

JANUARY 24, 2011

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY AT BERLIN TOWNSHIP MUNICIPAL HALL JANUARY 24, 2011 AT 5:00 P.M.

Mayor Magazzu opened the meeting and stated that pursuant to the requirements of the Open Public Meetings Law, notice of this meeting was advertised in the Record Breeze and posted on the bulletin board.

All in attendance joined in the Salute to the Flag.

ROLL CALL

Present- Councilwoman Bodanza, Councilman DiGangi, Council President Morris, Mayor Magazzu, Councilman McIntosh arrived at 5:10

Also Present- Stuart Platt, Solicitor, Chuck Riebel, Engineer Director Public Works, Joseph Jackson, Chief of Police Lori Campisano ,CFO

Absent-

ENGINEER'S AND DIRECTOR'S REPORT

A. CHANGE ORDERS AND VOUCHERS

None

B. ENGINEER'S REPORT

1. N.J.D.O.T. FY2011 MUNICIPAL AID APPLICATIONS (PROJECT NO. E-10-0012)

The Township submitted applications for the following projects:

- a. Centers of Place
 - 1) Landscaping along Route 73, along the frontage of the Municipal Building
\$94,500.00

- b. Street Improvements
 - Priority 1) Reconstruction of Hazel Avenue, Phase 1
Cushman Avenue to Division Street \$212,000.00

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Priority 2) Improvements to Edgewood Avenue
Borough Line near Rt. 73 to Cooper Road \$312,000.00

Typically, the selected projects are announced at the end of the previous year. The N.J.D.O.T. Local Aid Office has informed me that they are on hold "pending the Commissioner's decision".

2. CONSTRUCTION OF POROUS CONCRETE SIDEWALK ALONG N.J.S.H. ROUTE 73 NORTHBOUND – JACKSON ROAD TO EDGEWOOD AVENUE (N.J.D.O.T. FY2008 AND 2009 FUNDING - \$320,000) (PROJECT NO. E-10-0004)

The N.J.D.O.T. has authorized the submission of the invoice for the payment of 75% of the Contract amount. I have informed Ms. Campisano that the invoice is available for her signature and submission to the N.J.D.O.T. Local Aid Office.

As reported, in previous reports, the construction will not commence until the Spring of this year.

I will be contacting Stellato Brothers to request their endorsement of the Consent to Enter form. The approval from the Pinelands Commission is being held until we provide them with a copy of all necessary consent to enter forms.

3. BATE AVENUE PLAYGROUND AND FORMER MUNICIPAL BUILDING SITE (PROJECT NO. E-10-0014)

a. Change in Use of the Playground to a Passive Park

The public hearing was held on December 13, 2010. Ms. Underwood has provided me with the transcript for the meeting, which I will forward to the N.J.D.E.P. Green Acres Program, along with other required documents.

Once the comment period has elapsed, the Township will be able to remove the playground equipment and construct the passive park.

b. Transfer Property from Board of Education

I am hopeful to meet with representatives from Cherry Hill Township, in the near future, to discuss the possible use of their personnel, which have surveying experience.

I must, also, complete the preliminary site investigation.

4. LIBRARY AND ADJACENT PLAYGROUND SITE

If the Governing Body is still considering the sale of this property, I recommend the authorization of the redivision of the property line to allow for the entire parking area to be located on the reconfigured library lot.

5. MUNICIPAL BUILDING

a. Contract with MJJ Construction

There have been several leaks in the roof, over the Construction Office, with the latest leaks being somewhat severe. MJJ Construction and the roofing subcontractor have

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observed the conditions, prior to the latest leak, and are in the process of determining the cause. MJJ Construction has questioned if the leaks are from their work or the section of the original roof, which they did not disturb.

The length of life of the original roof system has always been questioned. I believe that it was anticipated that it had about a five year life. Once the cause has been determined, it may be necessary to re-evaluate the condition of the roof and consider additional corrective measures or replacement.

b. Possible Separation of the Electronic Door Access and Surveillance Systems

We have not received a quote from Atlantic Com. We are now in the process of obtaining the names of other firms to obtain quotes.

c. Telephone Communications and Camera Systems

RFP Solutions held the training session for the telephone and paging system.

I believe that they are coordinating the modifications to the camera system with Chief Jackson.

RFP Solutions will, also, be submitting a proposal for the additional work, which was requested at a recent meeting. They will, also, be providing a credit for the Court Room microphone system.

They have, also, requested the release of a majority of their retainage.

d. Landscaping and Irrigation System

I must submit the requests to landscapers, landscape materials suppliers and irrigation contractors for their contribution of materials and services.

It is my understanding that an Eagle Scout may be performing the landscape design and some installation, as part of his Eagle Scout project.

e. Monument Sign Along Route 73

I must solicit for quotes for the installation of the sign.

f. School Bell

The school bell is being stored at the Public Works Complex. I believe that the intent is to construct an attractive base for placement in the Municipal Building lobby.

