

NOVEMBER 23, 2020

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL
NOVEMBER 23, 2020 AT 5:30 PM**

(Meeting done 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, Justin Strausser, Acting Chief of Police Wayne Bonfiglio, Chief Financial Officer, Joyce Tinnes - Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger

Public Present- Carolyn Picciotti,

Absent-

Departmental Reports

Engineer's and Public Works Director Report

Report is located in the back of the minutes

Police Department

November 23, 2020
Dear Mayor Magazzu &
Berlin Township Council Members,

Below are some key points that I want to bring to your attention at this month's Mayor and Council Meeting:

STATICS FOR THE MONTH OF OCTOBER 2020

- Calls for service increased in the month of October to 3376. That's a 10% increase since the month of September.

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- Shoplifting seem to be the crime of choice in town. The main target ins the Home Depot Store. Our detectives are posting the names of shoplifting subjects. When an apprehension is not made, photos of the incident and the suspect are also being posted.
- A total of 43 arrests were made in October. Three of those arrested were in possession of weapons. One handgun and two had edged weapons.
- There were two fatal motor vehicle crashes in the past month. Both on Cooper Rd. both were single car crashes. The first involved a 39-year-old male who suffered a heart attack prior to hitting a tree. The second involved an 18-year-old male where unsafe speed was the contributing circumstance. The department is currently exploring ways of slowing traffic in the area of the crashes.
- On October 18th during the overnight hours, numerous unlocked vehicles were entered. Most of the vehicles were in the Pinecrest section. Many items were taken from the vehicles. The actors did locate a 2014 Chevy Camaro that was unlocked and the ignition keys were inside. The vehicle was stolen. Fortunately, the vehicle was equipped with Onstar and successfully located in the Philadelphia 19th District. Forensic evidence was found in the vehicle, Det. Lex is waiting on DNA results.

We are asking our resident to be vigilant against crimes of opportunity:

- If you are going to warm up your car on cold mornings, lock your doors.
- If you have a keyless or remote starter, make certain that your spare key fob is not left in your car.
- Avoid leaving packages in plain view in your vehicle. Lock packages in your trunk.
- Porch Pirates are back in season. Make every effort to bring your delivered packages inside as soon as they are delivered. Consider having packages delivered to a secured location or make arrangements to have someone you trust retrieve your packages.
- Do not accept delivery of any package that you didn't order yourself.
- If you see something suspicious or you get that feeling that something is "just not right" – Do not hesitate to report it directly to the police. Do not post it online first. Do not call a neighbor or a friend. Don not wait for a more convenient time. Call 911 immediately. Call 911 immediately. Your police department is here 24/7 – 365 days a year. Call and let the police department do the investigation.

I have been absent from work, but I receive calls several times a day from Lt. Silvestro and Lt Sheehan. I want to commend them both for the excellent job that they are both doing keeping the department running smoothly. We are again facing a manpower shortage. I want to thank Mayor Magazzu for allowing us to utilize Executive Order #115 which permits the use of our Class 2 officers for patrol duties. All of the officers again are pitching in. Many officers have given up their scheduled days off to cover the streets. Most of the coverage is being done without incurring to much overtime.

I submitted my 2021 Budget/Revenue Preparation Worksheet. I am glad to report that my budget request includes two additional full-time officers, a Class II officer, two new vehicles, new equipment and replacement of aged equipment. I have been able to do this and stay under a 2% increase from this year's budget. I stand available for any questions regarding my request.

