

APRIL 3, 2023

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,  
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL  
APRIL 3, 2023**

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 McHenry, Councilman McHenry, Councilman Epifanio.

**Also Present-** Solicitor, Christopher Norman, CFO, Alex Davidson, Chief of Police, Louis Bordi Property Maintenance / Animal Control, Josh Shellenberger, Township Engineer / Public Works Director, Chuck Riebel

**Absent-** Councilman Reid

**Departmental Reports**

Township Engineer, Chuck Riebel, updated Mayor and Council on Montebello future concrete work that needs to be completed. The Engineer also talked about two Ordinances that need to be adopted, first ordinance is for Electric Vehicle Supply Service and Parking Spaces and the other ordinance is for FEMA New Jersey Flood Damage Prevention Ordinance which need to be completed by July 17, 2023. Engineer stated that street work will begin on Haddon Avenue and Dill.

**RESOLUTION 2023-92 FOR THE GOVERNING BODY CERTIFICATION OF  
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION'S "Enforcement Guidance on the  
Consideration of Arrest and Conviction Records in Employment Decisions  
Under Title VII of the Civil Rights Act of 1964"**

**WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before**

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submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the **Mayor and Council** of the **Township of Berlin** , hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2023-92. Resolution adopted by call of the roll, four members present voting in the affirmative.

**Berlin Township CFO, Alex Davidson, Informed the Governing body and residents that the budget this year will have 2% tax increase even after two straight budget years of not raising any taxes.**

**INTRODUCE THE 2023 CALENDAR YEAR BUDGET**

Motion by Council President Bodanza to introduce 2023 calendar year budget second by Councilman Epifanio, four members present voting in the affirmative.

**RESOLUTION 2023-93 RESOLUTION WAIVING PARK PERMIT FEES FOR WESLEY UNITED METHODIST CHURCH FOR NATIONAL DAY OF PRAYER.**

**BE IT RESOLVED**, by the Mayor and Council of the Township of Berlin that the Park Permit fees for Wesley United Methodist Church, be waived for National Day of Prayer to be held on **THURSDAY MAY 4<sup>th</sup> 2022 at 7 pm at the Luke Avenue Complex.**

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2023-93. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-94 LIST OF UNCOLLECTIBLE TAXES.**

**APRIL 3, 2023**

To the Mayor and Council to the Township of Berlin:

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

**Dated: March 10, 2023**

**Dana O'Hara, CTC - Tax Collector**

<b>NAME</b>	<b>YEAR</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>	<b>REASON</b>
<b>Jean Davis</b>	<b>2024</b>	<b>1904-8.01</b>	<b>250.00</b>	<b>Widow 2024 allow</b>
<b>Helen Hansen</b>	<b>2024</b>	<b>2403-21</b>	<b>250.00</b>	<b>Widow 2024 allow</b>

**\$ 500.00 TOTAL UNCOLLECTIBLE**

**Submitted for April 3, 2023 meeting.**

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

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2023-94. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-95 RESOLUTION AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR AUGUST 1, 2023 AS PERMITTED BY NEW JERSEY PUBLIC LAW 1994, C.72.**

**WHEREAS**, due to anticipation of the possibility that the New Jersey State budget adoption may be delayed, which would therefore cause the certified tax rate to not be established nor certified by the Camden County Board of Taxation on time and cause a delay in the printing and mailing of the 2023/24 tax bills, and

**WHEREAS**, according to State guidelines, a 3<sup>rd</sup> quarter estimated tax bill may be issued due August 1, 2023, and once the certified rate from the Division of Local Government Services is struck after the TY 2023 budget is adopted, a reconciling 4<sup>th</sup> quarter and preliminary tax bill for 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2024 will be issued in a single tax mailing; and

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**WHEREAS**, it will be necessary to send out estimated tax bills for the 3<sup>rd</sup> quarter 2023, as permitted by New Jersey Public Law 1994, c.72, in order to meet our statutory obligations; and

**WHEREAS**, the Chief Financial Officer will certify the estimated tax levy calculation within the permissive range according to law; and

**WHEREAS**, the estimated tax bills will be sent out and due August 1, 2023 by the Tax Collector some time after adoption of this resolution in compliance with statutory guidelines and as per statute interest will not be charged 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 that the Tax Collector be authorized to issue estimated tax bills for the 3<sup>rd</sup> quarter 2023 as permitted by law based on calculations prepared by the Chief Financial Officer.

Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-95. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-96 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SECURITY CAMERA HARDWARE.**

**WHEREAS**, the Township of Berlin has a need to acquire security camera hardware services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer/Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for one year commencing on December 13, 2021; and

**WHEREAS**, the value of the contract will not exceed \$44,000; and

**WHEREAS**, E.A. Waetjen, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Berlin in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

**WHEREAS**, funding for this purpose shall not exceed the amount budgeted for said purpose and set aside in 2023 Budget and shall be encumbered in accordance with N.J.A.C. 5:4-5.3(b)(2); and

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**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berlin hereby authorizes the Mayor to enter into a contract with E.A. Waetjen, Inc. as described herein; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Township of Berlin that notice of said award shall be published in the official newspaper of the Township of Berlin as required by law.

Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-96. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-97 LIST OF UNCOLLECTIBLE TAXES.**

**To the Mayor and Council to the Township of Berlin:**

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

Dated: March 28, 2023  
Dana O'Hara, CTC - Tax Collector

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Sam Carabases	2023	2401-7	250.00	Veteran
				Total Uncollectible– November 2023
Delbert Todd	2024	1304-7	250.00	Veteran
				Total Uncollectible - 2024

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

Submitted for the April 3, 2023 meeting.

Dana O'Hara, CTC – Tax Collector

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Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-97. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023- 98 AUTHORIZING THE TOWNSHIP OF BERLIN TO ENTER INTO AND EXECUTE A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF BERLIN, THE BOROUGH OF PINE HILL, WINSLOW TOWNSHIP AND THE TOWNSHIP OF WATERFORD FOR THE MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN PARTICIPATING UNITS.**

**WHEREAS**, each municipality recognizes that there may be a disaster which may endangers the health, safety or property of the residents of participating Municipality, that is so large in scope and magnitude that it exceed the resources of a single Municipality; and

**WHEREAS**, such agreement would utilized public works personnel and equipment when ever one of the municipalities requires such mutual aid and assistance such as catastrophic events, emergencies and devastation caused by the threats of nature; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et seq) permits local municipalities to enter into Agreements for Shared Services for a mutual public purpose.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to sign the contract for shared services by and between the Borough of Berlin, Borough of Pine Hill, Township of Winslow and the Township of Waterford for the mutual aid and assistance agreement between participating units

Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-98. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-99 PAYMENT OF BILLS FOR MARCH 2023.**

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

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

**CONFIRMING:**

<u>Check #</u>	<u>TO</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
40198	KC Sign & Awning	G-02-40-786-9999	\$ 27,995.00
10107	Hunter Jersey Peterbuilt	3-01-26-315-2025	\$ 427.05
10108	Philly Soft Pretzel	3-01-30-420-2105	\$ 190.45
		<b>Total:</b>	\$ 28,612.50

Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-99. Resolution adopted by call of the roll, four members present voting in the affirmative.

**RESOLUTION 2023-100 RESOLUTION TO AMEND THE HOURS OF OPERATION FOR THE BERLIN TOWNSHIP MUNICIPAL BUILDING.**

**WHEREAS**, Berlin Township Mayor and Council wishes to explore a pilot program for a 4-day work week for the summer; and

**WHEREAS** the hours of operation for the Berlin Township Municipal Building will accommodate residents with one day of extended hours of operation; and

**WHEREAS** the amended schedule of operation which will include earlier opening times and one late evening which will commence on the week of May 1<sup>st</sup> 2023; and

**WHEREAS** the Berlin Township Municipal Building hours of operation will be as follows:

Monday 8:00 to 7:30  
Tuesday 8:00 to 4:30  
Wednesday 8:00 to 4:30  
Thursday 8:00 to 4:30  
Friday Closed

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berlin, Camden County, New Jersey, that the hours of operation for the Berlin Township Municipal Building is hereby amended and granted.

Motion by Council President Bodanza second by Councilman Reid to adopt resolution 2023-100. Resolution adopted by call of the roll, four members present voting in the affirmative.

**Mercantile Licenses**

**1) Veronica S. Suchite Zelada, Friends Hoagies**, 76 Haddon Avenue, West Berlin. Hoagie Shop Fast Food and takeout.

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

**Approval of March 13, 2023 Meeting Minutes**

Motion by Council President Bodanza second by Councilman Epifanio to approve the Meeting Minutes for March 13, 2023. Motion carried by voice vote, four members present voting in the affirmative.

**All Other Business**

Council President Bodanza report at her CDBG meeting they were informed if any municipalities have not spent their monies awarded, CDBG will recapture their funds.

CFO, Alex Davidson and Township Engineer stated all funds have been disbursed.

Councilman Epifanio stated the REV-IT UP East Egg Hunt turned out to be a really nice event enjoyed by everyone

**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.

**Montebello Resident** asked about the locations of where the charging stations will be placed.

Township Engineer, Chuck Riebel, remarked it will be place at multi-family dwelling and commercial property.



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**Township Resident** asked if the construction work being done on Haddon Avenue and Dill Avenue would be resurfacing the street.

Township Engineer responded yes

ICCA President introduced himself to the Governing Body and stated that the old ICCA 4-person committee has dissolved and a new 9-member committee has been formed. The President asked the Mayor to appoint a non-voting liaison in hopes of bridging the communication with the committee and towns. The ICCA committee is also requesting financial support in the amount of \$10,000.

Council President Bodanza asked why the Township does not have any voting privileges.

President remarked that they are following the Bylaws.

Mayor asked has any fundraising started.

President responded yes but with a late start since this new committee only formed as of March 2023. So now that only leaves 3 months to pull this parade together.

President asked when can the Governing Body let him know on the financial support so that he can report back to the committee.

Mayor responded in about a week and a half.

No more 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 comment.

**Adjourn**

Motion by Councilman Epifanio, second by Council President Bodanza to adjourn the meeting at 5:50 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 5:54 pm

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**Catherine Underwood  
Berlin Township RMC**

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