6. REDESIGNATION OF PINELANDS ZONING AND EXTENSION OF SANITARY SEWER TO EDGEWOOD AVENUE AND ALLIED PARKWAY

On December 16, 2010, I met with representative of the Pinelands Commission and presented copies of the Zoning Map, dating back to 1987. The older Zoning Maps were presented to show the discrepancies between the record Zoning Maps and Pinelands understanding of zoning districts. The Pinelands representatives will research their records and will respond to the Township, in the immediate future.

They will also be discussing the sanitary sewer connection for Block 2001, Lot 1.

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7. RESURFACING OF MT. VERNON AVENUE – FRANKLIN AVENUE TO MINCK AVENUE (N.J.D.O.T. FY2010 MUNICIPAL AID FUNDING - \$180,000) (PROJECT NO. E-10-0002)

I must perform the design and prepare the bid documents, in the immediate future. The bid documents will include the construction of the built-up bituminous driveway aprons at 136 and 138 Veteran's Avenue as an alternate bid.

I have also discussed the possible construction of the bituminous aprons by the Cherry Hill Township Public Works Department, with their Director.

8. MICRO-RESURFACING OF HILL AVENUE (C.B.D.G. YEAR 32 FUNDING) (PROJECT NO. E-10-0003)

I must perform the design and prepare the bid documents in the immediate future. I intend to bid the pavement reconstruction as an alternate bid, in case the Berlin and/or Cherry Hill Township Public Works Department(s) can perform the work.

9. LESTER AVENUE STORM DRAINAGE AND STORMWATER MANAGEMENT SYSTEMS

Since it has been several months since I submitted my initial request to Public Service Electric and Gas Company, I have sent another request to their government relations staff member. Once I receive his response, I will inform the Governing Body.

10. HADDON AVENUE STREETScape, PHASES 1 AND 3 (FEDERAL AND STATE AID - \$677,000)

I recommend that the Governing Body consider the proposal from Key Engineers to perform the reduced scope of services, up to the point of bidding the project, in the immediate future. They had, previously, submitted an estimate for \$7,360 for this work. It is important that this project continue to proceed before the N.J.D.O.T. recaptures the funding.

It will be necessary to contract this work. The street lights will be installed by Atlantic City Electric.

11. AMENDMENT TO CHAPTER 125, WATER AND SEWER

I believe that the Governing Body has determined that the Township will be responsible for the lateral, between the sewer main and the (cleanout) edge of the street. The property owner will be responsible for the remainder of the lateral/building sewer. Councilman McIntosh has discussed the emergency calling of the sewer crew during a lateral blockage. He had recommended that the homeowner verify that it is the Township's responsibility before they call for the emergency crew.

12. ENERGY SAVING MEASURES FOR MUNICIPAL FACILITIES

I recommend that the Governing Body consider meeting with representatives of Powergistics of Cherry Hill, N.J. to discuss the possible reduction of energy costs.

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I have submitted the “Energy Efficiency and Conservation Block Grant Program” application for the replacement of ceiling lights, occupancy sensors and programmable thermostats for the Public Works buildings.

I have also provided a copy of the application to Hutchinson Mechanical Services, the N.J. Direct install contractor. I must forward the Direct Install application and copies of gas and electric bulbs to them, in the immediate future.

13. AUCTION FOR VARIOUS VEHICLES, EQUIPMENT, AND FURNITURE

I believe that it is intended to hold an on-line auction, in the future. To open up the heated garage space for the parking of plow vehicles, during the winter months, we have moved a portion of the furniture to the unfinished rooms of the Municipal Building.

14. CAPITAL IMPROVEMENT PROGRAM

I recommend that the Governing Body consider re-implementing a long term capital improvements program to address various street and building improvements and vehicle and equipment purchases. I will prepare a list of recommendations for consideration by the Governing Body.

15. DRAINAGE ISSUES WITHIN THE SOUTHWEST PORTION OF THE TOWNSHIP

I have requested assistance from the Delaware Valley Regional Planning Commission (D.V.R.P.C.) The D.V.R.P.C. representative has suggested that an application be submitted for the Transportation and Community Development (TCOI) program. This program requires a 20% local match in funds. I recommend that the County apply for the grants since the study area will encompass portions of Berlin Township and Berlin Borough.

C. PUBLIC WORKS DEPARTMENT

1. TREE REMOVAL ON TOWNSHIP LANDS BEHIND 307 AND 309 CENTAURIAN DRIVE

This matter was discussed at a previous Council Meeting. I will authorize the work to the low quoter, Scpio’s Tree Service of Berlin, N.J. to perform the work.

