

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL
AUGUST 10, 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, Stuart Platt, Acting Chief of Police Wayne Bonfiglio, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger

Public Present- Carolyn Picciotti

Absent- Chief Financial Officer, Joyce Tinnes

DEPARTMENT REPORTS

ENGINEER / PUBLIC WORKS REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. ORDINANCE AND RESOLUTIONS

1. AMENDMENT TO INTER-MUNICIPAL SEWER AGREEMENT WITH VOORHEES TOWNSHIP

I recommend that the Governing Body consider authorizing the Solicitor to work with Voorhees Township to amend the current sewer agreement to increase the sewer flow from lots within the southwest portion of Voorhees Township while assessing all previous and future allocation to Voorhees Township for this area.

2. AMENDMENTS TO CHAPTER 280, SOLID WASTE

I recommend that the Governing Body consider introducing an ordinance to amend Chapter 280 to address the necessary revisions to address the current listing of acceptable

recyclable items, delete the collection recyclables for commercial establishments, along with other necessary revisions.

3. AMENDMENTS TO LAND DEVELOPMENT AND ZONING CODES

I recommend that the Governing Body consider requesting that the Planning Board review the current codes for updates and revision to be consistent with current standards. An example of a matter, which is necessary for every development application, is the requirement for developments to use high pressure sodium site lighting. The Planning Board must grant a waiver to allow developers to use the more efficient and effective LED site lighting. Another matter, which is current, is addressing possible permanent (seasonal) outdoor dining, at eating establishments.

C. ENGINEERING

1. IMPROVEMENTS TO CLARENCE AVENUE, PARTIAL N.J.D.O.T MUNICIPAL AID FY 2018 FUNDING-\$210,000

It is expected that the Gambale Concrete, LLC will be commencing with construction within the next couple of weeks. I believe that the Fire Commissioners will, formally, request that the contractor widen the driveway to the fire house, along First Avenue, to allow for easier maneuvering of the fire apparatus. If so, it will be necessary for the Governing Body to pass a resolution, approving a change order to include this work in the contract. I recommend that the necessary funds be allocated to cover the consulting inspection work for this project.

2. IMPROVEMENTS TO SPRUCE AVENUE, PARTIAL N.J.D.O.T FY 2019 FUNDING- \$186,000

Charles Marandino, LLC has commenced with the construction. All necessary roadway easements and consents to enter has been granted by the respective property owners. I recommend that the necessary funds be allocated for the consulting inspection services for this project.

3. IMPROVEMENTS TO DAY AVENUE, ROUTE 73 RAMP TO CLOVER AVENUE (N.J.D.O.T FY 2020 FUNDING- \$150,000)

I have requested that the necessary funds for the consulting land surveying and CAD drafting of the existing conditions and construction plans be authorized, in the immediate future, so I can perform the engineering design and prepare the bid documents. I intend to include this project with a street improvement program, which includes those streets in which funds have been allocated for improvement.

4. APPLICATION FOR N.J.D.O.T FY 2021 FUNDING

The application for the "Improvements to Various Streets" was submitted to the N.J.D.O.T, requesting \$731,000 for the improvements to the following streets:

a. Oak Avenue-N.J.D.O.T. Ramp 'A' at Route 73 to 80' Past Clover Avenue	\$198,500
b. McClellan Avenue-Haddon Avenue to Krumm Avenue	\$191,000
c. Krumm Avenue-McClellan Avenue to Franklin Avenue	\$341,500

It is expected that the announcement of the projects will be made by the end of 2020. Since the N.J.D.O.T limits the amount of funding, if successful, only a portion of the requested funding will be approved for these improvements. It is my understanding that the Governing Body will be able to use any allotted for one or more of the streets, which are included in the application.

5. CAMDEN COUNTY COOPERATIVE FOR THE PURCHASE OF ROAD SALT

The County will be receiving bids in September, 2020 for the purchase of road salt for a one-year period with an option to extend the contract for an additional year. I have informed the County that the Township would like to participate in this contract for the purchase of road salt. I believe that, after the County awards a contract for this material, it will be necessary for the Governing Body to pass a resolution to enter into the County cooperative program. In the past, participation in this County co-op has resulted in the most cost-effective means for the purchase of road salt.

