

JULY 11, 2022

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL
JULY 11, 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 Reid, Councilman McHenry.

Also Present- Solicitor, Justin Strasser, CFO, Alex Davidson, Township Engineer / Public Works Director, Chuck Riebel, Property Maintenance / Animal Control, Josh Shellenberger

Absent-

Departmental Reports

ENGINEER'S AND DIRECTOR'S REPORT

A. CHANGE ORDERS AND VOUCHERS

None at this time.

B. ORDINANCES AND RESOLUTIONS

1. ASPHALT HOT PATCHER DUMP TRAILER

I recommend that the Governing Body consider passing resolutions to enter into the shared services agreement with Somerdale Borough for the purchase and shared usage of the equipment.

I, also, recommend that the Governing Body consider awarding a contract to McGrath Municipal Equipment, LLC of Springfield, NJ, through The Educational Services Commission of New Jersey, State approved Contract 65MCESCCPS, Bid No. 18/19-25, as the Township is a member of this cooperative, for the total amount of \$46,890.00, conditional upon the Borough of Somerdale entering into the shared services agreement for the purchase and usage of this piece of equipment.

2. WAIVER OF REQUIREMENTS FOR STREET IMPROVEMENTS ALONG FISKE AVENUE ALONG BLOCK 711, LOT 3; 135 GROVE AVENUE

I recommend that the Governing Body consider passing a resolution, waiving the requirements for the construction of the street improvements along the frontage of the unimproved Fiske Avenue for the construction of a single-family dwelling on said lot. When the dwelling is constructed, the property owner will be required to construct concrete sidewalk along the Grove Avenue frontage and a concrete driveway apron along Grove Avenue.

3. 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.

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

5. 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.

C. ENGINEER’S REPORT

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

We submitted the necessary documents to the NJDOT for their review and hopeful acceptance for the release of the final grant reimbursement and project closeout. I have received correspondence from the NJDOT that they have approved the final change order and the closeout paperwork. I am hopeful that they will issue the check for the final reimbursement, shortly.

2. 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. The preconstruction meeting was held on June 9, 2022. The Contractor expects to commence with construction, in the near future.

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3. 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. The consulting engineer has provided me with the existing conditions plan for my use for the design of the project.

4. IMPROVEMENTS TO HADDON AVENUE BY CAMDEN COUNTY

No update to report.

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

The application was submitted to the NJDOT for street improvements to the following streets:

1. Oak Avenue- NJDOT Ramp 'A' at Route 73 to 80 feet past Clover Avenue- \$207,500

2. Taunton Avenue- 150 feet southwest of Clover Avenue to 61 feet northeast of Oak Lane
\$850,000

3. Mt. Vernon Avenue- Franklin Avenue to the elementary school exit drive, 128 feet past Lincoln Avenue
\$420,500

Total Amount of Funding Requested \$1,478,000

It is anticipated that the announcement of the selected projects will be made before the end of this year.

6. 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. To date, we have not received any announcement of the selected projects for this grant. 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. Mr. Simone will be ordering the windows, using the Year 15 funds for payment. The structure will be constructed by the

Public Works staff. The mechanical, electrical and plumbing work will be contracted with the necessary licenses contractors.

7. 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.

8. NEIGHBORHOOD PRESERVATION PROGRAM

a. Welcome Sign at Haddon and Luke Avenues

This project has been completed.

b. Sign and Landscape Improvements at Holiday Island

The design for the sign and landscaping is being performed, at this time. The existing trees and bushes will be removed, shortly, to allow for the proposed landscape plantings and the installation of the sign.

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

This project has been completed.

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.

9. 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.

I met with the Open Space Advisory Committee at the site, this week, to discuss the project. They will be touring the recreation facilities for other municipal applicants, shortly. Afterwards, they will submit their

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recommendations to the County Commissioners and the committee expects the Commissioners to announce the selected projects in the early Fall of this year.

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

We have received quotes from court surface specialist contractors. We are, also, several researching alternatives to the scope of the work, which has been submitted by those contractors, for the addition of pickleball court marking for multi-sport usage of the courts. I expect to be submitting the recommended proposal for the improvements to the courts, within the near future.

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

12. 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.

13. 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.

14. 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 completed.

