

NOVEMBER 25, 2024

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, Justin Strasser, CFO, Alex Davidson, Chief of Police, Louis Bordi, Township Engineer, Greg Fusco.

Absent – Property Maintenance / Animal Control, Josh Shellenberger.

Departmental Reports

ENGINEER REPORT- Report is located in the back of the minutes

No Other Departmental Reports were Given.

FIRST READING ORDINANCE 2024-15 OF THE TOWNSHIP OF BERLIN AMENDING CHAPTER 340 ENTITLED ZONING, TO ADD DEFINITIONS TO SECTION 340-4, TO CHANGE THE ZONING OF CERTAIN LOTS WITHIN THE PINELANDS AREA FROM THE HIGHWAY COMMERCIAL (C-2RD) ZONE TO THE REGIONAL COMMERCIAL GROWTH (C-3) ZONE, TO CREATE A NEW AND SEPARATE ARTICLE FOR THE C-3 ZONE, AND TO REVISE THE STANDARDS APPLICABLE TO THE C-3 ZONE, AS RECOMMENDED IN THE BERLIN TOWNSHIP MASTER PLAN REEXAMINATION AND AMENDMENT ADOPTED BY THE PLANNING BOARD ON OCTOBER 24, 2023

WHEREAS, the Township of Berlin strives to adopt and implement land use regulations that advance the Township’s policies, goals, and objectives as set forth in the Master Plan and Master Plan Reexamination reports; and

WHEREAS, the Berlin Township Planning Board prepared and adopted a Master Plan Reexamination and Amendment which was adopted by Resolution 2023-19 at a public meeting on October 24, 2023; and

WHEREAS, the Master Plan Reexamination and Amendment recommends that definitions be added to section 340-4 to define and distinguish various types of uses in an objective manner; and

NOVEMBER 25, 2024

WHEREAS, the 2023 Master Plan Amendment recommends that four lots north of Edgewood Avenue and south of Chestnut Avenue within the Pinelands Rural Development Management Area be re-designated as Regional Growth Management Area and that the lots be included in the C-3 zoning district, for the reasons outlined in the Master Plan Reexamination and Amendment; and

WHEREAS, the 2023 Master Plan Amendment recommends an amendment to the Zoning Ordinance to create a separate section for the C-3 Regional Commercial Growth zoning district which is located solely within the Pinelands Area, where is it currently included in a section with the C-1 and C-2 Highway Commercial zoning districts which are partly in the Pinelands Area and partly outside the Pinelands Area; and

WHEREAS, the Master Plan Reexamination and Amendment further recommends that the C-3 zoning district be amended to allow light industrial, warehouse and storage, and continuing care retirement communities as conditionally permitted uses and to add appropriate conditions.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Council of the Township of Berlin, County of Camden, State of New Jersey that the following sections of the Township Code shall be amended as follows:

Section I. Amend the Berlin Township Zoning Map to rezone the following lots from the C-2RD Highway Commercial Zone within the Pinelands Rural Development Area to the C-3 Regional Commercial Growth Zone within the Pinelands Regional Growth Area.

Rezone to C-3 Pinelands Regional Growth Commercial	
Block	Lot
1702	8
2102	1
2102	1.01
2102	1.02

Section II. Amend Article II Terminology, Section 340-4A “Definitions; word usage” to include the following additional definitions:

ASSISTED LIVING FACILITY means a facility licensed by the New Jersey Department of Health and Senior Services pursuant to N.J.A.C. 8:36 which is designed and operated to provide apartment style housing and congregate dining while assuring that a coordinated array of supportive personal and health services are available, as needed, to four or more adult persons unrelated to the proprietor. Each unit in an assisted living facility shall offer, at minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance. For purposes of the Berlin Township Code, assisted living facility shall include assisted living residences and assisted living programs as defined at N.J.A.C. 8:36-1.3.

NOVEMBER 25, 2024

CONTINUING CARE RETIREMENT COMMUNITY means a development regulated in accordance with the rules of the New Jersey Department of Community Affairs pursuant to N.J.A.C. 5:19 which provides a continuum of accommodations and care, from independent living to assisted living to long-term bed care in a nursing facility, at the same or another location to an individual pursuant to an agreement effective for the life of the individual or for a period greater than one year.

HEAVY INDUSTRY means the manufacture, production, or handling of products from extracted or raw materials or the manufacture, assembly, fabrication, packaging or other processing of such products or an outdoor use engaged in the manufacture, assembly, fabrication, packaging or other processing of finished or partially finished parts or products from previously prepared materials. This term shall include, but shall not be limited to, the above activities involving the following: chemicals, stonework or concrete product manufacturing, crude oil or similar petroleum products and tanning.

INDEPENDENT LIVING FACILITY means an age-restricted multi-unit residential facility for residents over the age of 55 that provides room, board, and other amenities for a monthly fee (or a la carte) but does not include personal care or medical care.

LIGHT INDUSTRY means any production, processing, assembly or fabrication of goods, materials or products, including any incidental cleaning, servicing, testing, repair or storage of those same goods, materials or products, but not including the storage of flammable or combustible materials as a principal use. Light industry takes place entirely within an enclosed building and results in the production of goods or the provision of services targeted to be sold to the end consumer. Operations that are harmful, hazardous or noxious are not included as light industrial uses.

MEMORY CARE FACILITY means a facility that offers services similar to those offered at an Assisted Living Facility, but specialized to care for older adults living with Alzheimer's disease or other forms of dementia.

