

AUGUST 9, 2021

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL AUGUST 9, 2021 AT 5:30 P.M.

(Meeting was held by telephone due to Coronavirus)

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, Councilwoman Bodanza, Councilman Epifanio, Councilman Reid,

Also Present- Solicitor, Stuart Platt, CFO, Alex Davidson, Chief of Police Wayne Bonfiglio, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger.

Absent

Mayor Magazzu asked for a moment of silence for the recent passing of Berlin Township former employees

**Charles Cannan
Rena Richards**

DEPARTMENTAL REPORT

ENGINEER & DIRECTORS REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. RESOLUTIONS AND ORDINANCES

1. REQUEST TO RELEASE MAINTENANCE VOND FOR WALMART SUPERSTORE EXPANSION, 265 ROUTE 73 NORTH

I recommend that the Governing Body take the necessary action not to release the maintenance bond, as requested by the attorney for Walmart, until the necessary corrective work listed in my letter of August 4, 2021 has been satisfactorily completed by Walmart.

2. REQUEST TO REDUCE THE AMOUNT OF THE PERFORMANCE GUARANTEE FOR JMA

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LANDSCAPING, 145 CROWFOOT ROAD

I recommend that the Governing Body consider taking action to reduce the amount of the performance guarantee for the roadway and site improvements from \$477,845.00 to \$198,683.77, amend the amounts of the maintenance guarantee to \$43,688.75 and the inspection escrow to \$36,897.68. I, also, recommend that the applicant be required to submit a schedule, to the Township, for the completion of the remaining roadway and site improvements.

3. REQUEST FOR THE RELEASE OF THE PERFORMANCE GUARANTEES FOR THE SITE IMPROVEMENTS (BASE COURSE) FOR SECTIONS 5 AND 6, MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT

The consulting inspector is performing a final inspection of the improvements. Once I receive their report, I will submit my recommendation to the Governing Body for consideration for the requested release.

4. REQUEST TO REPLACE LETTERS OF CREDIT WITH SURETY BONDS FOR THE MONTEBELLO AGE- RESTRICTED RESIDENTIAL DEVELOPMENT

The Township Solicitor's Office has informed me that the developer has requested that the Township consider accepting surety bonds in place of the posted letters of credit for eight guarantees. If this request is acceptable to the Governing Body, I recommend that the amount listed on each surety bond be verified for accuracy by the Township.

5. LED AND SANDBLASTED SIGNS FOR THE WELCOME SIGN AT THE CORNER OF HADDON AND LUKE AVENUES

Due to the desired changes in the scope of the project, which will exceed the 20% change order threshold, it is my understanding that the Governing Body will be taking action to rescind the award of the current contract with KC Signs and Awnings of Aston, Pennsylvania. It is my understanding that this contractor is acceptable to this action. KC Signs and Awnings has informed the Township that they are a vendor with the Hunterdon County Co-op, where a contract could be awarded for the desired scope of work if the Township is a member of the Co-op.

6. PROHIBITION OF VEHICULAR TRAVEL WITHIN THE SHOULDER OF COOPER ROAD AT THE INTERSECTION WITH HOPEWELL ROAD

As a result of a request and the investigation and determination by the Police Department, I believe that the Governing Body intends to take action to prohibit motorists from travelling within the shoulder of Cooper Road and, then, turning onto Hopewell Road. Since both roads are under the jurisdiction of Camden County, the County must approve the installation of the signage to prohibit this traffic movement.

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7. INSTALLATION OF NEW IRRIGATION WELL PUMP AT THE LUKE AVENUE RECREATION COMPLEX

Bids were received on July 15, 2021 from three bidders, The bid prices range from \$6,290.00 to \$13,378.00. It appears that the lowest bidder may be determined to be a nonresponsive bidder. It is my understanding that the bid amounts of the other two bidders exceeds the available funds for this work. Therefore, I believe that the Governing Body will be taking action to reject the bids.

8. AMENDMENT TO THE STORMWATER CONTROL ORDINANCE

The Pinelands Commission is, currently, accepting public comments and has scheduled a public hearing on September 1, 2021, regarding the amendments to the stormwater management rules within Pinelands Area. I believe that it may be a couple of months before it will be necessary for the Governing Body to amend the ordinance in order to be consistent with the amended Pinelands rules.

9. AMENDING ORDINANCE FOR CHAPTER 320 FOR SNOW EMERGENCIES

I recommend that this section of the Code be revised to further clarify the issues, regarding snow and ice removal and prohibition of parking within the streets during a snow state of emergency.

10. ORDINANCE AMENDING CHAPTER 280, SOLID WASTE

I recommend that the Governing Body consider taking the necessary action, before the end of this year, to amend the Code to reflect current policies and procedures.

B. ENGINEER'S REPORT

1. IMPROVEMENTS TO DAY AVENUE-NJSH ROUTE 73 TO CLOVER AVENUE (NJDOT FY 2020 FUNDING)

The NJDOT has notified the Township that the Township must award a construction contract before November 21, 2021. I was hopeful that this project could have been included in the same bid specifications with the improvements to McClellan Avenue. Since time is of the essence this project will be bid, by itself. I am, currently, completing the design and will forward it to the consulting CAD drafting firm for drafting of the construction plans, in the immediate future.