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Respectfully Submitted,

Wayne Bonfiglio
Chief of Police (Acting)

**SECOND READING AND PUBLIC HEARING ORDINANCE 2020-7 AN
ORDINANCE ESTABLISHING A TAX ABATEMENT FOR THE FIRST \$15,000
OF IMPROVEMENTS PER UNIT ON HOUSING 20 YEARS OR OLDER IN THE
TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY.**

WHEREAS, the Township of Berlin previously adopted an Ordinance #78:3 establishing a tax abatement program for the first \$10,000 of home improvements for each unit of housing 20 years or older for a period of five years, pursuant to N.J.S.A. 54:4-3.72 to 3.74; and

WHEREAS, the Township subsequently adopted Ordinance #1993-21 reaffirming and continuing the tax abatement program and once again reaffirmed and continued the tax abatement program in 2005; and

WHEREAS, under State law all municipalities in New Jersey are authorized to readopt Tax Abatement Ordinances every ten years if they so choose; and

WHEREAS, the Township wishes to affirm all tax abatements granted under this Ordinance from the expiration of the 2005 Ordinance to the present; and

WHEREAS, the Township seeks to amend its prior Ordinance to be consistent with authorized state legislation in accordance with N.J.S.A. 40A:21-1 et. seq., known as the "Five-Year Exemption and Abatement Law" and codify said Ordinance in the Code of the Township of Berlin; and

WHEREAS, the Township Council, in conjunction with its efforts to assist in the economic development of the municipality, has deemed it in the best interest of the public health, safety and welfare to amend the Code of the Township of Berlin to include a new Chapter 61, entitled Tax Abatement and include certain provisions thereof.

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NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Berlin, County of Camden and State of New Jersey as follows:

SECTION 1: The Code of the Township of Berlin is hereby amended, revised, and supplemented to include a new Chapter 61, entitled "Tax Abatement" in the following manner:

§ 61-1. Residential Tax Abatement.

A. For the purpose of taxation, the first \$15,000 in assessor's full and true value of improvements for each dwelling unit primarily and directly affected by home improvement in any single or multiple-dwelling property more than 20 years old, shall not increase the value of such property for a period of five (5) years, notwithstanding that the value of the dwelling to which such improvements are made has increased thereby.

B. In no event, however, shall the assessment during that period be less than the assessment thereof existing immediately prior to such home improvements unless there shall be damage to the dwelling through action of the elements sufficient to warrant a reduction.

C. The above amounts up to \$15,000 may be deducted from the amount determined by the assessor on October 1 of any year following the determination of the completion of the improvements and shall continue to be treated as such for each of the five (5) tax years subsequent to the original determination by the assessor.

D. Additional improvements completed during a period in which the improved property is subject to the previously granted exemption in an amount less than the maximum deduction permissible shall be qualified for additional deduction privileges under terms and conditions, however, that in no tax year shall total deduction for any single property exceed \$15,000.

E. Any person or entity desiring to seek the exemption to the above shall file a written application with the Tax Assessor of Berlin Township pursuant to the directions of N.J.S.A. 40A:21-9.

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F. For the purposes of this Ordinance, the definitions as set forth in N.J.S.A. 40A:21-3 shall apply.

SECTION 2: All tax abatements granted under the provisions of the Township of Berlin's residential tax abatement Ordinance between the expiration of the 2005 re-adoption of the Ordinance and the herein adoption of this Ordinance are hereby affirmed.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency only.

SECTION 4: If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5: This Ordinance shall take effect twenty (20) days following adoption and publication as required by law.

Motion by Council President Morris, second by Councilman Sykes to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2020-7.

Resident Carolyn Picciotti commented that this is an excellent program and unfortunately had no idea that it had existed, as she would have taken advantage of this when she had work done 3 years ago. She recommended that if someone is in the permitting process and if they qualify that the abatement application be handed out along with the permit so that they are informed.

Mayor Magazzu agreed with Carolyn recommendation.

Motion by Councilman Sykes second by Council President Morris to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public for questions or comments on Ordinance 2020-7

Motion by Councilman Epifanio second by Council President Morris to adopt Ordinance 2020-7. Ordinance approved by call of the roll, five members present voting in the affirmative.