6. CAMDEN COUNTY COOPERATIVE FOR TRASH DISPOSAL

Due to the increase in the contract rate with Covanta for the option year of 2021 (an additional \$3.20, raising the unit price to \$83.15/ton), the participating municipalities have requested that the County receive bids for a new contract. Bids are scheduled to be received on October 6, 2020 for a contract period of up to five years. We are hopeful that Covanta will provide a better unit price, recognizing that the participating municipalities are committing to a long-term contract.

7. SPECTATOR SEATING AT THE BAND SHELL AT LUKE AVENUE RECREATION COMPLEX, PARTIAL FUNDING THROUGH CAMDEN COUNTY RECREATION ENHANCEMENT PROGRAM

The Public Works staff has assembled the benches and will be installing them, along with the concrete handicap accessway and station, in the near future.

8. INSPECTION OF THE BASKETBALL COURTS AT LUKE AVENUE RECREATION COMPLEX

On May 20, 2020, the inspector from the N.J. Green Acres Program inspected the municipal parks. They have noted that the surface of the basketball courts is in need of improvement (reconstruction). I recommend that the necessary funds be allocated for the reconstruction of the basketball courts surface, in the immediate future. This work could be included with the upcoming street improvements program in order to obtain a more cost-effective price.

9. 2021 CAMDEN COUNTY OPEN SPACE AND RECREATION ENHANCEMENT PROGRAM

Applications must be submitted by March 31st, 2021. The Governing Body may want to consider applying for these funds for the improvements to the basketball court surface at the Luke Avenue Recreation Complex. An application was submitted, in 2020 for the ADA improvements and expansion to the playground at the Luke Avenue Recreation Complex.

10. AMENDMENT TO THE INTER-MUNICIPAL SEWER AGREEMENT WITH VOORHEES TOWNSHIP

As a result of numerous requests, by Voorhees Township, to connect to the Berlin Township sanitary sewer collection system and several discussions between the municipal representatives, a tele-conference was recently held with representatives of the C.C.M.U.A, Berlin Township, and Voorhees Township. Generally, the terms of the amended agreement would be to permit an additional, average daily sewer flow of 13,200+/- gallons from the designated portion of southwestern Voorhees Township (vacant lots, lots with septic). The Berlin Township collection system is capable of handling this additional flow. The allocation for the entire flow, previously accepted flow (19,100 gpd), plus the additional flow, will be assessed to Voorhees Township. Berlin Township will collect the sewer connection fee and receive the annual sewer fee for all future, permitted connections within the designated area. If this proposal is acceptable to the members of the Governing Body, I recommend that they authorize the Township Solicitor to assist with the preparation/ review of the amended agreement.

11. REQUEST FOR INCREASE IN SEWER ALLOCATION

I have not received any final response from the C.C.M.U.A., regarding the request for their support for the increase in sewer allocation, which must be submitted and approved by the N.J.D.E.P. It appears that the Sonoma Trails residential development may be delayed for some time.

12. REPLACEMENT OF C.C.M.U.A. INTERCEPTOR PIPE, HADDON AVENUE PUMPING STATION TO EGG HARBOR ROAD

It is anticipated that the C.C.M.U.A will be authorizing an emergency contract for the replacement of the 8,400 L.F. of the interceptor pipe through Berlin Township. I believe that a majority of the work may be performed during the evening and early morning hours. The work may result in some inconveniences to the residents along those streets, in which the pipe is located. The C.C.M.U.A and the emergency contractor will be meeting with Township Officials, prior to the commencement of the construction, to discuss the proposed construction.

13. NEIGHBORHOOD PRESERVATION PROGRAM, OLD WEST BERLIN SECTION

Mr. Conklin has informed the Governing Body of the award of NPP funds to the Township. He has requested that a meeting be scheduled to discuss the spending of the funds for the selected projects.

14. CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

I am not aware of the status of funding through this program. The Township had applied for funds for the ADA improvements/ expansion of the playground at the Luke Avenue Recreation Complex.

15. N.J. TRANSIT BUS SHELTERS

No update to report.

16. MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT

a. Acceptance of the Pumping Station by the Township

The developer is very near or may have completed the necessary improvements to the pumping station. I would expect that the developer will be requesting that the Governing Body consider accepting ownership and operation of the pumping station, in the immediate future.

b. Replacement of Concrete Sidewalks Throughout the Development

The developer has hired a second expert (forensic) engineer to observe the condition of the sidewalk. The engineer has stated that an evaluation should be based on structural integrity and not aesthetic conditions. I will be meeting with the developer's representative on August 12, 2020 to discuss the matter.

c. Release of Performance Bonds

It is my understanding that the developer has applied for building permits for the last available lot within the development. An HOA representative has contacted me to inform me that they have submitted their expert's report, listing the necessary corrective work. I believe that the various matters should be discussed with the Governing Body and Township Solicitor, in the near future and in advance of the developer requesting the release of the bonds.

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

I continue to recommend the demolition of the existing building. It is my understanding that the market for housing has greatly improved, over the recent year. I recommend that consideration be given to the re-zoning of the block and the redevelopment plan be amended to allow for the desired residential development of the Township-owned and adjacent, privately-owned lands.

18. TOWNSHIP-OWNED PROPERTY AT 191 MCCLELLAN AVENUE; BLOCK 521, LOT 19

We continue to strongly recommend that this building be demolished, in the immediate future.

19. IMPROVEMENTS TO WATER DISTRIBUTION SYSTEM-BERLIN BOROUGH WATER DEPARTMENT

No update to report.

20. STORM DRAINAGE IMPROVEMENTS

a. Lester Avenue Drainage and Stormwater Management

1) Phase 1- Construction of Storm Inlets, Piping and Stormwater Management Facility at the Low-Point.

We have not completed the design for this project as we were hopeful about receiving supplemental NJDOT FY 2020 funds but were unsuccessful. I will complete the design for the limited improvements, based on the available funds, which have been allocated for the project.

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

No update to report.

b. Kelley Drive Stormwater Basin Reconstruction.

No update to report.

c. Mt. Vernon Avenue at the Elementary School

No update to report.

d. Storm Drainage Issues Within the Southwest Portion of the Township.

No update to report.

21. TAX MAP AND ZONING MAP REVISIONS

I believe that the consulting engineer has completed the necessary revisions to the Tax Map. I recommend that the final version of the Zoning Map be completed and the Governing Body adopt the revised Zoning Map as the official Zoning Map.

22. REQUET TO THE PINELANDS COMMISSION FOR THE REDESIGNATION OF ZONES WITHIN THE PINELANDS AREA

I continue to discuss the matter with the Pinelands staff. At this time, they are waiting for my responses to this question.

23. STUDY FOR DESIGNATION OF TRUCK ROUTES THROUGHOUT THE TOWNSHIP

No update to report.

D. PUBLIC WORKS

1. OPERATIONS AND STAFFING

The crews continue to perform seasonal tasks and cleanup from the recent storms. I recommend that additional individuals be employed during the leaf collection and for snow plowing, when the need arises. The staff continues to practice safe distancing and other

procedures during the COVID-19 outbreak. The monthly collection of bulky waste items continues to be canceled, due to the virus outbreak. Many residents have been delivering their bulky waste items, along with other waste and recyclables items, to the Public Works Complex. The automated collection of trash, recyclables, and yard waste continues, as normal. The Department has purchased a truck-mounted magnet for pulling manhole lids and storm inlet grates, which will be safer than manually pulling these items. We will be using this equipment, in the near future.

We will be posting a request for applications to fill the mechanic's position. We are hopeful that we will be able to fill the position with a well-qualified individual.

2. REPLACEMENT OF BANNERS

We recommend that the seasonal/event banner be replaced as many are damaged, aged, and missing.

