

MAY 9, 2022

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL
MAY 9, 2022 AT 5:30 P.M.**

Mayor Magazzu opened the meeting and stated that pursuant to the requirements of the Open Public Meetings Law, notice of this meeting was advertised in the Courier Post, Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- Mayor Magazzu, Council President Bodanza, Councilman Epifanio, Councilman McHenry.

Also Present- Solicitor, Justin Strasser, CFO, Alex Davidson, Officer In Charge, Lt. Ron Silvestro, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger

Absent- Councilman Reid, Property Maintenance / Animal Control, Josh Shellenberger

Departmental Reports

ENGINEER'S AND DIRECTOR'S REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. ORDINANCES AND RESOLUTIONS

**1. AMENDING ORDINANCE FOR THE REVISED PINELANDS
STORMWATER MANAGEMENT REGULATIONS**

Once the Pinelands staff releases the model ordinance, I recommend that the Governing Body consider introducing the amending ordinance for the amended Pinelands Area Stormwater Management regulations.

**2. REQUEST FOR THE RELEASE OF THE PERFORMANCE GUARANTEES
FOR ROADWAY AND SITE IMPROVEMENTS ("BASE COURSE") FOR
THE MONTBELLO DEVELOPMENT, SECTIONS 5 AND 6**

The corrective work, still, must be performed for the release of these guarantees. Therefore, at this time I continue to recommend that the

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performance guarantees not be released until said work has been satisfactorily completed by the developer.

3. REQUEST TO RELEASE PERFORMANCE BOND FOR WALMART SUPERSTORE

Due to the unsatisfactory conditions I continue to recommend that the bond not be released to Walmart.

4. PUBLIC SALE OF TOWNSHIP -OWNED PROPERTIES

I believe that the Governing Body will be authorizing the scheduling of a public auction of certain Township-owned lots. The Zoning Officer has submitted his comments and recommendations.

C. ENGINEER'S REPORT

1. IMPROVEMENTS TO CLARENCE AVENUE, N.J.D.O.T FY18 MUNICIPAL AID FUNDING

I have received correspondence from the NJDOT that they have closed out the project. Therefore, the Township should be receiving the final grant reimbursement payment, shortly.

2. IMPROVEMENTS TO SPRUCE AVENUE, N.J.D.O.T FY19 MUNICIPAL AID FUNDING- \$150,000

The Township Chief Financial Officer has provided me with a copy of the cancelled check for final payment to the contractor. We will be submitting the necessary documents to the NJDOT for their review and hopeful acceptance for the release of the final grant reimbursement and project closeout.

3. IMPROVEMENTS TO DAY AVENUE- ROUTE 73 TO CLOVER AVENUE, N.J.D.O.T. FY20 MUNICIPAL AID FUNDING

On October 25, 2021, the Governing Body awarded a contract to Gerald A. Barrett, LLC of Berlin, N.J. for \$145,804.92 for the Base Bid and Alternate No. 1. A preconstruction meeting will be scheduled in the near future and construction is anticipated to commence in the Spring, 2022. This project is being handled by the consulting project engineer.

4. IMPROVEMENTS TO MCCLELLAN AVENUE- HADDON AVENUE TO KRUMM AVENUE (N.J.D.O.T FY 2021 MUNICIPAL AID FUNDING- \$235,000) AND IMPROVEMENTS TO KRUMM AVENUE- MCCLELLAN AVENUE TO FRANKLIN AVENUE (N.J.D.O.T FY 2022 MUNICIPAL AID FUNDING- \$275,000)

A contract for the improvements to McClellan Avenue must be awarded by November, 2022 and for Krumm Avenue by November, 2023. I have received the asphalt core results from the testing firm and have forwarded them to the consulting engineer for inclusion on the construction plans. The consulting

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engineer is preparing the existing conditions plan for my use for the design of the project.

5. IMPROVEMENTS TO HADDON AVENUE BY CAMDEN COUNTY

Recently, Mayor Magazzu attended a meeting with representatives of the County and Berlin Borough to discuss the status of the roadway improvements project. It is my understanding that the Borough will be improving the water main, within the limits of the roadway project, prior to any roadwork being performed by the County.