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FIRST READING ORDINANCE 2020-8 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, ACCEPTING DEDICATION OF BLOCK 2404, LOT 45 (701 TAUNTON AVENUE MONTEBELLO SEWER PUMPING STATION) FROM HOVBROS BERLIN, LLC)

WHEREAS, Main Line Realty Group LLC, a New Jersey limited liability company, previously received final amended major subdivision approval to construct the Pinedge Development;

WHEREAS, Hovbros Berlin LLC, a New Jersey limited liability company, as contract purchaser of the property from Main Line Realty Group LLC, sought and obtained amended final major subdivision approval from the Berlin Township Planning and Zoning Board, memorialized in Resolution No. 2003-29 on September 23, 2003 in order to construct the Montebello Development (formerly known as Pinedge), an age-restricted residential community; and

WHEREAS, Main Line Realty Group LLC sold the property in question to Hovbros Berlin, LLC, with all land use approvals and conditions of said approvals flowing with the property in question to Hovbros Berlin, LLC; and

WHEREAS, as a condition of the aforesaid approvals, Hovbros Berlin, LLC was required to construct a sewer pumping station for the Montebello Development and upon satisfactory completion of said pumping station, dedicate the same to the Township of Berlin; and

WHEREAS, the sewer pumping station for the Montebello Development is known as Block 2404, Lot 45 on the Municipal Tax Map for the Township of Berlin; and

WHEREAS, the Township Tax Collector has confirmed that the tax records for the lot referenced above indicate there are no outstanding liens and that all property taxes are paid current as of the time of the dedication; and

WHEREAS, the Governing Body adopted Ordinance 2019-7 on October 28, 2019 to accept the dedication of the sewer pumping station for the Montebello Development, however, because of needed improvements, the pumping station was not dedicated at that time; and

WHEREAS, the improvements have recently been completed and Hovbros Berlin, LLC wishes to dedicate the pumping station to the Township; and

WHEREAS, the Township Engineer has issued a report dated September 29, 2020 recommending that the Governing Body consider accepting ownership and operation of the Pump Station; and

WHEREAS, N.J.S.A. 40A:12-5(a) authorizes the Township to accept the dedication of the sewer pumping station for the Montebello Development; and

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WHEREAS, the Mayor and Township Council have deemed it in the best interest of the public health, safety and welfare to accept the dedication of the sewer pumping station lot (Block 2404, Lot 45) as aforesaid, subject to certain conditions as outlined below.

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: The Township of Berlin hereby accepts dedication of Block 2404, Lot 45 (sewer pumping station for the Montebello Development) from Hovbros Berlin, LLC, subject to Hovbros Berlin, LLC: (i) recording the deed of conveyance attached hereto with the County Clerk's Office, (ii) posting the two-year maintenance bond in the amount of \$66,450.00, (iii) providing the Township with an updated title report and/or tile policy to be reviewed and approved by the Township Solicitor, (iv) providing the Township with an updated environmental report for the property in question to be reviewed and approved by the Township's professionals, (v) paying all recording fees, and (vi) transferring the utility service accounts to the Township.

SECTION 2: The Mayor, Township Clerk and Township Solicitor are hereby authorized to execute all such documents as are necessary to accept the conveyance of said property and Hovbros Berlin, LLC shall pay all recording fees.

SECTION 3: True copies of the deed shall be on file in the Township Clerk's Office upon adoption of this Ordinance and recordation of the deed.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Motion by Councilwoman Bodanza, second by Council President Morris to adopt Ordinance 2020-8 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2020-9 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 83 OF THE TOWNSHIP CODE ENTITLED "AMUSEMENT DEVICES"

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WHEREAS, the Township of Berlin (“Township”) is a municipal entity organized and existing under the law of the State of New Jersey and located in Camden County; and

WHEREAS, Chapter 83, Article II of the Code of the Township of Berlin, entitled “Redemption Amusement Games” establishes rules and regulations concerning the operation of amusement games within the Township; and

WHEREAS, previously, under State law, entities were not permitted to simultaneously hold an amusement game license and an alcoholic beverage license; and

WHEREAS, State law was revised to permit a “Recognized Amusement Park” to operate with a plenary retail consumption license; and

WHEREAS, the Township seeks to amend its prior Ordinance to be consistent with state legislation in accordance with N.J.S.A. 5:8-78.1 and N.J.S.A. 5:8-100 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary and proper for the good governance, order and preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Berlin, County of Camden and State of New Jersey as follows:

SECTION 1: Chapter 83, Article II, entitled “Redemption Amusement Games,” is hereby renamed “Amusement Games” and further revised, amended, and supplemented to provide as follows:

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ARTICLE II – Amusement Games

§ 83-11. Definitions.

