the clean-up of the ditch. I have recommended that this matter, also, be addressed by the developer of the Sonoma Trail residential development, the property in which the ditch is located within.

**25. FORMER C&M MOTORS SITE, 182 HADDON AVENUE**

Some time ago, we have met with a NJDEP representative to discuss possible provisions for funding the investigation and analysis of possible groundwater



and soil contamination. We, also, discussed the possibility of construction of a municipal park and parking area, as part of the clean-up project. I believe that, now that NPP funds have been approved for the Old West Berlin section of the Township, it may be possible to utilize obtain funding through various funding sources.

**D. PUBLIC WORKS DEPARTMENT**

**1. CONTRACT WITH PUBLIC WORKS EMPLOYEE ASSOCIATION FOR 2020**

Since the current contract will be expiring at the end of 2019, it will be necessary to negotiate a new contract with the Association. I do not believe that the employees have selected representatives to negotiate the new contract. I am hopeful that the negotiations will be in, in the near future, so that all matters can be resolved and accepted by both parties, prior to the end of 2019.

**2. OPERATIONS AND STAFFING**

The Public Works staff is, currently, concentrating their efforts with leaf collection. Other tasks are being performed and supervised by Mr. Simone. Throughout the year, the Department has employed temporary/ seasonal, part-time employees to fill the void, where necessary. Throughout the year, the Department is in need of additional staff to perform all of the public works tasks, which are currently assisting with leaf collection and will be needed for snow removal and treatment tasks.

I recommend that the Governing Body consider authorizing the hiring of a full-time employee and request any possible assistance for the recruitment of additional, part-time employees.

Mr. Simone has scheduled safety training classes for the full-time and part-time/seasonal staff, which are held mainly through the winter months. He, also, continues to hold tool box talks, frequently, to provide updates for the operations and stress safety for the staff.

**3. DISPOSAL OF SOLID WASTE AND RECYCLABLES, ELECTRONICS AND BULKY WASTE**

**a. Solid Waste**

No further update to report, at this time.

**b. Recyclables**

The Public Works staff continues to tag and not collect the contents of those recyclables carts, which contain unacceptable items. At this time, I recommend that the Township begin citing the repeat offender (over 4 or more occasions). I note that the notification process was initiated back in June, 2019.

**c. Electronics**

Electronics continue to be collected on bulky waste collection date and residents are dropping them off at the Public Works Complex. On an as-

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needed basis, Thanks for Being Green, LLC collects and processes the electronics, at no cost to the Township.

**d. Bulky Waste**

We continue to provide information to the residents, regarding the scheduling of the collections on the last Monday of the month and the ability for residents to drop-off items, during the work day and on the second Saturday of the month, at the Public Works Complex. We recommend that the Township consider providing periodic reminders, in addition to the notices in the calendar and on the website, to the residents. Due to frequent requests, we continue to stress to the residents that waste, generated from house clean-outs, demolition and construction projects are not accepted by the Township.

**e. Vegetative Waste**

Due to the recent warmer weather in October, the Department has extended the collection of yard waste until November 25, 2019. Since we anticipate that the warmer weather will continue to extend farther into the end of the year, in the future, we have extended the collection of yard waste from the end of October to the last Monday in November of 2020, which will be depicted in the 2020 calendar.

**f. Leaf Collection**

Leaf collection is scheduled to continue through the end of November and end on approximately mid-December, 2019.

**4. UPDATE OF THE WEBSITE AND CALENDAR FOR 2019**

We will continue to update the website to address public works matters, especially, the issues regarding what are acceptable recyclables materials. Mayor Magazzu has been posting information of the social media sites, regarding this matter.

**5. REQUEST FOR CAPITAL IMPROVEMENTS AND PURCHASES**

I have submitted the budget request for 2020 for staffing, capital improvements and equipment purchases. I would be glad to discuss the contents of the request, in further detail, with members of the Governing Body and Chief Financial Officer.

**6. REPLACEMENT OF BANNERS**

Since many of the banners have are worn and/or damaged, we will be obtaining prices for the replacement of damaged banners and submit the prices to the Governing Body for consideration for the authorization of the work.

**7. IMPROVEMENTS TO THE UNFINISHED ROOMS AT THE MUNICIPAL BUILDING**

Mr. Simone has been receiving current quotes for the various improvements. We anticipate the remaining work being completed in early 2020.