15. CHERRY HILL TOWNSHIP COOPERATIVE PRICING SYSTEM

Berlin Township is, now, a participating member of this cooperative. The Township has requested that Cherry Hill Township include the Township as a participating member in the contract for emergency work for streets, sewer, storm drainage and utility work, using their contractor, DiMeglio Construction Co., Inc of Atco, New Jersey.

16. 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

I believe that the Township Property Maintenance Officer continues to push for the cleanup of the site.

17. MONTEBELLO AGE-RESTRICTED RESIDENTIAL DEVELOPMENT

a. Corrective Work and Completion of Various Improvements

To date, the developer has not submitted the schedule for the performance of the corrective and final roadway and site work to me. I 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 Governing Body has authorized the Township Solicitor to begin discussing the matter with the developer and the possible initiation of action to call the bonds for the outstanding work. I have provided the Solicitor with the listing of the bonds and letters of credit and copies of my correspondence with the developer's representative, regarding the scheduling of the corrective street and site 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

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. I. recently, met with members of the

Homeowners Association to discuss the maintenance responsibilities of the areas behind the curbs along Cooper Road and Taunton Avenue.

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. The work remains to be completed by the developer. Therefore, at this time, I continue to recommend that these performance bonds not be released by the Governing Body.

d. Responsibilities of Services Along the Streets Within the Development

The Township Solicitor has informed the Governing Body of the responsibilities of services along the streets, within the development, which have not been accepted by Township and, therefore, not dedicated to the Township.

18. 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.

19. 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.

20. 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

No update to report.

21. 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.

22. 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.

23. IMPROVEMENTS AND MAINTENANCE TO THE PUBLIC WATER DISTRIBUTION SYSTEM 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. We have observed the Borough contractor installing water main along Edgewood Avenue to interconnect the water main along Rt. 73 with the water main along Allied Parkway.

24. 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.

25. POSSIBLE TRAFFIC SIGNAL IMPROVEMENTS

a. Possible Improvements to the Traffic Control Signals at the Intersections of Walker,

Haddon, Bate and Veteran's Avenues

I will be requesting that a meeting be scheduled with the Police Department and County Engineer's Office to discuss the concerns, submitted by the resident and possible improvements, which may be made, to address those issues.

b. Request for a Traffic Control Signal at the Intersection of Cooper Road and Montebello Drive/ Commerce Lane

At my recent meeting with members of the Homeowners Association, a question was raised, regarding a traffic study for a traffic signal at this

intersection. I informed the members that a study was performed as part of the initial subdivision application. It was noted that there are mixed feelings, by the residents within the development, regarding the possible installation of a traffic control signal at this intersection.

D. PUBLIC WORKS DEPARTMENT

1. OPERATIONS AND STAFFING

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

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

The delivery of the completed trash truck is expected to occur in early 2023. 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.

3. POSSIBLE SHARED SERVICES PURCHASE OF AN ASPHALT HOT PATCH DUMP TRAILER

We recommend that the Governing Body consider entering into the shared services agreement with the Borough of Somerdale for the shared purchase and usage of this piece of equipment. I, also, recommend that the Governing Body, as the lead municipality, consider passing a resolution, awarding a contract to McGrath Municipal Equipment, LLC of Springfield, N.J., through The Education Educational Services Commission cooperative, for the amount of \$46,890, conditional upon the Township and Borough entering into the shared services agreement. The purchase price will be split, evenly, between the two municipalities.

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

A contract was awarded to Sky General Construction of Patterson, N.J. The preconstruction meeting is scheduled for July 11, 2022. At that meeting, the commencement date for the construction will be discussed with the Contractor.

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POLICE REPORT

**Dear Mayor Magazzu and Council,
RE: July Council Meeting P.D. Report**

1. During the week of June 27th – July 1st Berlin Township Police Department hosted our annual Youth Academy. Berlin Township Youth were given a small experience of what it is like to be a police officer. The recruits would do P.T. each morning, followed by some scenario type training by police, fire, and ambulance. Recruits visited the Camden County Police Academy, Camden County Central Dispatch, and the Camden County Jail. The Academy ended with a party at Big Kahunas.
2. On July 2nd Berlin Township officers were assisting Voorhees Township Police Department with what appeared to be a medical call, but turned into a subject with a gun. The subject and investigation were turned over to Voorhees Township P.D.
3. On July 6th K-9 Officer Kelbaugh and his K-9 partner Riggs assisted Winslow Township Police Department with an article search related to a stabbing.
4. Berlin Township Police will be giving out coupons for a free ice cream or water ice to children spotted riding a bike and wearing a safety helmet. The program is sponsored by Sprinkles in West Berlin and Rita's in Berlin and the coupons can be used at either location.
5. The flag mailbox is back in, located at the entrance of the Police door on the side of the building. The flag mailbox project was painted and completed by Overbrook High School's Art Class and looks great.