2. IMPROVEMENTS TO MCCLELLAN AVENUE- HADDON AVENUE TO KRUMM AVENUE (NJDOT FUNDING- \$235,000)

I recommend that the Governing Body allocate the necessary funds, in the immediate future, for the shortfall in the anticipated construction cost, consulting surveying fieldwork, CAD drafting and inspection so that the project can be bid for the upcoming Spring season of 2022.

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3. NJDOT FY2022 MUNICIPAL AID APPLICATION

The application has been submitted to the NJDOT, requesting \$540,000 in funding for the improvements to Krumm Avenue- McClellan Avenue and Oak Avenue- NJDOT Ramp 'A' at Route 73 to 80 feet past Clover Avenue. It is expected that the NJDOT will announce the selected projects before the end of 2021.

4. IMPROVEMENTS TO CLARENCE AVENUE-HADDON AVENUE TO VETERAN'S AVENUE (N.J.D.O.T FY 2018 FUNDING)

Last month, the Governing Body approved the final change order and application for payment. Once the Township has received cancelled checks for payment to the contractor, we will submit the necessary paperwork to the NJDOT to close out the project and request the final reimbursement of the grant funds.

5. IMPROVEMENTS TO SPRUCE AVENUE-CHESTNUT AVENUE TO CUSHMAN AVENUE (NJDOT FY 2019 FUNDING)

We expect Charles Marandino, LLC, the contractor, to complete the corrective work, in the immediate future. Once the punch list items have been satisfactorily completed, the final change order and voucher will be submitted to the Governing Body for consideration for approval and acceptance. I will, then, immediately follow with the submission of the necessary documents to the N.J.D.O.T for project closeout and request for the final reimbursement of State funding.

6. CAMDEN COUNTY OPEN SPACE AND RECREATION ENHANCEMENT PROGRAM

a. Round 19 Funding- Spectator Seating for the Band Shell

I recommend, if it has not already, that all necessary paperwork be submitted to the County to close out the project.

b. Round 20 Funding- Improvements to the Gazebo at Luke Avenue Recreation Complex

Mr. Simone has informed me that the contractor has installed the metal roof on the gazebo the piers for the welcome sign.

7. NEIGHBORHOOD PRESERVATION PROGRAM- OLD WEST BERLIN SECTION

The welcome sign structure has been constructed by the Public Works staff, with the donated assistance from Mr. Dominick Dandrea. It is my understanding that the current contract for the LED and sandblasted signs will be rescinded and bids will be requested for the expanded scope of work. It is my understanding that the bids for the irrigation well will be rejected and bids or quotes will be received for said work. We intend to receive bids for the replacement banners and over-the-street ornaments and posts for the Haddon Avenue corridor, in the near future.

8. SHARED SERVICES FOR SOLID WASTE DISPOSAL FOR SELF-HAULING MUNICIPALITIES

The pre-bid meeting was held on July 21, 2021. It will be necessary to publish and send out an

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addendum to all parties that have purchased the bid specifications before August 13, 2021. The bid opening is scheduled for August 24, 2021.

9. CAMDEN COUNTY RECYCLABLES PROCESSING CONTRACT WITH REPUBLIC/ FCR CAMDEN

The current contract expires in April, 2022. The County, as the lead agency, will be advertising to receive bids for the next contract period, in the very near future. It is anticipated that the unit price for processing will increase, substantially, from the current price of \$5/ ton to approximately \$80 to 140/ ton. I recommend that the Governing Body allocate the necessary funds to cover the increased cost for these services.

10. CAMDEN COUNTY C.D.B.G PROGRAM

Funding was not approved for the improvements and expansion of the Luke Avenue Playground.

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

I defer this matter to Mr. Platt for any update

12. REQUEST FOR THE INCREASE IN SEWER ALLOCATION

I am still waiting for the final determination by the C.C.M.U.A staff and their consultant. Once we receive the position from the C.C.M.U.A, it will be necessary for the increase in allocation to be approved by the N.J.D.E.P.

13. REPLACEMENT AND RE-LINING OF THE C.C.M.U.A. FORCE MAIN AND STREET RESURFACING, HADDON AVENUE PUMPING STATION TO EGG HARBOR ROAD

It is my understanding that a majority, if not all, of the work has been completed by the CCMUA Contractor.

14. N.J. TRANSIT BUS SHELTERS

No update to report, at this time.

15. MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT

a. Request to Replace letters of Credit with Surety Bonds

Please see my comments in section B.4 of this report

b. Replacement of Concrete Sidewalk Throughout the Development

I issued my inspection report, dated April 21, 2021, to the developer. At the request of the developer, I met with their engineer on June 1, 2021 to, generally, discuss the contents of my report and observe the conditions of the concrete improvements and street pavement. I will be scheduling a meeting with the developer, in the immediate future, to discuss these matters and hopeful resolution.

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c. Request for the Release of “Base Course” Performance Bonds for Sections 5 and 6

The developer has requested the release of the “base course” bonds for these sections. The consulting inspector is performing a final inspection of the improvements and will be reporting to the Township. Once I receive the report, I will submit my recommendation to the Governing Body.

16. DEMOLITION TOWNSHIP-OWNED BUILDINGS

I continue to recommend that the buildings at 176 Bate Avenue and 191 McClellan Avenue be demolished, in the immediate future. Mr. Simone is, currently, receiving updated quotes for this work.