6. N.J.D.O.T FY 2023 MUNICIPAL AID GRANT PROGRAM

Typically, applications must be submitted by the end of June, each year. I recommend that the Governing Body begin to consider possible projects for submission of an application. I would be glad to submit a list of streets to the Governing Body for selection.

7. CAMDEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (C.D.B.G.) FUNDS

a. Year 2022 Application

The application package for the improvements to and expansion of the playground at the Luke Avenue Recreation Complex was submitted to the Camden County CDBG. This is the same application, which was submitted for the last two rounds of funding.

b. Remaining Funds from Previous Years

The County CDBG Office has confirmed that there are \$42,298.57 of CDBG funds from previous years. The Year 15 funds must be expended by September 1, 2022 or the funds will be recaptured by the Federal agency. We are preparing the construction plans for the proposed addition to the rear of the building. The structure will be constructed by the Public Works staff. the mechanical, electrical and plumbing work will be contracted with the necessary licenses contractors.

8. N.J. LOCAL RECREATION IMPROVEMENT GRANT- ADDITION TO THE SENIOR CITIZENS BUILDING

The State has awarded a \$75,000 reimbursable grant for the above-mentioned addition to the Senior Citizens Building, which amount is one of the larger amounts granted under this program. As directed by the N.J.D.C.A., the SAGE account has been amended so that the budget amount matches the grant amount.

The Township had applied for \$290,560 of grant funds and was one of the successful 162 recipients to receive a grant as the program was very competitive between municipalities and schools.

It is my understanding that the funds must be expended and the request for reimbursement submitted to the N.J.D.C.A. before August, 2023.

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9. NEIGHBORHOOD PRESERVATION PROGRAM

a. Welcome Sign at Haddon and Luke Avenues

The Contractor has installed the LED and welcome signs. The extension of the irrigation system and installation of the landscaping, around the base of the sign, will be performed in the Spring, 2022.

b. Sign and Landscape Improvements at Holiday Island

The design for the sign and landscaping is being performed, at this time.

c. Seasonal and Holiday Banners for Haddon Avenue and Walker Avenues

The new banners have been delivered to the Township. The Spring seasonal banners have been installed on the new brackets.

d. Decorative Poles and Over-the-Street Holiday Decorations

We are in the process of finalizing the pole height and necessary electrical work as the work must be performed by the Township with a master meter provided by Atlantic City Electric.

10. CAMDEN COUNTY OPEN SPACE AND RECREATION ENHANCEMENT GRANT PROGRAM

The application, along with the supporting documents were submitted to the County, requesting the maximum grant amount of \$25,000. The application notes that the Township has, also, submitted an application to the Camden County CDBG for CDBG funding. Typically, the announcement of the selected projects for the open space and recreation enhancement funding is made in the middle of the year.

11. IMPROVEMENTS TO THE TENNIS COURTS AT ROBERT T. CLYDE PARK

We have received one quote from a court surface specialist and expect to receive a quote from another specialist, shortly. Once the second quote is received, we will submit our recommendations for the improvements to the courts, which will include the addition of pickleball court marking for multi-sport usage of the courts.

12. IMPROVEMENTS TO PLAYGROUNDS

The Public Works staff continues to make improvements and repairs to the playground equipment. As mentioned above, the Township has also requested County CDBG and Recreation Enhancement funds to improve and expand the Luke Avenue playground.

We are, also, obtaining prices to replace various pieces of playground equipment and for new modular playground equipment. We will be submitting

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the estimates to the Governing Body, shortly, for review and consideration for possible improvements.

13. NEW JERSEY I-BANK FINANCING PROGRAM

This program provides low-interest loans for transportation and water/sewer/stormwater infrastructure project. I-Bank is partnering with the N.J.D.O.T for transportation projects and N.J.D.E.P for the water, sewer and stormwater projects. The I-Bank loan is available to supplement any shortfall in funding, for eligible projects, from the N.J.D.O.T and N.J.D.E.P. It is expected that The Federal Infrastructure Investment and Jobs Act funding will be administered through the I-Bank.

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

I have no update to report, regarding this matter, at this time. I recommend that the Governing Body take the desired action to bring this matter to a final resolution.