2. “AMENDEMENT” TO CHAPTER 70, GARBAGE, RUBBISH AND REFUSE

At the last Council Meeting, I had requested that the limiting size of the receptacle be changed to 40 gallons. I believe that the Governing Body will be re-introducing the Ordinance with this change.

3. PERFORMANCE OF TASKS

We are still collecting leaves and expect to complete the collection by the week of January 10, 2010. I recommend that, next year, some changes be considered to ensure an earlier completion date.

We had performed continuous snow plowing, during the recent blizzard, on December 26, and 27, 2010. I will be providing Chief Jackson with the necessary Public Works information since an emergency was declared by acting Governor Sweeney.

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4. DRINKING WATER QUALITY ISSUES

Over the past several months, I have received several calls from residents in the Pinecrest section and Katherine Avenue dead end, regarding brown and yellow water and rotten egg odors (hydrogen sulfide). It is my understanding that the Borough Water Department has been, periodically, flushing the system to address these complaints. Since the condition still exists, I recommend that a meeting be scheduled between the two municipalities to discuss the conditions and the corrective measures to eliminate these conditions, on a permanent basis.

D. SHARED SERVICES

1. ENGINEERING SERVICES WITH SOMERDALE BOROUGH

I believe that the municipalities are finalizing the Agreement documents. I believe that the Somerdale Mayor and Council will be formalizing the appointment at the Reorganization Meeting on January 6, 2011.

2. CONFLICT PLANNING BOARD ENGINEER FOR WINSLOW TOWNSHIP

I have submitted a proposal for the position. I would expect a decision to be made in the immediate future.

3. POSSIBLE SERVICES WITH CHERRY HILL TOWNSHIP

I will be meeting with representatives from Cherry Hill Township, in the near future, to discuss the possibility of sharing engineering and public works services. After the meeting, I will update the Governing Body.

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough
2. New Municipal Building
3. Berlin Township ADS. David Carp
4. Berlin Twp.ADS. Yimei edmiston Feng Lian Jiang
5. C & M Repair Environmental
6. Bate Avenue Property Former Municipal Site
7. Oddmund Angel, Block 200, Lot 1
8. Cooper/ Taunton land Acquisition and Street Light
9. Berlin Twp.ADS. Linda Fabrico
10. Berlin Twp.ADS. Joel Sussman
11. Clarification of Lateral Utility Lines
12. Shared Services with Somerdale Engineer
13. Police Operating Procedures
14. Township Civilian Organization Chart
15. Loitering Ordinance Repealer
16. Police Collective Bargaining Agreement
17. Vacation Sell Back Grievance

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POLICE DEPARTMENT

Joseph Jackson, Chief of Police reported to Mayor and Council that we need to address the police vehicles. They are breaking down more frequently. Chief also talked about the Towing Resolution that is on tonight agenda. The Chief stated that the towing companies were picked, based on the Ordinance. Chief Jackson stated that we will be having an Emergency Management Meeting on February 7th.

MAINTENANCE / ZONING DEPARTMENT

Kelley McCauley, Maintenance Officers reported that she had sent out letters to property maintenance issues for Warren Avenue, Haddon Avenue Minck Avenue. Kelley replied that the property on Warren Avenues she has not heard anything back so she is referring it to the Municipal Court. As for the reinspection of the Haddon Avenue property the owner had cleaned and removed all the trash. Kelley noted that the Minck property had not responded back so she was going to refer it to the Court.

**SECOND READING AND PUBLIC HEARING ORDINANCE 2011-1 AN
ORDINANCE FIXING AND DETERMINING SALARY RANGES FOR THE
OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF
CAMDEN, NEW JERSEY**

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

SECTION 1: That the following named officers and employees of the Township of Berlin, Camden County, New Jersey shall be paid within the following salary ranges for the calendar year 2011 as follows:

POSITIONSALARY RANGE.....	
	FROM	TO
Mayor	\$ 27,000.00	\$ 32,000.00
President of Council	8,000.00	13,000.00
Councilpersons	6,000.00	11,000.00
Chief Financial Officer	75,000.00	80,000.00
Township Clerk	40,000.00	45,000.00
Assistant Township Clerk	23,000.00	28,000.00
Tax Assessor	25,000.00	30,000.00
Tax Collector	54,000.00	59,000.00
Sewer Clerk	3,000.00	8,000.00
Tax/Sewer/Finance Clerk	29,000.00	34,000.00
Municipal Judge	19,000.00	24,000.00
Municipal Court Administrator	50,000.00	55,000.00
Deputy Court Administrator/ Admin. Secretary to Land Use	31,000.00	36,000.00
Court Recording Operator	0.00	77.00 per court
Prosecutor	12,000.00	17,000.00
Clerk Typist/Part Time	10.50 per hour	13.50 per hour