SKILLED NURSING FACILITY means an extended or intermediate care facility licensed by the State of New Jersey to provide full-time health care under medical supervision to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves and do not require the degree of care and treatment which a hospital provides. Skilled Nursing Facilities may include long-term care and short-term subacute rehabilitation care.

SOUND BARRIER means an exterior structure designed to protect inhabitants of residential or other sensitive [land use](#) areas from [noise pollution](#). Sound barriers are intended as an effective method of mitigating [roadway](#), truck, and light industrial noise sources. Sound Barriers are also referred to as sound wall, noise barrier, and acoustical barrier.

TRUCK TERMINAL means a building, structure, or land area primarily devoted to renting, leasing, storage, or dispatch of trucks and or tractor trailers.

WAREHOUSE means a building that is primarily devoted to the storage of goods or materials and may also include office and maintenance areas.

NOVEMBER 25, 2024

WAREHOUSE, DISTRIBUTION means a building that is primarily devoted to the receipt, storage, and distribution of bulk quantities of goods, products, cargo, and materials including trans-shipment or cross-docking.

WAREHOUSE, FULFILLMENT means a building that is primarily devoted to the receipt of bulk quantities of goods and products and the storage, separation, and distribution of the products to individual end users. Often e-commerce facilities

WHOLESALE BUSINESS means an establishment primarily engaged in selling merchandise to other businesses, including retailers, industrial, commercial or professional business users and other wholesalers; or acting as agents or brokers and buying merchandise for or selling merchandise to such individuals or companies.

Section III. Amend the Schedule of Area, Yard and Bulk Requirements, Attachment I referenced in Chapter 340, Article III, section 340-6 to delete the entire row for C-2RD and to delete the entire row for C-3. The Schedule is also referenced as Attachment II and the referenced rows shall be deleted from each Attachment.

Section IV. Amend Chapter 340 to eliminate Article XI Environmental Area E-1 (section 340-70) and hold Article XI in reserve.

Section V. Amend Chapter 340 Zoning to remove all references to “C-2RD Highway Commercial” and “E-1 Environmental Sensitive Area” from Section 340-24.

Section VI. Amend Chapter 340 Zoning to remove all references to “C-3” and “C-2RD” from Article IX, so that Article IX applies only to the C-1 and C-2 zoning districts.

Section VII. Amend Chapter 340 Zoning to add Article XI C-3 Regional Commercial Growth Zone as follows.

Article XI C-3 Regional Commercial Growth Zoning District

Section 340-70 Purpose. The purpose of this zoning district is to provide opportunities for retail, personal and business service, business and professional office, and light industrial uses to serve the Township and surrounding area, as well as to provide housing for senior citizens that includes varied levels of assistance, support, and medical care.

Section 340-70.1 Permitted Uses.

- A. Retail and business uses including the following:
 - 1. Groceries, food stores, bakeries
 - 2. Pharmacies and drugstores
 - 3. Banks and financial institutions
 - 4. Restaurants and cafes including sit-down, fast casual, and take out.
 - 5. Clothing, accessory, shoe stores
 - 6. Furniture, flooring, appliance, and home goods
- B. Personal and Business Services
 - 1. Salons and barber shops
 - 2. Dry cleaner, tailor, shoe repair
 - 3. Computer, phone, radio, TV service and repair
 - 4. Art, music, dance, martial arts studios

NOVEMBER 25, 2024

- 5. Fitness Centers
- 6. Indoor private recreation facilities
- C. Professional and Business Offices
- D. Outpatient medical offices including licensed practitioners such as physical therapy, occupational therapy, mental health, dentists, animal health, and other health and wellness services.
- E. Business, service, and shop uses such as but not limited to:
 - 1. Building and Construction
 - 2. Communications
 - 3. Custom, small scale cabinet making and woodworking
 - 4. Furniture repair
 - 5. Plumbing
 - 6. Electrician
 - 7. Exterminator
 - 8. Technology repair
- F. Public water and sewer service infrastructure

Section 340-70.2 Prohibited Uses. See section 340-52 for prohibited uses.

Section 340-70.3 Permitted Accessory Uses

- A. Off street parking
- B. Off street loading
- C. Electric vehicle service and charging equipment
- D. Fences, hedges, walls
- E. Outdoor seating and patio areas, within the permitted building envelope
- F. Telecommunications equipment
- G. Solar energy infrastructure and equipment
- H. Fire protection and potable water supply storage tanks
- I. Stormwater management structures and facilities, and green development structures and techniques in accordance with Article XVIII B of Chapter 200 of the Township Code.
- J. Trash and recycling containers and enclosures as set forth herein
- K. Signs as permitted by this chapter
- L. Retail shop/stores no greater than 2,400 square feet in area per use, when accessory to and physically attached to a permitted continuing care retirement community.
- M. Personal Services such as salons and spas, health clubs/fitness centers, dry cleaners, copy and shipping centers, etc. when physically attached to a permitted continuing care retirement community.

Section 340-70.4 Conditionally Permitted Uses

- A. Warehouse, Distribution, and Storage Facilities (not including high cube warehouses that exceed 44 feet in height, and not including fulfillment warehouse) in accordance with the following additional standards.

