

**BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
MONDAY, APRIL 2, 2012
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN N J
6:00 PM**

MEETING CALLED TO ORDER BY MAYOR ARMANO.

FLAG SALUTE LED BY THE MAYOR.

SUNSHINE NOTICE: Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act, Pursuant to Public Law 1975, Chapter 231. Said notice has been advertised in the Philadelphia Inquirer and the Courier Post showing the date, place and time of said meeting.

ROLL CALL: Mayor John J. Armano, Council President Scott Scelso, Council members Maccaroni, Chance, Bilella, and Pearce were all present. Councilwoman Kupchik was absent.

PRESENT ALSO: Solicitor George Botcheos.

APPOINTMENT OF NEW HIRES IN THE POLICE DEPARTMENT

A RESOLUTION AUTHORIZING THE APPOINTMENT OF JOHN W. WAECHTLER, JR. OF PINE HILL, NJ TO THE POSITION OF PATROLMAN FOR THE BERLIN POLICE DEPARTMENT EFFECTIVE, APRIL 16, 2012.

Motion made by Chance seconded by Maccaroni. All were in favor.

John will be sworn in by Mayor John Armano. John's parents John W. Sr. and Marie Waechtler along with fiancée Elen Giffin will hold the Bible.

All officers were in attendance for this swearing in. Mayor Armano thanked them all for attending.

A RESOLUTION AUTHORIZING THE APPOINTMENT OF MATTHEW C. TEYSSIER, JR. FROM SEWELL, NJ TO THE POSITION OF A CLASS II OFFICER FOR THE BERLIN POLICE DEPARTMENT TO TAKE EFFECT ON MAY 7, 2012 SUBJECT TO ADOPTION OF ORDINANCE NO. 2012-06 THAT INVOLVES CLASS II OFFICERS.

Motion made by Chance seconded by Scelso. All were in favor.

TONY TRONGONE FROM BERLIN COMMUNITY SCHOOL WILL SPEAK TO THE BOROUGH COUNCIL TO DISCUSS THE SCHOOL BUDGET.

Tony Trongone and Frank Domin from the Berlin Community School spoke to the council in regards to the Berlin Community School budget.

Tony thanked the borough council for the blinking lights installed at Franklin Avenue and Clementon Avenue intersection. /Tony explained that the school board approved to move the annual school board election to the November ballot. Tony explains that the budget will not have to be approved by the voters if the said budget is below the 2% school tax levy. All information discussed is on the school web page categorizing five main points regarding the needs of the school./Part two is what needs to be done to supply students with the necessary programs. /Part three regards budget expectation of high levels or what goes over and above. State aid and revenue was discussed. Approximately 875 students in the school with a projection of about 25 children in each kindergarten class, that being one of the highest enrollments for kindergarten. \$124,232.00 of an increase in property taxes with this budget or 79.41 on an average home per year.

Councilman Scelso asked if the school could contribute any cost towards the lightning detection system that has not been working for the past two years with a cost of about \$7000. to replace. They will have an April 24 board meeting and Scott will meet with them before that to discuss.

Bilella questions what drives state aid. Tony states there is a formula used by the state that involves many factors stating that social economics of the borough comes into play along with attendance through out the entire year.

APPROVAL OF MINUTES

Caucus meeting of February 28, 2012

Council meeting of March 5, 2012

Motion to approve made by Maccaroni seconded by Bilella. All were in favor.

DEPARTMENT HEAD REPORTS FOR FEBRUARY, 2012.

Municipal Clerk \$7260.00

Animal report \$910.80

Tax Collector's report \$2,219,110.43

Utility collections \$63,690.05

Construction report \$3793.00

Court \$11,978.35

Fire Calls 53

Ambulance Calls 165

Police Department 1637 calls handled

Motion to approve made by Maccaroni seconded by Bilella. All were in favor.

PRIVILEGE OF FLOOR: No one spoke to council.

COUNCIL MEMBERS REPORTS:

MAYOR ARMANO

Passed out a Mayor's advisory regarding affordable housing trust fund noting a plan must in place by July 17 in regards to the over \$500,000. the borough has in the trust fund or risk losing money to the state. Met with borough planner in regards to this that has to be on round three programs. Solicitor stated that the old deadline was July 17, 2012 but COAH never developed regulations to guide municipalities on what to use the money for so now there are two pending bills, one of which extends the deadline another four years and the other is to allow municipalities to purchase foreclosed housing. Mayor Armano states the Governor already has the money in the state budget to take the money. He asked the planner to move forward with a plan for the borough to purchase a foreclosure, rehab it and resell it and take it as a COAH unit. Planner will come back with a plan. /Superintendent Mark Mauger sent a letter regarding John Allsbrook completing his 21 day recycling class for 2012 and will now qualify to sign off on the borough grant for recycling. Mayor notes that this is a requirement the borough needs.

