

OCTOBER 16, 2023

**MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL
OCTOBER 16, 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 Epifanio, Councilman Reid.

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

Absent

Mayor Magazzu asked for a moment of silence for all the ongoing turmoil happening in Israeli.

DEPARTMENTAL REPORTS

Alex Davidson, Berlin Township CFO stated that every year the municipality is required to complete the Best Practice Survey in order to receive funding. You need to receive a grade of 29 or greater to receive 1005% funding The Township scored 35 and has received full funding.

HALLOWEEN PROCLAMATION

WHEREAS, celebration of Halloween provides an opportunity for merry making and good fellowship for all residents and particularly "Trick or Treat" for our children; and

WHEREAS the Trick or Treat hours for the Township of Berlin will be from 2:00 pm to 9:00 pm on Halloween, Tuesday October 31, 2023: and

WHEREAS, the safety and well being of all our residents and particularly for our children at this season, is of the utmost concern to the parents, Governing Body and Law Enforcement agency of the Township necessitating Emergency Curfew

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Regulations after 9:00 pm, on the following days Friday October 27, 2023, till Tuesday October 31, 2023, Halloween.

It will be **unlawful for any child 17 years of age and under** to remain on or upon any public place or establishment after these times as stated above, unless accompanied by parents or guardian. Emergency Curfew will be strictly enforced.

NOW, THEREFORE, I, PHYLLIS MAGAZZU, MAYOR OF THE TOWNSHIP OF BERLIN proclaim Tuesday October 31, 2023 from 2:00 pm to 9:00 pm to be the official celebration of Halloween.

SECOND READING PUBLIC HEARING ORDINANCE 2023-11 AMENDING CHAPTER 285, STORMWATER MANAGEMENT OF THE TOWNSHIP CODE TO ESTABLISH NJDEP-MANDATED REGULATIONS FOR PRIVATELY OWNED SALT AND OTHER SOLID DE-ICING MATERIALS STORAGE

WHEREAS, as part of the stormwater requirements of the MS4 Tier A permit, the New Jersey Department of Environmental Protection (NJDEP) requires municipalities to adopt NJDEP-mandated regulations for privately owned salt and other solid de-icing materials storage; and

WHEREAS, The Township Solicitor and Engineer have reviewed the NJDEP model ordinance and recommend that the Mayor and Council consider adoption; and

WHEREAS, the Mayor and Council desires to adopt the NJDEP model ordinance with some minor amendments.

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

SECTION 1. Chapter 285. Stormwater Management, of the Township Code is hereby amended to establish Article V, Privately Owned Salt Storage, to read as follows:

Article 5 **Privately Owned Salt Storage**

§ 285-20 **Purpose.**

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately owned), including residences, in Berlin Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 285-21 **Definitions.**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the content, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- (1) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - (2) The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - (3) The structure shall be erected on an impermeable slab;
 - (4) The structure cannot be open sided; and
 - (5) The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

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§ 285-22 Deicing Material Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
- (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - (3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - (4) Loose materials shall be covered as follows:
 - (a) The cover shall be waterproof, impermeable, and flexible;
 - (b) The cover shall extend to the base of the pile(s);
 - (c) The cover shall be free from holes or tears;
 - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

[1] Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - (5) Containers must be sealed when not in use; and
 - (6) The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15-April 15.

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- C. All such temporary and/or permanent structures must also comply with all Township ordinances, and building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 - (1) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§285-23 Exemptions.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 285-22, above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§285-24 Enforcement.

This ordinance shall be enforced by the Police Department of Berlin Township during the course of ordinary enforcement duties.

§285-25 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall subject such person(s) to fines and penalties in accordance with N.J.S.A. 40:49-5.

SECTION 2. Except as set forth in Section 1 above, the balance of Chapter 285 of the Code of the Township of Berlin shall not be affected by this Ordinance.

SECTION 3. Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void,

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or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This ordinance shall be in full force and take effect twenty (20) days after its adoption and publication as required by 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 2023-11

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 2023-11

Motion by Council President Bodanza seconded by Councilman Reid to adopt Ordinance 2023-11. Ordinance approved by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-169 RESOLUTION OF GOVERNING BODY OF THE TOWNSHIP OF BERLIN REGARDING REVIEW AND AMENDMENT OF THE PERSONNEL POLICY MANUAL.

WHEREAS, the Township has a Currently Approved Risk Control Plan for the Camden County Municipal Joint Insurance Fund; and

WHEREAS, the Township desires to maintain its status as a Member with an approved plan, so as to continue to receive preferential insurance benefits; and

WHEREAS, in order to maintain its Member status, the Governing Body is required to review and update the Township's Personnel Policy Manual.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, that the Personnel Policy Manual be reviewed and amended as recommended by the Township Solicitor to include provisions which are required to be set forth to maintain the Township's status as a Member with an Approved Risk Control Plan, and that the updated manual be distributed to all employees of the Township.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution

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2023-169. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023- 170 AUTHORIZING THE PURCHASE OF A SCHWARZE A4 STORM STREET SWEEPER THROUGH THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT AGREEMENT.