NOVEMBER 25, 2024

1. The minimum required lot size is 2 acres.
2. The required minimum set back from the NJ State Highway Route 73 right-of-way is 250 feet. This provision applies to the right-of-way that parallels the roadway, but not to jug handles.
3. The maximum permitted building height is 44 feet.
4. The minimum required side and rear yard setback is 25 feet adjacent to non-residential uses and 40 feet adjacent to residential uses.
5. If the lot is located within 200 feet of a residential use or residential zone, hours of operation and loading are limited to the time between 6:00am and 10:00pm. This is a performance standard that the applicant must agree to comply with.
6. If the lot is located within 200 feet of a residential use or residential zone, the applicant shall provide a noise evaluation and shall propose a sound barrier if needed to ensure compliance with applicable noise regulations (N.J.S.A. 13:1G-1 et seq.).
7. Any outdoor storage of equipment or materials must be shown on a site plan approved by the Planning Board or Zoning Board, shall not be located in the required front yard area or in the area between the front of the building and the street, must be setback a minimum of 25 feet from side and rear property lines and shall be screened with fencing and landscaping as necessary to contain and buffer the storage area.
8. There may not be storage or warehousing of bulk hazardous materials that are not incidental to the business operation at the site.
9. All buildings of 100,000 square feet or more shall be designed and constructed to support rooftop solar installation in accordance with P.L. 2021, c290.

B. Light Industrial Uses in accordance with the following additional standards

1. The minimum required lot size is 2 acres.
2. The required minimum set back from the NJ State Highway Route 73 right-of-way is 250 feet. This provision applies to the right-of-way that parallels the roadway, but not to jug handles.
3. The maximum permitted building height is 44 feet.
4. The minimum required side and rear yard setback is 25 feet adjacent to non-residential uses and 40 feet adjacent to residential uses.
5. If the lot is located within 200 feet of a residential use or residential zone, hours of operation and loading are limited to the time between 6:00am and 10:00pm. This is a performance standard that the applicant must agree to comply with.
6. If the lot is located within 200 feet of a residential use or residential zone, the applicant shall provide a noise evaluation and shall propose a sound barrier if needed to ensure compliance with applicable noise regulations (N.J.S.A. 13:1G-1 et seq.).
7. Any outdoor storage of equipment or materials must be shown on a site plan approved by the Planning Board or Zoning Board, shall not be

NOVEMBER 25, 2024

located in the required front yard area or in the area between the front of the building and the street, must be setback a minimum of 25 feet from side and rear property lines and shall be screened with fencing and landscaping as necessary to contain and buffer the storage area.

8. There may not be storage or warehousing of bulk hazardous materials that are not incidental to the business operation at the site.

C. Continuing Care Retirement Community, which may including Independent Living, Assisted Living, Memory Care and Skilled Nursing Facilities in accordance with the following additional standards:

1. The minimum required lots size is 10 acres
2. Maximum residential density for any combination of residential units, not including memory care and skilled nursing facilities shall be 18 dwelling units per acre. A minimum of thirty percent of the residential units shall be assisted living units.
3. The maximum permitted building height is three-stories and a maximum of 40 feet.
4. For the assisted living, memory care, and skilled nursing portions of a continuing care retirement community, a minimum of ten percent (10%) of the total number of beds shall be affordable to low and moderate income households/individuals and shall strictly conform with the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq), the Fair Housing Act, and the rules adopted by the Council on Affordable Housing or its successor, including but not limited to requirements for phasing, 50/50 low and moderate income split, affirmative marketing, controls on affordability, and adaptability requirements. The affordable beds/units may coincide with the "Medicaid Waiver" program but must provide documentation necessary to establish eligibility for fair share credit. The Independent Living portions of a continuing care retirement community shall be subject to the mandatory development fee requirements.

Section 340-70.5 General Requirements and Standards

- A. Development on all lots that are located within the sewer service area in the Tri-County Water Quality Management Plan must connect to the public water and sewer systems.
- B. Multiple permitted principal buildings, multiple permitted principal uses within a building, and multiple permitted tenants within a principal building are permitted on one parcel of land when all uses are permitted in the zoning district, when all parking and loading requirements are satisfied for all of the uses, when the entire site is designed in a coordinated manner, when the entire site is owned, managed, and maintained by one entity, and when a zoning permit is obtained for each tenant or business.

NOVEMBER 25, 2024

C. Pinelands Development Credits (PDCs) shall be acquired and redeemed as follows:

1. For development proposing a Continuing Care Retirement Community: PDCs shall be acquired and redeemed for 20% of the proposed independent living units and assisted living units. Units made affordable to low- and moderate-income households to satisfy the 10% set-aside requirement provided at Section 340-70.4.C.4 are exempt from the PDC requirement.
2. For non-residential development not proposing a Continuing Care Retirement Community: PDCs shall be acquired and redeemed at a rate of one quarter (0.25) PDC per acre developed including associated improvements. Associated non-residential improvements include, but are not limited to, structures accessory to the non-residential development, stormwater management facilities, and off-street parking and loading areas.
3. If the number of PDCs required at 1. or 2. above is not evenly divisible by 0.25, the PDC obligation shall be increased to the next highest increment of 0.25.

Section 340-70.6 Area and Yard Requirements

A. The bulk and area requirements are as set forth in the table below. ¹

Standard	General Requirement	Warehouse or Light Industrial	Independent/Assisted Living/Skilled Nursing
Minimum lot size (area)	20,000 square feet	2 acres	10 acres
Minimum lot width and frontage	100 feet	200 feet	200 feet
Minimum lot depth	150 feet	200 feet	200 feet
Front yard setback (minimum)	50 feet	50 feet	50 feet
Rear Yard setback (minimum)	25 feet 35 feet to residential zone	25 feet 40 feet to residential use or zone	50 feet
Side Yard setback (minimum)	15 feet 25 feet to residential zone	25 feet 40 feet to residential use or zone	50 feet
Maximum building height	35 feet ²	44 feet	40 feet

¹ For certain Conditional uses, some bulk and area requirements are conditional use standards as set forth in section 340-70.4 above.