The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

AMUSEMENT GAMES LICENSING LAW

As defined in N.J.S.A. 5:8-78 through N.J.S.A. 5:8-119, inclusive, as may be amended from time to time.

AMUSEMENT RIDE

Any mechanical device(s) which carries or conveys passengers along, around or over a fixed, restricted route or course for the purpose of giving its passengers pleasure, thrills or excitement and as otherwise defined and regulated under the Carnival-Amusement Rides Safety Act, N.J.S.A. 5:3-31 et seq. as may be amended from time to time.

ARCADE

A place where a single player may play any one of a number of machines or devices, upon payment of a fee, to attempt to obtain a prize or tickets or tokens redeemable for a prize, or to attempt to attain a score or result upon the basis of which a prize, ticket or token is awarded.

CERTIFICATION

A certification of permissibility granted by the Control Commission pursuant to N.J.A.C. 13:3-7.1 et seq. as may be amended from time to time.

COMMISSION

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The Legalized Games of Chance Control Commission, the successor to the Amusement Games Control Commissioner pursuant to Reorganization Plan No. 004-1992, at 24 N.J.R. 4462, November 30, 1992.

COUNCIL

The governing body of the Township of Berlin, County of Camden, State of New Jersey.

ELECTRONIC AMUSEMENT

An amusement game offered through an electronic device that allows a player to participate in a game of skill or chance through interaction with the device.

LAW

The Amusement Games Licensing Law, N.J.S.A. 5:8-78 through N.J.S.A. 5:8-119, inclusive, as may be amended by time to time.

RECOGNIZED AMUSEMENT PARK

A commercially operated permanent business, open to the public at least 31 consecutive days annually, whose acreage is designed and themed for the primary purpose of providing participatory amusements, incorporating skill-based attractions, rides or water slides licensed in accordance with P.L. 1975 c. 105 (N.J.S.A. 5:3-31 et seq.) or electronic amusements, and food and merchandise concessions in permanent structures. Nothing in this definition shall prevent a license from being issued in any location which has had a license issued prior to the effective date of P.L. 2015, c. 149 (N.J.S.A. 5:8-78.1 et al).

REDEMPTION AMUSEMENT GAME

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Any amusement game(s), whether of skill or chance, or both, and whether the game is played and operated with or without numbers or figures, played for amusement or entertainment, in which the person or player actively participates and the outcome of which is not in the control of the operator and which is so conducted that the sale of a right to participate, the event which determines whether a player wins or loses and the award of the merchandise prize, tickets, or tokens all occur as a continuous sequence at the time when and place where the player or players are all present.

REGULATIONS

New Jersey Administrative Code Title 13, Chapter 3, as may be amended from time to time.

SKILL-BASED ATTRACTION

An amusement utilizing a tangible object such as a ball, puck, or other portable object either alone or in competition with other on-premises guests, or requiring the exertion of physical, aerobic activity, such as dancing, climbing, running, or jumping rope; or any amusement that is predominantly skill-based and can be played either alone or in competition with other on-premises guests.

TOWNSHIP

The Township of Berlin, County of Camden, State of New Jersey.

§ 83-12. Authority of Township to issue licenses.

[No Changes]

§ 83-13. License required.

A. [No Changes]

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- B. [No Changes]
- C. [No Changes]
- D. This Article shall not apply to Recognized Amusement Parks licensed pursuant to Article, § 83-14B of this Code.

§ 83-14. Separate licenses; fees; unlicensed games prohibited.