15. REQUEST FOR INCREASE IN SANITARY SEWER ALLOCATION

The Township requested that the CCMUA consider endorsing the request to increase the sewer allocation to cover the flows for future development within the Township. The approval of the increase in the allocation must be granted by the N.J.D.E.P. I believe that the CCMUA has determined that there is sufficient remaining allocation to handle the immediate future development. This matter may need to be revisited after the anticipated development, in the immediate future, has been constructed.

16. SOLID WASTE DISPOSAL

The Township will be participating in the 2022 option year of the County Co-Op contract with Covanta Energy at \$86.47/ton. The County will be receiving bids on May 25, 2022 for solid waste disposal for participating municipalities for the upcoming five years. Everyone is hopeful that these bids will result in the most cost-effective disposal costs for the participating municipalities.

17. CAMDEN COUNTY RECYCLABLES PROCESSING CONTRACT

The County Commissioners has awarded a three-year contract, beginning May 1, 2022, with an option, if agreed by the County and the Contractor, to extend the contract for two, additional one-year extensions. The Contract amount is based on a base price of \$40.00/ton plus additional costs if the established index falls below the price of \$110.00/ton and will provide a reduction in the cost, from the base price, if the established index is greater than \$110.00/ton. It is expected that the cost per ton for 2022 will be around \$50.00 to \$60.00/ ton and a price of \$100.00/ ton should be used for budgeting purposes since it is unknown, at this time, what the market will be for the various recyclable materials.

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18. CHERRY HILL TOWNSHIP COOPERATIVE PRICING SYSTEM

I am not aware, at this time, if Cherry Hill and the NJDCA have taken the necessary actions to include Berlin Township as a participating member in this cooperative.

19. ENVIRONMENTAL CLEANUP OF COMMERCIAL SITES

a. C&M Motors Site, 152 Haddon Avenue

I have no update to report, regarding this matter.

b. US Gas Service Station Site, 170 N. Route 73

The site has been excavated, leaving the fuel supply lines and underground tanks exposed with piles of excavated soil and broken concrete piled on the ground surface. It is my understanding that the owner has not and may not intend to take any action to address the current unprotected site conditions.

Several months ago, a N.J.D.E.P staff member visited the site and recommended that, due to potential liability issues, the Township not backfill over the exposed tanks and supply lines due to the potential for damage to these improvements and the release of any remaining petroleum product.

I believe that, at this time, it is the intent of the Township to have the piles of broken concrete removed from the site, in an attempt to reduce the potential safety issues and make the site more appealing to the eye.

20. MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT

a. Corrective Work and Completion of Various Improvements

I have met with representative of the developer, on January 13, 2022 and on April 29, 2022, to discuss the performance of the corrective and remaining roadwork and site improvements, throughout the development. In our first meeting the developer's representative stated that they expect to have all corrective work completed by the end of 2022. The developer is, currently, preparing a detailed schedule for the performance of the various corrective tasks, which I will submit to the Governing Body, once received from the developer. He has assured me that they are committed to completing the corrective work.

We have agreed that I will perform inspections of the concrete sidewalk driveway aprons, granite curbing and other roadway improvements immediately prior to the developer performing said corrective work to ensure that the removal addresses the current conditions, at that time. I will, also, be inspecting the perimeter buffer area along Voorhees Township to determine the placement of infill evergreen plantings.

The developer will, also, be submitting a letter to the Township to address the matter of the landscape plantings along the commercial lot.

b. Meeting with Representatives of the Homeowners Association

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Several months ago, I met with representatives of the Homeowners Association to discuss the findings from their consulting engineers, regarding corrective work. They have informed me that they have discussed various corrective work with the developer. I still must review their consultant's reports against the design documents and will respond to the Homeowner's representatives.

c. Request for the Release of the Site Improvements Bonds for Sections 5 and 6

On April 29, 2022, the Township consulting inspector and I met with the developer's representative to discuss the remaining corrective work, listed in the "base course" performance bonds for each section. Therefore, at this time, I continue to recommend that these performance bonds not be released by the Governing Body.