WHEREAS, the Township of Berlin is a participating member of the Sourcewell Cooperative Purchasing Contract Agreement #093021-SWZ; and

WHEREAS, the Township of Berlin wishes to purchase a Schwarze A4 Storm Street Sweeper in the amount of \$235,542.00; 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 Schwarze A4 Storm Street Sweeper through the Sourcewell Cooperative Purchasing Contract Agreement #093021-SWZ, contingent upon the following:

- 1) Township Solicitor review and approval of any and all signed agreements with H.A. DeHart & Son.
- 2) Availability of funds, certified by the Chief Financial Officer of the Township of Berlin.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-170. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-171 RESOLUTION AUTHORIZING THE APPOINTMENT OF WILLIAM PUMPHREY AS A CLASS III SPECIAL LAW ENFORCEMENT OFFICER (SLEO III) FOR THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY.

WHEREAS the Mayor and Council of the Township of Berlin finds that for the health, safety and welfare of the citizens of the Township of Berlin, that the appointment of a Class III Special Law Enforcement Officers is needed; and

WHEREAS William Pumphrey has applied for the position: and

WHEREAS, Chief of Police Louis Bordi has recommended the appointment of **William Pumphrey as a SLEO III**, to the Berlin Township Police Department: and

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WHEREAS William Pumphrey appointment will begin from October 17, 2023 till December 31, 2023 and then in increments of 90 days for the months as suggested by best practice.

NOW BE IT RESOLVED that the Mayor and Council of the Township of Berlin hereby appoints **William Pumphrey as a Special Law Enforcement Officer Class III** pursuant to N.J.S.A. 40A:14-146.10A for Berlin Township Police Department effective October 17, 2023.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-171. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-172 RESOLUTION APPROVING AND RATIFYING THE CALLING OF LETTER OF CREDIT FOR RL&D KEPPLER PARTNERSHIP LOCATED AT 110 CUSHMAN AVENUE BLOCK 1502 LOT 1.02.

WHEREAS, RL&D Kepple Partnership located at 110 Cushman Avenue, Berlin Township New Jersey Block 1502 Lot 1.02, received approval from the Berlin Township Planning Board for site and street improvements; and

WHEREAS, RL&D Kepple Partnership was required to provide a letter of credit to the Township of Berlin in order to guarantee the installation of the approved site plan improvements; and

WHEREAS a letter of credit was issued by Liberty Bell Bank guaranteeing said site plan improvements as required; and

WHEREAS, RL&D Kepple Partnership requested that the letter of credit be released; and

WHEREAS the Berlin Township Engineer, Chuck Riebel had performed an inspection of the site improvements and recommended by letter dated March 16, 2021 not to release the letter of credit because of deficiencies with the approval site plans (see attached letter); and

WHEREAS the Berlin Township Engineer, Chuck Reibel had performed another inspection on September 9, 2023 and observed the conditions to be the same as the last inspection dated March 16, 2021; and

WHEREAS a letter was issued by the Township on October 3, 2023 to Liberty Bell Bank and Kepple Enterprises calling the letter of credit for the above deficiencies as reported by Township Engineer.

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NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that it hereby approves and ratifies of the calling of letter of credit for RL&D Kepple Partnership as set forth above and authorizes the Township Solicitor to take all necessary actions to enforce same.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-173. Resolution adopted by call of the roll, all members present voting in the affirmative.

**RESOLUTION 2023-173 AUTHORIZING REFUND OF TAX OVERPAYMENTS
ERRONOUSLY PAID BY MORTGAGE/SERVICING COMPANY.**

WHEREAS, on August 14, 2023, the Township of Berlin previously cancelled the amount of \$9,169.73 for the final half of 2023 and 2024 preliminary taxes for Serrafin Torres, a 100% permanent and total disabled veteran per N.J.S.A. 54:4-3.30 et seq, and;

WHEREAS, the mortgage company disbursed said August 1st, 2023 quarter taxes to the Township of Berlin, which said quarterly installments included payment for the days after the date of disability due to 100% exempt status creating an overpayment which now requires a refund and;

WHEREAS, the mortgage company has requested the refund be returned to their servicing company, Corelogic Tax Services on behalf of Freedom Mortgage and they will directly reimburse through a refund, so,

THEREFORE, BE IT RESOLVED that the Township of Berlin refund the amount of \$ 3,056.58 to:

Corelogic Tax Services c/o
Freedom Mortgage
Attn: Tax Department - Refunds
P.O. Box 9202
Coppell, TX 75019

Submitted by Dana O'Hara, Tax Collector for the October 16th, 2023 meeting.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-173. Resolution adopted by call of the roll, all members present voting in the affirmative.

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RESOLUTION 2023-174 RESOLUTION AUTHORIZING ADVERTISEMENT OF RFQ'S FOR PROFESSIONAL SERVICE CONTRACTS.

