

NOVEMBER 24, 2008

BI-MONTHLY MEETING OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BERLIN, CAMDEN COUNTY, NEW JERSEY, WAS HELD IN THE CONFERENCE ROOM OF THE SCHOOL BOARD ADMINISTRATIVE BUILDING, 225 GROVE AVENUE, WEST BERLIN, NEW JERSEY ON MONDAY, NOVEMBER 24, 2008 AT 6:30 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- Councilman Batten, Councilman McIntosh, Councilman Morris, Council President DiGangi, Mayor Magazzu

Also Present- Lori Campisano, CFO; Solicitor, Donafaye Zoll; Charles Riebel, Jr., Engineer; Michael Hayden, Police Chief; Michael McGee, PW, Director; Michael Laginestra, Zoning Officer

GOOD AND WELFARE #1

Motion by Council President DiGangi, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu opened the meeting to the public for comments. No request to be heard.

Motion by Councilman Batten, Second by Council President DiGangi to close the meeting to public. Motion carried by voice vote, all present voting in the affirmative.

DEPARTMENTAL REPORTS

ENGINEER'S REPORT
BERLIN TOWNSHIP COUNCIL MEETING
OF NOVEMBER 24, 2008

November 12, 2008

A. CHANGE ORDER(S) AND/OR VOUCHER(S)

2008 Street Improvement Program:

There are currently no change orders or vouchers being processed at this time.

B. ENGINEER'S REPORT

1. 2008 STREET IMPROVEMENT PROGRAM (KEI # 491BT0308):

The Contractor has completed the project. We have performed an inspection and issued a Punch List of items requiring rework and/or correction, advising the Contractor that they have two weeks to complete these items.

Upon completion of the Punch List we will process the Final Voucher and Change Order for review and consideration, by the Governing Body.

2. 2007 STREET IMPROVEMENTS PROGRAM:

a) Improvements to Veteran's Avenue- Krisanna Construction:

We have received the results of the analysis for the hot mix asphalt pavement. The pavement complies with the requirements for thickness and composition.

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We have forwarded the necessary documents to the New Jersey Department of Transportation for final reimbursement.

b) Grove Avenue and Mink Avenue- American Asphalt:

We have met with the Contractor, on-site, to discuss the condition and corrective work for the topsoil along Grove Avenue. The Contractor does not agree with the removal and replacement of topsoil with an acceptable topsoil material. They have offered to remove the foreign material from the surface of the topsoil and place additional topsoil over the existing topsoil to bring the material to the proper finished grades. I have discussed the Contractor's proposal with Mr. McGee and he has recommended that the topsoil be replaced or the Contractor not be paid for the item and the Township will perform the corrective work. Mr. McGee has also mentioned that the Contractor could perform the construction of curb and sidewalk, in lieu of replacing the topsoil. The Township would then perform the corrective work to the topsoil.

c) Cushman Avenue- American Asphalt:

We anticipate the Contractor completing the Punch List by the end of the month.

Upon completion of the Punch List we will process the Final Voucher and Change Order for review and consideration, by the Governing Body.

3. N.J.D.O.T. FY2009 MUNICIPAL AID APPLICATION:

It is expected that, before the Council Meeting, the selected projects will be announced by the New Jersey Department of Transportation. It is our understanding that there is a high probability that funds may be allotted for the second phase of the sidewalk along N.J.S.H. Route 73 northbound.

4. SIDEWALK ALONG N.J.S.H. ROUTE 73, PHASE 1, N.J.D.O.T. FY 2008 FUNDING - \$150,000.00:

The N.J.D.O.T. has allotted \$150,000.00 of FY2008 funds for this project, which is secure until June 30, 2008. If FY2009 funds are allotted, we recommend that the Governing Body consider authorizing our office to proceed with the engineering design and preparation of the construction documents, and N.J.D.O.T. and Pinelands applications. Since it may take some time to obtain N.J.D.O.T. and Pinelands approvals, it may be necessary for Mayor Magazzu to request and extension of time to award a contract for use of FY2008 funding.

