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EMERGENCY / SPECIAL MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL AUGUST 15, 2022 AT 5:30 pm.

All in attendance joined in the Salute to the Flag.

ROLL CALL

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

Also Present- Township Solicitor, Stuart Platt, Special Labor Council, Michael Di Piero.

Township Solicitor, Stuart Platt read the following statement

WHEREAS: this emergency meeting has been called for the following Purpose:

Critical Public Safety and The Berlin Township Police Department:

WHEREAS: the normal requirements of the law regarding 48 hours' notice have not been met due to the lack of time and subject matter, however notices of this Emergency / Special Meeting were emailed to the CourierPost and Published today paper August 15, 2022, Notice was posted on Township Bulletin Board on Friday August 12, 2022, Notice was posted on the Township Facebook page August 14, 2022 and Posted on Township Website August 15, 2022. and

WHEREAS: Governing Body agrees that adequate notice could not be acquired without risking the Health, Safety and Welfare of the Berlin Township residents.

Now, I ask the governing to make a motion to hold this Emergency / Special Meeting.

Motion by Councilman President Bodanza, second by Councilman Epifanio to hold an Emergency / Special Meeting. Meeting approved by call of the roll, four members present voting in the affirmative.

Mayor Magazzu read an Opening Statement

Good evening. I want to start with a statement about why we are having this special meeting tonight. My self and Council have decided to enter into a TEMPORARY shared service agreement with Voorhees Twp for shared police chief services ONLY. Voorhees Twp was a fit for this agreement for several reasons; one of the most

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significant reasons is their current Chief, Lou Bordi. Without getting into his resume, Chief Bordi is widely known by police professionals across NJ to be highly competent and qualified to lead our department, mentor our officers, and transition our officers into advanced leadership roles. All with the goal to eventually recommend a Chief from within our own department.

We did not take this decision lightly and recognizes the importance of selecting a prepared and qualified candidate for police chief. We are also aware of the complex role a chief of police plays in the daily operations of the police department and the community. It should be noted, while not common, shared police chief services have been done in other municipalities in Camden County and other municipalities across New Jersey. Specifically, in 2003-2005 the Borough of Oaklyn shared their chief (Chris Ferrari) with Mt. Ephraim for three years. Eventually, a successor chief was promoted from inside the Mt. Ephraim police department. This was deemed a success by all accounts, at the time, and we believe we will have the same results.

While operating under this shared service agreement, Mayor and Council will be committed to identifying and selecting a qualified Police Chief from our department. The goal to identify candidates for other leadership positions, including Sergeants and Lieutenants, will be critical to solidify the future of our police department. Chief Bordi will help us in these processes. We are committed to the safety and welfare of our residents and the need to provide professional police service.

We believe the commitment to this shared service agreement is appropriate and necessary for our police department and the well-being of our community.

Township Solicitor, Stuart Platt explained the forum of the meeting and remarked, the public will have an opportunity to speak and voice any concerns or questions during the public portion of the meeting.

RESOLUTION 2022-140 AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT AND INDEMNIFICATION AGREEMENT WITH VOORHEES TOWNSHIP FOR THE SERVICES OF A POLICE CHIEF

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (“Shared Services Act”), the Township of Berlin (“Berlin Township”) is authorized to enter into an agreement for shared services with other New Jersey municipalities and public entities; and

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WHEREAS, Berlin Township and the Township of Voorhees (“Voorhees”) are desirous of entering into a Shared Services Agreement (“Agreement”) pursuant to the Shared Services Act, in a form to be approved by the Berlin Solicitor and/or Berlin Labor Counsel, whereby the Chief of Police of the Voorhees Police Department, will provide the services of a Police Chief to Berlin Township and the Berlin Township Police Department on a temporary basis; and

WHEREAS, under the Shared Services Act, any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including but not limited to, services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Camden County Association of Chiefs of Police, via letter correspondence dated July 28, 2022, from Chief Kevin Carey of the Collingswood Police Department, President of the Camden County Association of Chiefs of Police, expressed support for the aforementioned shared Police Chief services between Berlin Township and Voorhees; and

WHEREAS, the Mayor and Township Council of Berlin find that it is in the best interests of the residents of Berlin Township to enter into the aforementioned Shared Services Agreement for Police Chief Services with Voorhees

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

1. The Mayor and/or her designee is hereby authorized to execute a Shared Services Agreement in a form to be approved by the Township Solicitor and/or

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Township Labor Counsel with Voorhees Township for the Services of a Police Chief.

