

**BOROUGH OF BERLIN
COUNCIL MINUTES
MONDAY, NOVEMBER 5, 2012
7:00 PM
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN NJ**

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 Courier Post and Philadelphia Inquirer showing the date, place and time of said meeting.

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

PRESENT ALSO: Solicitor George Botcheos, Police Chief Michael DeLorenzo, DPW Superintendent Mark Mauger, CFO Stephen Miller and Gary Knight

APPROVAL OF MINUTES:

Council meeting of October 1, 2012

Closed session minutes of October 1, 2012

Motion to approve made by Chance, seconded by Scelso. All present were in favor.

DEPARTMENT HEAD REPORTS FOR THE MONTH OF SEPTEMBER 2012:

Municipal Court	\$14,219.81
Construction Dept	\$4,217.00
Community Center	\$2,000.00
Zoning Inspection Fees	\$100.00
Rental/Resale Inspection Fees	\$1,700.00
Municipal Clerk's	\$1,913.05
Tax Collector's	\$220,490.54
Water & Sewer	\$782,840.31
Berlin Fire Rescue	52 Calls

Zoning/Construction Violations

Fire Prevention \$657.00

Motion to approve made by Chance, seconded by Bilella. All present were in favor.

DEPARTMENT HEAD REPORT'S:

CFO STEPHEN MILLER – Discussion about best practice questionnaire for state; worksheets have been submitted to the state which are subject to annual audit./Borough met percentage – 50 questions and 29 of those were new./We need 41 non-negative answers which is 86% in order not to lose state aid./Discussion about pay to play ordinance; borough ordinance matches the state's./Discussion about audit's correction action plan – borough did not file a corrective action plan – not needed./Bond anticipation note sale last week./Sold \$1.8 million worth of bonds – interest rate of 1.24 %. Formal notification once settled. 1.2 million dollar note due – funds will be in place./Discussion on transfer appropriations resolution – move money around at end of year. More funds need to be allocated for advertising budget for clerk's department.

MARK MAUGER, DPW SUPERINTENDENT – Received recycling grant from state - \$10,247.00./Storm wise – help from fire company - DPW took care of 4 trees; 1 man worked overtime./Leaf season has begun and is in full swing.

POLICE CHIEF MICHAEL DELORENZO – Discussion on statistics for September. Report is attached to these minutes.

EXECUTIVE SESSION:

Motion to go into closed session to discuss Personnel matters regarding Chief of Police Michael DeLorenzo made by Chance, seconded by Maccaroni. All present were in favor.

Motion to go back into open session made by Maccaroni, seconded by Chance. All present were in favor.

RESOLUTION – AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE CHIEF OF POLICE SALARY OF \$105,515.98 FOR THE BOROUGH OF BERLIN POLICE DEPARTMENT EFFECTIVE NOVEMBER 5, 2012

RCV: Scelso – Aye, Maccaroni – Aye, Chance – Aye, Bilella – Aye, Kupchik – Aye, Pearce - Absent

COUNCIL REPORTS:

MAYOR JOHN J. ARMANO – Senior Bus bid out./Due November 27th./League of Municipalities cancelled this year due to Hurricane Sandy.

BUILDINGS & GROUNDS, Councilman Scelso – Meeting with Alan Blair to discuss plans for expanded municipal building./Met with Public Works and had discussion with Mark Mauger, Superintendent./250 tons of salt owed to us from the County./Looking into purchasing a trash truck this year.

WATER & SEWER, Councilwoman Lynn Kupchik – Capital projects are being looked at for 2013 for water and sewer.

STREETS & ROADS, Councilman Jim Bilella – Grant application submitted for Malan Ave./Survey completed for Ellis Avenue.

HEALTH & RECREATION, Councilman Jim Pearce – No report./Absent

PUBLIC SAFETY, Councilman Dennis Chance – Fire and police report./Fire rescue calls – 52 calls; Fire Marshall calls – 141 calls; Collected \$42,675 to date

FINANCE, Councilman Nick Maccaroni – Discussion on violations for Armstrong Capital./Demo must be done by June 7./16 Haines Avenue is finished being demolished.

SOLICITOR, George Botcheos – No report

ADMINISTRATOR, Charleen Santora – Senior Bus is not running./Borrowing Twp bus to take Seniors to vote on Election day./Discussion on budgets for 2013./Would like to schedule meetings with department heads to go over budgets.

PRIVILEGE OF FLOOR:

MIKE PORTER – 140 Franklin Ave – Would like to know if a delayed arrow signal at the end of street is possible./Mayor explained it's a County road and the borough has no jurisdiction./School zone signs on Clementon Road were put up./Mayor suggested that resident write a letter to the freeholders expressing concerns.

ORDINANCES, SECOND READINGS

ORDINANCE NO. 2012-15, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 89 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "ANIMALS"

Motion to adopt Ordinance No. 2012-15 made by Chance, seconded by Kupchik. All present were in favor.