² If directly adjacent to a residentially zoned property, the maximum height is 25 feet for an A-frame roof and 16 feet for a flat roof.

NOVEMBER 25, 2024

Minimum front yard parking setback	15 feet	15 feet	25 feet
Minimum side and rear yard parking set back	10 feet to adjacent commercial use ³ 25 feet to adjacent residential use	10 feet to commercial use 25 feet to residential use or zone	25 feet
Maximum Floor Area Ratio	.2 for one story .35 for two story	.4	.15 for one story .3 for two story .45 for three story
Maximum Impervious Coverage	75%	75%	65%
Minimum Distance between buildings on and off site	50 feet	50 feet if <35 ft ht 75 feet if >35 ft ht	50 feet on site 75 feet off site
Maximum building height for Accessory Structures	15 feet	20 feet	20 feet

Section 340-70.7 Off Street Parking and Loading

Each individual use shall provide off street parking and loading spaces according to the standards set forth in Article XVI Off Street parking and Loading Areas in the Township Code or as may be superseded by N.J.A.C. 5:21 (New Jersey Residential Site Improvement Standards) except as follows.

- A. For independent living residences, 1.2 parking spaces shall be provided for each residential unit.
- B. For assisted living/memory care and skilled nursing facilities, 7/10 (.7) parking spaces shall be provided for each unit.
- C. For general warehouse, distribution, and wholesale facilities one parking space is required for each 3,000 square feet of gross floor area (office space shall be calculated separately)
- D. Parking areas shall be set back as required in the Area and Yard requirements, unless a required buffer dictates a larger setback.
- E. Where a driveway provides access to or between two adjacent properties and when a cross access easement is in place, there is no required setback from the shared driveway to the lot line between the benefitting properties. This also applies to shared parking facilities when a parking easement is in place.
- F. Passenger vehicle parking areas shall be setback a minimum of 10 feet from buildings.

Section 340-70.8 Signs. Signs shall be in accordance with the requirements of Article XIII unless modified herein.

Section 340-70.9 Landscape and Buffers.

³ The parking and drive aisle set back to an adjacent commercial use may be reduced to 5 feet when the parking areas are interconnected and where a cross access easement is or will be in place.

NOVEMBER 25, 2024

- A. Tree removal shall be limited to the area needed for the building footprint and other ancillary improvements plus a 15 foot perimeter.
- B. Buffers are required on nonresidential properties that abut a residential use or zone. The planted buffer area shall be a minimum of 25 feet in width. For the purpose of this section continuing care retirement facilities are considered residential. See Article XV, Buffer Strips and Section 340-21C related to vegetation in the Pinelands area.
- C. Shade trees at 40-foot intervals shall be provided along public and private streets and along pedestrian areas and along the right-of-way. Where mature trees are maintained and protected along the street or around the perimeter of the site, street trees are not required.
- D. Where sidewalks are proposed, the planting strip shall be a minimum of 6 feet wide.
- E. All disturbed pervious areas shall be planted with a variety of native evergreen and deciduous trees, shrubs, and ground cover.
- F. Landscaping shall be provided within and around passenger vehicle parking areas. One landscape island a minimum of 6 feet wide shall be provided for every 20 parking spaces.

Section 340-70.10 Building Facades and Design

- A. Architectural elevations and floor plans showing all sides of each building shall be submitted along with a site plan application. Building dimensions, materials, and colors shall be identified.
- B. When present, office or retail spaces should be located along the primary frontage.
- C. Building facades along road frontages and parking lot frontages shall be designed with features reflective of retail or professional office space such as glass, brick, stone, EIFS, or panel siding.
- D. Blank featureless walls are discouraged. Building off-sets, windows, and façade variations shall be incorporated on facades visible to the public.
- E. Ground mounted or wall mounted mechanical equipment shall be located in the rear or side yard area and screened from public view by a combination of decorative fencing and landscaping
- F. Roof mounted mechanical equipment must be screened with parapet walls or architectural screening.
- G. Warehouse and light industrial facilities shall provide outdoor amenities for the use and enjoyment of employees and/or contractors such as tables and chairs, benches, gazebo or pavilion.

Section 340-70.11 Enclosures for Trash and Recyclables Storage

- A. Trash and recycling storage locations must be shown on the site plan.
- B. Trash and recycling areas must be enclosed by walls or fencing a minimum of 6 feet in height and sufficiently sized to contain the dumpsters, compactors, or containers for both

NOVEMBER 25, 2024

trash and recyclable materials. Dumpsters are not permitted to site in the open anywhere on the site.

- C. If located outside of the principal building, trash and recycling areas must be screened with fencing, walls, and landscaping.
- D. If outside of the principal building, trash and recyclables enclosure areas must be designed to complement the building design.
- E. The applicant shall submit an operations statement that outlines the types of wastes that are anticipated, types of materials recycled, locations for onsite storage, and method and frequency of collection.