3. IMPROVEMENTS TO THE UNFINISHED ROOMS AT THE MUNICIPAL BUILDING

The HVAC units and electrical work should be completed within the near future. Once this work has been completed, it will be possible to complete the remaining improvements.

4. IMPROVEMENTS TO PUMPING STATIONS

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

5. UPDATING OF VEHICLE FLEET

I request that the Governing Body consider the allocation of funds to replace or rehabilitate deteriorated and aged vehicles, in the immediate future, so that the crews are able to efficiently and safely perform the various public works tasks. Some of the necessary upgrades to the fleet are rear load refuse vehicles, dump trucks, pick-up trucks and sewer utility truck.

6. REQUEST FOR CAPITAL IMPROVEMENTS AND PURCHASES

I continue to request additional staffing, capital improvements and equipment purchases to provide for the staff to perform the public works services and tasks. I would be glad to discuss the request with the members of the Governing Body and Chief Financial Officer.

SOLICITOR REPORT

Stuart Platt, Township Solicitor remarked that he has submitted his report and if anyone has any question please reach out to him.

PROPERTY MAINTENANCE / ANIMAL CONTROL

Josh Shellenberger stated that he has keeping up on the tall grass violations within town. Josh also informed the Governing Body that Smoothie King is opening up where Firehouse Subs was.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2020- 3
AMENDING ORDINANCE 2019-8 FIXING AND DETERMINING SALARY
RANGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF
BERLIN, COUNTY OF CAMDEN, NEW JERSEY.**

WHEREAS, the Mayor and Council of the Township of Berlin adopted Ordinance 2019-8 on December 16, 2019 fixing and determining salary ranges for the officers and employees for the calendar year 2020; and

WHEREAS, it is the desire of the Mayor and Council of the Township of Berlin to amend the following salary range for the calendar year 2020 as follows:

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

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

Motion by Councilwoman Bodanza 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 2020-3.

No comments were to be heard.

Motion by Councilwoman Bodanza 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 on Ordinance 2020-3

Motion by Councilman Epifanio second by Councilwoman Bodanza to adopt Ordinance 2020-3. Ordinance approved by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-134 AUTHORIZATION TO SIGN AN AGREEMENT
BETWEEN THE TOWNSHIP OF BERLIN AND THE BERLIN TOWNSHIP
BOARD OF EDUCATION FOR SCHOOL SECURITY OFFICERS (“SSOs”)**

WHEREAS, the parties hereto are permitted in accordance with N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act (“Act”), to enter into an Agreement to provide

jointly, or through each respective agency itself, such services authorized by the Act, including areas of general government administration, such as shared services and the like; and

WHEREAS, the Township and the School District remain dedicated to providing a safe and secure environment for the two public schools, Dwight D. Eisenhower Middle School and John F. Kennedy Elementary School, and the surrounding area; and

WHEREAS, through the combined efforts of the School District and the Berlin Township Police Department, students will continue to receive a quality education in a safe and secure environment; and

WHEREAS, the parties hereto desire to establish goals and objectives, including, but not limited to:

- a) Providing on-site security;
- b) Building respect for law enforcement among students;
- c) Reducing school violence and other crimes;
- d) Providing a direct link to law enforcement;
- e) Improving the responsiveness of the Berlin Twp. Police Department based on community feedback;
- f) Improving school and community relations by addressing the concerns of the surrounding community that are caused by the school and its students; and

WHEREAS, in order to meet the above established goals and objectives, the Township shall provide two part-time Special Law Enforcement Officers (“SLEOs”) to act as School Security Officers (“SSO’s”) for the Berlin Township public schools.

NOW, THEREFORE BE IT RESOLVED, in consideration of the mutual covenants and agreements set forth between the parties to this agreement, the parties agree as follows. (see attached)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to sign the agreement between the Township of Berlin and the Berlin Township Board of Education for School Security Officers.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-134. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-135 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 Annacone** 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 the first day of school in September 2020 and end on the last day of school accordance with the school calendar.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-135. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-136 RESOLUTION REQUESTING THE RELEASE OF ESCROW FOR REPUBLIC FIRST BANK.