BUILDINGS & GROUNDS, Chairman Scott Scelso. States that the DPW has done a good job cleaning up for the spring. /Resolutions on agenda to move forward with renovations for 131 So. White Horse Pike and one for the approval of a concept plan for building behind the municipal building. Solicitor is reviewing the architect on record's plan, and will delay his fees for this project until the project begins.

STREETS & ROADS, Chairman Jim Bilella. Grant received for Ellis Avenue for approximately \$190,000. Bids for the 2012 road project including Haines and other minor improvements will be put out by the engineer so bids can be received and we can award at the May 7 council meeting to start construction before Memorial Day. /Mayor notes we can pave Atlantic Avenue five feet. DPW will get a price.

WATER & SEWER, Chairman Lynn Kupchik was absent. Mayor asked that we table the two resolutions in regards to re-drilling of well # 15 and for the chlorine.

HEALTH & RECREATION, Chairman Jim Pearce. His bio was put on the web site. /Keys are being worked on for the community center. /A permit has been put in place to give out when the ball fields are used to keep better track of the usage. /Signage is being finalized for the donation score boards./He is suggesting outlets be put in the gym section of the center and prices are being sought./Looking into the vending machine usage in center to see if the borough should be getting a percentage for electric usage. Vendor was contacted and will get back to him./YMCA scheduling is trying not to be in center on the days of the seniors./Camp Lonaconing fees for out of town children has been raised to \$150.00 for the camp week. It is \$115.00 for Berlin children. /Berlin Community School is doing a summer basketball camp so he is not pursuing a YMCA basketball extension to the program. He will look into this program next year. /Seniors have been given two closet keys. /Borough seniors will have a luncheon at the school tomorrow. /April 14 is opening day for baseball season.

PUBLIC SAFETY, Chairman Dennis Chance. Fire calls for month of February 53 calls , ambulance handled 165 calls and police handled 1637 calls./May 22 is last day for Police Chief Carrara due to his retiring with his official retirement date October 1, 2012./Flashing lights on Franklin Avenue alerting speeders near the school is working great. Mayor wanted to get the entire Clementon Road but could not get the County or State to agree.

FINANCE, Chairman Nick Maccaroni Budget on agenda for adoption. /For the record his statement is attached to these minutes.

SOLICITOR, George Botcheos He spoke with Sunesys in regards to the Rights of Way Agreement and they have agreed to a revised contract for next months meeting for a 10 year agreement with 3 five year extensions.

ADMINISTRATOR, Charleen Santora. Animal clinic held on Saturday bring our total to around 300 dog licenses sold. There were 1000 sold last year. We will have an animal census. Happy Easter to All. Requesting a mercantile resolution # 14 added to agenda so business can open.

ORDINANCE

2ND. READING, ORDINANCE 2012-9, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Motion to open to public, Chance, Sec., Bilella. All were in favor.

Motion to close public hearing made by Chance seconded by Bilella. All were in favor.

Motion to adopt Ordinance 2012-9 made by Chance seconded by Maccaroni. All were in favor.

2012 BUDGET

RESOLUTION R4-1;2012, WHEREAS, N.J.S.40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and, whereas, these two conditions have been met; NOW, THEREFORE BE IT RESOLVED, that the budget shall be read by title only;

Motion made by Maccaroni, Seconded by Bilella. All were in favor.

2012 GENERAL, WATER AND SEWER HEARING APPROPRIATING \$6,870,329.42, WATER, 2,848,100.00, SEWER, 676,110.00 AND OPEN SPACE \$77,669.00.

Meeting open for public hearing.

Meeting closed to the public.

Motion to adopt 2012 General, Water & Sewer Budget made by Chance seconded by Maccaroni. All were in favor.

2ND. READING

ORDINANCE NO. 2012-7, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 315 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, 'VEHICLES AND TRAFFIC'

Mayor opened to public. No one spoke.

Mayor closed public hearing.

Motion to adopt Ordinance No. 2012-7 made by Chance seconded by Maccaroni. All were in favor.

ORDINANCE INTRODUCTIONS:

ORDINANCE 2012-02 (ORIGINALLY TABLED), AN ORDINANCE DELETING CHAPTER 98 OF THE CODE OF THE BOROUGH OF BERLIN AND CREATING A NEW CHAPTER 256 ENTITLED 'RENTAL PROPERTIES.

ORDINANCE NO. 2012-05, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 162 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "FIRE PREVENTION.

ORDINANCE NO. 2012-06, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "POLICE DEPARTMENT".

ORDINANCE NO. 2012-07, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 98 ENTITLED, "BOARDING HOUSES, ROOMING HOUSES AND HOTELS".

ORDINANCE NO. 2012-08, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 218 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, 'MERCANTILE LICENSES'.

ORDINANCE NO. 2012-09, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 315 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, 'VEHICLES AND TRAFFIC'.

Motion to introduce 2012-02, 2012-05 through 2012-09 made by Scelso seconded Chance. All were in favor.