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that the Municipal Clerk is hereby authorized to advertise for RFQ's for the calendar year **2024** for professional service contracts, in the November 16, 2023 issue of the Courier Post.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-174. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-175 APPROVING THE SUBMISION OF A LOCAL TRANSPORTATION PROJECT FUND (LTPF) APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH NEW JERSEY DEPARTMENT OF TRANSPOTATION FOR THE IMPROVEMENTS TO McCLELLAN AVENUE

WHEREAS, the New Jersey Department of Transportation (N.J.D.O.T.) is accepting applications for the 2024 Local Transportation Project Fund (LTPF) for various improvement projects; and

WHEREAS, the Berlin Township Mayor and Council desires to apply to the N.J.D.O.T. for Local Transportation Project Funds for the Improvements to McClellan Avenue to reconstruct the roadway, which includes roadway widening, concrete curb and handicap ramps and crosswalk at the intersection of Haddon Avenue; and

WHEREAS, the N.J.D.O.T. has allotted Municipal Aid funds for the improvements to Krumm Avenue, the intersecting street at the end of the project, and it is necessary for the construction of both streets to occur, simultaneously, to achieve the proper geometric improvements, grading and most cost-effective construction; and

NOW, THEREFORE, BE IT RESOLVED THAT THE Mayor and Council of Berlin Township formally approves the LTPF grant application, identified as LTPF-2024- Improvements to McClellan Avenue-0020, from Haddon Avenue to Krumm Avenue,

BE IT FURTHER RESOLVED that the Mayor, Clerk and Engineer are hereby authorized to submit an electronic grant application identified as LTPF-2024-

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Improvements to McClellan Avenue-0020 to the New Jersey Department of Transportation on behalf of Berlin Township,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the LTPF grant application, on behalf of Berlin Township, at that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant application.

Certified as a true copy of the Resolution adopted by Mayor and Council on this 16th day of October, 2023.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-175. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-176 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Local Transportation Grant from the NJ Department of Transportation for \$375,000.00;

BE IT FURTHER RESOLVED that a like sum of \$375,000.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"
NJDOT - Myrtle \$375,000.00

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-176. Resolution adopted by call of the roll, all members present voting in the affirmative.

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RESOLUTION 2023-177 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Clean Communities Grant from the NJ Department of Environmental Protection for \$16,151.39;

BE IT FURTHER RESOLVED that a like sum of \$16,151.39 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Clean Communities Grant	\$16,151.39

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-177. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-178 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

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WHEREAS, the Chief Financial Officer has certified that the Township has received a Stormwater Assistance Grant from the NJ Department of Environmental Protection for \$15,000.00;

BE IT FURTHER RESOLVED that a like sum of \$15,000.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Stormwater Assistance Grant	\$15,000.00

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-178. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-179 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Neighborhood Preservation Program from the NJ Department of Community Affairs for \$125,000.00;

BE IT FURTHER RESOLVED that a like sum of \$125,000.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Neighborhood Preservation Program	\$125,000.00

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution

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2023-179. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-180 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO THE N.J.S.A. 40A:4-87 (CHAPTER 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

WHEREAS, the Chief Financial Officer has certified that the Township has received a Bulletproof Vest Partnership Grant from the Department of Justice for \$1,485.96;

BE IT FURTHER RESOLVED that a like sum of \$1,485.96 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
Bulletproof Vest Partnership	\$1,485.96

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of the Division of Local Government Services for approval.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-180. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-181 AUTHORIZING THE TOWNSHIP QUALIFIED PURCHASING AGENT TO AWARD WINDOW CONTRACTS BETWEEN \$17,500 AND \$44,000.

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), the threshold at which contracts as defined pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("LPCL"), may be subject to competitive bidding if they are in excess of the amount designated by the Governor of New Jersey pursuant to N.J.S.A. 40A:11-3(c); and

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WHEREAS, N.J.S.A. 40A:11-3(c) permits the Governor of New Jersey to adjust the bid threshold, originally set by statute at \$25,000.00, for the awarding of contracts pursuant to the LPCL with a designated Qualified Purchasing Agent (“QPA”), in an amount proportional to the index rate as defined in N.J.S.A. 40A:11-2 every five (5) years from the date of the effective date of P.L. 1999, c.440; and

WHEREAS, pursuant to previously issued order of the Governor of New Jersey, the bid threshold for the awarding of contracts pursuant to the LPCL with a designated QPA was increased from \$40,000.00 to \$44,000.00 as of July 1, 2020; and

WHEREAS, N.J.S.A. 40A:11-3(a) requires that contracts up to the bid threshold that are required to be bid may be awarded by a QPA, or other employee so designated by the governing body by resolution, and such powers may be generally delegated to the QPA; and

WHEREAS, P.L. 2023 Chapter 30, allows the QPA to award directly either through a fair and open or an enhanced disclosure method as appropriate such contracts which exceed the limits set forth in P.L. 2004, c 19, s. 3, but do not exceed the provisions of N.J.S.A. 40A:11-3(a), and

WHEREAS, the Mayor and Council desires to take advantage of the increased bid threshold which was enacted to increase efficiency and adjust for changes in purchasing and business dynamics, and the Township further wishes to confirm the statutory general delegation of this purchasing power Alexander P. Davidson as the duly-appointed QPA; and

WHEREAS, P.L. 2023 Chapter 30 repealed Section 1 of P.L. 2005, c. 271 (N.J.S.A. 40A:11-51); and

WHEREAS, the Mayor and Council has previously adopted rules and procedures in accordance with the repealed N.J.S.A. 40A:11-51 and to be consistent with law the Township now wishes to rescind such policies, forms and procedures.