WHEREAS, Republic Bank, 200 Route 73 North, Unit 20 West Berlin, New Jersey; Block 703, Lot 12 has requested the release of their inspection escrow in the amount of \$11,794.78 and

WHEREAS, the Engineer has recommended that the Township grant the request to release of escrow monies contingent upon all final invoice have been submitted and paid.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the release of their inspection escrow for Republic First Bank (Republic Bank) is hereby granted with the conditions stated above.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-136. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-137 OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN APPROVING THE EXTENSION OF A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE.

WHEREAS, an application has been filed for an Extension of Plenary Retail Consumption License Number 0406-33-007-014 issued to Apex Parks Group, LLC, n/k/a

PP Parks Group, LLC to APX Operating Company, LLC, as designated purchaser, pursuant to an Order issued by the United States Bankruptcy Court; and

WHEREAS, on April 8, 2020, TZEW Holdco LLC and its affiliated entities, including Apex Parks Group, LLC, n/k/a PP Parks Group, LLC (collectively, "TZEW"), filed a voluntary petition for bankruptcy in accordance with applicable United States bankruptcy laws seeking relief under Chapter 11 of the United States Bankruptcy Code; and

WHEREAS, the Bankruptcy Court, by Order dated June 4, 2020, approved an Asset Purchase Agreement by and between TZEW and APX Operating Company, LLC ("APX") and recognized APX as the designated purchaser of the assets of TZEW, including Plenary Retail Consumption License Number 0406-33-007-014; and

WHEREAS, the submitted application is complete in all respects, including proof of BLH's appointment as designated purchaser; and

WHEREAS, the New Jersey Division of Alcoholic Beverage Control has approved the application and extension of Plenary Retail Consumption License number 0406-33-007-014 to AXP Operating company, LLC

NOW, THEREFORE, BE IT RESOLVED that the Berlin Township Council does hereby approve, effective August 10, 2020, the extension of Plenary Retail Consumption License No. 0406-33-007-014 to APX Operating Company, LLC, to conduct business under the privileges, terms, and conditions of the License, as designated purchaser, until such time as the License may be transferred to APX and does hereby direct the Municipal Clerk to endorse the License Certificate as follows: "This License is hereby extended, subject to all its terms and conditions to APX Operating Company, LLC, as designated purchaser, effective August 10, 2020.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-137. Resolution adopted by call of the roll, four members present voting in the affirmative. Council President Morris abstained.

RESOLUTION 2020-138 GRANTING ARCADE AMUSEMENT GAMES LICENSES TO APX SAHARA SAM'S OASIS, LLC WATER PARK.

WHEREAS, APX Sahara Sam's Oasis, LLC has filed an application with the Township of Berlin, County of Camden, New Jersey, for an Amusement Games License.

**APX Sahara Sam's Oasis, LLC
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

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 August 10, 2020 and ending December 31, 2020.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-138. Resolution adopted by call of the roll, four members present voting in the affirmative. Council President Morris abstained.

RESOLUTION 2020-139 AUTHORIZING MAYOR TO SIGN CONTRACT AGREEMENT BETWEEN TOWNSHIP OF BERLIN AND CAMDEN COUNTY IMPROVEMENT AUTHORITY.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign and execute an agreement with Township of Berlin and Camden County Improvement Authority.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-139. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-140 PAYMENT OF BILLS FOR AUGUST 2020.