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		Minimum Wage
Student Clerk Typist	0.00	
Fire Sub Code Official	7,000.00	12,000.00
Const. Code Official/Building Inspector	20,000.00	25,000.00
Plumbing Inspector	6,000.00	11,000.00
Electrical Sub Code Official/ Electrical Inspector	9,000.00	14,000.00
Sewer Department Standby	0.00	200.00 per month
Crossing Guards	0.00	11.07 per hour
Public Works – Clerk Typist	21,000.00	26,000.00
Property Maint/Board of Health Zoning Officer/Admin. Secretary To Land Use	44,000.00	49,000.00
Librarian	14,000.00	19,000.00
Emergency Management Coord.	500.00	1,000.00
Bus Driver	0.00	16.05 per hour
Building Custodian	0.00	14.00 per hour
Coordinator on Aging/Disabled	500.00	1,000.00
CAD Operator/Inspector	20.92 per hour	22.00 per hour
Chief of Police	105,000.00	110,000.00
Lieutenants of Police	84,000.00	89,000.00
Sergeants of Police	79,000.00	84,000.00
Patrolmen:		
Date of Hire	43,000.00	48,000.00
Beginning of 2 nd year	49,000.00	54,000.00
Beginning of 3 rd year	54,000.00	59,000.00
Beginning of 4 th year	60,000.00	65,000.00
Beginning of 5 th year	66,000.00	71,000.00
Beginning of 6 th year	75,000.00	80,000.00
Police Department – Clerk Typist	25,000.00	30,000.00
Police Department – Clerk Typist – Part Time	0.00	13.74 per hour
Director of Public Works/ Township Engineer	137,000.00	142,000.00
(with C-2 Wastewater License)	138,000.00	143,000.00
Deputy Director of Public Works	50,000.00	55,000.00
Employees of Public Works Department	14.50 per hour	23.79 per hour
Temporary Public Works Employees	0.00 per hour	12.00 per hour

Motion by Councilman DiGangi, second by Councilman McIntosh 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 2011-1

There were no requests to be heard.

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Motion by Council President Morris, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in favor.

Motion by Council President Morris second by Councilman DiGangi to approve Ordinance 2011-1. Ordinance approved by call of the roll, five members present voting in the affirmative.

SECOND READING AND PUBLIC HEARING ORDINANCE 2011-2
AMENDING CHAPTER 70 OF CODE OF THE TOWNSHIP OF BERLIN,
REGARDING THE CAPACITY OF RECEPTACLES FOR SOLID WASTE

WHEREAS, the Township of Berlin has established the standards for receptacles (containers) for garbage, rubbish and refuse; and

WHEREAS, Section 70-4.A of the Code of the Township of Berlin establishes the capacity of the receptacle to be between 2 ½ gallons and 20 gallons and Section 70.5.C. establishes a maximum weight of 50 pounds for bundled or packaged items; and

WHEREAS, there is no maximum weight established for the receptacles and contents; and

WHEREAS, many receptacles which are being placed for the collection of garbage, rubbish, and refuse, exceed the maximum capacity of 20 gallons and the weight of the receptacle and its contents exceed acceptable limits, resulting in difficulties and emptying the receptacles, increase in fatigue, and injuries to the collection personnel; and

WHEREAS, it is understood that the capacity of receptacles have increased since the adoption of the original Ordinance, reasonable limitations must be established for the capacity of the receptacles and the weight of the receptacle and its contents; and

WHEREAS, The Public Works Director has recommended that the capacity of the receptacles for garbage, rubbish, and refuse be increased to a maximum capacity of 40 gallons and the weight of the receptacles and its contents be limited to 50 pounds.

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

1. Section 70-4 shall be amended as follows:

Standards for receptacles; placement for collection

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- A. All receptacles shall be sufficiently strong for the purpose and may be pails or cans with a capacity of not less than 2 ½ gallons nor more than 40 gallons. They shall have close fitting covers, and said receptacles shall be kept covered, except when opened for filling or emptying of material. Receptacles shall not include paper bags or be made of other types of flimsy material.
- 2. Section 70-4.B,C,D,E – No change.
- 3. Add Section 70-4.F as follows:
 - F. The weight of any receptacles and its contents shall not exceed 50 pounds. Any receptacles and its contents which exceed 50 pounds and/or 40 gallons shall be tagged by the Township. The occupant shall take the necessary measures to comply with this requirement and place the conforming receptacles for collection the next scheduled collection date.

Any Ordinance inconsistent with the provisions of this Ordinance, shall be repealed as to such inconsistencies only.

This Ordinance shall take effect twenty (20) days after final adoption and Publication as required by law.

Motion by Council President Morris, second by Councilman McIntosh 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 2011-2

Terry Hertzberg asked what was the final outcome on the weight of the trash can.

Public Works Director, Chuck Riebel responded that it wasn't the weight that changed but the size of the trash can.

There were no more requests to be heard.

Motion by Council President Morris, second by Councilman McIntosh to close the meeting to the public. Motion carried by voice vote, all present voting in favor.