17. POSSIBLE PROCUREMENT OF PROFESSIONAL PLANNING SERVICES

There have been discussions, over the past several years, regarding the possible amendments to the Central Business District, redesignation of zones within the Pinelands Area and updating of the land use and zoning codes. The Township has received proposals from two professional planners, which are being reviewed for possible selection of the individual.

18. UPDATES TO THE TAX MAPS AND ZONING MAP

The consulting CAD drafting firm continues to revise the tax maps, when requested by the Tax Assessor. The Zoning Map must be revised, in the immediate future. I believe that this matter will be addressed as part of the possible professional planning services.

19. IMPROVEMENTS TO BOROUGH-OWNED WATER DISTRIBUTION SYSTEM

No update to report.

20. STORM DRAINAGE IMPROVEMENTS

a. Kelley Drive Stormwater Management Basin

The rehabilitation of this basin must be performed, in the immediate future. Walmart has contributed funds for this work.

b. Lester Avenue Drainage and Stormwater Management

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

I 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

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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. LOW PRESSURE SANITARY SEWER SYSTEM ALONG ALLIED PARKWAY AND EDGEWOOD AVENUE

Recently, there has been some interest by a few of the property owners along these streets to connect to the Township sanitary sewer collection system. At this time, it is anticipated that the individual property owners will bear the cost of the construction and, once completed, the force main pipe will be conveyed to the Township, becoming part of the collection system.

22. STUDY FOR THE DESIGNATION OF TRUCK ROUTES THROUGHOUT THE TOWNSHIP

No update to report.

C. PUBLIC WORKS DEPARTMENT

1. OPERATIONS AND STAFFING

The staff continues to perform the typical tasks for this time of the year. A seasonal employee has been hired to assist the staff with the seasonal duties. I recommend that a listing of individuals, preferably Township residents, which are experienced and capable of operating snow removal vehicles and equipment, be created to provide for back up to the staff for the upcoming winter season.

2. UPDATING OF THE PUBLIC WORKS VEHICLE FLEET

Mayor Magazzu has informed me that a meeting will be scheduled, in the immediate future, with her and Mr. Davidson to discuss the replacement of the deteriorated and extremely aged vehicles so that the crews are able to efficiently and safely perform the public works tasks. The immediate needs are a rear-load trash truck, pickup trucks, small dump trucks and sewer utility truck. There is, also, a need to replace the aerial lift truck and street sweeper. As previously mentioned, it is questionable if there will be the necessary number of snow plow vehicles for the upcoming winter season to properly perform the snow removal tasks. It is important that these vehicles be ordered, immediately, as there is a shortage of these vehicles and long delay in receiving them.

3. REQUEST FOR CAPITAL IMPROVEMENTS AND PURCHASES

I continue to request additional staffing, capital improvements and equipment purchases to

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provide for the staff to perform the public works services and tasks. Mayor Magazzu has informed me that these requests will be discussed at our meeting with her and Mr. Davidson.

4. IMPROVEMENTS TO THE SANITARY PUMPING STATIONS

A majority of the components for all of the pumping stations are aged and in need of repairs, replacement and/or upgrade. I believe that it may be necessary to allocate funds, in addition to the current capital funds, to complete the necessary improvements. We will discuss this matter at our meeting with the Mayor and Mr. Davidson.

5. IMPROVEMENTS TO THE FUELING SYSTEM AT THE PUBLIC WORKS COMPLEX

Mr. Simone is coordinating the installation and input of user information with the contractor.

6. DROP OFF OF WASTE AND RECYCLABLE AT THE PUBLIC WORKS COMPLEX

The recent COVID outbreak has resulted in an increase in the number and volume of drop offs of waste items. Even though the COVID restrictions have lessened, the drop offs continue to be greater than the pre-COVID period. Supervision and enforcement of these drop offs have become very important, to the point where it may be beneficial to assign a Public Works member to these tasks, to ensure that only acceptable items are being dropped off and placed in the proper materials containers.

SECOND READING AND PUBLIC HEARING ORDINANCE 2021-5 AMENDING AND SUPPLEMENTING CHAPTER 11 (CLAIMS APPROVAL AND PURCHASING) OF THE TOWNSHIP CODE TO REVISE REGULATIONS GOVERNING DIRECT DEPOSIT FOR TOWNSHIP EMPLOYEES.

WHEREAS, N.J.S.A. 52:14-15f authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, N.J.S.A. 52:14-15f does not require governing bodies to grant exemptions; and

WHEREAS, granting exceptions to the mandatory policy would not be cost effective.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Berlin, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring as follows:

1. Section 11-1(A) (Payroll Account) of the Township Code is hereby repealed, and replaced with the following:

Section 11-1 Payroll Account

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- A. There is hereby established a payroll account in the Township of Berlin. Each week after the payroll is processed, the Chief Financial Officer or designee shall prepare a payroll voucher. The voucher summarizes the total transfers required to be made for gross payroll, other requirements and the budget appropriations to be charged. The Chief Financial Officer shall make the necessary transfers from the current fund and sewer operating fund bank accounts to the payroll bank account. The Chief Financial Officer shall thereafter draw checks on the payroll account to the employees entitled to payment from the account. All payroll checks shall be in the form of Direct Deposit. Negotiable paper checks will not be issued after the effective date of this provision.
 - B. [No Changes]
 - C. [No Changes]
- 2. All other provisions of Chapter 11 remain in full force and effect.
 - 3. All full-time employees and elected public officials who receive compensation from the Township of Berlin are mandated to have direct deposit of their compensation as of August 9, 2021 in accordance with Chapter 28 P.L. 2013, as defined under N.J.S.A. 52:14-15f(b).
 - 4. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.
 - 5. If any provision of this ordinance is for any reason invalidated by superseding legislation or judicial decision, that provision shall be severed, and the remaining provisions shall remain in full force and effect.
 - 6. This ordinance shall take effect following its final passage by the Mayor and Council and 20 days after publication as required by law.