21. REVIEW OF TOWNSHIP ZONING AND LAND DEVELOPMENT CODES

The Township Professional Planner, Planning Board Chairperson, Zoning Officer and I continue to review the zoning and land use codes for comments and recommendations for updates. The Zoning Map must, also, be revised for updates. I have recommended that zoning district lines be adjusted to follow lot lines to eliminate split zoning on lots, where possible.

22. AMENDED PINELANDS STORMWATER MANAGEMENT REGULATIONS

It is expected that the Pinelands Commission will be issuing a model ordinance, for use by the affected municipalities, this month. The Pinelands amended rules became effective on January 18, 2022 and the Township has one year to incorporate the new rules into the master plan and land use ordinances. I recommend that, once the model ordinance has been received by the Township, the Governing Body consider authorizing the necessary work to address this matter.

23. STORM DRAINAGE IMPROVEMENTS

a. Lester Avenue Drainage and Stormwater Management Facility at the Low Point

We have not completed the design for this project. I intend to complete the design for a reduced scope of work, based on the amount of the funds for this project.

b. Kelley Drive Basin Improvements

I recommend that the necessary improvements be performed on this stormwater management facility, in the immediate future.

c. Mt. Vernon Avenue at the Elementary School

No update to report.

d. Storm Drainage Improvements, Southwest Portion of the Township

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No update to report.

24. STUDY FOR DESIGNATED TRUCK ROUTES THROUGHOUT THE TOWNSHIP

This work remains to be completed and the recommendations submitted to the Governing Body for consideration for adoption.

25. AMENDMENTS TO CHAPTER 280, SOLID WASTE

I recommend that the Governing Body consider amending this code to be consistent with current policies and practices. I will submit my recommendations to the Governing Body for your consideration.

26. IMPROVEMENTS AND MAINTENANCE TO THE PUBLIC WATER DISTRIBUTION SYSTEM WITHIN THE TOWNSHIP

I believe that the Borough Public Works staff have completed the Spring-season flushing of certain water mains within the Township.

I continue to recommend that the Borough consider interconnecting/looping all dead end and upgrading all undersized water mains throughout the Township. At this time, I am not aware of the Borough proposing any improvements to the system, within the Township.

27. PUBLIC SALE OF TOWNSHIP-OWNED PROPERTIES

It is my understanding that the Governing Body will be authorizing the public auction of several Township-owned lots. I will review the lots with the Zoning Officer and submitting our comments and recommendations to the Township Chief Financial Officer.

D. PUBLIC WORKS DEPARTMENT

1. 2021 ANNUAL RFEPORTS TO THE NJDEP

At the end of last month, we submitted the required recycling tonnage report and the stormwater report to the NJDEP.

It is necessary that several of the required stormwater documents be updated, immediately.

2. OPERATIONS AND STAFFING

The staff is performing various tasks throughout the Township. If determined to be necessary, the Department will attempt to hire seasonal employees for the Spring, Summer and Fall Seasons.

3. REAR-LOAD TRASH TRUCK AND UPDATING THE VEHICLE FLEET AND EQUIPMENT

Last month, the Governing Body awarded contracts for the rear load trash truck, through the Sourcwell national co-op. We are in the process of the Contract endorsement and expect to issue a Notice to Proceed to the

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contractors. IT is expected to take approximately nine months or more, from the issuance of the Notice to Proceed, for the delivery of the complete trash truck.

Due to the current shortage of trucks, available for purchase, the delivery of the new pick-up truck is delayed. Mr. Simone has been working with vendors to purchase a new rear load trash truck, small dump trucks and leaf collection machine. It will be necessary to begin performing repairs and replacement of components of the automated arms on the side-load trash trucks.

4. REQUEST FOR CAPITAL IMPROVEMENTS AND PURCHASES

I believe that the Governing Body and Chief Financial Officer have reviewed our request for the capital improvements and purchases for the high priority items. We would be glad to discuss these requests with the Governing Body and Mr. Davidson, in further detail.

5. REPLACEMENT OF THE OFFICE AND GARAGE BUILDING ROOF AT THE PUBLIC WORKS COMPLEX

The bid opening is scheduled for May 24, 2022. We are hopeful that an acceptable bid is received and the Governing Body can consider awarding a contract at the Council Meeting on June 13, 2022.