Motion by Councilman DiGangi second by Councilman McIntosh to approve Ordinance 2011-2. Ordinance approved by call of the roll, five members present voting in the affirmative.

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FIRST READING ORDINANCE 2011-3 ESTABLISHING A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM

Motion by Council President Morris, second by Councilman McIntosh to adopt Ordinance 2011-3 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011- 56 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the

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provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Township of Berlin hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2011-56. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-57 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 Ordinance 110 and

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

WHEREAS, recently the Camden County Prosecutor's Office mandated that in an accident where there has been a fatality or serious bodily injury, we are to notify the Camden County Fatal Accident Team. This team, with approval of the County Prosecutor has designated the tow company for these types of accidents to be Helmrich's Towing from Pennsauken.

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 February 1, 2011 through December 31, 2011.

- 1) **Linden Towing**, 2715 Egg Harbor Road, Lindenwold
- 2) **Albion Auto Parts**, 110 Cross Keys Road, Berlin
- 3) **RHP Towing**, 238 White Horse Pike, Atco
- 4) **Helmrich's Towing**, 4450 Marlton Pike , Pennsauken

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2011-57. Resolution adopted by call of the roll, four members present voting in the affirmative. One member recues.

RESOLUTION 2011-58 LIST OF UNCOLLECTIBLE TAXES

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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: January 10, 2011
Collector

Diane Zoppel, CTC - Tax

NAME	YEAR	BLOCK/LOT	AMOUNT	REASON
Elwood Slimm Citizen	2010	216-9.01	250.00	Senior
			\$ 250.00	TOTAL to Feb 2011

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

Motion by Council President Morris, second by Councilman DiGangi to adopt Resolution 2011-58. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-59 AUTHORIZING CANCELLATION OF TAXES

BLOCK 1203 LOT 52

WHEREAS, the 2010 tax assessment was 1,912,800 and was reduced for 2010 by New Jersey State Tax appeal to 1,475,500, which was reduced by resolution on the August and November, 2010 taxes, and;

WHEREAS, the 2011 tax assessment was once again reduced to 1,141,500 as agreed by all parties as part of the appeal, and;

WHEREAS, Ronal H Biglin was billed based on the original 2010 taxes for the first half of 2011 in the amount of \$49,272.03, and;

WHEREAS, the February and May taxes for 2011 were based on the 2010 original tax and not the new 2011 reduced assessment, creating an over charged account, and;

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WHEREAS, the owner has requested a credit adjustment be made in this instance based on the calculated percentages applied, which calculates out to 52.3% of what would have been the actual tax for 2010 based on the new assessment, and;

WHEREAS, taxes need to be cancelled for the 1st half 2011 taxes in the amount of \$19,863.58, and;

WHEREAS, the Tax Collector must then do a manual debit on the tax bills to be issued in July, for the August and November 2011 taxes based on the 2011 assessment by the certified general tax rate for the correct amount of taxes charged and paid for the year, so;

THEREFORE, BE IT RESOLVED that the tax collector cancel the amount of \$19,863.58 for over billed taxes on the first two quarters in 2011 (\$9,931.79 reduced from both quarters) and bill the balance due in full on the final two quarters in 2011.

Submitted for the January 24th, 2011 meeting by Diane Zoppel, CTC - Tax Collector

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2011-59. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-60 AUTHORIZING CANCELLATION OF TAXES

BLOCK 2301 LOT 27

WHEREAS, the 2010 tax assessment was 840,000 and was reduced for 2010 by County Board Tax appeal to 631,600, which was reduced by resolution on the August and November, 2010 taxes, and;

WHEREAS, Ronal H Biglin was billed based on the original 2010 taxes, for the first half of 2011 in the amount of \$21,637.65, and;

WHEREAS, the February and May taxes for 2011 were based on the 2010 original tax and not the new 2011 reduced assessment, creating an over charged account, and;

WHEREAS, the owner has requested a credit adjustment be made in this instance based on the calculated percentages applied, which calculates out to 52.3% of what would have been the actual tax for 2010 based on the new assessment, and;

WHEREAS, taxes need to be cancelled for the 1st half 2011 taxes in the amount of \$5,365.74, and;

WHEREAS, the Tax Collector must then do a manual debit on the tax bills to be issued in July, for the August and November 2011 taxes based on the 2011 assessment by

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the certified general tax rate for the correct amount of taxes charged and paid for the year, so;

THEREFORE, BE IT RESOLVED that the tax collector cancel the amount of \$5,365.74 for over billed taxes on the first two quarters in 2011 (\$2,682.87 reduced from both quarters) and bill the balance due in full on the final two quarters in 2011.

Submitted for the January 24th, 2011 meeting by Diane Zoppel, CTC - Tax Collector

Motion by Councilwoman Bodanza, second by Council President Morris to adopt Resolution 2011-60. Resolution adopted by call of the roll, five members present voting in the affirmative.