A. Amusement Games License:

1. A separate Township license shall be issued for each specific kind of game authorized to be held, operated and conducted on the licensed premises by the licensee, except that a single license may be issued for all games classified under Certification No. 2 pursuant to N.J.A.C. 13:3-7.9(a)2 and operated in an arcade at a single location.
2. As a condition of granting an amusement game license, the applicant therefor shall pay to the Township an annual fee of \$25 per game for games in Certifications 1, 3, 4, 5, 6, 7, 8 and 9.
3. An applicant who is the owner of a recognized amusement park with an arcade shall pay to the Township an annual fee of \$100 for the first 50 machines in Certification 2, plus an additional fee of \$10 per machine for each machine in excess of 50 machines operated or to be operated at the arcade.
4. No licensee shall hold, operate or conduct on the licensed premises any unlicensed game required to be licensed pursuant to the Amusement Games Control Law or the Amusement Games Licensing Law or the Legalized Games of Chance Control Commission regulations.

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B. Recognized Amusement Park License:

A. No person shall maintain, operate, or cause to be conducted any Recognized Amusement Park without first obtaining a license by the Township. No license shall be issued unless and until an ordinance shall have been adopted by the Township declaring that a recognized amusement park exists in the municipality at that particular location.

B. Each applicant for such a license shall file with the Township Clerk a written application therefor in the form prescribed by the Legalized Games of Chance Control Commission, duly executed and verified, in which shall be stated the name and address of the applicant, together with sufficient facts relating to its incorporation and organization if the applicant be a corporation or organization; the specific kind of amusement games intended to be held, operated and conducted by the applicant, and the place or places where, the period, term, date or dates and the time or times when, such amusement games are intended to be conducted by the applicant, under the license applied for; and that no prize or prizes will be offered and given under said license except of merchandise only and same shall be of a value not in excess of the sum or value authorized to be offered and given by this act and such other information as shall be prescribed by the Legalized Games of Chance Control Commission.

C. All applications shall be either approved or denied in accordance with the provisions of N.J.S.A. 5:8-100 et seq.

D. Any license issued by the Township shall remain inoperative unless and

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until such licensee, within 90 days of the issuance of the license, and prior to the conduct or operation of amusement games thereunder, has procured a State license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license, as provided for by N.J.S.A. 5:8-102.

- E. All licenses shall be issued on a calendar-year basis, with a maximum term from January 1 to December 31 of the year within which the license is to be operative.
- F. No application for the issuance of a license shall be refused by the Township Council until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.
- G. Any license issued under this section may be amended, upon application made to the Township Council, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon payment of such additional license fee, if any, as would have been payable, if it had been so included.
- H. A licensee shall be permitted to install and operate coin-operated amusement games within the licensed premises and such coin-operated games shall be deemed to be amusement games within the meaning of this Article. The provisions of Article I, Section 83-1 through 83-10 of this Code shall not apply to the maintenance of coin-operated games by Recognized Amusement Parks.

§ 83-15. License restrictions.

- A. [No Changes]
- B. [No Changes]
- C. No amusement game license shall be issued for any premises which holds an alcoholic beverage license, except that any plenary retail consumption licensee duly licensed by the Township, which has been duly qualified and licensed as a Recognized Amusement Park may serve alcoholic beverages in accordance with Township Ordinances and Codes, Title 33 of the Revised Statutes of the State of New Jersey; and the rules and regulations promulgated by the Division of Alcoholic Beverage Control.

§ 83-16. Bingo or raffles.

[No Changes]

§ 83-17. Certification requirements.

[No Changes]

§ 83-18. Permitted prizes; maximum prize value.

[No Changes]

§ 83-19. License term; annual fee; refunds for denials and withdrawals.

[No Changes]

§ 83-20. Application form.

[No Changes]

§ 83-21. Effect of criminal conviction.

[No Changes]

§ 83-22. Refusal to issue license; notice and hearing.

[No Changes]

§ 83-23. Fingerprinting.

[No Changes]

§ 83-24. Employee qualification.

[No Changes]

§ 83-25. No employment of persons refusing to be fingerprinted.

[No Changes]

§ 83-26. License rights and privileges restricted; sharing of profits prohibited.