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

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

CONFIRMING:

TO	ACCOUNT	AMOUNT
Ameriflex (July 2020 Admin Fee)	T-18-56-850-030208	\$75.00
Key Engineers, Inc.	9-01-20-165-2028	\$11,957.00
State of Jersey Health Benefits – June 2020	0-01-23-220-2092	\$63,584.57
(A)	0-01-23-220-2092	\$12,541.69

State of Jersey Health Benefits – June 2020 (R)	0-01-23-220-2092	\$32,863.08
Payroll, Current Fund	07/17/2020	\$138,792.94
Payroll, Sewer Operating Fund	07/17/2020	\$7,123.32
Payroll, Open Space	07/17/2020	\$4,197.46
Payroll, Animal Control	07/17/2020	\$290.72
Payroll, Sick Time Leave Trust	07/17/2020	\$1,388.43
Payroll, Current Fund	07/31/2020	\$130,559.79
Payroll, Sewer Operating Fund	07/31/2020	\$7,443.20
Payroll, Open Space	07/31/2020	\$4,216.88
Payroll, Animal Control	07/31/2020	\$290.72

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-140. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-141 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF-DUTY MUNICIPAL POLICE OFFICERS.

WHEREAS, permission is required of the Director of Local Government Services for approval as a Dedication by Rider of certain revenues; and

WHEREAS, N.J.S.A. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonably accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received; and

WHEREAS, the Township will receive funds from various vendors for costs associated with employment of off-duty municipal police officers.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Township of Berlin, County of Camden, State of New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to receive funds and to pay expenditures for employment of off-duty municipal police officers.
2. The Township Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-141. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-142 RESOLUTION AUTHORIZING THE MAYOR TO SIGN MEMORANDUM AGREEMENT BY AND BETWEEN THE TOWNSHIP OF BERLIN, BERLIN TOWNSHIP POLICE ASSOCIATION AND SERGEANT PUMPHREY.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign and execute memorandum agreement by and between the Township of Berlin, Berlin Township Police Association and Sergeant Pumphrey

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-142. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2020-143 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:

<u>Property: Block/Lot</u>	<u>REASON</u>
319 Hazel Ave. B-1815 L-5	repairs to vacant property
6 Pine Terr B-1301 L-23	lawn care
308 Grove Ave. B-903 L-6	lawn care
Haddon & Veterans Ave. B-625 I-8.01	lawn care

WHEREAS, pursuant to Chapter 249 the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

WHEREAS, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

WHEREAS, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

<u>Property: Block/Lot</u>	<u>Date Charged</u>	<u>Amount</u>	<u>Reason</u>
319 Hazel Ave. B-1815 L-5	Aug. 10, 2020	\$900.00	repairs to vacant home
6 Pine Terrace B-1301 L-23	Aug. 10, 2020	\$55.00	lawn care
308 Grove Ave. B-903 L-6	Aug. 10, 2020	\$140.00	lawn care
Haddon & Veterans Ave. B-625 L-8.01	Aug. 10 ,2020	\$180.00	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 2020-143. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2020-144 PERSON TO PERSON TRANSFER OF PLENARY
RETAIL CONSUMPTION LIQUOR LICENSE TO APX, SAHARA SAM'S
OASIS, LLC.**

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption License 0406-33-007-014. Hereto fore issued to APEX PARKS GROUPS,LLC for the premises located at 535 North Route 73 West Berlin New Jersey 08091; and

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 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as 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 purchase 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 August 10, 2020, 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 **APX, SAHARA SAM'S OASIS, LLC**.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-144. Resolution adopted by call of the roll, four members present voting in the affirmative. Council President Morris abstained.

RESOLUTION 2020-145 AUTHORIZING ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF PUBLIC LAWS OF 1997.

WHEREAS, the previous Tax Collector, Diane Zoppel, has issued a tax sale certificate to Margo Venable said Tax Sale Certificate is dated the 9th day of October, 1997, comprising a lien on property previously known as 308 Elm Avenue, Block 1815 Lot 11, set out on the municipal map then in use, (now known as 308 Toomer Avenue) and assessed to Evans Wright, which bears the certificate number 3237.

WHEREAS, Margo Venable purchaser of the aforesaid tax certificate has indicated to the Tax Collector they she **has lost or otherwise misplaced the original tax sale certificate and has duly filed an executed Affidavit of Loss swearing that she is still the lawful owner of said certificate, a copy of which is attached hereto.**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, that the current Tax Collector, Dana O'Hara, be and is hereby authorized to issue a duplicate certificate which shall be marked "Duplicate Certificate" as required by law, to the purchaser, Margo Venable upon receipt of payment in the sum of \$100.00.