SECOND READING AND PUBLIC HEARING 2022-3 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 2022 as follows:

POSITION	ANNUAL SALARY RANGE (Except as Noted)	
	FROM	TO
Mayor	\$0.00	\$57,000.00

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President of Council	\$0.00	\$10,500.00
Councilperson	\$0.00	\$7,800.00
Township Clerk	\$0.00	\$76,000.00
Coordinator on Aging/Disabled	\$0.00	\$620.00
Chief Financial Officer (Shared Service)	\$0.00	\$31,750.00
Finance Clerk (Part-time)	\$0.00 per hour	\$20.00 per hour
Finance Clerk (Full-time)	\$0.00	\$41,000.00
Tax Collector	\$0.00	\$60,000.00
Tax/Sewer Clerk	\$0.00	\$40,000.00
Tax Assessor	\$0.00	\$25,000.00
Director of Public Works/Township Engineer w/C-2 Wastewater License	\$0.00	\$179,000.00
Building Custodian/Property Maintenance/Zoning Officer/Board of Health Inspector	\$0.00	\$55,000.00
Construction Code Official/Building Inspector	\$0.00	\$33,500.00
Electrical Sub Code Official/Electrical Inspector	\$0.00	\$13,500.00
Emergency Management Coordinator	\$0.00	\$3,075.00
1st Deputy Emergency Management Coordinator	\$0.00	\$525.00
Prosecutor	\$0.00	\$13,350.00
Deputy Public Works Director	\$0.00	\$82,000.00
Recreation Coordinator (Not to exceed 10 hours per week)	\$0.00 per hour	\$16.50 per hour
Recreation Coordinator/Special Events	\$0.00	Minimum wage
Librarian	\$0.00	\$16.50 per hour
Municipal Judge	\$0.00	\$25,750.00
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	\$41,000.00
Engineering Technician	\$0.00	\$61,500.00
Public Works/Engineering Clerk	\$0.00	\$41,000.00
Administrative Secretary to Land Use (With Registrar Certification)	\$0.00	\$58,000.00
Fire Sub-Code Official	\$0.00	\$7,700.00
Plumbing Inspector	\$0.00	\$6,150.00
Property Maintenance Inspector - PT (not to exceed 8 hours per week)	\$0.00 per hour	\$18.02 per hour
Police Department - Clerk Typist	\$0.00	\$41,000.00
Crossing Guards	\$0.00 per hour	\$16.50 per hour

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Temporary Clerk Typist	\$0.00 per hour	\$16.50 per hour
Emergency Event Temporary Public Works Laborer	\$0.00 per hour	\$25.50 per hour
Emergency Event Temporary Mechanic	\$0.00 per hour	\$30.00 per hour
Bus Driver	\$0.00 per hour	\$25.00 per hour
Clerk Typist - PT to Include Library Clerk	\$0.00 per hour	\$16.50 per hour
Deputy Court Administrator	\$0.00	\$41,000.00
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	\$5,200.00
Student Clerk Typist	\$0.00	Minimum wage
Chief of Police	\$0.00	\$140,000.00
Lieutenants of Police	\$0.00	\$109,500.00
Sergeants of Police	\$0.00	\$104,000.00
Date of Hire without Certification	\$0.00	\$37,000.00
Date of Hire with Certification or Police Academy Graduation	\$0.00	\$50,000.00
Beginning of Second Year	\$0.00	\$53,000.00
Beginning of Third Year	\$0.00	\$57,500.00
Beginning of Fourth Year	\$0.00	\$65,000.00
Beginning of Fifth Year	\$0.00	\$71,500.00
Beginning of Sixth Year	\$0.00	\$79,000.00
Beginning of Seventh Year	\$0.00	\$86,000.00
Beginning of Eighth Year	\$0.00	\$97,500.00
PT Class II SLEO Officer	\$0.00 per hour	\$30.00 per hour
PT Class II SLEO Officer (School Security)	\$0.00 per hour	\$40.00 per hour
Traffic & Other Services	\$0.00 per hour	\$75.00 per hour
Traffic & Other Services (Township Projects)	\$0.00 per hour	\$50.00 per hour
Employees of Public Works Department	\$0.00 per hour	\$40.00 per hour
Employees of Public Works Department (Temporary)	\$0.00 per hour	\$25.00 per hour
Sewer Department Standby	\$0.00 per month	\$225.00 per month
Special Assignments Stipend	\$0.00	\$12,000.00

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Motion by Councilman Epifanio, second by Council President 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 2022-3.