RESOLUTIONS:

Meeting open to the public on Resolutions R4-2 through R4-13; 2012.

Meeting closed to the public.

R4-2; 2012, AUTHORIZATION TO APPROVE THE RE-DRILLING OF WELL NO. 10 FOR OPTION # 2 AT A REVISED CONTRACT AMOUNT OF \$597,590.

(CFO HAS CERTIFIED THE ADDITIONAL FUNDING) ADDING AN ADDITIONAL \$76,246.00 PLUS ENGINEERING COSTS OF \$59,840. THAT COVERS ENGINEERING FEES FOR BOTH DRILLING OF WELL AND CHLORINATION SYSTEM INCLUDING INSPECTIONS.

R4-3;2012, AUTHORIZATION FOR PENNONI ASSOCIATES TO GO OUT TO BID FOR CHLORINATION SYSTEM AT WELL # 10 FOR AN ESTIMATED COST OF \$150,000 TO \$175,000 PLUS ENGINEERING COSTS OF \$15,000.

R4-4;2012, A RESOLUTION OF THE BOROUGH AUTHORIZING THE SETTING OF FEES FOR MAILING OF TAX SALE NOTICES AS PER N.J.S.A. 54:5-26/29/38.

Motion to table R4-2 and R4-3; 2012 by Pearce seconded by Chance until Councilwoman Kupchik returns. All were in favor.

R4-5; 2012, A RESOLUTION MEMORIALIZING THE ACCEPTANCE OF LIBRARIAN MARY RENCIC'S RESIGNATION EFFECTIVE APRIL 17, 2012.

R4-6; 2012, APPROVAL OF PROFESSIONAL SERVICES TO BE PERFORMED BY PENNONI ASSOCIATES FOR THE EVANINE DRIVE LSRP REMEDIATION FOR AN AMOUNT NOT TO EXCEED \$4000.

R4-7;2012, AUTHORIZATION TO REFUND DEVELOPER ESCROW DUE TO PROJECTS BEING COMPLETE FOR BLOCK 401, LOT 4 IN THE AMOUNT OF \$429.65 AND FOR BLOCK 304, LOTS 1 & 1.01 IN THE AMOUNT OF \$1872.37.

R4-8;2012, AUTHORIZATION TO APPROVE A CONTRACT FOR THE REMODELING OF 131 SOUTH WHITE HORSE PIKE TO RMI REMODELING, 2311 STATE STREET, ATCO, NJ IN THE AMOUNT OF \$29,460,00. (CFO HAS CERTIFIED THE FUNDS)

R4-9;2012, A RESOLUTION AUTHORIZING 1ST. QUARTER 2012 UTILITY BILL ADJUSTMENTS FOR; 235 RT. 73, N -2596.00 AND 331 HARRISON AVENUE -98.55 FOR RE-PROGRAMMED METER, 102 ESTAUGH AVENUE, -1068.00 METER IN BACKWARDS, 225 PINE AVENUE, -48.00, 135 PIEDMONT BLVD, -20.00 AND 191 MCCLELLAN AVENUE, -22.72 ALL FOR METER INACTIVATED.

R4-10; 2012, A RESOLUTION FROM BOROUGH COUNCIL APPROVING THE MOVING FORWARD WITH THE CONCEPTUAL PLAN TO ADD ON THE EXISTING MUNICIPAL BUILDING TO HOUSE THE POLICE DEPARTMENT AND TO UPGRADE THE EXISTING MUNICIPAL BUILDING TO MOVE EMPLOYEES BACK INTO FROM THE HOTEL.

R4-11; 2012, AUTHORIZATION FROM COUNCIL TO ENTER INTO A SETTLEMENT AGREEMENT WITH THE STATE OF NEW JERSEY REGARDING THE BUZBY LANDFILL LITIGATION.

R4-12;2012, AUTHORIZATION TO PARTICIPATE IN COUNTY SOLID WASTE DISPOSAL BID FOR 2013 DUE TO CURRENT CONTRACT ENDING DECEMBER 31, OF THIS YEAR.

R4-13; 2012, AUTHORIZATION TO REFUND \$20.00 TO EDWARD MCBRIDE DUE TO PAYMENT IN ERROR FOR DEATH CERTIFICATE.

R4-14;2012, APPROVAL OF MERCANTILE LICENSE FOR ISCHA Y. SANTIAGO TRADING AS ALEXIS CARIBBEAN DELIGHTS FOR THE SALE OF HOT FOOD AT 41 CLEMENTON ROAD, BERLIN.

Motion to approve Resolutions R4-5 through R4-14; 2012 made by Maccaroni seconded by Chance. All were in favor.

PAYMENT OF BILLS FOR THE MONTH OF MARCH, 2012 IN THE AMOUNT OF \$723,521.54. Motion made by Maccaroni seconded by Bilella. All were in favor.

Motion to adjourn made by Bilella seconded by Chance. All were in favor.

Charleen Santora, RMC