ORDINANCE NO. 2012-16, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 98 ENTITLED "BOARDINGHOUSES, ROOMING HOUSES AND HOTELS"

Motion to adopt Ordinance No. 2012-16 made by Maccaroni, seconded by Kupchik. All present were in favor.

ORDINANCE NO. 2012-17, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 335 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "ZONING AND LAND USE"

Motion to adopt Ordinance No. 2012-17 made by Kupchik, seconded by Bilella. All present were in favor.

INTRODUCTION OF ORDINANCE:

ORDINANCE NO. 2012-18, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 176 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "GARAGE SALES"

Motion to introduce Ordinance No. 2012-18 made by Kupchik, seconded by Bilella. RCV: Scelso – Nay, Maccaroni – Aye, Chance – Aye, Bilella – Aye and Kupchik – Aye

RESOLUTIONS:

Meeting open to the public on Resolutions R11-1;2012 through R11-12;2012

Meeting closed to the public.

RESOLUTION R11-1; 2012, AUTHORIZING 3RD QUARTER 2012 UTILITY BILL ADJUSTMENTS FOR THE FOLLOWING PROPERTIES DUE TO BILLS BEING ESTIMATED;

54 S. Rose Lane	-76.25
184 Tansboro Rd.	-43.70
1 Collings Ave.	-107.25
44 Summit Ave.	-1567.50
188 Heights Ave.	-51.50
181 Haddon Ave.	-151.66
4 Chillemi Ct.	-38.50
61 Haddon Ave.	-79.10

RESOLUTION R11-2;2012, AUTHORIZING THE WAIVER OF WATER USAGE FEES IMPOSED UPON FIRE HYDRANTS WITHIN BERLIN BOROUGH, BERLIN TOWNSHIP, VOORHEES TOWNSHIP AND WINSLOW TOWNSHIP.

RESOLUTION R11-3; 2012, AUTHORIZING TO REFUND \$100.00 FOR APARTMENT LICENSE FOR 56 PARK AVENUE PAID IN ERROR.

RESOLUTION R11-4;2012, AUTHORIZING THE REFUND OF CONSTRUCTION PERMIT # 12-00245 FOR BLOCK 1305 LOT 2 IN THE AMOUNT OF \$196.00.

RESOLUTION R11-5; 2012, AUTHORIZING THE TAX COLLECTOR TO IMPOSE A LIEN ON THE FOLLOWING PROPERTIES DUE TO SERVICE AND EQUIPMENT USED FOR PROPERTY MAINTENANCE;

43 JACKSON ROAD	\$1165.00	8/8 AND 8/30
107 ESTAUGH AVE.	1165.00	8/8 AND 8/30
1 JEFFERSON AVE.	1165.00	8/8 AND 8/30

3 BRIERHILL RD 1165.00 8/8 AND 8/30

10 GARDENS AVE. 1165.00 8/8 AND 8/30

RESOLUTION R11-6;2012, AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FROM LANDBERG CONSTRUCTION LLC PER RECOMMENDATION FROM BIRDSALL ENGINEERING CONTINGENT UPON THE POSTING OF A ONE YEAR MAINTENANCE BOND IN THE AMOUNT OF \$291,685.00

RESOLUTION R11-7; 2012, APPROVING OF APPROPRIATE TRANSFERS TOTALING \$62,450.00 FROM IN SIDE THE CAP TO INSIDE THE CAP AS PER N.J.S.A. 40A:4-58.

RESOLUTION R11-8; 2012, A RESOLUTION AUTHORIZING THE SECURITY DEPOSIT REFUND OF \$342.70 FOR PORTABLE HYDRANT METER RENTAL BY AC SHULTES, INC.

RESOLUTION R11-9; 2012, A RESOLUTION TO ACCEPT THE RESIGNATION OF PATRICIA M. STRONG AS INTERIM DIRECTOR OF MARIE FLECHE MEMORIAL LIBRARY EFFECTIVE JANUARY 1, 2013.

RESOLUTION R11-10; 2012, A RESOLUTION AUTHORIZING THE REFUND OF DEVELOPER ESCROW BALANCE IN THE AMOUNT OF \$5111.77.

RESOLUTION R11-11;2012, A RESOLUTION IN SUPPORT OF A-3393, LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT.

RESOLUTION R11-12;2012 AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF CAMDEN UNDER A COOPERATIVE PRICING SYSTEM AT THE COST OF \$60 PER CARCASS EFFECTIVE OCTOBER 1, 2012 THROUGH SEPT. 30, 2013.

Motion to approve Resolutions R11-1;2012 through R11-12;2012 made by Chance, seconded by Maccaroni. All present were in favor.

PAYMENT OF BILLS FOR THE MONTH OF OCTOBER, 2012 IN THE AMOUNT OF \$3,328,288.75

Motion to approve made by Maccaroni, seconded by Kupchik. All present were in favor.

Motion to adjourn made by Chance, seconded by Scelso. All present were in favor.

Charleen Santora, RMC

Borough Clerk