No comments were to be heard.

Motion by Council President 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 2022-3.

Motion by Council President Bodanza second by Councilman Epifanio to adopt Ordinance 2022-3. Ordinance approved by call of the roll, four members present voting in the affirmative.

SECOND READING AND PUBLIC HEARING ORDINANCE 2022-4
AUTHORIZING AND RATIFYING THE USE OF THIRD PARTY ELECTRONIC
PAYROLL SERVICES.

WHEREAS the Local Finance Board of the State of New Jersey adopted formal rules regarding “Electronic Disbursement Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third-party payroll services/disbursing services to disburse funds to payroll agencies; and

WHEREAS in order to have a payroll servicer provide disbursement services, the Mayor and Council of Berlin Township must formally approve the principle of a third-party having access to Township funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions;

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

SECTION 1. Chapter 4 entitled “Third-Party Payroll Disbursement” is hereby established in the Municipal Code, as follows:

CHAPTER 4 “Third-Party Payroll Disbursement”

4-1. Purpose; definitions.

a. The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:27D-20.1 and N.J.A.C. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.

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b. Definitions. As used in this chapter, the following terms shall have the meanings indicated:
Approval Officer. Person(s) responsible for authorizing and supervising the activities of the payroll service.

Payroll Service. Third-party payroll service organization.
Township. Berlin Township.

4-2. Authorization.

a. The Township is authorized to use a payroll service to prepare payment documentation, take possession of Township funds, and make such disbursements itself on behalf of the Township.

b. The following payroll service providers shall be required to comply with these regulations:

1. Payroll service providers who use their own customized programming process to execute disbursements for the Township;
2. Payroll service providers who use a third-party processor to execute disbursements for the Township.

4-3. Township requirements.

a. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, See N.J.S.A. 40A:11-1 et seq. and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of Township funds to contractor's account for subsequent disbursement of payment.

b. Any renewal or extension of a contract under these regulations shall be by resolution.

c. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization.

d. If required by the contract between the Township and the payroll service, the payroll service is permitted to hold Township funds pending transmittal to a payee.

4-4. Payroll service requirements.

a. A payroll service must meet all of the following requirements:

1. Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;
- (2) Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Township.

b. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.

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c. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30-17.6, which sets out a series of mandatory contractual terms and conditions.

4-5. Establishment of service.

Upon the adoption of these regulations, the Mayor, with the assistance of the Chief Financial Officer and Township Attorney, as necessary, is hereby authorized and directed to enter into a contract for payroll service in accordance with all local public contracting laws and N.J.A.C. 5:30-17. Appointment of the payroll service shall be by separate resolution of the Township.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 4. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Motion by Council President 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 on Ordinance 2022-4.

No comments were to be heard.

Motion by Councilman Epifanio second by Council President Bodanza to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public for questions or comments on Ordinance 2022-4.

Motion by Council President Bodanza second by Councilman Epifanio to adopt Ordinance 2022-4. Ordinance approved by call of the roll, four members present voting in the affirmative.

SECOND READING AND PUBLIC HEARING ORDINANCE 2022-5 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 156 OF THE TOWNSHIP CODE ENTITLED "FEES"

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

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WHEREAS, Chapter 156 of the Code of the Township of Berlin establishes the fees to be charged for certain services to be rendered and/or records maintained by the Township; and

WHEREAS, Section 156-13 of the Code establishes the fees for police services for private persons or entities; and

WHEREAS, the Mayor and Council deem it advisable to amend the fee regarding police services for private persons or entities for traffic control, the use of a patrol vehicle, and other police services; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the Governing Body is authorized to enact and amend ordinances to fix the fees of any officer or employee of the municipality for any service rendered in connection with said office or position; and

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

SECTION 1: Section 156-13 of the Code of the Township of Berlin entitled "Fees for Police Services for Private Persons or Entities from §40-10," is hereby revised and amended to provide as follows:

§ 156-13 Fees for police services for private persons or entities from § 40-10.