Motion by Council President Morris, second by Councilwoman Bodanza to open the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu opened the meeting to the public for questions or comments on Ordinance 2021-5.

No comments were to be heard.

Motion by Councilman Epifanio 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 2021-5

Motion by Councilwoman Bodanza second by Council President Morris to adopt Ordinance 2021-5. Ordinance approved by call of the roll, five members present voting in the affirmative.

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**SECOND READING AND PUBLIC HEARING ORDINANCE 2021-6 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	\$ 10,200.00
Councilperson	\$0.00	\$ 8,000.00
Township Clerk	\$0.00	\$ 75,000.00
Coordinator on Aging/Disabled	\$0.00	\$ 600.00
Chief Financial Officer	\$0.00	\$ 31,000.00
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	\$ 55,000.00
Construction Code Official/Building Inspector	\$0.00	\$ 32,500.00
Electrical Sub Code Official/Electrical Inspector	\$0.00	\$ 13,000.00
Emergency Management Coordinator	\$0.00	\$ 3,000.00
1st Deputy Emergency Management Coordinator	\$0.00	\$ 500.00
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

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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
Fire Sub-Code Official	\$0.00	\$ 7,500.00
Plumbing Inspector	\$0.00	\$ 6,000.00
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
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

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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 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 on Ordinance 2021-6.

No comments were to be heard.

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 on Ordinance 2021-6

Motion by Councilwoman Bodanza second by Councilman Epifanio to adopt Ordinance 2021-6. Ordinance approved by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2021-128 RESOLUTION REQUESTING THE ISSUANCE OF A
OFF PREMISE RAFFLE LICENSES FOR VIRTUA HEALTH FOUNDATION
INC.**

WHEREAS, Virtua Health Foundation Inc., has requested the issuances of a 50 /50 off premise raffle license by the Township of Berlin for;

Date: September 22, 2021
Location: Ott's Greentop
588 North, Route 73, West Berlin NJ 08091

Type Raffle: Off- Premises Draw Raffle

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes the issuances of an Off Premise Raffle licenses to Virtua Health Foundation Inc.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-128. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2021-129 AUTHORIZING THE TOWNSHIP OF BERLIN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT.

WHEREAS, N.J.S.A. 40A:11-11(5) Authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for this administration; and

WHEREAS, the Hunterdon County Educational Service Commission, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the provisions and performance of goods and services; and

WHEREAS, the resolution shall be known and may be cited as the Cooperative Pricing Resolution is hereby approved by the Mayor and Council of the Township of Berlin: and

NOW THERE BE IT RESOLVED, Pursuant to the provisions of N.J.S.A. 40A:11-11(5) the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency: and

FURTHER BE IT RESOLVED that the lead agency shall be responsible for complying with the provisions of the Local Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-128. Resolution adopted by call of the roll, five members present voting in the affirmative.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-129. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-130 RESOLUTION RESCINDING RESOLUTION 2021-116 FOR THE AWARDING OF A CONTRACT FOR THE FURNISHING AND INSTALLATION OF SANDBLAST SINGLE SIDED SIGN.

WHEREAS on June 21, 2021 the Mayor and Council of the Township of Berlin had approved resolution 2021-166 to award a contract for the furnishing and installation of a sandblast single sided sign: and

WHEREAS, it was necessary to make changes in the scope of work to a bigger LED sign and a different sandblast sign that was specified and contracted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that resolution 2021-116 is hereby rescinded.

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Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-130. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-131 RESOLUTION ACCEPTING THE LETTER OF RETIREMENT FOR BERLIN TOWNSHIP CHIEF OF POLICE WAYNE BONFIGLIO EFFECTIVE OCTOBER 31, 2021.

WHEREAS, Wayne Bonfiglio has served on the Berlin Township Police Department since September 16, 1996; and

WHEREAS, Chief Wayne Bonfiglio has submitted on July 28, 2021 his letter of retirement; and

WHEREAS, Mayor and Council of the Township of Berlin hereby accept Chief of Police Wayne Bonfiglio letter of retirement.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Berlin extend their best wishes to Chief Wayne Bonfiglio on a well deserve retirement and our sincere gratitude for his commitment, dedication and loyalty to the residents of Berlin Township.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-131. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-132 RESOLUTION APPOINTING OF KRISTINE MAC DUFF AS THE TAX/SEWER CLERK IN THE TAX OFFICE.

WHEREAS, a recommendation has been made to the Mayor and Council of the Township of Berlin to appoint, Kristine MacDuff as Township Tax/Sewer Clerk for the Tax Office; and

WHEREAS, the Mayor and Council have reviewed the recommendation and found same to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby authorizes and approves the appointment of Kristine MacDuff as Tax/Sewer Clerk for the Township's Tax Office, effective August 10, 2021.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-132. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2021-133 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN CONTRACT AGREEMENT WITH INTRADO INTERACTIVE SERVICE CORPORATION SYSTEM.