2. The Mayor and/or her designee are further authorized to execute an Indemnification Agreement, in a form to be approved by the Township Solicitor and/or Township Labor Counsel with Voorhees Township, in which both parties will provide respective indemnification(s) to each other, arising solely from the aforementioned Shared Services Agreement for the Services of a Police Chief.
3. The Shared Services Agreement shall be placed on file in the office of the Clerk of the Township of Berlin.
4. The Clerk of the Township of Berlin is hereby authorized and directed to provide a certified copy of this Resolution and a copy of the fully executed Agreement upon approval to the Division of Local Government Services in the Department of Community Affairs.

Motion by Council President Bodanza, second by Councilman Reid to adopt resolution 2022-140. Resolution adopted by call of the roll, five members present voting in the affirmative.

Public Portion

Motion by Council President Bodanza, second by Mayor Magazzu 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.

Joan, Berlin Township resident asked what will the salary be that Berlin Township will be paying, how long will this temporary Chief position be for, how much time will be spent in each municipality and was adequate time given for the testing process for this position. Joan asked if the appointed Chief is to provide leadership direction to our department why hasn't leadership through the years been provided to the men moving up in the ranks.

Michael, Former Police Chief stated that he was disappointed in reading the mayor's statement that there were no qualified officers for the Chiefs position, I find that total disrespectful and bull crap. He remarked he would be proud to serve with Lt. Silvestro and Lt Sheehan. Michael commented that the newly appoint Chief had given Lt Silvestro a glowing recommendation three years ago and now today he is not qualified. The lack of leadership is coming from up here. The former Chief asked who was present during the interview process and why other Chiefs who are respected and live in town were not part of the interview process.

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Gerald, Berlin Township resident stated you have failed this police department. It is your job to make sure the police department is successful, by budgeting monies for classes so that the officers are the best of the best.

Alyssa, Berlin Township resident remarked that Voorhees has 70 sworn Officers and Berlin has 20 sworn Officers. How can a temporary part time Chief of Police give adequate patrol and police training. How can merging the Chief benefit our community and why doesn't Berlin Township have a Captain.

Leonard, Former Police Chief stated that Lt Sheehan and Lt Silvestro are qualify to run this police department from the experiences first hand. He questioned why the County Chiefs weigh in more with this decision and not in 2019 decision. He spoke about what it takes to run the department as the Chief efficiently and remarked that the newly appointed Chief is his friend but feels this will be a strain with both Townships.

Carolyn, Berlin Township resident asked what is the long-term goal, are the department going to merge or is this a temporary situation. What will the scope of the Chief responsibility be defined. What will the performance review be.

Jack, Berlin Township resident was curious as to know if the Chief position was offered to Lt. Silvestro since he was Chief Bonfiglio right hand man, and if not, why not. I am interested in what occurred.

Galen, Berlin Township resident addressed the public and said Lt Sheehan & Lt Silvestro this is disgusting you both are chiefs in my eyes.

Joe, former police officer of Belin Township addressed the public and said that he has worked for this police department for 25 years and Lt Silvestro and Lt Sheehan are more than qualified, the only reason not picked is that it boils down to egos.

No more 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.

Mayor and Council took a brief recess to confer with Special Council on the questions that they could respond to.

Mayor Magazzu addressed the public on the comments and questions.

Mayor Magazzu remarked that she will answer the question that she is allowed to answer at this time. As far as the salary goes, it will be in his contract and we are still finalizing the contract at this time.

The time line for this service will be until we can pick someone with in our department. We will be reviewing on a monthly bases at our monthly council meetings. How much

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time spent at the Township will be in his contract and we will know the time that he is putting in too.

As far as testing and proper notice to the department. The department was given proper notice and was even given the opportunity of an extension of time if needed.

Present at the interview process were three Chief of Police and two Councilmembers.

The Chief will be working within Berlin Township Budget, our budget will not change.

Mayor Magazzu commented that at our last meeting we introduced an ordinance to include a Captain position.

Mayor Magazzu stated that the cost / salary will be less then what we are paying. Our goal is to find a Chief of Police within our department, not going within other towns.

Mayor Magazzu commented that the Chief will be in charge of discipline with in the department and he will be covered under the Township Liability, no different then our Chief would be.

Mayor Magazzu stated that this is all that I can talk about at this time, she remarked, we cannot talk about personnel matters..

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.

Adjourn

Motion by Council President Bodanza, second by Councilman Epifanio to adjourn the meeting at 6:35 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:35 pm

Catherine Underwood
Berlin Township RMC