The following is an estimate of the costs for this project:

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Estimated Construction Cost	=	\$307,000.00
Estimated Permit Cost	=	\$12,000.00
Estimated Engineering and Inspection Cost	=	<u>\$76,000.00</u>
Total Estimated Construction, Engineering, and Inspection Cost	=	\$395,000.00

5. IMPROVEMENTS TO KATHERINE AVENUE- N.J.S.H. ROUTE 73 TO THE END:

I have received an e-mail response from the developer's staff. He has informed me that, pending financing, they would like to commence with the construction of the development. They would like several months to allow for the construction of the street and marketing the development, without construction along Katherine Avenue. Therefore, it still appears that they are requesting that the reconstruction of the street be delayed until the Spring of 2010.

Paparone Housing has agreed to contribute to certain portions of the construction of Katherine Avenue, that being the construction of a portion of the surface course and sidewalk. It is my understanding that they also agreed to construct storm drainage along the proposed street, from Katherine Avenue to the proposed stormwater management lot.

The developer has stated that they will have their attorney prepare the draft version of the Developer's Agreement, which will include the details of their commitment for the performance of certain construction along Katherine Avenue.

The following are estimated costs for the phased construction or reconstruction of the entire street in 2010:

	<u>PHASE 1</u> Route 73 to Proposed Paparone Intersection	<u>PHASE 2</u> Paparone Intersection to Dead End	<u>ENTIRE LENGTH</u>
Estimated Construction Cost	\$ 429,000.00	\$ 475,000.00	\$ 904,000.00
Estimated Engineering and Inspection Cost	<u>\$ 96,500.00</u>	<u>\$ 107,000.00</u>	<u>\$ 203,500.00</u>
Total Estimated Cost	\$ 525,500.00	\$ 582,00.00	\$1,107,500.00

I believe that the Governing Body is considering the reconstruction of the street, in phases, due to the overall cost of the projects. I recommend that the Governing Body consider the limits of the first phase of construction (Spring 2010) to be from N.J.S.H. Route 73 to the intersection with the proposed street for the Paparone development.

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If the Governing Body decides to proceed with the construction in the Spring of 2010, I recommend that the engineering design, for the entire length of the street, be authorized in 2009. The bid documents would be prepared for the above mentioned phase 1. The preparation of the bid documents and acquisition for the respective stormwater management facility for the remaining phase(s), would be authorized some time in the future.

6. MULTI-YEAR CAPITAL IMPROVEMENTS PROGRAM:

I have submitted the attached "DRAFT" copy of the "Engineer's Report for Multi-Year Capital Improvements Program" to Mr. McGee for his review and recommendations for possible changes and additions. The listed priority of the streets has been taken from the evaluation, which was performed by Mr. McGee. Once I receive Mr. McGee's recommendations, I will issue the final version to the members of the Governing Body, Mr. McGee, Ms. Campisano, and Ms. Underwood.

I would be glad to discuss the contents of the report and recommendations for the selection of projects for the upcoming years in further detail.

7. SAFE ROUTES TO SCHOOLS (KEI# 492BT0408):

An application was submitted for the construction of sidewalks along Katherine and Grove Avenues, to the elementary school requesting \$240,590.00.

The application also requested \$17,000.00 for permanent speed indicators along Franklin and Grove Avenues.

It was expected that the New Jersey Department of Transportation would be announcing the selected projects on November 11, 2008. At the time of the writing of this report, the announcement has not yet been made by the State. Once we receive the listing of the selected projects, we will inform the Governing Body.

8. HADDON AVENUE STREETScape IMPROVEMENTS (KEI #430BT1104 & #431BT1104):

- a. Phase 2 – Franklin Avenue to Bate Avenue (N.J.D.O.T. Discretionary Fund – \$200,000.00) (KEI #431BT0105):

The Township has received the final reimbursement of funds from the New Jersey Department of Transportation.

- b. Future Phases – Jefferson Avenue to Franklin Avenue and Walker Avenue – Bate Avenue to Lucas Avenue (KEI #29-430BT1104):

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We have completed the amendments to the Construction Plans and Specifications and have resubmitted them to the Department, for authorization to schedule the receipt of bids. We have also provided Mayor Magazzu with copies of the manufacturer's information for the selection of the trash receptacle, bench, and bicycle rack for consideration.