WHEREAS, Honeywell Instant Alert is no longer providing instant alert services for the Township of Berlin; and

WHEREAS, Intrado Interactive Service Corporation Systems is now the providing the instant alert services.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized to sign a contract agreement with Intrado Interactive Service Corporation Systems.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-133. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-134 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;

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- 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 Councilman Epifanio second by Council President Morris to adopt resolution 2021-134. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-135 RESOLUTION AUTHORIZING THE APPOINTMENT OF RICHARD ANNAcone 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 2021 and end on the last day of school accordance with the school calendar.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-135. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2021-136 RESOLUTION SUPPORTING AND REQUESTING THE INSTALLATION OF SIGNAGE FOR THE PROHIBITION OF VEHICLES DRIVING WITHIN THE SHOULDER OF COOPER ROAD, APPROACHING THE INTERSECTION WITH HOPEWELL ROAD.

WHEREAS, it has been brought to the attention of the Mayor and Council that a potential safety condition is created when motorists use the shoulder of Cooper Road as an additional travel lane, when approaching and maneuvering through the intersection with Hopewell Road; and

WHEREAS, the Berlin Township Police Department has investigated the conditions and illegal traffic movements and has recommended that “KEEP OFF SHOULDER” signs be installed along Cooper Road, approaching the intersection of Hopewell Road; and

WHEREAS, Cooper Road (County Rt. No. 675) and Hopewell Road (County Rt. No. 536S) fall under the jurisdiction of Camden County. Therefore, Camden County must approve and authorize the installation of said signage; and

WHEREAS, based upon the recommendation of the Police Department, the Governing Body supports the installation of the recommended signage prohibiting the driving of vehicles along said shoulder of Cooper Road and requests that the County of Camden take the necessary action to authorize and install the recommended signage.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Township of Berlin, in the County of Camden, State Of New Jersey that, to improve the safety of vehicular movements on Cooper Road approaching Hopewell Road, the Mayor and Council supports the installation of signage, prohibiting the driving of vehicles within the shoulder of Cooper Road, approaching the intersection with Hopewell Road;

BE IT FURTHER RESOLVED by the Mayor and Council that the Mayor and Council requests that the County of Camden take the necessary action and install the necessary signage prohibiting motorists from driving their vehicles within the shoulder of Cooper Road as they approach and travel through the intersection with Hopewell Road.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-136. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-137 RESOLUTION TO REJECT THE BIDS RECEIVED FOR THE REMOVAL AND INSTALLATION OF A NEW WELL PUMP AT LUKE AVENUE RECREATION COMPLEX.

WHEREAS, the Township of Berlin had advertised for bids for the Installation of a New Well Pump at the Luke Avenue Recreation Complex; and

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WHEREAS, the Township Engineer received 3 bids and all the bids had exceeded the allocated funds for the project through the NPP Grant Funds; and

WHEREAS, it is recommended that the Governing Body reject the bids due to the fact that it exceeds the allocated funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, is hereby authorize to reject all the bids received for the Installation of a New Well Pump at the Luke Avenue Recreation Complex.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-137. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021- 138 RESOLUTION GRANTING THE REDUCTION OF THE AMOUNT OF THE PERFORMANCE GUARANTEE AND AMENDMENTS TO THE AMOUNTS FOR THE MAINTENANCE GUARANTEE AND INSPECTION ESCROW FOR ROADWAY AND SITE IMPROVEMENTS FOR JMA LANDSCAPING SITE, 145 CROWFOOT ROAD.

WHEREAS, JMA Landscaping has been developing the site, located at 145 Crowfoot Road, also known as Block 2103, Lot 14, and Crowfoot Road from Cooper Road to the site, as part of the original site plan approval granted by the Berlin Township Planning Board on February 27, 2018; and

WHEREAS, the Berlin Township Planning Board granted amended site plan approval for modifications to the previously approved site plan on March 9, 2022, which changes the scope of the site improvements; and

WHEREAS, JMA Landscaping is requesting a reduction in the amount of the performance guarantee since portions of the roadway and site improvements, which are required under the initial site plan approval, have been completed; and

WHEREAS, the Township Engineer has observed the conditions of the roadway and site improvements, determined the improvements, which have been satisfactorily completed and the remaining improvements to be completed, based on the initial and amended site plan approvals, and has recommended that the amount of the performance guarantee be reduced from \$477,845.00 to \$198,683.77, the amounts of the maintenance guarantee be amended to \$43,688.25 and the inspection escrow be amended to \$36,897.68 (may be adjusted to reflect previously posted escrow amounts and the provisions for the posting of installment payments for this escrow); and

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WHEREAS, since it has been some time that the remaining improvements, which were approved under the initial site plan approval, have not been completed, it is important that JMA Landscaping perform and complete all remaining roadway and site improvements, in a timely manner. To ensure that the improvements are completed in a timely manner, a schedule must be submitted for the performance and completion of said improvements to the Township within 14 days of the adoption of this resolution. The schedule must be acceptable to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the request for the reduction of the performance guarantee to \$198,683.77, the amendment to the amount of the maintenance guarantee to \$43,688.25 and the amendment for the amount of the inspection escrow to \$36,897.68 for the JMA Landscaping roadway and site improvements are hereby granted.

BE IT, FURTHER, RESOLVED by the Mayor and Council that JMA Landscaping shall submit a schedule for the performance and completion of the remaining roadway and site improvements within 14 days of the date of the adoption of this resolution. Said schedule must be acceptable to the Township.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-138. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-139 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:

Property: Block/Lot
250 Fairview Ave.