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**8. IMPROVEMENTS TO PUMPING STATIONS**

We will continue to update the various components of the pumping stations.

**SOLICITOR, Eric Riso** stated nothing new to report at this time

**POLICE DEPARTMENT**

**Department Stats, October, 2019**

Total calls for service for August – 3,344.

Total of 213 Motor Vehicle Summons, 33 Motor Vehicle Crashes, 42 Alarms calls. Total of 54 arrests, which include 10 for narcotics, 4 shoplifting, 1 DWI, 4 juvenile, and 22 warrant services.

On October 23, as a result of a motor vehicle stop officers recovered a large amount of crack cocaine and paraphernalia and arrested 2 juveniles and 1 adult.

On October 25, officers investigated a suspicious vehicle, that was reported stolen. The occupants were arrested, 2 adults and 1 juvenile and an amount of methamphetamine and paraphernalia was recovered.

We addressed a swerving a bike helmet complaint from the Mayor. Notices were sent home with middle school students, it was posted on the department facebook page, and officers made contact with juveniles.

NO SHAVE NOVEMBER is underway again this year. As in years past the officers made a donation to participate and the union also contributed. The department estimates at least a \$500.00 donation to men's health research.

DEA drug take back day was October 26<sup>th</sup>. We delivered 100 pounds of unwanted, unused, or expired medications to the DEA office.

Respectfully,  
Chief Leonard Check

**PROPERTY MAINTENANCE / ANIMAL CONTROL,** Josh Shellenberger stated nothing new to report at this time.

**FIRST READING ORDINANCE 2018-8 AN ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY.**

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Motion by Council President Morris, second by Councilman Sykes to adopt Ordinance 2019-8 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-187 RESOLUTION TO ESTABLISH FEES FOR TOWING AND STORAGE SERVICES AND TO ESTABLISH THE TOWING LICENSE APPLICATION FEE AND TOWNSHIP ADMINISTRATIVE FEES PURSUANT TO CHAPTER 304 OF THE CODE OF THE TOWNSHIP OF BERLIN, ENTITLED "TOWING AND STORAGE".**

**WHEREAS**, Chapter 304 of the Code of the Township of Berlin, entitled "Towing and Storage," establishes a procedure for private towing services within the Township; and

**WHEREAS**, Section 304-7 requires the Governing Body to annually establish, by resolution, towing fees and storage fees for private towing services within the Township; and

**WHEREAS**, the Township is authorized to establish and set towing and storage fees pursuant to N.J.S.A. 40:48-2.54, based upon the usual, customary and reasonable rates of towers who are duly licensed to tow and store vehicles in the municipality;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, in accordance with Section 304-7 of the Berlin Township Code, that the following shall constitute the Towing and Storage Fee Schedule for private towing services for FY2020:

TYPE OF SERVICE	FEE
<b>Basic Towing Services</b>	
Type I Vehicles	\$120.00
Type II Vehicles	\$120.00
Type III Vehicles	\$500.00
Motorcycles	\$120.00
Vehicle removal charge (yard fee)	\$35.00
<b>Non-Basic Towing Services</b>	
Additional Labor	\$50.00/hour
Excessive road clean-up	\$35.00
Recovery Winching (cost per hour)	
- Light Winching	\$50.00/hour
- Heavy Winching	\$300.00/hour
Use of more than one tow vehicle	\$120.00/ extra tow vehicle
Use of dollie wheels and/or GoJaks	Included in Additional Labor
Use of oil dry	Actual Cost Per Bag
<b>Storage Fees - Outside Secured</b>	

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Type I Vehicles	\$25.00/day
Type II Vehicles	\$50.00/day
Type III Vehicles	\$75.00/day
Motorcycles	\$25.00/day
<b>Storage Fees - Inside Secured</b>	
Type I Vehicles	\$35.00/day
Type II Vehicles	\$75.00/day
Type III Vehicles	\$100.00/day
Motorcycles	\$35.00/day

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Township of Berlin, in accordance with Section 304-4(B) and Section 304-10(A), the application fee and administrative fee for FY2014 shall be as follows:

Application Fee: \$100.00

Administrative Fee: \$ 20.00

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-187. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-188 RESOLUTION TO APPROVE TOWING COMPANIES TO PROVIDE TOWING SERVICES FOR THE TOWNSHIP OF BERLIN .**

**WHEREAS**, the Township of Berlin has reviewed the applications submitted to the Berlin Township as per Ordinance 110 and

**WHEREAS**, the Township of Berlin has effectively operated using three tow services and have found the rotation to be profitable and service reliable.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Township of Berlin , County of Camden, New Jersey that the following Towing Companies provide towing services for the Township of Berlin effect for the period of January 1, 2020 through December 31, 2020.