9. TRAFFIC SIGNAL AND GEOMETRIC IMPROVEMENTS AT THE INTERSECTION OF COOPER ROAD AND TAUNTON AVENUE (KEI # 393BT0203):

We have submitted the bid specifications and plans to the County Engineer. Once he receives authorization, the County will bid the project. I believe that the County intends to bid the project by the end of the year for construction in the Spring of 2009.

10. IMPROVEMENTS TO THE INTERSECTION OF HADDON AVENUE AND FRANKLIN AVENUE:

The County held the Public Information Center on September 29, 2008. At the Council Meeting, on October 27, 2008, several property owners voiced their concerns with the acquisition of their land for additional roadway right-of-way and the anticipated increase in traffic volume, resulting from the proposed improvements.

As directed at the Council Meeting, on October 27, 2008, I contacted the County Engineer and requested that another meeting be scheduled between the County, County consultant, and the property owners. I have contacted Mr. Kelly, again, to request the scheduling of the meeting. Once I receive his response, I will, inform the Governing Body.

As requested, by Mr. Kelly, I had prepared a resolution, supporting Concept 2, which depicted the acquisitions for the widening of the roadway right-of-way. As a result of the concerns raised by the property owners, at the last Council Meeting, I believe the Governing Body has decided to delay the passing of the resolution until the meeting is held with the County and the property owners.

11. N.J.D.O.T. MATTERS

a. Resignation of the N.J.D.O.T. Commissioner:

Commissioner Kolluri has been named to serve as head of the New Jersey School Development Authority. Assistant Commissioner Stephen Dilts has been nominated to succeed Commissioner Kolluri

I am hopeful that the new Commissioner will continue with the commitments to the Township of Berlin, which were made by Commissioner Kolluri.

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b. Jughandle at N.J.S.H. Route 73 and Franklin Avenue:

As directed by the Governing Body, I have scheduled a meeting with the property owners along East Franklin Avenue for Monday November 24, 2008, at 5:30 p.m. The proposed jughandle concept will be presented to the attending owners for their comments.

I have requested that the New Jersey Department of Transportation provide the Township with full size, color prints of the concepts for presentation to the property owners.

I had prepared a resolution, endorsing Concept 'B', the proposed jughandle concept, for consideration for passage by the Governing Body. The Governing body had decided to delay any action on the resolution until after the meeting with the property owners.

The Commissioner had committed to fast track this project, if endorsed by the Township.

c. Request to the N.J.D.O.T. for Payment of Additional Inspection Costs for the Sanitary Sewer Work Along N.J.S.H. Route 73:

Ms. Campisano has informed me that she has received check, in the amount of \$18,995.00, which is for the amount per the original agreement. The Township submitted a request for payment for the additional inspection cost, in the amount of \$ 31,768.50. It is my understanding, from the discussions at the meeting with the Commissioner, that the N.J.D.O.T. would consider the request for payment for this additional work. To date, we have not received any further response from the N.J.D.O.T.

d. Maintenance Along N.J.S.H. Route 73 and the Constructed Wetlands/Stormwater Basin Along Walker Avenue:

The Governing Body determined, at the last Council Meeting, that the Township would not be willing to perform the cutting of the grass, along the highway.

e. Request for No U-Turn at Median Opening Along Route 73 at the Proposed Driveway for the Golden Corral Restaurant:

As discussed at the last Council Meeting, I sent a letter to the N.J.D.O.T, requesting that they consider requiring the shifting of the proposed driveway, southwardly, away from the median opening or, in the least, prohibit u-turns (northbound to southbound) at the median opening.

12. **PRE-MITIGATION FLOOD CONTROL PROGRAM:**

No update to report at this time.

13. **CAMDEN COUNTY OPEN SPACE, ROUND 9 (KEI #487BT0208):**

The application will be reconsidered, by the County, for Round 10, in 2009.

14. **REQUEST FOR ADDITIONAL SANITARY SEWER ALLOCATION (KEI #467BT0407):**

I suggest that another meeting be scheduled with Mr. Kricun to discuss the status of the resolution of the allocation and capacity matter with the municipalities in the lower portion of the County and the strategy for the increase in allocation for the Township.

I believe that the sewer flow may be quickly approaching the allocation. I have been contacted by several interested parties, requesting information, regarding potential developments in the Township. Therefore, if the Township desires for development to continue, it is important that this matter be resolved, as soon as possible.