Section 340-70.12 Additional Requirements for Continuing Care Retirement Communities, Assisted Living, Memory Care and Skilled Nursing

- A. The development should provide centrally located outdoor space that relates to the buildings and that may serve as an informal social gathering place. The passive recreation space should include a variety of landscape plants, hardscape, and street furniture.
- B. Sidewalks are required along all streets and along main driveways within the site to provide a safe and comfortable pedestrian environment.
- C. Architectural Requirements:
 - 1. Architectural elevations showing all sides of each building must be submitted along with a site plan application.
 - 2. Architectural design features shall be employed to create visual interest at the pedestrian or street level, and to integrate each building or structure with the surrounding area.
 - 3. Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including windows, projections, and recesses shall be used to add architectural interest and variety, and to relieve the visual effect of a simple long wall.
 - 4. Building facades shall be broken up at twenty-five-to-seventy-five-foot intervals with facade variations or projections and recesses at least two feet (2') in depth.
 - 5. Buildings more than 150 feet in length must be broken up with more significant off sets and angles at intervals of 100 to 200 feet.
 - 6. Covered walkways and overhangs should be provided above the first floor near entryways.
 - 7. Brick or stone work should be incorporated into the exterior building design where practicable and should be coordinated with adjacent buildings where feasible and appropriate.
 - 8. All sides of a building visible to the public must be designed with treatment similar to the front facade.
 - 9. Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and roof-mounted equipment, to provide interest, and reduce the scale of large buildings.

NOVEMBER 25, 2024

10. Utilities entering/exiting buildings, including water, gas and electric meters must be located on the short end of buildings, and must be adequately shielded with evergreen landscaping or a green screen wall.
 11. Balconies or patios are recommended for independent residential units.
 12. A minimum of 80 cubic feet of internal storage with a minimum height of six feet shall be provided for each independent residential unit for the storage of personal items. The space shall be in addition to typical closets and may be located within the unit or in another locked location on the site.
- D. Trash enclosures or central trash compaction/recycling areas shall be masonry structures, with an exterior façade of stone, brick, or cementitious siding to complement the principal building.
- E. Signs shall be in accordance with Article XIII except that each site may have one monument style site identification sign not to exceed 8 feet in height and 60 square feet in area on each street frontage. The base must be complementary to the building and shall be landscaped. The sign may be externally illuminated, halo lit, or internally illuminated such that only the copy is illuminated (not the entire sign box).

Section VIII. Amend Article IV, General Provisions, Section 340-21O, Pinelands Development Credits to read as follows:

- (1) Pinelands development credits may be allocated to certain properties in the Township by the Pinelands Commission pursuant to N.J.A.C. 7:50-4.61 et seq.
- (2) Pinelands development credits may be used in the Township in the following circumstances:
 - (a) When a variance or other approval for a residential use not otherwise expressly permitted in the C-3 District or in that portion of the C-2 District located in the Pinelands Area is granted by the Township, Pinelands development credits shall be used for 50% of the authorized units for parcels under 10 acres in size; for 75% of the authorized units for parcels between 10 acres and 20 acres in size; and for 100% of the authorized units for parcels over 20 acres in size.
 - (b) When a waiver of strict compliance is granted by the Pinelands Commission pursuant to N.J.A.C. 7:50-4.61 et seq.
 - (c) To permit development of parcels of land in the C-3 District in accordance with the requirements at Section 340-70.5.C.
- (3) The requirements of N.J.A.C. 7:50-5.41 et seq. shall apply when Pinelands development credits are either allocated or used in the Township.

NOVEMBER 25, 2024

Section IX. 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 X. 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 adopt Ordinance 2024-15 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2024-16 AN ORDINANCE AMENDING ORDINANCE 2024-13 RELATING TO CHAPTER 156 OF THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "FEES"

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

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

WHEREAS, Section 156-29 of the Code establishes the fees for Grading Plan applications and review; and

WHEREAS, the Mayor and Council adopted Ordinance 2024-13 on or about September 23, 2024 amending the aforementioned fees; and

WHEREAS, the Mayor and Council seek to amend Ordinance 2024-13 to correct fees related to grading plan applications; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law.

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

SECTION 1: Section 156-29 of the Code of the Township of Berlin entitled "Grading plan fees from § 103-5" is hereby amended, supplemented, and revised as follows:

§ 156-29 Grading plan fees from § 103-5.

The application fee for a lot grading plan shall be \$50. The applicant shall pay the sum of \$500 for the grading plan review fee. In the event a revised grading plan is required, the review fee

NOVEMBER 25, 2024

shall be \$200 for the revised plan. After grading has been completed, the applicant is required to complete an as-built survey plan of the work. The as-built survey shall be reviewed and the grading shall be inspected. The as-built review fee is \$500.00 and the inspection fee is \$200.00.

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

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

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 Councilman Reid to adopt Ordinance 2024-16 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-164 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 cancelled and that I be relieved of the collection thereof as required by Revised Statutes of New Jersey, 1937, Title 54, Chapter 4.

NAME	YEAR	DESCRIPTION	AMOUNT	REASON
Block 219 Lot 10 182 Pine Avenue	2024	Current Year Land Tax Added Assessment Tax	\$ 1413.01 \$ 5971.81	100% Disabled Veteran Effective 4/29/2024 Per NJSA 54:4-3.30et seq
	2025	Preliminary	\$ 5394.17	To Be Cancelled
Block 1310 Lot 2.03 301 Stratford Avenue	2024	November Qtr Final Billing	\$ 1931.75	100% Disabled Veteran Effective 4/22/2024 Per NJSA 54:4-3.30et seq
	2025	Preliminary	\$ 3815.09	To Be Cancelled
			\$ 18,495.83	TOTAL

NOVEMBER 25, 2024

Uncollectible & Cancelled

WHEREAS, the homeowner is responsible for the payment of real estate taxes for property located in the Township of Berlin, and the owner has previously paid taxes at settlement for the dates of ownership prior to the submission of application for exemption; and

WHEREAS, after the taxes are now to be cancelled from the date of application due to 100% Disabled Veteran Exempt Status causing the payment received to become an overpayment which needs to be refunded, so;

THEREFORE, BE IT RESOLVED that the tax collector cancel the taxes in the amount of Twelve Thousand Seven Hundred Seven-eight dollars and ninety-nine cents (\$ 12,778.99)

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 by Dana OHara, CTC, Tax Collector
for the November 25, 2024 Meeting.**

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-164. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-165 CONFIRMING AUTHORIZING CANCELLATION OF UNCOLLECTIBLE TAXES AND REFUND.