REASON
lawn care, debris removal

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Haddon & Veterans Ave.	lawn care
319 Hazel Ave.	lawn care
6 Pine Terr.	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>
250 Fairview Ave.	August 9, 2021	\$650.00	lawn care
Haddon & Veterans Ave.	August 9, 2021	\$130.00	lawn care
319 Hazel Ave.	August 9, 2021	\$65.00	lawn care
6 Pine Terr.	August 9, 2021	\$140.00	lawn care

BE IT FURTHER RESOLVED, that each of the above-referenced charges and/or liens shall be filed with and shall remain on file with the Tax Office until payment in full thereof, including any penalties and/or interest that may accrue thereon; and

BE IT FURTHER RESOLVED, that all unpaid liens authorized herein shall bear interest at the same rate allowed for unpaid taxes and shall be collected and enforced in the same manner as unpaid taxes and further that the Tax Collector is further authorized to subject same to Tax Sale in the calendar year next following the date thereof in accordance with the Tax Sale Law; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Township Tax Collector and said Resolution, together with all invoices evidencing certification of costs expended for said work, shall be filed with and/or shall remain on file with the Township Tax Collector until said charges are paid the lien is released in the matter required by law.

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Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-139. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-140 RESOLUTION TO DENY THE RELEASE OF WALMART SUPERSTORE EXPANSION MAINTENANCE BOND BLOCK 1203 LOT4.

WHEREAS, Walmart Superstore Expansion 265 Route 73 North, Block 1203 Lot 4 has requested the release of their Maintenance Bond # 09062808TR#8191 in the amount of \$425,000.47; and

WHEREAS, the Engineer has performed an inspection and has recommended that the Township deny the request for the release of their maintenance bond until all corrective work is performed by Walmart.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the request for the release of the maintenance bond Walmart Superstore Expansion located at 265 Route 73 South West Berlin NJ 08091 is hereby denied.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-140. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-141 CONFIRMING LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
George Haddad Block 2501-Lot40	2021	Final	6095.00	100 Disabled Veteran Per NJSA 54:4- 3.30et seq
	2022	Preliminary	5600.22	
			\$ 11,695.22	TOTAL

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

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-141. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-142 CONFIRMING AUTHORIZING TRANSFER OF OVERPAYMENTS.

FROM 2020 Prior Year Tax to 2021 Current Year Tax

WHEREAS, a payment for real estate taxes was made on the following parcel at the closing of the purchase of the property which created a credit, and;

WHEREAS, the following property had an overpayment for the prior year and it has been requested by the owner and/or mortgage company responsible for payment of said tax that the overpayment be transferred to the current year taxes, already billed, and;

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

Block / Lot	Name	Amount
2501-76	GLESTEIN Jay & Aileen	\$ 3909.79
2503-12	MELCHIORRE Rudolph J & Annette M	3197.80

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the credits totaling seven thousand one hundred seven dollars and fifty-nine cents \$ 7107.59 be transferred from the 2020 prior tax to current 2021 tax year on the above mentioned property.

Submitted for the August 9, 2021 meeting.
Dana O'Hara, CTC – Tax Collector

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-142. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-143 PAYMENT OF BILLS FOR AUGUST 2021.

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.

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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 2021 - Administrative Fee)	T-18-56-850-030208	\$75.00
Flex Claims Week of 07/02-07/08/2021	T-18-56-850-030208	\$40.00
Courier Post Subscription Check #38827 07/01-06/30/22	1-01-20-110-2105	\$456.74
Flex Claims Week of 07/09-07/15/2021	T-18-56-850-030208	\$36.00
State of Jersey Health Benefits – July 2021 (A)	1-01-23-220-2092	\$66,385.70
	1-01-23-220-2092	\$12,054.21
State of Jersey Health Benefits – July 2021 (R)	1-01-23-220-2092	\$35,750.46
Flex Claims Week of 07/16-07/22/2021	T-18-56-850-030208	\$20.00
Flex Claims Week of 07/23-07/29/2021	T-18-56-850-030208	\$35.00
Ameriflex (August 2021 - Administrative Fee)	T-18-56-850-030208	\$75.00
Flex Claims Week of 07/30-08/05/2021	T-18-56-850-030208	\$22.19
Payroll, Current Fund	7/16/2021	\$124,175.80
Payroll, Sewer Operating Fund	7/16/2021	\$7,851.97
Payroll, Open Space	7/16/2021	\$7,490.32
Payroll, Animal Control	7/16/2021	\$285.56
Payroll, Current Fund	7/30/2021	\$116,986.94
Payroll, Sewer Operating Fund	7/30/2021	\$7,167.01
Payroll, Open Space	7/30/2021	\$4,541.33
Payroll, Animal Control	7/30/2021	\$285.56
		\$383,734.79

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-143. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-144 CONFIRMING LIST OF UNCOLLECTIBLE TAXES.