Resolution 2011- 61 Payment of Bills Jan 24, 2011

WHEREAS, the Code of the Township of Berlin, Chapter 7-1 et seq., provides 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 are hereby approved and the bills be paid.

TO	ACCOUNT	AMOUNT
CC Division of Health	Dog Trust	\$ 848.75
Robert E. DePersia Esq.	Mun. Public Defender Trust	300.00
Township of Berlin	Planning Board Esc # 308	316.14
	Planning Board Esc # 342	131.72
	Planning Board Esc # 343	52.69
	Planning Board Esc # 356	79.04

CONFIRMING

Various Current Fund Checks	(See Scheduled Payment Report Dated 12/21/10)	\$ 30,588.32
Various Sewer Operating Checks	(See Scheduled Payment Report Dated 12/21/10)	2,748.56
America On Line	01-201-20-120-2105	32.90
Robert W. Baird & Co,	04-217-55-880-00000	39,700.00
Janney Montgomery Scott LLC	04-217-55-880-00000	39,700.00
Morgan Stanley & Co.	04-217-55-880-00000	206,360.00
Robert W. Baird & Co,	04-217-55-880-00000	206,360.00
Janney Montgomery Scott LLC	04-217-55-880-00000	206,360.00
Beneficial Bank	04-219-55-880-00000	4,950,000.00

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	04-164-05-880-00000	57,754.13
Beneficial Bank	04-219-55-880-00000	5,368,000.00
	04-164-05-880-00000	40,629.80
Specialty Graphics	07-201-55-502-2032	182.40
Verizon Communications	01-201-20-120-2105	103.49
State of NJ Health Benefits	01-201-23-220-2092	18,160.38
State of NJ Health Benefits	01-201-23-220-2092	43,118.21
Verizon Communications	01-201-20-120-2105	144.74
Verizon Communications	01-201-20-120-2105	99.99
Verizon Communications	01-201-20-120-2105	103.49
Verizon Communications	01-201-20-120-2105	99.99
Palace Diner	01-201-26-290-2105	182.40
TD Wealth Management	07-201-55-520-2105	180,000.00
	07-201-55-522-2105	110,092.50
	07-168-05-540-3000	91,391.25
Payroll, Current Fund	12/2/2010	157,725.05
Payroll, Sewer Operating Fund	12/2/2010	4,154.15
Payroll, Current Fund	12/9/2010	55,151.29
Payroll, Sewer Operating Fund	12/9/2010	3,362.50
Payroll, Current Fund	12/16/2010	55,131.52
Payroll, Sewer Operating Fund	12/16/2010	3,154.07
Payroll, Current Fund	12/23/2010	54,729.97
Payroll, Sewer Operating Fund	12/23/2010	3,168.25
Payroll, Current Fund	12/30/2010	70,460.91
Payroll, Sewer Operating Fund	12/30/2010	3,077.66

Motion by Councilman McIntosh, second by Council President Morris to adopt Resolution 2011-61. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-62 RESOLUTION ESTABLISHING SALARY AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, N.J.S.A. 40A:5-19 permits the governing body of each municipality to establish an ordinance setting forth the salary ranges for municipal officers and employees; and

WHEREAS, the Mayor and Council of the Township of Berlin has adopted such an ordinance for calendar year 2011 and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the following named officers and employees of the Township of Berlin shall be paid and receive for their services during the calendar year 2011 the salary or wages hereinafter set opposite the position as listed:

POSITION

AMOUNT PER YEAR

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Mayor	\$	27,011.00
President of Council		8,634.00
Councilpersons		6,485.00
Chief Financial Officer		75,945.00
Township Clerk		40,000.00
Assistant Township Clerk		23,840.00
Tax Assessor		25,880.00
Tax Collector		54,228.00
Sewer Clerk		3,737.00
Tax/Sewer/Finance Clerk		29,040.00
Municipal Judge		19,519.00
Municipal Court Administrator		50,024.00
Deputy Court Administrator/Admin.		
Secretary to Land Use		31,480.00
Court Recording Operator	77.00 per court	
Prosecutor		12,110.00
Clerk Typist/Part Time	10.50, 11.15, 12.20 & 13.50 per hour	
Student Clerk Typist	Minimum wage	
Fire Sub Code Official		7,187.00
Const. Code Official/Building Inspector		20,956.00
Plumbing Inspector		6,000.00
Electrical Sub Code Official/Electrical Inspector		9,780.00
Sewer Department Standby	\$200.00 per month	
Crossing Guards	\$ 11.07 per hour	
Public Works – Clerk Typist		21,000.00
Property Maint/Bd of Health/Zoning Officer/ Admin. Secretary to Land Use		43,336.00
Librarian		14,082.00
Emergency Management Coordinator		500.00
Bus Driver	\$ 16.05 per hour	
Building Custodian	\$ 14.00 per hour	
Coordinator on Aging/Disabled		500.00
CAD Operator/Inspector	\$ 20.92 per hour	
Chief of Police		105,575.00
Lieutenants of Police		84,076.00
Sergeants of Police		79,635.00
Patrolmen:		
Date of Hire		43,697.00
Beginning of 2 nd year		49,315.00
Beginning of 3 rd year		54,933.00
Beginning of 4 th year		60,551.00
Beginning of 5 th year		66,169.00
Beginning of 6 th year		75,298.00
Police Department – Clerk Typist		25,000.00
Police Department – Clerk Typist – Part Time	\$13.74 per hour	
Director of Public Works/ Township Engineer		137,000.00
(with C-2 Wastewater License)		138,000.00