WHEREAS, the Department of Veterans Affairs disclosed that the service-connected disability was totally disabling for Isiah G. Williams. A 100% permanent and total evaluation was assigned effective May 11, 2021 in accordance with the Veterans Affairs Rating Schedule and per N.J.S.A. 54:4-3.30 et seq, and;

WHEREAS, Mr. Williams, purchased a home in February 9, 2024 and provided supporting documentation from the VA and applied for a Property Tax Exemption due to 100% total service-connected disability on April 29, 2024 which was approved and made effective, as of the date of the application and;

WHEREAS, Mr. William's lender required an estimated tax payment to be made at the time of the purchase/closing of his home, which the title company paid and said payment was held as a credit on the account. After the calculation of the added assessment billing was completed in October 2024 and the amount due was deducted from the credit amount and was paid. The prorated exempt amount will be refunded to the owner as per the request of National Title Agency who has authorized the exempt amount be refunded directly to the owner: and;

THEREFORE, BE IT RESOLVED that the tax collector cancel and refund the prorated amount of \$2,053.00 directly to the owner

Isiah G. Williams
182 Pine Avenue
West Berlin, NJ 08091

NOVEMBER 25, 2024

Submitted by Dana OHara, CTC
for the November 25, 2024 meeting.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-165. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-166 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.

To the Mayor and Council to the Township of Berlin:

WHEREAS, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

WHEREAS, the Tax Collector has confirmed receipt of payment for the liens against the following properties representing maintenance work performed; the maintenance liens against the following properties have been discharged, as follows:

Property:	Amount:	Date Paid:	Lien Number:
215 Fourth Avenue	\$ 420.00	10/21/24	PM24-002
215 Fourth Avenue	\$ 220.00	10/21/24	PM24-006

Submitted for November 25, 2024 Meeting by Dana O’Hara, CTC - Tax Collector

By resolution of the Mayor and Council of the Township of Berlin, for the reasons set forth hereinabove, it hereby approves and authorizes said liens against said properties pursuant to Chapter 280-7 of the Code of the Township of Berlin hereby discharged.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon adoption.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-166. Resolution adopted by call of the roll, five members present voting in the affirmative.

NOVEMBER 25, 2024

RESOLUTION 2024-167 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED OR MUNICIPAL LIEN TRANSFER ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.

To the Mayor and Council to the Township of Berlin:

WHEREAS, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

WHEREAS, the Tax Collector has confirmed receipt of payment or transfer to an open municipal tax sale lien for the liens against the following properties representing maintenance work performed; the maintenance liens against the following properties have been discharged, as follows:

Special Charge #	Property:	Amount:	Date Transferred To Municipal Lien
PM24-009	319 Hazel Avenue	\$ 500.00	10/3/24

Submitted for November 25, 2024 Meeting
by Dana O'Hara, CTC - Tax Collector

By resolution of the Mayor and Council of the Township of Berlin, for the reasons set forth hereinabove, it hereby approves and authorizes said liens against said properties pursuant to Chapter 280-7 of the Code of the Township of Berlin hereby discharged.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon adoption.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-167. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-168 RESOLUTION TO APPROVE TOWING COMPANIES TO PROVIDE TOWING SERVICES FOR THE TOWNSHIP OF BERLIN.

WHEREAS, the Township of Berlin has reviewed the applications submitted to the Berlin Township as per the Code of the Township of Berlin Chapter 304:and

WHEREAS, the Township of Berlin has effectively operated using two tow services and have found the rotation to be profitable and service reliable.

NOVEMBER 25, 2024

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden, New Jersey that the following Towing Companies provide towing services for the Township of Berlin effect for the period of January 1, 2025 through December 31, 2025.

- 1) **Linden Towing**, 2715 Egg Harbor Road, Lindenwold
- 2) **RHP Towing**, 238 White Horse Pike, Atco

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-168. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-169 RESOLUTION RECINDING CONDITIONAL OFFER OF EMPLOYMENT.

WHEREAS the Township of Berlin, Mayor and Council had offered candidate, Robert Hawn a conditional offer of Employment with the Berlin Township Police Department: and

WHEREAS Candidate Hawn was required to pass certain remaining elements of his background to attend the Police Academy, which he has failed to complete successfully.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the conditional offer of employment to candidate Robert Hawn is hereby rescinded.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-169. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-170 APPROVING AND AUTHORIZING A DISCHARGE OF LIEN AS A RESULT OF PAYMENT SATISFIED ON REAL PROPERTY FOR NECESSARY MAINTENANCE WORK PERFORMED.

To the Mayor and Council to the Township of Berlin:

WHEREAS, the property owner or responsible party failed to take appropriate action as required in the Violation Notices; the Code Enforcement Officer placed a work order with outside vendors on the properties and provided an invoice as certification of all costs associated with the work performed pursuant to Chapter 280-6 and pursuant to Chapter 280-7 the monies expended to pay outside vendors to perform the services at these properties have been charged against the property; and pursuant to Chapter 280-8 forthwith became a lien on such lands and was filed with the Tax Office; said lien to be discharged by the Tax Collector upon payment.