16. **IMPROVEMENTS TO KELLEY DRIVE STORMWATER BASIN (KEI #64BT3187):**

No update to report at this time.

17. **WATER USE REGISTRATION PERMIT FOR ALL TOWNSHIP OWNED POTABLE AND IRRIGATION WELLS:**

I had reported that the N.J.D.E.P. has issued the Water Use Registration with the condition that flow meters be installed on all of the Township wells, by November 30, 2008, records be maintained, and the Township submit annual reports by January 31 of each year.

I believe that Mr. McGee has obtained quotes for the installation of the flow meters.

18. **COUNCIL ON AFFORDABLE HOUSING, ROUND 3 RULES:**

The rules became effective on October 30, 2008. All municipalities, which are petitioning for substantive certification, must do so by December 31, 2008.

The published Round 3 growth obligation for the Township is 228 affordable housing units.

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I recently attended a seminar where builders were encouraged to research those municipalities, which have not petitioned for substantive certification, contain vacant lands for affordable housing, and would be subject to a builders remedy lawsuit. It appears that the builders will be taking action after the submission deadline date of December 31, 2008.

19. MONTEBELLO DEVELOPMENT (KEI #104):

It is my understanding that the developer has decided not to pursue the request for the discharge of pool water to the sanitary sewer collection system. They will surface discharge this water to the storm drainage system, under the N.J.D.E.P. General Permit for Swimming Pool Discharges.

The Planning Board has administratively approved the amendment to the Site Plan for the minor modifications to the parking area and grading at the recreation area.

20. TAX MAP REVISIONS:

We are finalizing the revisions to the Tax Maps. We have provided Ms. DeCinque with a CD of the current Tax Maps for her consideration for placement on the Township website.

21. REDEVELOPMENT LEGISLATION:

No update to report.

22. STATE LEGISLATION:

It is our understanding that Bill A2731/51908 has been passed by both Houses. The bill "permits municipalities and counties to make certain traffic engineering decisions without D.O.T. approval".

Municipalities may pass an ordinance or resolution, without N.J.D.O.T. approval, but must conform with the Manual on Traffic Control Devices (MUTCD), for the following:

a) Ordinance:

1. Altering speed limits;
2. Limiting the use of streets to a certain class of vehicles, except that a municipality cannot limit the use by commercial motor vehicles without the N.J.D.O.T. Commissioner's approval;
3. Designating one way streets;

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4. "Regulating the passage or stopping of traffic at certain congested street corners or other designated points, including the establishment of multi-way stop controls;
5. Regulating parking on streets, including angled parking;
6. Regulating entrance and exit from parking areas, which are used by the public (open or invited), not on State highways;
7. Designating streets, on which trucks and buses over 4 tons gross weight may be required not to exceed specifically fixed limits, based on engineering and traffic investigation;
8. Designating any intersection of municipal streets as a stop intersection, if the intersection is within 500 feet of a school, playground, or youth recreation facility. The street, on which the stop sign will be erected, is contiguous to the above mentioned facilities. The municipal engineer shall certify that:
 - a) both streets are under municipal jurisdiction
 - b) the intersection is within 500 feet of the above mentioned facilities and that the stop street is contiguous to the above mentioned facilities

b) Ordinance or Resolution:

1. Designating through streets;
2. Designating no passing zones where passing is hazardous;
3. Designating bus and taxi stops;
4. Designating restricted parking for special issue vehicle identification cards.

c) Construction:

1. Speed humps (includes all vertical speed deflectors, such as, speed humps, speed tables, raised crosswalks, raised intersection, modified speed humps) on one and two-way municipal and county streets with a posted speed of 30 mph or less and less than 3,000 vehicles per day.
2. Prior to the construction of the speed hump, which may place any impact on roadways in adjoining municipalities or counties, the municipality or county shall provide appropriate notice to the adjoining municipality or county. If the speed hump will place an impact on a state roadway, the municipality or county shall obtain N.J.D.O.T. Commissioner's approval.

The bill also provided for a municipality to request the N.J.D.O.T. Commissioner to review the municipal traffic ordinance and regulations, which includes the engineer's recommendations. The N.J.D.O.T. will charge a fee for said review.

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I would suspect that the Governor must sign this legislation in to law.