Respectfully,

**Lt. Gary Sheehan
Officer in Charge**

SOLICITOR REPORT- Nothing new to report at this time.

PROPERTY MAINTENANCE- Nothing new to report at this time.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2022-6 OF THE
TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, AND STATE OF NEW**

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**JERSEY, AMENDING CHAPTER 220 OF THE TOWNSHIP CODE ENTITLED
“NUISANCES”**

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

WHEREAS, Chapter 220 of the Code of the Township of Berlin enumerates nuisances within the Township and sets forth enforcement and penalties for residents found to be creating a nuisance within the Township; and

WHEREAS, the Township has determined that stagnant water within the Township can oftentimes create a nuisance and should therefore be regulated accordingly; and

WHEREAS, the Mayor and Council deem it advisable to amend Chapter 220 of the Township Code to reflect the regulation of stagnant water; 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 220-2 of the Code of the Township of Berlin entitled “Nuisances enumerated” is hereby revised and amended to provide as follows:

§ 200-2 Nuisances enumerated.

The following matters, things, conditions or acts and each of them are hereby declared to be a nuisance and injurious to the health of the inhabitants of this municipality:

- A. [No Changes]
- B. [No Changes]
- C. [No Changes]
- D. [No Changes]
- E. [No Changes]
- F. [No Changes]
- G. [No Changes]
- H. Maintaining or permitting to be maintained any pool, cistern, privy vault, cesspool, rain barrel, or other receptacle containing liquid, in which mosquito larvae or pupae or

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amphibians or tadpoles may or do exist; maintain or allowing to be maintained any condition to exist which is beneficial to or engenders the breeding of flies, mosquitos, vermin, amphibians, or tadpoles.

SECTION 2: Except as set forth in Section 1 above, the balance of Chapter 220 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.

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 2022-6

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No comments were to be heard.

Motion by Council President Bodanza second by Councilman Reid 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 2022-6

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Motion by Council President Bodanza second by Councilman Epifanio to adopt Ordinance 2022-6. Ordinance approved by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-119 RESOLUTION OF SUPPORT FROM BERLIN TOWNSHIP GOVERNING BODY AUTHORIZING THE SUSTAINABLE COMMUNITIES GRANT APPLICATION FUNDED BY ATLANTIC CITY ELECTRIC.

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

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WHEREAS, Berlin Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Berlin Township is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they are administering a grant program called the Sustainable Communities Grant Program funded by Atlantic City Electric

THEREFORE, the **Governing Body** of Berlin Township has determined that the Township of Berlin should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Berlin, State of New Jersey, authorize the submission of the aforementioned Sustainable Communities Grant funded by Atlantic City Electric.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-119. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-120 AUTHORIZING TOWNSHIP SOLICITOR TO PREPARE AN MEMORANDUM OF UNDERSTANDING AGREEMENT FOR THE POSSIBLE SENIOR APARTMENT PROPOSAL.

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor hereby authorizes the Township Solicitor to prepare an Memorandum of Understanding Agreement (MOU) for the possible senior apartment proposal for Green Grove Baptist Church.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-120. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-121 RESOLUTION WAIVING THE CONSTRUCTION OF THE STREET IMPROVEMENTS ALONG FISKE AVENUE ALONG BLOCK 711, LOT 3.

WHEREAS, the prospective purchasers of Block 711, Lot 3, also known as 135 Grove Avenue, desire to construct a dwelling on said lot; and

WHEREAS, Section 340-9 of the Township Zoning Code requires that principal structures must front on a public street, which is improved to the Township standards; and

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WHEREAS, Block 711, Lot 3 is a corner lot with frontages along Grove Avenue and Fiske Avenue where the Grove Avenue lot frontage consists of concrete curbing with a paved roadway and the Fiske Avenue lot frontage is unimproved.