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NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council of the Township of Berlin, County of Camden, and the State of New Jersey, as follows

1. That the Mayor and Council, as the governing body of the Township, hereby maintains its bid threshold as \$44,000.00.
2. Alexander P. Davidson shall be and is hereby confirmed as the Township's QPA and, as such, she shall be and is hereby authorized to exercise the contracting powers granted pursuant to N.J.S.A. 40A:11-3, including to prepare, sign, and execute such documents as needed for the purposes of such an award.
3. All provisions of the Township's rules and procedures previously adopted by the Township in accordance with N.J.S.A. 40A:11-51 shall be and are hereby rescinded in their entirety.
4. The formal action(s) of the Mayor and Council of Township of Berlin embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-181. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-182 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:

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<u>Property: Block/Lot</u>	<u>LIEN NUMBER</u>	<u>REASON</u>
30 Holly Dr. B-1307 L-30	PM23-010	lawn care

WHEREAS, pursuant to Chapter 249 the Code Enforcement Officer issued Violation Notices to the property owner(s) or responsible party(ies) relating to the above-referenced conditions which were found to be health and safety hazards; and

WHEREAS, the property owner(s) or responsible party(ies) failed to take appropriate action as required in said Violation Notices and the Code Enforcement Officer placed a work order with outside vendors to have such work performed as necessary to protect the health, safety and welfare of the Township; and

WHEREAS, the Code Enforcement Officer provided invoices as certification of all costs associated with the above-described work performed in order that the monies expended to pay outside vendors to perform the services at these properties could be charged against the respective properties as more fully set forth below;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that it hereby authorizes, approves and ratifies the assessment of municipal charges and/or liens on the following properties as of the date first noted below in accordance with the certified costs provided by the Code Enforcement Officer as described above, and further resolves that these amounts shall forthwith become a lien on such lands as provided for herein:

<u>Property: Block/Lot</u>	<u>Date Charged</u>	<u>Amount</u>	<u>Reason</u>
30 Holly Dr. B-1307 L-30	10/16/23	\$60.00	lawn care

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

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

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

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution

OCTOBER 16, 2023

2023-182. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-183 PAYMENT OF BILLS

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.

CONFIRMING:

Check #	Check Date	Vendor	Vendor Name	PO #	Item Description	Charge Account	Amount
10637	9/27/2023	ANDRE010	ANDREW SIMONE	23-00923	NEW TRUCK TITLE REIMBURSEMENT	3-01-26-315-2058	\$ 60.00
10638	9/27/2023	ANDRE020	ANDREW WADE	23-00951	AUGUST 2023 BRUSH DISPOSAL	3-01-32-465-2020	\$ 2,860.00
10639	9/27/2023	ATTMO010	AT&T MOBILITY	23-00983	SEPTEMBER 2023 BILL	3-01-31-440-2076	\$ 1,206.38
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 39880-0	3-01-31-445-2072	\$ 32.20
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31350-0	3-01-31-445-2072	\$ 25.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 30510-0	3-01-31-445-2072	\$ 160.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31841-0	3-01-31-445-2072	\$ 25.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31753-0	3-01-31-445-2072	\$ 300.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31295-0	3-01-31-445-2072	\$ 53.60
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 30809-2	3-01-31-445-2072	\$ 25.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 30196-1	3-01-31-445-2072	\$ 160.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 30830-0	3-01-31-445-2072	\$ 160.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 42730-0	3-01-31-445-2072	\$ 614.30
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31190-1	3-01-31-445-2072	\$ 147.00
10640	9/27/2023	BERLI020	BERLIN BOROUGH WATER DEPT.	23-00942	3RD QUARTER WATER 2023 31190-3	3-01-31-445-2072	\$ 570.90
10641	9/27/2023	BERLI040	BERLIN INTERCOMMUNITY	23-00964	2023 Aid	3-01-25-260-2105	\$ 16,563.39
10642	9/27/2023	BERLI050	BERLIN TOWNSHIP BD OF ED	23-00958	SCHOOL TAX LEVY AUGUST 2023	3-01-55-207-0000	\$ 883,165.00
10643	9/27/2023	BERLI100	BERLIN TOWNSHIP POLICE ASSOC.	23-00984	3rd QUARTER 2023 DUES	T-18-56-850-020900	\$ 4,025.00
10644	9/27/2023	BOWMA010	BOWMAN & COMPANY, LLP	23-00962	Audit & CDR	3-01-20-130-2028	\$ 3,000.00
10644	9/27/2023	BOWMA010	BOWMAN & COMPANY, LLP	23-00962	Audit & CDR	3-07-55-502-2028	\$ 5,170.00
10645	9/27/2023	BROWN010	BROWN & CONNERY LLP	23-00960	LABOR & EMPLOYMENT AUGUST 2023	3-01-20-155-2020	\$ 574.00
10646	9/27/2023	BUREA005	BUREAU OF PESTICIDE CONTROL	23-00966	GIANNI M PEST.LIC.FEE	3-01-26-310-2108	\$ 80.00
10647	9/27/2023	CHERR010	CHERRY VALLEY TRACTOR SALES	23-00948	SHOCK ABSO. PART 09/01/23-09/30/23	3-01-26-315-2025	\$ 32.40
10648	9/27/2023	COMCA020	COMCAST	23-00949	LIBRARY 09/01/23-09/30/23	3-01-26-310-2020	\$ 156.57
10648	9/27/2023	COMCA020	COMCAST	23-00949	DPW	3-01-26-310-2020	\$ 91.90