To the Mayor and Council to the Township of Berlin:

I hereby submit to you a list of taxes, which in my opinion are uncollectible. I give the reasons why I deem them uncollectible, and I request that same be remitted and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

Submitted by: Dana O’Hara, CTC - Tax Collector

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NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Joseph Rosario Block 602-Lot12	2021	Current Year May Installment	1017.73	100% Disabled Veteran Per NJSA 54:4-3.30et seq Effective 4/26/21
(Paid & To Be Refunded)				
	2021	Final	4021.05	Uncollectible & Cancelled
	2022	Preliminary	4033.17	Uncollectible & Cancelled
			\$ 9,071.95	TOTAL
				Uncollectible & Cancelled

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

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-128. Resolution adopted by call of the roll, five members present voting in the affirmative.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-144. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2021-145 AUTHORIZING REFUND OF TAX PAYMENT
N.J.S.A. 54:49-16 BLOCK 824 LOT 5 LOCATED AT 376 WASHINGTON
AVENUE**

WHEREAS, an online payment was voluntarily paid by the owner, received and automatically posted on the above property in the total amount of \$ 2,903.93 through the Township website via the online WIPP payment system, and;

WHEREAS, the customer originally intended payment for the real estate taxes for the quarter billed for August in the amount of \$ 1451.97 and November in the amount of \$ 1451.96 which was received and posted on July 19, 2021 and

WHEREAS, the owner was unaware that his mortgage company would be issuing payment for real estate taxes through his escrow account for the installments which he erroneously paid, so has requested a refund for the amount paid by him for the November quarter ONLY. Freedom Mortgage will be issuing him a refund for the August quarter personally so;

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THEREFORE, BE IT RESOLVED that a refund be made in the amount of One Thousand Four Hundred Fifty-One dollars and ninety-six cents (\$ 1451.96) to:

**BRIAN LACINSKI
376 Washington Avenue
West Berlin, NJ 08091**

These funds are in the Current Fund/General Account.
Submitted for the August 9, 2021 meeting by Dana O'Hara, CTC

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-145. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2021-146 AUTHORIZING THE CANCELLATION OF TAXES
OF TOWNSHIP PROPERTY AS PER N.J.S.A. 54:4-3.3.**

WHEREAS, the Township of Berlin was transferred a property known as Block 2404 Lots 45 from HovBros Berlin, LLC by way of Deed of Dedication dated January 29, 2021, for public use and would be considered exempt and uncollectible and;

WHEREAS, the full year 2021 taxes had been levied in the amount of \$ 1415.63, and the preliminary first half of 2022 taxes have been levied in the amount of \$ 707.82;

WHEREAS, adoption of this resolution will cancel the amount of taxes levied as of January 29, 2021 through December 31, 2021 which is the date of ownership and the first half of 2022, so;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Tax Collector cancel taxes for the ownership dates in 2021 tax year and the preliminary 2022 in the amount of Two thousand, Twelve dollars and eighty-five cents for Block 2404 Lots 45 owned by the Township of Berlin.

Submitted for the August 9, 2021

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-146. Resolution adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2021-147 AUTHORIZING REFUND OF TAXES PAID
TO PREVIOUS OWNER As Per N.J.S.A. 54:49-15 BLOCK 2404 LOT 45
HovBros Berlin LLC to Township of Berlin LOCATION- 701 Taunton Avenue**

WHEREAS, final tax bills were mailed on or before September 30, 2020 for the November, 2020 quarter and preliminary 2021 February and May quarters and;

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WHEREAS, said property mentioned above was transferred/sold on January 29, 2021, and;

WHEREAS, the bookkeeper paid the February tax installment bill for that property which was due on February 1st, said installment covers January 1st through March 31st which includes their ownership dates and paid their tax responsibility through January 29th but actually on the date of payment, no longer owned such property and;

WHEREAS, the seller/previous is entitled to a refund of paid monies which have created an overpayment due to the cancellation due to the exempt status of the ownership to Township of Berlin, so;

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that a refund be made in the amount of Two hundred forty-four dollars and thirty-four cents (\$244.34) to:

**HovBros Berlin, LLC.
900 Birchfield Drive
Mount Laurel, NJ 08054**

These funds are in the General Account.

Submitted for the August 9, 2021 meeting by Dana OHara, CTC

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-147. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-148 APPOINTMENT OF PROFESSIONAL PLANNER

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contract for "Professional Services" " under the fair and open contract provisions of N.J.S.A.19:44A-20.4 et seq; and must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, that **LEAH FUREY BRUDER from LFB Land Planning LLC. Located at 22 Coates Street Medford, NJ 08055** is hereby appointed the Professional Planner of the Township of Berlin for a term of one year commencing August 9, 2021, to perform professional services ordinarily provided by and required of a Professional Planner. These professional services are necessary and are required by this municipality.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-148. Resolution adopted by call of the roll, five members present voting in the affirmative.

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RESOLUTION 2021-149 THE APPOINTMENT OF KEVIN SHORT 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 Kevin Short as Patrolman in the Township Police Department; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Kevin Short, Patrolman in the Township Police Department effective August 10, 2021

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-149. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-150 THE APPOINTMENT OF RYAN KENNEDY SHORT 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 Ryan Kennedy as Patrolman in the Township Police Department; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berlin that it hereby authorizes and approves the appointment of Ryan Kennedy, Patrolman in the Township Police Department effective August 10, 2021

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-150. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-151 RESOLUTION AUTHORIZING THE APPOINTMENT OF RYAN DONNELLY AS PART TIME CLASS II SPECIAL LAW ENFORCEMENT OFFICER (SLEO II) FOR THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY.