WHEREAS, as part of the lot subdivision approvals for Block 707, Lots 1, 2.01 and 4.01, the Planning Board waived the requirements for the construction of the street improvements along the Fiske Avenue frontage since the lots front along the improved Minck Avenue; and

WHEREAS, at their meeting on June 14, 2022, the Planning Board reviewed the request for the waiver of the construction of the street improvements along the Fiske Avenue frontage of Block 711, Lot 3 and, to remain consistent with the previous waivers granted for the requirement of street improvements along Fiske Avenue, recommends that the Mayor and Council consider waiving the street improvements along the Fiske Avenue frontage of Block 711, Lot 3; and

WHEREAS, the proposed dwelling on Block 711, Lot 3 must face the improved Grove Avenue and, when said dwelling is constructed, the property owner must construct concrete sidewalk along the entire frontage of Grove Avenue, along with a concrete driveway apron, providing only access to the lot from Grove Avenue;

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 the waiver of the construction of the street improvements; which consist of concrete curb, sidewalk and the street pavement cross section; along the unimproved Fiske Avenue, along the lot frontage Block 711, Lot 3 are hereby waived for the construction of the proposed dwelling on said lot.

BE IT FURTHER RESOLVED, that the property owner still must construct concrete sidewalk and a concrete driveway apron along the Grove Avenue frontage of said lot, in conjunction with the construction of a dwelling on the lot.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-121. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-122 RESOLUTION AUTHORIZING BERLIN TOWNSHIP PROFESSIONAL PLANNER TO DRAFT PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLAN FOR HADDON AVENUE.

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor hereby authorizes Professional Planner, Leah Furey Bruder to draft proposed amendments to the Redevelopment Plan for Haddon Avenue.

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Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-122. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-123 RESOLUTION OF THE TOWNSHIP OF BERLIN AUTHORIZING, THE IMPOSITION OF LIENS IN ACCORDANCE WITH CHAPTER 249 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED, "PROPERTY MAINTENANCE."

WHEREAS, N.J.S.A. 40:48-2.12(f) authorizes a municipality to perform certain acts of property maintenance and to charge the costs thereof as a lien against the real property on which such maintenance is performed; and

WHEREAS, Chapters 249 of the Code of the Township of Berlin establish, *inter alia*, the procedure by which such property maintenance shall be performed and the process through which the costs thereof shall be established as municipal charges and/or liens against the real property upon which such maintenance is performed; and

WHEREAS, the Code Enforcement Officer for the Township of Berlin was notified and became aware that property maintenance was necessary for certain real properties located in the Township of Berlin listed as follows:

<u>Property: Block/Lot</u>	<u>REASON</u>
215 Fourth Ave. B-613 L-4.01	lawncare PM 22-003
307 Fairview Ave. B-1903 L-2	clean up/lawn care PM-22-004
170 Rt. 73 North B-703 L-1.02	debris clean up

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

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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>
215 Fourth Ave. B-613 L-4.01	7/11/22	\$75.00	lawn care
307 Fairview Ave. B-1903 L-2	7/11/22	\$275.00	clean up
170 Rt. 73 N. B-703 L-1.02	7/11/22	\$3,130.00	cleanup

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

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

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

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-123. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-124 GRANTING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR APX SAHARA SAMS OASIS.

WHEREAS, the following persons, corporations and individuals have filed applications with the Township of Berlin, County of Camden, New Jersey, for the renewal of their Plenary Retail Consumption License for the year commencing July 1, 2022 and ending June 30, 2023;

<u>CONTROL NUMBER</u>	<u>NAME</u>
0406-33-007-017	APX SAHARA SAMS OASIS 535 Route 73 W. Berlin, NJ 08091

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

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

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WHEREAS the applicant had applied and received an Ad Interim Permit until the renewal of plenary retail consumption license was approved.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the licenses be and is hereby granted renewal of Plenary Retail Consumption license, and the Township Clerk is hereby authorized and directed to issue the new license for the year commencing July 1, 2022 and ending June 30, 2023.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-124. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-125 RESOLUTION AUTHORIZING THE JOINT PURCHASE WITH THE BOROUGH OF SOMERDALE FOR AN 4 TON FALCON RME ASPHALT HOT PATCHER DUMP TRAILER THROUGH THE EDUCATIONAL SERVICE COMMISSION OF NEW JERSEY (ESCNJ) CO-OP AS PER N.J.S.A 40A:11-11.