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10649	9/27/2023	COVAN010	COVANTA ENERGY LLC	23-00931	AUGUST 2023 LANDFILL COSTS	3-01-32-465-2020	\$	11,505.17
10649	9/27/2023	COVAN010	COVANTA ENERGY LLC	23-00931	AUGUST 2023 LANDFILL COSTS	3-01-32-465-2030	\$	397.05
10650	9/27/2023	GRANT010	GRAN TURK EQUIPMENT CO.,INC.	23-00793	SWEEPER SUCTION HOSE	3-01-26-315-2025	\$	1,410.96
10650	9/27/2023	GRANT010	GRAN TURK EQUIPMENT CO.,INC.	23-00954	AUGUST 2023 SWEEPER PARTS	3-01-26-315-2025	\$	812.53
10651	9/27/2023	HEROO005	HERO OUTFITTERS	23-00876	Flex Badges - Breast Cancer	3-01-25-240-2032	\$	1,144.00
10652	9/27/2023	HOMED010	HOME DEPOT - CREDIT SERVICES	23-00936	AUGUST 2023 PARKS/REC BILL	3-01-28-375-2058	\$	96.34
10652	9/27/2023	HOMED010	HOME DEPOT - CREDIT SERVICES	23-00936	AUGUST 2023 VEHICLE MAINT.BILL	3-01-26-315-2025	\$	99.46
10652	9/27/2023	HOMED010	HOME DEPOT - CREDIT SERVICES	23-00936	AUGUST 2023 B/G SPRAY	3-01-26-310-2108	\$	13.24
10652	9/27/2023	HOMED010	HOME DEPOT - CREDIT SERVICES	23-00936	AUGUST 2023 S/R MAINT.BILL	3-01-26-290-2038	\$	61.00
10652	9/27/2023	HOMED010	HOME DEPOT - CREDIT SERVICES	23-00936	AUGUST 2023 MAINT B/G BILL	3-01-26-310-2024	\$	117.88
10653	9/27/2023	JOHNB015	JOHN BERTINO	23-00947	228 BUILDING @ HADDON AVE	G-02-40-786-9999	\$	10,000.00
10654	9/27/2023	KEYEN010	KEY ENGINEERS, INC.	ES-00320	ENGINEER BILLING DAHNS #452	2022-00452	\$	932.50
10654	9/27/2023	KEYEN010	KEY ENGINEERS, INC.	ES-00321	ENGINEER INVOICE #430	2020-430	\$	1,502.50
10655	9/27/2023	LOWES010	LOWE'S	23-00938	AUGUST 2023 ROAD PATCH	3-01-26-290-2144	\$	830.46
10656	9/27/2023	MAJES010	MAJESTIC OIL COMPANY, INC.	23-00950	AUGUST 2023 FUEL BILLING	3-01-31-447-2074	\$	12,156.47
10656	9/27/2023	MAJES010	MAJESTIC OIL COMPANY, INC.	23-00950	AUGUST 2023 FUEL BILLING	3-07-55-502-2074	\$	3,999.68
10657	9/27/2023	MCICO005	MCI COMM SERVICE	23-00986	SEPTEMBER 2023 LONG DISTANCE	3-01-31-440-2076	\$	1.26
10658	9/27/2023	MCMTE005	MCM TECH SOLUTIONS	23-00945	ONSITE TECH SUPPORT (PD)	3-01-25-240-2028	\$	1,365.00
10658	9/27/2023	MCMTE005	MCM TECH SOLUTIONS	23-00980	AUGUST 2023 INVOICES	3-01-25-240-2028	\$	950.00
10658	9/27/2023	MCMTE005	MCM TECH SOLUTIONS	23-00980	AUGUST 2023 INVOICES	3-01-20-130-2028	\$	350.00
10659	9/27/2023	METLI010	METLIFE	23-00978	PAYROLL # 19 REMIT 09/22/2023	T-18-56-850- 020900	\$	849.00
10660	9/27/2023	NJDIV025	STATE OF NEW JERSEY	23-00967	Q3 2021 BADGES NJLM 2023	029707	\$	4.16
10661	9/27/2023	NJLEA010	NJ LEAGUE OF MUNICIPALITIES	23-00926	CONFERENCE AC 2023 PAYMENT-	3-01-20-120-2042	\$	240.00
10662	9/27/2023	NJSME010	NJSME	22-00931	REGULAR AUGUST 2023 PAGER	2-01-20-165-2042	\$	150.00
10663	9/27/2023	ONECA010	ONE CALL CONCEPTS, INC.	23-00924	SYSTEM 4TH OF JULY PARADE	3-07-55-502-2107	\$	91.52
10664	9/27/2023	PHYLL015	PHYLLIS MAGAZZU - REIMBURSE	23-00970	CANDY BLUETOOTH SPEAKER	3-01-30-420-2105	\$	224.17
10664	9/27/2023	PHYLL015	PHYLLIS MAGAZZU - REIMBURSE	23-00970	FOR FLOAT Township BJ'S	3-01-30-420-2105	\$	399.99
10664	9/27/2023	PHYLL015	PHYLLIS MAGAZZU - REIMBURSE	23-00970	MEMBERSHIP LEGAL SERVICES	3-01-30-420-2105	\$	74.64
10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	AUGUST 2023 GENERAL FILE AUGUST	MISC-00001	\$	717.50
10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	2023 UL PARTNERS	3-01-20-155-2020	\$	3,482.50
10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	AUGUST 2023 MEETING	3-01-20-155-2020	\$	332.50
10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	ATTENDANCE AUGUST 2023	3-01-20-155-2020	\$	250.00