[No Changes]

§ 83-27. License authorized by resolution.

[No Changes]

§ 83-28. License certificate contents.

[No Changes]

§ 83-29. Display of license.

[No Changes]

§ 83-30. Amendments to license; notice.

[No Changes]

§ 83-32. Death, bankruptcy, receivership or incompetency of licensee.

[No Changes]

§ 83-33. Supervision by municipality; suspension and revocation of license.

[No Changes]

§ 83-34. Offenses; forfeiture of licenses.

[No Changes]

§ 83-35. Gambling on licensed premises.

[No Changes]

§ 83-36. Liability for acts of employees.

[No Changes]

§ 83-37. Tickets or tokens awarded; expiration; arcade with other games.

[No Changes]

§ 83-38. Redemption of prize or cash.

[No Changes]

§ 83-39. Deceptive advertising or practice; conduct of games.

[No Changes]

§ 83-40. Maximum fee for participation in game.

[No Changes]

§ 83-41. Hindering inspection or investigation.

[No Changes]

§ 83-42. Incorporation of other laws by reference.

[No Changes]

§ 83.43. Designation of Recognized Amusement Park.

A. Pursuant to N.J.A.C. 13:3-1.5, the following location is designated as a Recognized Amusement Park as described herein:

1. 535 North Route 73, West Berlin, NJ 08091

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 83 of the Code of the Township of Berlin shall not be affected by this Ordinance.

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SECTION 3: All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency only.

SECTION 4: If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5: This Ordinance shall take effect twenty (20) days following adoption and publication as required by law.

Motion by Councilman Sykes second by Councilwoman Bodanza to adopt Ordinance 2020-9 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

ORDINANCE 2020-10 AN ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey as follows:

SECTION 1: That the following named officers and employees of the Township of Berlin, Camden County, New Jersey shall be paid within the following salary ranges for the calendar year 2021 as follows:

| POSITION | ANNUAL SALARY RANGE (Except as Noted) | |
|----------------------|--|--------------|
| | FROM | TO |
| Mayor | \$0.00 | \$ 56,000.00 |
| President of Council | \$0.00 | \$ 10,000.00 |
| Councilperson | \$0.00 | \$ 8,000.00 |
| Township Clerk | \$0.00 | \$ 75,000.00 |

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| Coordinator on Aging/Disabled | \$0.00 | \$ 600.00 |
| Chief Financial Officer | \$0.00 | \$ 75,000.00 |
| Finance Clerk (Part-time) | \$0.00 per hour | \$20.00 per hour |
| Finance Clerk (Full-time) | \$0.00 | \$ 40,000.00 |
| Tax Collector | \$0.00 | \$ 75,000.00 |
| Tax/Sewer Clerk | \$0.00 | \$ 40,000.00 |
| Tax Assessor | \$0.00 | \$ 30,000.00 |
| Director of Public Works/Township Engineer w/C-2 Wastewater License | \$0.00 | \$ 175,000.00 |
| Building Custodian/Property Maintenance/Zoning Officer/Board of Health Inspector | \$0.00 per hour | \$25.38 per hour |
| Construction Code Official/Building Inspector | \$0.00 | \$ 32,500.00 |
| Emergency Management Coordinator | \$0.00 | \$ 3,000.00 |
| Prosecutor | \$0.00 | \$ 16,000.00 |
| Deputy Public Works Director | \$0.00 | \$ 75,000.00 |
| Recreation Coordinator (Not to exceed 10 hours per week) | \$0.00 per hour | \$16.00 per hour |
| Recreation Coordinator/Special Events | \$0.00 | Minimum wage |
| Librarian | \$0.00 | \$16.00 per hour |
| Municipal Judge | \$0.00 | \$ 25,000.00 |
| Municipal Court Administrator | \$0.00 | \$ 75,000.00 |
| Animal Control Officer | \$0.00 per month | \$600.00 per month |
| Assistant Township Clerk (w/Registrar Certification) | \$0.00 | \$ 40,000.00 |
| Engineering Technician | \$0.00 | \$ 60,000.00 |
| Public Works/Engineering Clerk | \$0.00 | \$ 40,000.00 |
| Administrative Secretary to Land Use (With Registrar Certification) | \$0.00 | \$ 60,000.00 |