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Deputy Director of Public Works:	
Upon Appointment	50,593.00
Beginning of 4 th Month	53,000.00
Beginning of 7 th Month	55,000.00
Employees of Public Works Department	\$ 14.50 – 23.79 per hour
Temporary Public Works Employees	\$12.00 per hour

Motion by Councilman McIntosh, second by Councilman DiGangi to adopt Resolution 2011-62. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-63 RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH IKON OFFICE SOLUTIONS FOR LEASING A DIGITAL COPIER MACHINE FOR THE TAX OFFICE IN ACCORDANCE WITH STATE CONTRACT

WHEREAS, The State of New Jersey, Division of Purchasing, has awarded a contract to Ikon Office Solutions for leasing of a digital copier machine; and

WHEREAS, the Township of Berlin wishes to lease a digital copier machine for the Tax Office in accordance with the State Contract 64039 awarded to Ikon Office Solutions for a price of \$73.64 per month for 48 months as permitted by N.J.S.A. 40A:11-15; and

WHEREAS, funds are available as set forth on the attached Certification from the Township Chief Financial Officer; and

WHEREAS, in accordance with N.J.S.A. 40A:11-15 the lease agreement contains a clause making it subject to the availability and appropriation made annually of sufficient funds as required to meet the extended obligations as well as an annual cancellation clause; and

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the Mayor be and is hereby authorized to sign the lease agreement with Ikon Office Solutions in accordance with State Contract 64039 for \$73.64 per month for 48 months.

Motion by Councilman DiGangi, second by Council President Morris to adopt Resolution 2011-63. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011- 64 AUTHORIZATON TO SIGN CONTRACT AGREEMENT FOR SHARED SERVICES BY AND BETWEEN THE BERLIN TOWNSHIP AND THE BOROUGH OF SOMERDALE FOR PROFESSIONAL ENGINEERING AND ENGINEERING SUPPORT SERVICES

WHEREAS, the Township of Berlin desires to Share Services by and between the Berlin Township and the borough of Somerdale for Professional Engineering and Engineering support services; and

WHEREAS, the Township Of Berlin has determined that proceeding a shared service agreement would be beneficial to Berlin Township; and

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Berlin that the shared services by and between the Berlin Township and the Borough of Somerdale is hereby authorized to move forward.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Berlin, County of Camden and State of New Jersey, that the Mayor is hereby authorized to sign the contract for shared services by and between the Township of Berlin and the Borough of Somerdale for Professional Engineering and Engineering Support Services.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2011-64. Resolution adopted by call of the roll, five members present voting in the affirmative.

RESOLUTION 2011-65 AMENDING RESOLUTION 2011-54 GRANTING ARCADE AMUSEMENT GAMES LICENSES TO SAHARA SAM'S OASIS, LLC

WHEREAS, Sahara Sam's Oasis has filed applications with the Township of Berlin, County of Camden, New Jersey, for a Amusement Games License for January 1, 2011 and expiring on December 31, 2011;

Sahara Sam's Oasis, LLC
Arcade
535 North Route 73 West Berlin N.J.

License # 36-2000-1-00054
Tr. No. 1330
Control No. 00054

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the license be and is hereby granted for the area on the premises depicted in exhibit "A" attached hereto and made apart hereof . The Township Clerk is hereby authorized and directed to issue a license from January 1, 2011 and ending December 31, 2011.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2011-65. Resolution adopted by call of the roll, four members present voting in the affirmative. One member recues.

RESOLUTION 2011- 66 RESOLUTION APPROVING A SETTLEMENT AGREEMENT BETWEEN THE BERLIN TOWNSHIP POLICE ASSOCIATION AND THE TOWNSHIP OF BERLIN WITH REGARDS TO VACATION SELL BACK GRIEVANCE.

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BE IT RESOLVED by the Mayor and Council of the Township of Berlin that an settlement agreement between the Berlin Township Police Association and the Township of Berlin with regards to a vacation sell back grievance and:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Mayor is hereby authorized to execute and sign the settlement agreement.