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10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	PREP OF ORDINANCES AUGUST 2023	3-01-20-155-2020	\$	420.00
10665	9/27/2023	PLATT005	THE PLATT LAW GROUP, P.C.	23-00957	TAX APPEALS AUGUST 2023	3-01-20-155-2020	\$	175.00
10666	9/27/2023	POLLU010	POLLUTION CONTROL FINANCING	23-00921	AUGUST 2023 DISPOSAL COSTS	3-01-32-465-2020	\$	1,174.60
10667	9/27/2023	PROGA010	PROGAS INC.	23-00955	CYLINDER RENTAL MUNI.BLDG.8/23	3-01-31-447-2074	\$	8.25
10668	9/27/2023	RICOH010	RICOH USA, INC	23-00944	08/27/23-09/26/23 BILL	3-01-20-130-2023	\$	330.00
10668	9/27/2023	RICOH010	RICOH USA, INC	23-00944	08/27/23-09/26/23 BILL	3-01-20-130-2023	\$	186.00
10669	9/27/2023	SHERW010	SHERWIN WILLIAMS	23-00909	AUGUST 2023 LINE STRIPING	3-01-26-290-2105	\$	541.18
10671	9/27/2023	SIGNP005	SIGNPROS	23-00865	BERLIN TWP TRUCK DECALS	3-01-26-315-2058	\$	540.00
10672	9/27/2023	SOUTH070	SOUTHERN NJ EMPLOYEE BEN FUND	23-00979	DELTA DENTAL PPO PLUS OPT II	3-01-23-220-2092	\$	2,307.00
10672	9/27/2023	SOUTH070	SOUTHERN NJ EMPLOYEE BEN FUND	23-00979	DELTA DENTAL PPO/PREMIER + ADV	3-01-23-220-2092	\$	1,460.00
10673	9/27/2023	TIREC010	TIRE CORRAL OF AMERICA, INC.	23-00941	AUGUST 2023 MAINTENANCE	3-01-26-315-2025	\$	353.08
10674	9/27/2023	TRAIN010	TRAINING UNLIMITED, LLC	23-00972	WEBINAR CLERK	3-01-20-120-2105	\$	225.00
10675	9/27/2023	TRIAD005	TRIAD ASSOCIATES	23-00946	NPP YEAR 3 MEETINGS SEPTEMBER 2023	G-02-40-786-9999	\$	912.50
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-768-6613 SEPTEMBER 2023	3-01-31-440-2076	\$	85.44
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-7809-0356 SEPTEMBER 2023	3-01-31-440-2076	\$	51.44
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-2533 SEPTEMBER 2023	3-01-31-440-2076	\$	260.53
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-1854 SEPTEMBER 2023	3-01-31-440-2076	\$	471.84
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-0439 SEPTEMBER 2023	3-01-31-440-2076	\$	135.89
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-8118 SEPTEMBER 2023	3-01-31-440-2076	\$	51.44
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-4832 SEPTEMBER 2023	3-01-31-440-2076	\$	216.57
10676	9/27/2023	VERIZ010	VERIZON	23-00975	856-767-5878 09/01/23-09/30/23	3-01-31-440-2076	\$	346.26
10677	9/27/2023	VERIZ030	VERIZON COMMUNICATIONS	23-00974	BILL (P.D.) 09/01/23-09/30/23	3-01-25-240-2028	\$	154.00
10677	9/27/2023	VERIZ030	VERIZON COMMUNICATIONS	23-00974	BILL ADMIN 09/13/23-10/12/23	3-01-25-240-2028	\$	149.00
10678	9/27/2023	VERIZ040	VERIZON COMMUNICATIONS	23-00981	BILL (FIOS) 09/11/23-10/10/23	3-01-25-240-2028	\$	212.90
10679	9/27/2023	VERIZ050	VERIZON WIRELESS	23-00982	BILL (MDT'S) DPW CAMERAS/GPS	3-01-25-240-2028	\$	266.07
10680	9/27/2023	VERIZ055	VERIZON CONNECT FLEET USA LLC	23-00932	RECURRING BILL DPW CAMERAS/GPS	3-01-26-290-2105	\$	523.65
10680	9/27/2023	VERIZ055	VERIZON CONNECT FLEET USA LLC	23-00932	RECURRING BILL Jefferson Ave	3-01-26-305-2038	\$	523.64
10681	9/27/2023	VOORH030	VOORHEES TOWNSHIP	23-00861	Resurfacing JULY/AUGUST 2023	C-04-15-860- 160501	\$	13,328.75
10682	9/27/2023	WADES010	WADE SALVAGE, INC.	23-00952	T/M/HAUL AUGUST 2023 METAL	3-01-32-465-2020	\$	1,022.60
10682	9/27/2023	WADES010	WADE SALVAGE, INC.	23-00953	ROLLOFF	3-01-32-465-2020	\$	162.40
10683	9/27/2023	WBMAS005	W.B. MASON	23-00925	DPW OFFICE SUPPLIES VALIDATOR RIBBON &	3-01-26-310-2036	\$	110.84
10683	9/27/2023	WBMAS005	W.B. MASON	23-00977	PAPER AUGUST 2023	3-01-20-145-2036	\$	208.56
10684	9/27/2023	WHART020	WHARTON LANDSCAPE SUPPLIES	23-00910	CONCRETE DISPOSAL 2018 FORD	3-01-32-465-2020	\$	137.50
10685	9/27/2023	WINNE010	WINNER FORD OF CHERRY HILL	23-00813	EXP.REPAIR	3-01-26-315-2025	\$	1,858.30