- 1) **Linden Towing**, 2715 Egg Harbor Road, Lindenwold
- 2) **RHP Towing**, 238 White Horse Pike, Atco

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-188. Resolution adopted by call of the roll, five members present voting in the affirmative.

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**RESOLUTION 2019-189 RESOLUTION TO ADOPT TECHNOLOGY AND CYBERSECURITY POLICES.**

**WHEREAS**, the Township has a Currently Approved Risk Control Plan for the Camden County Municipal Joint Insurance Fund; and

**WHEREAS**, the Township desires to maintain its status as a Member with an approved plan, so as to continue to receive preferential insurance benefits; and

**WHEREAS**, in order to maintain its Member status, the Governing Body is required to review and update the Technology Practice Policy; and

**WHEREAS**, further compliance with various practice will enable Berlin Township to claim reimbursement of a paid insurance deductible in the event the member files a claim against Berlin Township Insurance policy, administered through the Camden County Insurance Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Township of Berlin, that the following policies are hereby adopted.

- 1) Information Technology Practice Policy
- 2) Cybersecurity Incident Response Plan

**FURTHER BE IT RESOLVED** and that the updated policies shall be distributed to all employees of the Township of Berlin.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-189. Resolution adopted by call of the roll, five members present voting in the affirmative

**RESOLUTION 2019-190 RESOLUTION TO RENEW THE SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND.**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **Southern New Jersey Regional Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards

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concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of the **Township of Berlin**, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Prescription Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-190. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-191 PAYMENT OF BILLS FOR NOVEMBER 2019.**

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.

**NOVEMBER 25, 2019**

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:**

<b>TO</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>
Ameriflex (October 2019) Flex Claims Week of 10/11-10/17/19	T-18-56-850- 030208	\$148.02
America On Line (October 2019) FP Mailing Solutions (Postage Download)	9-01-31-443-2077 9-01-20-110-2120	\$46.99 \$1,000.00
NJ Conference of Mayors	9-01-20-110-2044	\$395.00
Tulia's Restaurant – JIF Meeting	9-01-20-110-2041	\$500.00
Payroll, Current Fund	11/07/2019	\$132,578.08
Payroll, Sewer Operating Fund	11/07/2019	\$7,075.91
Payroll, Open Space	11/07/2019	\$4,287.69
Payroll, Animal Control	11/07/2019	\$285.03
Payroll, Current Fund	11/21/2019	\$226,430.64
Payroll, Sewer Operating Fund	11/21/2019	\$7,118.99
Payroll, Open Space	11/21/2019	\$4,739.19
Payroll, Animal Control	11/21/2019	\$285.03

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-191. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019- 192 GRANTING ARCADE AMUSEMENT GAMES  
LICENSES TO APEX PARK GROUP LLC (SAHARA SAM'S OASIS WATER  
PARK).**

**WHEREAS**, Apex Park Group LLC has filed an application with the Township of Berlin, County of Camden, New Jersey, for an Amusement Games License for January 1, 2020 and expiring on December 31, 2020;

**APEX Park Group, LLC (Sahara Sam's Water Park)  
License # 36-2000-1-00070 (2019)  
Arcade  
535 Route 73 North  
West Berlin NJ 08091**

**WHEREAS**, the application of the above named has been examined by the Mayor and Council and has been found to be in proper order; and



**NOVEMBER 25, 2019**

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the license be and is hereby granted. The Township Clerk is hereby authorized and directed to issue a license from January 1, 2020 and ending December 31, 2020.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-192. Resolution adopted by call of the roll, four members present voting in the affirmative, Council President Morris abstained.