Should you have any questions or comments in regard to the contents of this report, please contact me at my office.

SOLICITOR'S REPORT

1. Water Agreement with Berlin Borough
2. Increase Sewer Allocation Buildout
3. Vacation Portion Kelley Drive
4. Municipal Building Redevelopment
5. Verizon Peg Channel
6. C & M Auto Repair
7. Richard Winans V. Berlin Township Walt Shendock
8. Salahuddin Smart V. Police Officer
9. Nancy Anderson V. Berlin Township

PUBLIC WORKS DEPARTMENT

Michael McGee talked about all the hard work that his men are putting into building the pole barn at the Public works Complex and that he is looking into building a car wash facility in the future.

POLICE DEPARTMENT

Chief Hayden said that his Officers in the Police Department are sponsoring three families in town for this holiday season.

PROPERTY MAINTENANCE / ZONING

Michael Laginestra commented that since Auto Toy Store business closed, he has received phone calls inquiring about the license.

FIRST READING ORDINANCE 2008-14 AMENDING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF BERLIN CAPTIONED ' WATER AND SEWER '

Motion by Council President DiGangi, second by Councilman Morris to adopt Ordinance 2008-14 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

FIRST READING ORDINANCE 2008-15 AN ORDINANCE AMENDING CHAPTER 125-14.1SEC.A OF THE TOWNSHIP OF BERLIN " SEWER CONNECTION FEE "

Motion by Councilman Morris, second by Councilman Batten to adopt Ordinance 2008-15 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

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**FIRST READING ORDINANCE 2008-16 OF THE TOWNSHIP OF BERLIN
AMENDING CHAPTER 129 OF THE CODE OF THE TOWNSHIP OF BERLIN
ENTITLED " ZONING "**

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Ordinance 2008-16 on first reading by title. Ordinance adopted by call of the roll, five members present voting in the affirmative.

**RESOLUTION 2008-202 RESOLUTION AUTHORIZING ADVERTISEMENT OF
RFQ'S FOR PROFESSIONAL SERVICE CONTRACTS**

BE IT RESOLVED, by the Mayor and Council of the Township of Berlin, County of Camden, State of New Jersey, that the Municipal Clerk is hereby authorized to advertise for RFQ's for the calendar year 2009 for professional service contracts, in the 12/5/08 issue of the Record Breeze.

Motion by Councilman Morris, second by Councilman Batten to adopt Resolution 2008-202. Resolution adopted by call of the roll, five members present voting in the affirmative.

Resolution 2008-203 Payment of Bills November 24, 2008

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
Black Horse Pike Animal	Dog Trust	956.71
CC Animal Shelter	Dog Trust	440.00
Camden County Div Health	Dog Trust	1,731.46
MGL Printing Solutions	Dog Trust	417.00
David F. Carlamere	Planning Board Esc #313	110.00
	Planning Board Esc #344	100.00
KEI Associates	Planning Board Esc #286	3,123.75
	Planning Board Esc #304	1,505.00
	Planning Board Esc # 308	2,816.25
	Planning Board Esc# 313	1,340.00
	Planning Board Esc # 332	4,590.00
	Planning Board Esc # 337	625.00
	Planning Board Esc # 340	540.00
	Planning Board Esc # 341	455.00

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Planning Board Esc # 344	541.25
Planning Board Esc # 345	1,055.00

CONFIRMING

Carl Pursell	Planning Board Esc#175	18,045.00
DiMeglio Construction	04-204-55-865-08071	62,842.34
Hewlett Packard Corp	04-216-55-860-08073	6,804.00
SMI	04-216-55-860-32203	3,450.00
America On Line	01-201-20-120-2105	32.90
Camden County Treasurer	01-208-55-020-3000	830,050.63
	01-208-55-020-3000	61,184.84
	01-211-55-020-3000	31,887.01
Trump Plaza	01-201-22-200-2042	280.00
	01-201-20-110-2041	184.00
NJ State Health	01-201-23-220-2092	11,456.79
	01-201-23-220-2092	39,396.80
Payroll, Current Fund	10/2/2008	57,468.65
Payroll, Sewer	10/2/2008	4,852.68
Payroll, Current Fund	10/9/2008	58,463.18
Payroll Sewer	10/9/2008	4,700.38
Payroll, Current Fund	10/16/2008	60,448.68
Payroll, Sewer	10/16/2008	4,770.46
Payroll, Current Fund	10/23/2008	59,184.87
Payroll, Sewer	10/23/2008	4,616.38
Payroll, Current Fund	10/30/2008	79,639.72
Payroll, Sewer	10/30/2008	4,637.37

Motion by Councilman Morris, second by Council President DiGangi to adopt Resolution 2008-203. Resolution adopted by call of the roll, five members present voting in the affirmative.