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10686	9/27/2023	YPERS005	Y-PERS, INCORPORATED	23-00889	SEWER 2023 FALL CLOTHING	3-07-55-502-2032	\$	528.72
10686	9/27/2023	YPERS005	Y-PERS, INCORPORATED	23-00889	PARKS 2023 FALL CLOTHING	3-01-28-375-2032	\$	366.85
10686	9/27/2023	YPERS005	Y-PERS, INCORPORATED	23-00889	SANITATION 2023 FALL CLOTHING	3-01-26-305-2032	\$	195.06
10686	9/27/2023	YPERS005	Y-PERS, INCORPORATED	23-00889	S/R MAINT. 2023 FALL CLOTHING	3-01-26-290-2032	\$	193.60
10686	9/27/2023	YPERS005	Y-PERS, INCORPORATED	23-00889	MECHANIC 2023 FALL CLOTHING	3-01-26-315-2032	\$	195.79
10687	9/27/2023	NJSTL010	NJ ST LEAGUE OF MUNICIPALITIES	23-00968		3-01-43-490-2041	\$	60.00
10688	9/27/2023	RESOR010	RESORTS ATLANTIC CITY	23-00933		3-01-43-490-2041	\$	531.00
10473	7/25/2023	NATIO030	NATIONAL TACTICAL	23-00411	SWAT COMMAND TRAINING	3-01-25-240-4042	\$	(710.00)
10691	10/11/2023	NATIO030	NATIONAL TACTICAL	23-00411	SWAT COMMAND TRAINING	3-01-25-240-4042	\$	710.00
							\$ 1,004,800.37	

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-183. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-184 RESOLUTION CONFIRMING THE HIRING OF A NEW CROSSING GUARD, LEILA HICKS.

WHEREAS, the current part time crossing guard, MaryEllen Powers has been out on leave; and

WHEREAS, it is necessary to hire a new Crossing Guard, for the safety and welfare of the residents of Berlin Township;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that Leila Hicks be hired as a part time Crossing Guard, effective October 17, 2023.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-184. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-185 CONFIRMING LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

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

Dated: October 12, 2023
Dana O'Hara, CTC - Tax Collector

OCTOBER 16, 2023

DESCRIPTION	YEAR	AMOUNT	REASON
Block 807 Lot 7 330 Harrison Ave	2023	250.00	Veteran
Block 1405 Lot 6.01 128 Taunton Ave	2023	250.00	Veteran
Block 1413 Lot 2 321 Magnolia Ave	2023	250.00	Veteran
\$ 750.00			TOTAL Uncollectible

Submitted for October 16, 2023 meeting.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-185. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-186 CONFIRMING LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

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

Dated: October 12, 2023
Dana O'Hara, CTC - Tax Collector

DESCRIPTION	YEAR	AMOUNT	REASON
Block 216 Lot 16.01 177 A North Avenue	2023	250.00	Senior Citizen
		\$ 250.00	TOTAL Uncollectible Taxes

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

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution

OCTOBER 16, 2023

2023-186. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-187 CONFIRMING THE AUTHORIZING CANCELLATION and REFUND OF UNCOLLECTIBLE TAXES FOR BLOCK 1307 LOT 15

WHEREAS, on July 12, 2023, the Department of Veterans Affairs disclosed that the service-connected disability was totally disabling for Michael Mooney. A 100% permanent and total evaluation was assigned in accordance with the Veterans Affairs Rating Schedule and per N.J.S.A. 54:4-3.30 et seq, and;

WHEREAS, Michael Mooney applied for a Property Tax Exemption due to 100% total wartime service-connected disability on July 23, 2023, and taxes must be cancelled for the exempt portion of that tax quarter, and forward and;

WHEREAS, Midland Mortgage has been escrowing and paid the August 2023 taxes and has requested the refund be returned to their servicing company, Corelogic Tax Services on behalf of Midland Mortgage and they will directly reimburse the owners through a refund, so,

THEREFORE, BE IT RESOLVED that the tax collector cancel and refund the amount of \$ 590.80 from the August 2023 tax quarter to Corelogic Tax Services on behalf of owner, Michael Mooney.

Corelogic Tax Services
Centralized Refunds
P.O. Box 9202
Coppell, Texas 75019-9760

Prepared by: Dana O'Hara, Tax Collector

Submitted for the October 16, 2023 meeting.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-187. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-188 CONFIRMING LIST OF UNCOLLECTIBLE TAXES

To the Mayor and Council to the Township of Berlin:

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

PROPERTY YEAR DESCRIPTION AMOUNT REASON

OCTOBER 16, 2023

Block 1307 Lot 15 49 S Rose Lane	2023	August Qtr 40 Days Exempt	\$ 590.80	100% Disabled Veteran Effective 7/23/2023 Per NJSA 54:4-3.30et seq To Be Cancelled and Refunded
Block 1307 Lot 15	2023	November Qtr Disabled Veteran Final Billing	\$ 1,358.71	100% Effective 7/23/2023
	2024	Preliminary	\$ 2,638.00	Per NJSA 54:4-3.30et seq To Be Cancelled
\$ 4,587.53				TOTAL

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

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-188. Resolution adopted by call of the roll, all members present voting in the affirmative.