Submitted for the August 10, 2020 meeting by Tax Collector, Dana OHara, CTC

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-145. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2020- 146 CONSENTING TO THE SUBMISSION OF THE NJDEP TREATMENT WORKS APPROVAL (TWA) PERMIT APPLICATION BY THE CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY (C.C.M.U.A.) FOR THE REHABILITATION OF THE C.C.M.U.A. BERLIN FORCE MAIN, WITHIN THE TOWNSHIP OF BERLIN

WHEREAS, the C.C.M.U.A. Berlin Force Main pipe has deteriorated, resulting in structural failures and the need for emergency repairs in several places within Berlin Township; and

WHEREAS, the C.C.M.U.A. has received emergency funding from the New Jersey Department of Environmental Protection (N.J.D.E.P.) for the rehabilitation of the Berlin Force Main pipe; and

WHEREAS, it is the desire of the C.C.M.U.A. to award an emergency contract for the rehabilitation of the Berlin Force Main; and

WHEREAS, the N.J.D.E.P. must approve the TWA application and requires that the Township of Berlin consent to the submission of said application and certify that the proposed project conforms with the requirements of all municipal ordinances; 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 consent to the submission of the application of the TWA by the C.C.M.U.A. and certifies that the pipe rehabilitation project conforms with the requirements of all municipal ordinances.

BE IT, FURTHER RESOLVED by the Mayor and Council for the Township of Berlin that the Mayor is hereby authorized to endorse the Treatment Works Approval Permit application forms.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-146. Resolution adopted by call of the roll, five members present voting in the affirmative

RESOLUTION 2020-147 REQUESTING THE PLANNING BOARD TO REVIEW THE LAND DEVELOPMENT AND ZONING CODES AND SUBMIT RECOMMENDATIONS FOR AMENDMENTS TO UPDATE THESE CODES TO CURRENT PRACTICES AND STANDARDS

WHEREAS, due to the changes in policies, procedures and design standards, it is beneficial for municipalities to, periodically, update the land development and zoning codes; and

WHEREAS, the Township/ Planning Board Engineer has recommended that the land development and zoning codes be updated to reflect current policies and design standards and address those matters, which frequently require the granting of variances and waivers for the same deviations from the land development and zoning codes for land development and zoning applications; and

WHEREAS, the Mayor and Council refers these matters to the Planning Board for their consideration and recommendations for amendments to the land development and zoning codes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Township of Berlin, within the County of Camden, State of New Jersey, the Mayor and Council request and authorizes the Planning Board to review the land development and zoning codes and submit their recommendations for amendments to said codes to Mayor and Council for consideration for the adoption of amending ordinances.

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt resolution 2020-143. Resolution adopted by call of the roll, five members present voting in the affirmative

Kennel License

- 1) Best Friends Pet Care, 585 Route 73 North West Berlin NJ 08091**
Dogs and Cats Boarding.

Motion by Councilwoman Bodanza second by Councilman Epifanio to approve Kennel License for Best Friends Pet Care. License approved by call of the roll, five members present voting in the affirmative.

Approval of Meeting minutes for July 6, 2020.

Motion by Council President Morris second by Councilman Sykes to approve the Meeting Minutes for July 6, 2020. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Correspondence Calendar for July 2020.

Motion by Councilwoman Bodanza, second by Council President Morris to approve the

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

Approval for Consent Agenda for July 2020.

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

All Other Business.

All Township Events are cancelled for the remainder of the year.

Public Portion

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

Resident Carolyn Picciotti thanked the Police department, Fire Department and Public Works Department for their quick response and clean-up of a tree that had fallen from Hurricane Isaias.

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

Adjourn

Motion by Councilman Sykes, second by Council President Morris to adjourn the meeting at 6:05 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:05 pm

**Catherine Underwood
Berlin Township RMC**