Motion by Councilman DiGangi, second by Councilman McIntosh to adopt Resolution 2011-66. Resolution adopted by call of the roll, five members present voting in the affirmative.

Approval of Business Licenses

1) HJ Petroleum(Sunoco Gas Station), Rajinder Batwa, 398 route 73 North. Motion by Councilman Digangi, second by Councilman McIntosh to approve business license for HJ Petroleum. License approved by call of the roll, five members present voting in the affirmative.

2) Dynamic CCTV Security, Ying Qu, 411 Bloomfield Drive. Office warehouse security systems over internet. (No retail customers) . Motion by Councilman Digangi, second by Council President Morris to approve business license for Dynamic CCTV Security . License approved by call of the roll, five members present voting in the affirmative.

APPROVAL OF CORRESPONDENCE CALENDAR FOR DECEMBER 2010

Motion carried by Council President Morris, second by Councilman DiGangi to receive and file the correspondence calendar for December 2010. Motion carried by voice vote, all present voting in the affirmative.

CONSENT AGENDA

Motion by Councilman DiGangi, second by Council President Morris to receive and file the monthly reports on the consent agenda. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF MEETING MINUTES FROM JANUARY 3, 2011

Motion by Councilman McIntosh, second by Councilman DiGangi to approve the minutes for January 3, 2011. Motion carried by voice vote, five present voting in the affirmative.

APPROVAL OF MEETING MINUTES FROM JANUARY 10, 2011

Motion by Councilman McIntosh, second by Councilman DiGangi to approve the minutes for January 10, 2011. Motion carried by voice vote, five present voting in the affirmative.

ALL OTHER BUSINESS

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Mayor Magazzu talked about the Animal Shelter Contract and the Animal Control Contract that is up for renewal by January 31.

Catherine Underwood, Township Clerk stated that the monthly that is quoted in the contract has gone up tremendously. The month rate for last year was \$480 a month and are new rate for this contract year is \$1020 a month.

Mayor Magazzu stated that the issue we had with the cats was corrected so we should not have to pay that rate. We are going to have to look at other options.

Councilman DiGangi asked if we could get channel 19 updated.

Mayor Magazzu said that we are working on that, since we are now on fios.

PUBLIC PORTION

Motion by Council President Morris, second by Councilman McIntosh 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.

James Pearce 97 Haddon Avenue complained that he could not hear anything that was said.

Councilman DiGangi said that is job was never completed properly and that we are still working on this issue, and that you are one hundred percent correct in saying that it need to be fixed.

James Pearce asked why the meetings are starting at 5:00.

Mayor Magazzu stated that we are just doing the meetings at 5:00 during the winter month to save money on the cost of heating building and to conserve energy, we have to cut back where every we can.

Katherine Schmidt, 73 Haddon asked why don't you have one meeting a month and hold it at 6:30 and save money there. I am losing money on my paycheck to come out to these meetings at 5:00

Christine Liss 350 Cleveland Avenue asked the Mayor is she every though of taping the meeting and putting it on channel 19 or the website so that everyone could view the meeting.

Councilman DiGangi said that it is very expensive but he can take a look at the numbers to see what it would cost.

Christine said that most of our surrounding towns are holding there town meeting at 7:00

Barbara Cubitt 362 Thurman Avenue asked what were the two hired.

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Mayor Magazzu replied that on the salary ordinance one was a reduction of pay, our plumbing inspector the other was a pay increase for the police secretaries, that was in the contract of hire and the other was the Chief of Police raise by contract also

Barbara Cubitt also stated that she is not happy with the new meeting time, 5:00 is not a good time for most people.

Audrey Lightcap 339 Lincoln Avenue asked how long the contract agreement is with Somerdale for.

Stuart Platt, Solicitor replied that it is for one year term and that Somerdale will be bill on an hourly rate and will bring in revenue.

Audrey asked will that be available for the public to see what kind of money that this shared service is going to bring in.

Mayor Magazza said yes once we start the services.

Terry Hertzberg 202 Lucas Avenue asked about a meeting with freeholders and the Township.

Council President Morris said that the Freeholders were having a general meeting to the public at our facility. Council President said that they hold meeting all over towns.

Audrey asked what the cancellation of taxes was on the agenda.

Stuart Platt replied that there were tax appealed that were filed and that the settlement did not make the books at the time that the bills went out. So that is why they are making the adjustments now.

Motion by Councilman DiGangi, second by Council President Morris to close the meeting to the public. Motion carried by voice vote, all present voting in favor. Mayor Magazzu closed the meeting to the public.

ADJOURN

Motion by Councilman McIntosh, second by Council President Morris to adjourn the meeting at 5:45 pm. Motion carried by voice vote, all members present voting in the affirmative.

Meeting adjourned 5:45 pm

Catherine Underwood, Township Clerk