NOVEMBER 25, 2024

WHEREAS, the Tax Collector has confirmed receipt of payment for the liens against the following properties representing maintenance work performed; the maintenance liens against the following properties have been discharged, as follows:

Property:	Amount:	Date Paid:	Lien Number:
314 Washington Avenue	\$ 140.00	11/01/24	PM24-007

Submitted for November 25,
2024 Meeting by Dana O’Hara, CTC - Tax Collector

By resolution of the Mayor and Council of the Township of Berlin, for the reasons set forth hereinabove, it hereby approves and authorizes said liens against said properties pursuant to Chapter 280-7 of the Code of the Township of Berlin hereby discharged.

BE IT FURTHER RESOLVED, This Resolution shall take effect immediately upon adoption.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-170. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-171 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 \$188,420.00;

BE IT FURTHER RESOLVED that a like sum of \$188,420.00 and the same is hereby appropriated under the caption of:

NOVEMBER 25, 2024

Operation "Excluded From CAP"
NJDOT – Oak, Taunton & Mt. Vernon \$188,420.00

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 Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-171. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-172 AUTHORIZING THE EXTENSION OF CONTRACT FOR EMERGENCY TRAFFIC SIGNAL MAINTENANCE UNDER THE CHERRY HILL COOPERATIVE PRICING SYSTEM IDENTIFIER #37-CHCPS.

WHEREAS Berlin Township has been participating in an Cooperative Contract under the Cherry Hill Cooperative Pricing system (#37-CHCPS); and

WHEREAS Berlin Township wishes to extend the participation in the Cherry Hill CO-OP for Emergency Traffic Signal Maintenance, which is contracted with Techna-Pro Electric for an additional year.

NOW, BE IT RESOLVED by the Mayor and Council of the Township of Berlin, hereby authorizes Berlin Township to participate in the one-year Contract Extension for Emergency Traffic Signal Maintenance through the Cherry Hill Cooperative Pricing System.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-172. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-173 RESOLUTION AUTHORIZING MAYOR TO SIGN A SERVICE MAINTENANCE CONTRACT WITH RFP SOLUTIONS.

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor is hereby authorized and directed to sign a one-year service maintenance contract in the amount of \$2,516.40, with RPF Solutions for Berlin Townships NEC Univerge SV9100 Telecommunication System.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-173. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-174 RESOLUTION AUTHORIZING AND RATIFYING PAYMENT OF BILLS FOR NOVEMBER 7, 2024 AND NOVEMBER 21, 2024.

NOVEMBER 25, 2024

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor and Council hereby approves the payment of bills for November 7, 2024 and November 21, 2024.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-174. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-175 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 Recreation Improvement Grant from the New Jersey Department of Community Affairs for \$33,500.00;

BE IT FURTHER RESOLVED that a like sum of \$33,500.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"	
NJDCA – Local Recreation Improvement	\$33,500.00

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 Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-175. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-176 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)

NOVEMBER 25, 2024

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 \$268,146.00;

BE IT FURTHER RESOLVED that a like sum of \$268,146.00 and the same is hereby appropriated under the caption of:

Operation "Excluded From CAP"
NJDOT – Oak, Taunton & Mt. Vernon \$268,146.00

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 Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-176. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-177 RESOLUTION CANCELING CERTAIN BALANCE SHEET ACCOUNTS.

WHEREAS, following accounts on the Township Balance Sheet require Cancellation:

<u>Description</u>	<u>Amount</u>
Grant AR – Body Worn Camera	552.00
Grant Approp. – Body Worn Camera	552.00
Grant AR – NJ DCA Local Recreation	1,047.97
Grant Approp – NJ DCA Local Recreation	770.00
Grant AR – NJDOT Spruce Ave	31,427.00
Grant Approp – NJDOT Spruce Ave	26,704.00

NOVEMBER 25, 2024

Grant AR – NJDOT Day Ave	8,919.55
Grant Approp – NJDOT Day Ave	10,897.06
Grant AR – NJDOT Krumm Ave	235,000.00
Grant Approp – NJDOT Krumm Ave	235,000.00
Grant AR – CC Luke Ave	8,200.64
Grant Approp – CC Luke Ave	8,200.64
Grant AR – CC Gazebo	13,399.23
Grant Approp – CC Gazebo	13,399.23
Grant AR – CC Round 16	25,000.00
Grant Approp – CC Round 16	24,836.83
Grant AR – CC Round 15	25,000.00
Grant AR – CDBG Year 39	19,115.30

WHEREAS, it is necessary to formally cancel said balances so that the unexpended appropriations may be debited or credited to Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, that the above listed Balance Sheet accounts be cancelled.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-177. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-178 RESOLUTION TO GRANT THE RELEASE OF OUTSIDE POLICE SERVICE MONIES TO ARAWAK PAVING CO., INC.

WHEREAS, Arawak Paving Co., Inc., 7503 Weymouth Road Hammonton NJ 08037 had an agreement with Berlin Township Police Department for Police Related Services; and

WHEREAS Arawak Paving Co., Inc. had placed monies in a trust account for the expenditures of these services; and

WHEREAS the job has been completed and therefore Arawak Paving Co., Inc. has requested that the remaining escrow funds in the amount of \$952.93 be released.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that a refund of \$952.53 for Arawak Paving Co., Inc. is hereby granted.

NOVEMBER 25, 2024

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-178. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-179 CONFIRMING AUTHORIZING TRANSFER OF OVERPAYMENTS FROM 2024 CURRENT YEAR FINAL HALF TAX TO 2025 PRELIMINARY YEAR TAX.