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| Fire Sub-Code Official | \$0.00 | \$ 7,500.00 |
| Plumbing Inspector | \$0.00 | \$ 6,000.00 |
| Electrical Sub Code Official/Electrical Inspector | \$0.00 | \$ 12,000.00 |
| Property Maintenance Inspector - PT (not to exceed 8 hours per week) | \$0.00 per hour | \$17.66 per hour |
| Police Department - Clerk Typist | \$0.00 | \$ 40,000.00 |
| Crossing Guards | \$0.00 per hour | \$16.00 per hour |
| Temporary Clerk Typist | \$0.00 per hour | \$16.00 per hour |
| Emergency Event Temporary Public Works Laborer | \$0.00 per hour | \$25.00 per hour |
| Emergency Event Temporary Mechanic | \$0.00 per hour | \$30.00 per hour |
| Bus Driver | \$0.00 per hour | \$20.00 per hour |
| Clerk Typist - PT to Include Library Clerk | \$0.00 per hour | \$16.00 per hour |
| Deputy Court Administrator | \$0.00 | \$ 40,000.00 |
| Court Recorder Operator | \$0.00 per Court | \$87.00 per Court |
| Temporary Court Assistant | \$0.00 per court | \$125.00 per Court |
| Sewer Clerk | \$0.00 | \$ 5,000.00 |
| Student Clerk Typist | \$0.00 | Minimum wage |
| Chief of Police | \$0.00 | \$ 140,000.00 |
| Lieutenants of Police | \$0.00 | \$ 115,000.00 |
| Sergeants of Police | \$0.00 | \$ 110,000.00 |
| Date of Hire without Certification | \$0.00 | \$ 36,000.00 |
| Date of Hire with Certification or Police Academy Graduation | \$0.00 | \$ 50,000.00 |
| Beginning of Second Year | \$0.00 | \$ 52,000.00 |
| Beginning of Third Year | \$0.00 | \$ 60,000.00 |

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| | | |
|--|---------------------|--------------------|
| Beginning of Fourth Year | \$0.00 | \$ 65,000.00 |
| Beginning of Fifth Year | \$0.00 | \$ 70,000.00 |
| Beginning of Sixth Year | \$0.00 | \$ 80,000.00 |
| Beginning of Seventh Year | \$0.00 | \$ 85,000.00 |
| Beginning of Eighth Year | \$0.00 | \$ 100,000.00 |
| PT Class II SLEO Officer | \$0.00 per hour | \$30.00 per hour |
| PT Class II SLEO Officer (School Security) | \$0.00 per hour | \$40.00 per hour |
| Traffic & Other Services | \$0.00 per hour | \$75.00 per hour |
| Traffic & Other Services (Township Projects) | \$0.00 per hour | \$50.00 per hour |
| Employees of Public Works Department | \$0.00 per hour | \$40.00 per hour |
| Employees of Public Works Department (Temporary) | \$0.00 per hour | \$25.00 per hour |
| Sewer Department Standby | \$0.00 per month | \$225.00 per month |

Motion by Council President Morris second by Councilman Sykes to adopt Ordinance 2020-10 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-185 CONFIRMING AUTHORIZING TRANSFER OF
OVERPAYMENTS FROM 2020 CURRENT YEAR TAX TO PRELIMINARY
2021.**

WHEREAS, a payment was received for real estate taxes from the title company at the time of settlement on the following parcel on behalf of the owner of said

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property for the purpose of applying to the upcoming added assessment billing that was deliberately creating an overpayment, and;

WHEREAS, the following property has an overpayment for the current year and it has been requested by the owner responsible for payment of said taxes that the overpayment be transferred and applied to the first half of 2021 to offset the preliminary 2021 billing in said quarters and;

WHEREAS, the following is the details of the credit amount to be transferred:

| Block / Lot | Name | Amount |
|-------------|-----------------------|-------------|
| 2503/17 | Lunetta, Peter & Gail | \$ 1,055.77 |

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the credit totaling one thousand fifty-five dollars and seventy-seven cents be transferred from the 2020 current year tax 4th quarter to the first half of the preliminary year 2021 for the purposes of offsetting preliminary billing on the above mentioned property.