The rate of payment for such police services shall be at the following rates:

A. Traffic control: \$85 per hour base rate, plus \$15 per hour for an administrative fee;

B. Other police services: \$85 per hour base rate, plus \$15 per hour for an administrative fee;

C. Traffic control for Township bid and funded projects: \$45 per hour base rate, without administrative fees;

D. Patrol vehicle: \$20 per hour.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 156 of the Code of the Township of Berlin shall not be affected by this Ordinance.

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

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SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

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

Motion by Councilman Epifanio, second by Council President 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 2022-5.

No comments were to be heard.

Motion by Council President 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 2022-5.

Motion by Council President Bodanza second by Councilman Epifanio to adopt Ordinance 2022-5. Ordinance approved by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-101 RESOLUTION FOR PLACE TO PLACE TRANSFER, EXTENSION OF PREMISES ON LIQUOR LICENSE FOR BZBL INC / DBA THE WINE SHOPPE.

WHEREAS, an application has been filed for a place- to- place transfer of Plenary Retail Distribution License 0406-44-002-008, for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized: and

WHEREAS, the submitted application form is completed in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Berlin does hereby approve, effective June 6th, 2022 the expansion of the aforesaid Plenary Retail Consumption Licensed premises located at Route 73 and Minck Avenue, West Berlin NJ 08091 to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-101. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-102 RESOLUTION ADOPTING POLICIES AND PROCEDURES GOVERNING PURCHASE ORDERS.

WHEREAS, N.J.S.A. 40A:5-16 requires that the governing body of any local unit shall not pay out its monies unless (a) the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification); and (b) the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department); and

WHEREAS, N.J.A.C. 5:30-9A.6 gives local unites the discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business and

WHEREAS, generally, vendors do not provide such certification as part of the normal course of business which has created unnecessary confusion and delay in processing claims for payment; and

WHEREAS, the Chief Financial Officer has established internal controls and procedures to avoid errors and fraud in the processing of claims for payment:

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, the policies and procedures/internal controls governing purchase orders, established by the Chief Financial Officer, attached as Schedule "A" to this resolution are hereby adopted.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-102. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-103 PAYMENT OF BILLS FOR MAY 2022.

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.

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CONFIRMING:

TO	ACCOUNT	AMOUNT
Payroll, Current Fund	4/22/2022	\$127,414.81
Payroll, Sewer Operating Fund	4/22/2022	\$7,592.47
Payroll, Open Space	4/22/2022	\$4,496.89
Payroll, Animal Control	4/22/2022	\$302.47
Payroll, Police Outside Employment	4/22/2022	\$4,081.07
Payroll, Current Fund	5/6/2022	\$131,114.73
Payroll, Sewer Operating Fund	5/6/2022	\$7,392.07
Payroll, Open Space	5/6/2022	\$4,493.25
Payroll, Animal Control	5/6/2022	\$302.47
Payroll, Police Outside Employment	5/6/2022	\$3,515.32
		<hr/> <hr/> \$290,705.55 <hr/> <hr/>

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-103. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-105 TO AMEND RESOLUTION 2022-52 A RESOLUTION AUTHORIZING THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN THROUGH THE TOWNSHIP OF BERLIN POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE TOWNSHIP OF BERLIN POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT TO REFLECT YEAR 2022.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department personal property by making the personal property available to municipal, county and state law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipality and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEA's, these entities are responsible for the cost associated with

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delivery, maintenance, fueling and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A.40A:5-30.2 requires that the governing body of the municipality or county approve, by majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Berlin Township Police department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from February 8th ,2022 to December 31st 2022; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Berlin Township Police Department is hereby authorized to enroll and to acquire items of non-controlled property designated "DEMIL A" which include, office supplies, office furniture, computers, electronic equipment, generators, field packs, nonmilitary vehicles, clothing, traffic and transit signal system, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction material, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, manned and un-manned vehicle robots and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the need of the Township of Berlin without restriction.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-105. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-106 RESOLUTION REQUESTING THE RELEASE OF PERFORMANCE GUARANTEE FOR DIGGERLAND ADVENTURE PARK WAVE POOL PHASE II AND THE POSTING OF A MAINTENANCE BOND.