WHEREAS, after voluntary real estate tax payments made on the following parcels, overpayment credits resulted, and;

WHEREAS, the following property(s) now have an overpayment for the current year and it has been requested by the owner and/or mortgage company responsible for payment of said taxes that the overpayment be transferred to the preliminary 2025 year taxes, since already billed, and;

WHEREAS, the following are the details of the credit amounts which have been transferred:

<u>Block/Lot</u>	<u>Description</u>	<u>Amount</u>
601-26.02	168 Bishop Avenue	\$.06
623-5	177 Third Avenue	\$ 205.56
702-21	144-146 Haddon Avenue	\$ 3.00
1308-37	3 Park Avenue	\$ 5.00
1415-4	339 Myrtle Avenue	\$ 56.30
1415-16	310 Larch Avenue	\$ 37.70
1803-19	235 Peppermill Road	\$ 2179.08
1806-16	212 Briarwood Road	\$ 1839.19
1814-14	324 Hazel Avenue	\$ 37.70
1820-3	335 Cedar Avenue	\$ 56.30
2403-11	3 Taranto Lane	\$.02

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the credits totaling four thousand four hundred nineteen dollars and ninety-one cents \$ 4419.91 be transferred from the 2024 current tax to preliminary 2025 tax year on the above-mentioned properties.

**Submitted for the November 25, 2024 meeting.
Dana O’Hara, CTC – Tax Collector**

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-179. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-180 AUTHORIZING APPROPRIATION TRANSFERS

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year;

BE IT RESOLVED by the Mayor and Council of the Township of Berlin, County of Camden, New Jersey, that transfers between CY2024 Budget Appropriations be made as follows:

Account Number	Description	Transfer In	Transfer Out
20-110	Mayor & Council SW	\$5,000	
20-145	Revenue Admin SW	4,000	
21-180	Planning & Zoning SW	2,000	
22-195	Uniform Construction SW	1,000	
22-200	Code Enforcement OE	20,000	
23-220	Group Insurance		\$150,000
23-221	Health Waiver	3,000	
26-310	Buildings & Grounds OE	15,000	
30-415	Accumulated Absence	50,000	
47-890	Tax Appeal Reserve	50,000	
	Current Fund Total	\$150,000	\$150,000

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-180. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2024-181 AWARDING CONTRACT FOR PURCHASING AND INSTALLING PLAYGROUND EQUIPMENT AT THE LUKE AVENUE RECREATION COMPLEX THROUGH ESCNJ CO-OP #65MCESCCPS

WHEREAS, the Township of Berlin has requested and received proposals from Ben Shaffer Recreation through the ESCNJ Co-Op #65MCESCCPS for the purpose of purchasing and installing playground equipment and safety surfacing at the Luke Avenue Recreation Complex; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that contracts in the amount of \$242,189.81 and \$140,868.00 (for a total combined amount of \$383,057.81) for the Accessibility and AllInclusive Playground Improvements and the Expansion of the

NOVEMBER 25, 2024

Playground at the Luke Avenue Recreation Complex is hereby awarded to Ben Shaffer Recreation of Hopatcong, New Jersey, conditional upon the following:

1. That the Chief Financial Officer of this body be and is hereby directed to sign for and on its behalf the Township for said services.
2. This Resolution hereby authorizes the Chief Financial Officer to issue Purchase Orders.

Motion by Council President Bodanza second by Councilman Epifanio to adopt resolution 2024-181. Resolution adopted by call of the roll, five members present voting in the affirmative.

Mercantile Approvals

- 1) Daniel Schlueter, Bleu Bear Bakery LLC**, 201 Haddon Avenue. Bakery Store Front Cookies Cakes and Desserts.
- 2) Tamer Kaplan, Kendeil Ozdisan Electronics**, 401 Bloomfield Drive Unit #1. Office & Warehouse for the storage and distribution of electronic components.
- 3) Jay Collins, Cornerstone Biocamp Enterprises Inc. / The Dental Lab West Berlin**, 155 Bradford Drive. Dental Lab.

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

Approval of October 28th meeting Minutes

Motion by Council President Bodanza, second by Councilman Reid to approve the Meeting Minutes for October 28, 2024. Motion carried by roll of the call five members present voting in the affirmative.

Approval of Consent Agenda for October 2024

Motion by Councilman Epifanio, second by Councilman Reid to approve the Consent Agenda for October 2024. Motion carried by roll of the call, all members present voting in the affirmative.

Approval of Correspondence Calendar for October 2024

Motion by Councilman Reid, second by Council President Bodanza to approve the Consent Agenda for October 2024. Motion carried by roll of the call, all members present voting in the affirmative.

All other Business

NOVEMBER 25, 2024

1) Tree Lighting Event December 6, 2024

Public Portion

Motion by Councilman Reid 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 from Remington Drive stated that winter is around the corner and we don't know who is going to plow our streets. He stated that he contacted the company that provided the services last year and he has not heard from Hovnanian.

Township Engineer, replied that Hovnanian is responsible in providing the plowing and that he will reach out to them.

Resident asked what the status is on the basins. Township Engineer replied that he would like to set up a meeting with the HOA to go over the basin, after the first of the year.

Montebello Resident from Piedmont Blvd, asked about the completion of the stormwater plan so that HOA can put together a maintenance plan. Engineer stated he has not received the plan from Hovnanian. The Township would need to accept the stormwater plan , then a maintenance plan can be done.

No more comments were to be heard.

Motion by Councilman Epifanio second by Council President 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 5:47 pm. Motion carried by voice vote, all members voting in the affirmative, meeting adjourned 5:47: pm.

Catherine Underwood
Berlin Township RMC

NOVEMBER 25, 2024