Submitted for the November 23, 2020 meeting.
Dana O'Hara, CTC – Tax Collector

Motion by Councilman Sykes second by Councilman Epifanio to adopt resolution 2020-185. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-186 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

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the following shall constitute the Towing and Storage Fee Schedule for private towing services for Year 2021:

| TYPE OF SERVICE | FEE |
|---------------------------------------|------------------------------|
| Basic Towing Services | |
| 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 |
| Non-Basic Towing Services | |
| 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 |
| Storage Fees - Outside Secured | |
| Type I Vehicles | \$25.00/day |
| Type II Vehicles | \$50.00/day |
| Type III Vehicles | \$75.00/day |
| Motorcycles | \$25.00/day |
| Storage Fees - Inside Secured | |
| 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 Year 2021 shall be as follows:

Application Fee: \$100.00

Administrative Fee: \$ 20.00

Motion by Councilman Sykes second by Councilman Epifanio to adopt resolution

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2020-186. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-187 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 the Code of the Township of Berlin Chapter 304:and

WHEREAS, the Township of Berlin has effectively operated using two 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, 2021 through December 31, 2021.

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

Motion by Councilman Sykes second by Councilman Epifanio to adopt resolution 2020-187. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-188 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, 2021 and expiring on December 31, 2021;

DIGGERLAND USA, LLC
Amusement Games
100 Pinedge Drive West Berlin N.J.

License # 36-2000-2-00100 (2020)

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

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authorized and directed to issue a license from January 1, 2021 and ending December 31, 2021.

Motion by Councilman Sykes second by Councilman Epifanio to adopt resolution 2020-188. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2020-189 FOR APPROVAL OF QUANTITIES FOR APPLICATION FOR PAYMENT #2 FOR IMPROVEMENTS TO CLARENCE AVENUE-VETERANS AVENUE THROUGH THE N.J. D.O.T. FY 2018 MUNICIPAL AID FUNDING.

WHEREAS, it is necessary to make changes in the scope of the work to be done in the improvements to Clarence Avenue in the Township of Berlin, Camden County, New Jersey, through the N.J.D.O.T. FY 2018 Municipal Aid Funding as per the approved list of quantities for said application for payment #2, see attachment: and

WHEREAS, Payment # 2 shall be charged to C-04-19-860-190104 Capital Fund for \$104,108.34 as certified by the Chief Financial Officer.

NOW FURTHER BE RESOLVED, by the Township of Berlin Mayor and Council that payment #2 to Gambale Concrete LLC, Clementon New Jersey for the amount of \$104,108.34 is hereby authorized and approved.

Motion by Councilman Sykes second by Councilman Epifanio to adopt resolution 2020-189. Resolution adopted by call of the roll, five members present voting in the affirmative

Approval of Meeting Minutes from October 26, 2020

Motion by Council President Morris second by Councilman Sykes to approve the Meeting Minutes for October 26, 2020. Motion carried by voice vote, five members present voting in the affirmative.

Consent Agenda for October 2020

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

Correspondence Calendar for October 2020

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

All Other Business

Mayor talked about the Town joining in with the celebration at 6:00 pm on Christmas Eve.

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Public Portion

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

Carolyn asked about the salary ordinance.

Mayor Magazzu stated it was first reading on Ordinance 2020-10 and it is for the ranges for the 2021 employee salaries.

Motion by Councilman Sykes, 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.

Adjourn.

Motion by Councilman Sykes, second by Councilwoman Bodanza to adjourn the meeting at 6:55 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:55 pm

**Catherine Underwood
Berlin Township RMC**