WHEREAS, Diggerland Adventure Park Wave Pool Phase II located at 441. East Franklin Avenue, West Berlin, New Jersey; Block 2601, Lots 2 has requested the release of their Performance Bond in the amount of \$40,670.00; and

WHEREAS, the Engineer has recommended that the Township grant the request for the release of the Performance Bond contingent upon the posting of a two-year Maintenance Bond in the amount of \$15,439.65 and the following conditions below:

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- 1) Installation of caulking in the construction joints of the concrete slabs.

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 performance bond for Diggerland Water Related Adventure Park is hereby granted with the conditions stated above.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-106. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-107 RESOLUTION REQUESTING THE ISSUANCE OF AN OFF PREMISE RAFFLE LICENSES FOR ROTARY CLUB OF BERLIN.

WHEREAS, the Rotary Club of Berlin, has requested the issuances of an off premise raffle license by the Township of Berlin for;

Date: September 12, 2022
Location: Palace Diner
100 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 Rotary Club of Berlin.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-107. Resolution adopted by call of the roll, four members present voting in the affirmative.

RESOLUTION 2022-104 RESOLUTION TO READ THE CY 2022 BUDGET BY TITLE ONLY.

WHEREAS, N.J.S. 40A:4-8, as amended by L.2015, c. 95 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the hearing, a complete copy of the budget has been made available for public inspection, and has been available to each person upon request; and

WHEREAS, these two conditions have been met;

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, that the budget shall be read by title only.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-104. Resolution adopted by call of the roll, four members present voting in the affirmative.

PUBLIC HEARING ON THE CY 2022 BUDGET.

Motion by Councilman Epifanio, second by Council President 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 the 2022 Budget.

No comments were to be heard.

Motion by Councilman Epifanio second by Council President Bodanza to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public for questions or comments on the 2022 Budget.

RESOLUTION TO ADOPT THE 2022 BUDGET.

Motion by Council President Bodanza, second by Councilman Epifanio to adopt resolution to adopt year 2022 Municipal Budget. Resolution adopted by call of the roll, four members present voting in the affirmative.

Approval of Mercantile Licenses

1) Aaron T. Ortiz, Special Star Auto, 1004 Industrial Drive Unit 11. Auto Repair Shop.

Motion by Councilman Epifanio, second by Council President Bodanza to approve the Mercantile License above. Mercantile Licenses approved by call of the roll, four members present voting in the affirmative.

Approval of April 11, 2022 Meeting Minutes.

Motion by Councilman Epifanio second by Councilwoman Bodanza to approve the Meeting Minutes for April 11, 2022. Motion carried by voice vote, four members present voting in the affirmative.

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Approval of the Correspondence Calendar for April 2022.

Motion by Council President Bodanza, second by Councilman Epifanio to approve the Correspondence Calendar for April 2022. Motion carried by voice vote, four members present voting in the affirmative.

Consent Agenda

Motion by Councilman Epifanio, second by Council President Bodanza to approve the Consent Agenda for April 2022. Motion carried by voice vote, four members present voting in the affirmative.

All Other Business

1) Memorial Day Event.

Public Portion

Motion by Council President 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.

Montebello resident asked the Engineer what was discussed at the meeting with Hovnanian Developers and if there was a time line for completion. He also inquired about the possibility of sidewalks to be installed on Cooper Road and Taunton Avenue through grants.

Engineer responded that they talked about the corrective action plan for the concrete sidewalks, curbs, trees and other items. The engineer stated that they were going to replay back with a plan and was hoping to have it in time for tonight's meeting but he did say give them a couple of weeks.

Mayor responded recently new development require sidewalks to be installed but back in the day they weren't. She, stated that if grants were available and we met the criteria then we would apply for the sidewalks through the grant. Mayor remarked unfortunately if you drive around you will notice many streets that do not have sidewalks.

Motion by Council President 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.

Adjourn

Motion by Council President Bodanza, second by Councilman Epifanio to adjourn the meeting at 5:57 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 5:57 pm

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