APPROVAL OF BUSINESS LICENSES

A) H & J EXIM LLC 415 Bloomfield Drive Unit 3, Office for internet supplies. Motion by Council President DiGangi, second by Councilman McIntosh to approve business license for H & J EXIM LLC. License approved by call of the roll, five members present voting in the affirmative.

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B) PINEAPPLE ASIAN RESTAURANT 439 Route 73 North, Restaurant.
Motion by Councilman Morris, second by Councilman McIntosh to approve business license for Pineapple Asian Restaurant. License approved by call of the roll, five members present voting in the affirmative.

CONSENT AGENDA

Motion by Councilman McIntosh, second by Councilman 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 MINUTES OF OCTOBER 27, 2008

Motion by Councilman Morris, second by Council President DiGangi to approve the minutes of October 27, 2008. Motion carried by voice vote, all present voting in the affirmative.

APPROVAL OF CORRESPONDENCES CALENDAR FOR OCTOBER

Motion by Councilman Batten, second by Councilman Morris to receive and file the correspondences calendar for October 2008. Motion carried by voice vote, all present voting in the affirmative.

GOOD AND WELFARE #2

Motion by Councilman Batten, second by Councilman Morris to open the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu Opened the meeting to the public for comment.

Joe McShea, 257 MT. Vernon, asked if anything was happening on Town Hall Building?

Mayor Phyllis Magazzu responded to the question and said that Gordon's Furniture has approached Mayor and Council to ask if the Township was still interested in the property.

Tom DiGangi stated that we would need to do a new cost study on the property because the market has changed since the last report, and that we are keeping all our options open.

Motion by Councilman McIntosh, second by Councilman Batten to close the meeting to the public. Motion carried by voice vote, all present voting in the affirmative. Mayor Magazzu closed the meeting to the public.

ALL OTHER BUSINESS FOR DISCUSSION

Mayor Magazzu talked about the Christmas Tree Lighting Event schedule for December 5th at 7:00 at the Eisenhower School.

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Mayor and Council discussed the Reorganization Meeting on January 5th.

RESOLUTION 2008-204 RESOLUTION AUTHORIZING ENGINEER TO PERFORM ENGINEERING RELATING TO THE INSTALLATION OF SIDEWALKS IMPROVMENTS ALONG ROUTE 73 NORTHBOUND – PARTIALLY FUNDED BY NJDOT – MUNICIPAL AID PROGRAMS OF 2008 AND 2009

WHEREAS, the Engineer has submitted a cost estimate, with his monthly report dated 11/24/08, to perform engineering and inspections relating to the installation of sidewalks along Route 73 Northbound, which is partially funded by the NJDOT Municipal Aid Programs of 2008 and 2009; and

WHEREAS, the estimate for the engineering services to be performed totals \$76,000.00,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Engineer is hereby authorized to perform the engineering relating to the installation of sidewalk improvements along Route 73 Northbound not to exceed \$76,000.00.

Motion by Councilman Morris, second by Councilman Batten to adopt Resolution 2008-204. Resolution adopted by call of the roll, four members present voting in the affirmative, one member abstained.

RESOLUTION 2008-205 CLOSED SESSION

BE IT RESOLVED by the Mayor and Council of the Township of Berlin that the Mayor and Council are now going into closed session to discuss Township litigation.

Motion by Council President DiGangi, second by Councilman McIntosh to adopt Resolution 2008-205. Resolution adopted by call of the roll, five members present voting in the affirmative.

ADJOURN

Motion by Council President DiGangi, second by Councilman Batten to adjourn the meeting at 8:00 p.m. Motion carried by voice vote, all members voting in the affirmative.

Meeting adjourned at 8:00 p.m.

Jamey Eggers, Township Clerk