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WHEREAS the Mayor and Council of the Township of Berlin finds that for the health, safety and welfare of the citizens of the municipality, that the appointment for Special Law Enforcement Officers are needed; and

WHEREAS Ryan Donnelly has applied for the position: and

WHEREAS, the Chief of Police Wayne Bonfiglio has recommended the appointment of Ryan Donnelly to the Berlin Township Police Department as a Special Law Enforcement Officer.

NOW BE IT RESOLVED that the Mayor and Council of the Township of Berlin hereby appoints **Ryan Donnelly** as a part time Special Law Enforcement Officer pursuant to N.J.S.A. 40A:14-146.10A for Berlin Township Police Department effective August 10, 2021.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-151. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2021-152 RESOLUTION AUTHORIZING THE SUBSTITUTION OF PERFORMANCE BONDS

WHEREAS, in relation to ongoing construction to the Montebello Pump Station and surrounding roadways, Hovbros Berlin, LLC (“Hovbros”) provided eight (8) letters of credit to the Township of Berlin (the “Township”); and

WHEREAS, Hovbros seeks to substitute Performance Bonds in the place of the aforementioned letters of credit; and

WHEREAS, Hovbros is permitted to change the form of Guarantee; and

WHEREAS, the Township will therefore agree to release the letters of credit in exchange for suitable replacement Performance Bonds upon review and approval of the proposed Performance Bonds by the Township Solicitor and Township Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden and State of New Jersey, for the reasons set forth above that the following letters of credit may be released to Hovbros Berlin, LLC for cancellation upon receipt of suitable replacement Performance Bonds:

1. LC1881 in the original amount of \$462,341.00 pertaining to Section 3 (Top Paving and Landscaping).
2. LC1865 in the original amount of \$229,498.56 pertaining to Section 4 (Top Paving and Landscaping – Columbus/Leonardo).
3. LC1866 in the original amount of \$185,061.30 pertaining to Section 4 (Top Paving and Landscaping – Gainsboro)
4. LC1917 in the original amount of \$429,657.12 pertaining to Section 4a (Top Paving and Landscaping)

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5. LC1938 in the original amount of \$1,463,401.20 pertaining to Section 5 (Site Improvements and Base Course)
6. LC1937 in the original amount of \$510,196.44 pertaining to Section 5 (Top Paving and Landscaping)
7. LC1958 in the original amount of \$1,533,496.00 pertaining to Section 6 (Site Improvements Base Course)
8. LC1959 in the original amount of \$414,346.00 pertaining to Section 6 (Top Paving and Landscaping)

BE IT FURTHER RESOLVED that the Township Solicitor and Township Engineer must first review and approve the proposed Performance Bonds before the above-referenced letters of credit may be released.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to implement this Resolution and execute any documents necessary in connection therewith.

Motion by Councilman Epifanio second by Council President Morris to adopt resolution 2021-152. Resolution adopted by call of the roll, five members present voting in the affirmative.

Business Approvals

1) John Bruno, Key Engineering Solutions, LLC, 107 Edgewood Avenue, West Berlin NJ 08091. Provide testing for Automotive Catalyst from catalytic converters. Material is received, sampled and tested to determine value.

2) Mitat Dumlu, Smyrna Beauty LLC, 420 Commerce Lane #7, West Berlin NJ 08091. Office and Warehouse use

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

Animal Permits

1) Gina Odegaard, 265 Fairview Avenue, West Berlin NJ 08091.
Permit for 4 Chickens.

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, five members present voting in the affirmative.

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2) Linda Townsend, 165 Collings Avenue, West Berlin NJ 08091. Permit for 6 Chickens.

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, five members present voting in the affirmative.

3) Joshua Shellenberger, 25 Oak Court, West Berlin NJ 08091. Permit 4 Chickens.

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, four members present voting in the affirmative. Mayor Magazzu abstained.

4) Joseph Fabrico 149 McClellan Avenue, West Berlin NJ 08091. Permit for 2 Ponies.

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, five members present voting in the affirmative.

5) George Turner, 314 Stratford Avenue, West Berlin NJ 08091. Permit for 2 Chickens.

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, five members present voting in the affirmative.

6) Cheryl Green, 9 Fern Avenue, West Berlin NJ 08091, Permit for 6 Chickens

Motion by Council President Morris second by Councilman Epifanio to approve the Animal Permit above. Animal Permit adopted by call of the roll, five members present voting in the affirmative.

7) Samantha Adrian, 247 Powell Avenue, West Berlin NJ 08091. Permit for 6 chickens

Kennel License

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

Motion by Council President Morris second by Councilman Epifanio to approve the Kennel License above. Kennel License adopted by call of the roll, five members present voting in the affirmative.

AUGUST 9, 2021

Approval for Meeting Minutes for July 5, 2021

Motion by Council President Morris second by Councilman Epifanio to approve the Meeting Minutes for July 5, 2021. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Correspondence Calendar for June and July 2021

Motion by Councilwoman Bodanza, second by Councilman Epifanio to approve the Correspondence Calendar for June and July 2021. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Consent agenda for June and July

Motion by Council President Morris, second by Councilman Epifanio to approve the Consent Agenda for June and July 2021. Motion carried by voice vote, five members present voting in the affirmative.

All Other Business

The Grand Opening of Marshall is scheduled for August 19th 2021

Public Portion

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

No comments were to be heard

Motion by Councilman Epifanio, 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 Epifanio, second by Councilwoman Bodanza to adjourn the meeting at 6:00 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:00 pm

**Catherine Underwood
Berlin Township RMC**

AUGUST 9, 2021