**RESOLUTION 2019-193 GRANTING ARCADE AMUSEMENT GAMES LICENSES TO DIGGERLAND USA, LLC.**

**WHEREAS**, Diggerland has filed an application with the Township of Berlin, County of Camden, New Jersey, for an Amusement Games License for January 1, 2020 and expiring on December 31, 2020;

**DIGGERLAND USA, LLC**  
**License # 36-2000-2-00071 (2019)**  
**Arcade**  
**100 Pinedge Drive**  
**West Berlin N.J.**

**WHEREAS**, the application of the above named has been examined by the Mayor and Council and has been found to be in proper order; and

**WHEREAS**, the proper fees have been paid to the Township of Berlin,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin that the license be and is hereby granted. The Township Clerk is hereby authorized and directed to issue a license from January 1, 2020 and ending December 31, 2020.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-193. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-194 THE APPOINTMENT OF LUIS SIBAJA AS PATROLMAN 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 Luis Sibaja as Patrolman in the Township Police Department; and

**NOVEMBER 25, 2019**

**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 Luis Sibaja, Patrolman in the Township Police Department effective December 1, 2019.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-194. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2019-195 RESOLUTION CONSENTING TO THE SUBMISSION OF THE N.J.D.E.P. TREATMENT WORKS APPROVAL PERMIT APPLICATION FOR SONOMA TRAIL RESIDENTIAL DEVELOPMENT.**

**WHEREAS**, design documents have been prepared for the application for a Treatment Works Approval Permit Application for the 143 single-family dwelling residential development with a community clubhouse, known as Sonoma Trail (formerly Pinedge III), located on Block 2103, Lot 1,2 and 3 and Block 2201, Lot 1 and for the upgrades to the Montebello Pumping Station, which is located on Block 2404, Lot 45; and

**WHEREAS**, a recommendation has been made by the Township Engineer to endorse the above-mentioned application

**NOW, THEREFORE, BE RESOLVED** by the Mayor and Council for the Township of Berlin, in the County of Camden, State of New Jersey, that they approve the designed documents consent to the submission of the application with the condition that the allocation of sanitary sewer flow be limited to 17,000 gallons per day, which is the flow that has been set aside under the current allocation approved by the N.J.D.E.P.. The allocation for the site may be increased if and when the increase in the overall allocation for Berlin Township, which includes the necessary increase for the proposed development, has been approved by the C.C.M.U.A. and N.J.D.E.P. The Mayor is hereby authorized to endorse the Treatment Works Approval Permit application.

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt resolution 2019-195. Resolution adopted by call of the roll, five members present voting in the affirmative.

**Business Approvals**

**1) Jessica Shamah T/A Certified Dermatology, 175 Route 73 Suite 4, West Berlin.**

## NOVEMBER 25, 2019

**2) Michael Lutz T/A Jerzee Cows Care (Chick-Fil-A),** 244 North Route 73. Quick Serve Restaurant.

**3) James Watkins T/A Farmers Insurance( Watkins Agency),** 399 Route 73 North. Insurance Agency offering coverage for home, auto, life and business.

**4) Joseph Lovallo T/A Modern Precision Technology Inc.** 225 Old Egg Harbor Road. Tool and Die mold making.

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

### **Kennel / Pet Shop / Shelter License**

**1) Best Friends Pet Care,** 585 Route 73 North West Berlin NJ 08091.

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

### **Approval of October 28, 2019 Meeting Minutes.**

Motion by Councilman Epifanio, second by Councilwoman Bodanza to approve the Meeting Minutes for October 28, 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **Consent Agenda for October 2019.**

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

### **Correspondence Calendar for October 2019.**

Motion by Councilwoman Bodanza, second by Councilman Sykes to approve the Correspondence Calendar for October 2019. Motion carried by voice vote, five members present voting in the affirmative.

### **All Other Business**

**1) Tree Lighting Event** will be December 6, 2019, mark your calendars.

**2) Resolution** consenting to the submission of the NJDEP treatment works approval permit application for Sonoma Trail Residential Development.

**NOVEMBER 25, 2019**

**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.

Herman Maurer, from Montebello asked if Sonoma Trails was going to be the name of the development.

Chuck replied yes.

Herman also asked that when someone is presenting at the planning and zoning board meeting the public cannot see the presentation since the board is facing the members. He asked if there was a way for the public to see.

No more comments were to be heard.

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

**Adjourn**

Motion by Councilman Epifanio, second by Councilman Sykes to adjourn the meeting at 6:30 pm. Motion carried by voice vote, all members voting in the affirmative.  
Meeting adjourned 6:30 pm