WHEREAS, the Township of Berlin is a participating member of the Educational Service Commission of New Jersey Co-op (ESCNJ): and

WHEREAS, together the Township of Berlin and the Borough of Somerdale wishes to purchase an 4 Ton Falcon RME Asphalt Hot Patcher Dump Trailer in the amount of \$46,890.00; and.

WHEREAS, the Township of Berlin will be the lead agent for this purchase.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Berlin hereby approves the purchase of a 4 Ton Falcon RME Asphalt Hot Patcher Dump Trailer through the Educational Service Commission of New Jersey contingent upon the following:

- 1) Township Solicitor review and approval of any and all signed agreements with the Borough of Somerdale.
- 2) Availability of funds, certified by the Chief financial Officers of the Township of Berlin and the Borough of Somerdale.
- 3)

NO ACTION TAKEN ON RESOLUTION 2022-125 REMOVED FROM THE AGENDA

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RESOLUTION 2022-126 RESOLUTION CONSENTING TO THE SUBMISSION OF THE NJDEP TREATMENT WORKS APPROVAL PERMIT APPLICATION FOR THE SEWER MAIN EXTENSION ALONG FISKE AVENUE.

WHEREAS, the design documents have been prepared for the application for a Treatment Works Approval Permit Application for the sanitary sewer main extension along Fiske Avenue for the connection of three (3) single-family homes, which will be located on Block 707, Lots 1.01, 1.02 and 1.03; and

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

NOW, THEREFORE, BE RESOLVED by the Mayor and Council for the Township of Berlin, in the County of Camden, State of New Jersey, that they approve the design documents, consent to the submission of the application and the Mayor and Engineer is hereby authorized to endorse the Treatment Works Approval Permit application forms.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-126. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2022-127 RESOLUTION EXTENDING GRACE PERIOD FOR PAYMENT OF THIRD QUARTER 2022 TAXES

WHEREAS, the provisions of N.J.S.A. 54:4-64 require that the grace period must be extended to cover a minimum of twenty five days from the date of mailing; and

WHEREAS, the tax bills were not mailed on or before June 14, 2022; and

WHEREAS, the Governing Body finds it equitable and proper that the grace period for payment of the 2022 third quarter taxes be extended until the twenty-fifth calendar day after the date that the tax bills are mailed; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, in the County of Camden and State of New Jersey, that the governing body finds it equitable and proper that the grace period be extended until twenty-five days from the mailing of the 2022 tax bills, within which time said bills may be paid without interest and any payment received after that date, interest will revert back to August 1, 2022.

Motion by Councilman Epifanio, second by Council President Bodanza to adopt resolution 2022-127. Resolution adopted by call of the roll, five members present voting in the affirmative.

Business Approvals

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- 1) **Asher Haley Surgical Inc. Joseph W. Wydra.** 409 Bloomfield Drive Unit 4. Office Warehouse.
- 2) **Mr. HVAC, Michael P. Bruce.** 415 Commerce Lane Unit #1 & #2. Office Warehouse for residential HVAC Company

Motion by Council President Bodanza, seconded by Councilman Epifanio to approve the Mercantile Businesses above

Approval of June 13, 2022 Meeting Minutes.

Motion by Councilman Epifanio second by Council President Bodanza to approve the Meeting Minutes for June 13, 2022. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Consent Agenda for June 2022.

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

Approval of the Correspondence Calendar for June 2022.

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

All other Business

Councilman Epifanio stated that the 4th of July parade was a huge success enjoyed by all.

Councilman Reid stated that this was his first parade as Councilman an enjoyed himself and can't wait till next years.

Public Portion

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.

Resident from Montebello Piedmont BLVD asked how does one get the information, reports, comments that are being discussed at the meetings.

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Township Clerk replied that the minutes have this information and are posted on the website once they are adopted. She stated that the public comments are not verbatim but will have everyone who has commented.

Resident from Minck Avenue addressed Mayor and Council about the speeding issue on Minck Avenue. He asked what can be done? Can speed bumps be installed on the road. He stated he is open for any suggestions or solution since this has been a problem for many years.

Mayor Magazzu stated that the Police would normally handle this issue but were unable to attend tonight meeting. Mayor replied that she will reach out to the department and either she will get back to him or the Police department will.

Another Resident on Minck responded that overweight truck have also been an issue on the road as well.

Motion by Council Woman Bodanza second by Councilman Reid 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 6:05 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:05 pm