RESOLUTION 2023-189 RESOLUTION TO AWARD A CONTRACT FOR THE RESTORATION OF VARIOUS STREETS KRUMM AVENUE – FRANKLIN AVENUE TO MCCLELLAN AVENUE AND MCCLELLAN AVENUE – KRUMM AVENUE TO HADDON AVENUE (PARTIALLY FUNDED BY NJDOT MUNICIPAL AID PROGRAM FY 2022).

WHEREAS, the Township of Berlin desires to enter into a contract for Restoration of Various Streets for Krumm Avenue- Franklin Avenue to McClellan Avenue and McClellan – Krumm Avenue to Haddon Avenue (partially funded by NJDOT Municipal Aid FY 2022); and

WHEREAS, one bid was received by DiMeglio Construction, 594 white Horse Pike Atco NJ 08004 in the amount of Krumm Avenue – Franklin Avenue \$320,959.00 McClellan Avenue to Haddon Avenue \$189,375.00 for the total amount of \$510,334.00; and

WHEREAS, the Township Engineer’s recommendation to consider awarding a contract to DiMeglio Construction.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that a contract for the restoration of Various Streets for Krumm – Franklin Avenue to McClellan Avenue and McClellan Avenue – Krumm Avenue to Haddon Avenue (partially funded by NJDOT Municipal Aid FY 2022) is hereby be awarded to DiMeglio Construction 594 White Horse Pike Atco, NJ 08004, conditional upon the following.

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1. New Jersey Department of Transportation confirmation of the allotment of Municipal Aid funds.

FY 2022 \$275,000.00

2. New Jersey Department of Transportation approval of the Township award of the contract.
3. Certification of the allocation of sufficient funds by the Township Chief Financial Officer.
4. Review and approval of the bidding process and bid proposal documents by the Township Solicitor.
5. All other conditions, which have been determined necessary by the Governing Body.

Motion by Councilman Epifanio second by Councilman Reid to adopt resolution 2023-189. Resolution adopted by call of the roll, all members present voting in the affirmative.

Mercantile Approval

- 1) **Paul Stohner, The 795 Group LLC**, 430 Commerce Lane Unit B. Business Offices and Warehouse Storage.
- 2) **Brittany L. Van Veen, Ruff Riders Grooming**, 850 South Route 73 Unit 4. One on One dog grooming, wash, dry, haircut by appointment only.
- 3) **Damien Mercado Garduno, Los Chukos Restaurant**, 76 Haddon Avenue. Mexican Restaurant.
- 4) **Ernest Armstead, Print Kreations LLC**, 406 Route 73 North. Copy / Print Store.
- 5) **Christine Early, Remax Live Well**, 399 Route 73 North Unit B. Real Estate Office.
- 6) **James Foley, Tactical Public Safety LLC**, 155 Cooper Road, Installation & Repair of Electronic Equipment.
- 7) **Nicholas Sambucci Huen Electric Inc.** 405 Bloomfield Drive Suite 2. Office and warehouse for electrical engineering company.

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Motion by Councilman Epifanio, second by Councilman Reid to approve Mercantile Licenses above. Mercantile License approved by call of the roll, all members present voting in the affirmative.

Animal Permit- New

- 1) Robert Gibbs 189 Haddon Avenue West Berlin NJ 08091.**
5 hens / Chickens, 2 rooster and 4 ducks (if rooster are not approved would like to exchange to hens / chickens)

Motion by Council President Bodanza, second by Councilman Reid to approve 5 hen /chickens and 4 ducks, applicant has been denied for the 2 roosters. Animal permit above, approved by call of the roll, all members present voting in the affirmative.

Approval of September 11, 2023 Meeting Minutes.

Motion by Councilman Epifanio, second by Council President Bodanza to approve the Meeting Minutes for September 11, 2023. Motion carried by voice vote, all members present voting in the affirmative.

Approval of Correspondence Calendar for September 2023.

Motion by Councilman Epifanio, second by Council President Bodanza to approve the Correspondence Calendar for September 2023. Motion carried by voice vote, five members present voting in the affirmative.

Approval of the Consent Agenda for September 2023.

Motion by Councilman Epifanio, second by Council President Bodanza to approve the Consent Agenda for September 2023 Motion carried by voice vote, five members present voting in the affirmative.

All Other Business

Mayor stated the Trunk or Treat / Fall Festival went well and that the Tree Lighting will be held the first Friday in December.

Public Portion

Motion by Council President Bodanza second by Councilman Reid 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 on Seville stated that drag racing is occurring on Cooper Road around 11:00 pm and if the police could look into it.

Chief Bordi, responded to call when it happens so we can send out a patrol car, don't wait till a meeting to inform us. Just call the non-emergency number.

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Montebello Resident on Genova asked will the Township be responsible in plowing the street when it snows.

Mayor, responded when the Township accepts the roads, then the Township will be responsible for maintaining the roads. But at this time, we have not accepted the roads.

The resident asked about the stormwater management for Montebello Development in light of the recent flooding and rain fall, what is the rain rate that the development can stand.

Township Engineer replied the rate is 8.5 inches in 24hours.

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 comments.

Adjourn

Motion by Council President Bodanza, second by Councilman Reid to adjourn the meeting at 6:01 pm. Motion carried by voice vote, all members voting in the affirmative. Meeting adjourned 6:01:pm

Catherine Underwood
Berlin Township RMC