

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
MONDAY, DECEMBER 3, 2012
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN NJ
6:30 PM

MEETING CALLED TO ORDER BY MAYOR ARMANO

FLAG SALUTE LED BY MAYOR ARMANO

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

ROLL CALL: Mayor John J. Armano, Council President Scott Scelso, Council members Maccaroni, Chance, and Bilella. Councilwoman Kupchik was absent. Councilman Pearce arrived after roll call.

PRESENT ALSO: Solicitor George Botcheos and Police Chief DeLorenzo

EXECUTIVE SESSION:

Motion to go into closed session for Police Department interviews and AFSCME Contract made by Chance, seconded by Maccaroni. Under a roll call vote all present were in favor.

Motion to back into open session made by Bilella, seconded by Pearce. Under a roll call vote all present were in favor.

BERLIN VOLUNTEER FIRE CO. NO. 1 CHIEF'S AWARDS:

Bill Behnke, Fire Chief for Berlin Borough announced following awards:

First place for the Fire Prevention Essay awarded to Charli Drialo

First place for the Fire Prevention Poster awarded to Carly Fultano

Richard Crane, Berlin Fire-Rescue Director was present.

President of Mt. Carmel School was present and accepted the awards on the children's behalf.

APPROVAL OF MINUTES:

- Caucus/Council meeting of November 1, 2012
- Closed session minutes of November 1, 2012

- Council meeting of November 5, 2012
- Closed session minutes of November 5, 2012

Motion to approve made by Chance, seconded by Maccaroni. All present voted in favor with the exception of Pearce who abstained from the vote of the November 5, 2012 minutes.

DEPARTMENT HEAD REPORTS:

- **CHIEF DELORENZO** – Chief DeLorenzo reported the following: The department handled 2,028 calls for service./281 summons were issued along with 32 arrests including 5 DWI arrests./8,917 miles were put on the police vehicles during patrol and other duties./33 motor vehicle accidents were reported and 17 resulted in injuries and one fatality. A full report is attached to these minutes.
- **CONSTRUCTION OFFICIAL MICHAEL DEPALMA** – Armstrong Capital summons for the demolition of the old ACME on the White Horse Pike in Berlin Borough will be heard in Waterford court.

DEPARTMENT HEAD REPORTS FOR THE MONTH OF OCTOBER, 2012:

Municipal Court	\$15,267.87
Construction Dept	\$8,616.00
Community Center	\$1,075.00
Zoning Inspection Fees	\$405.00
Rental/Resale Inspection Fees	\$200.00
Municipal Clerk's	\$1,463.25
Tax Collector's	\$2,104,254.02
Water & Sewer	\$171,241.89
Berlin Fire Rescue	76 calls
Zoning/Construction Violation list	

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

PRIVILEGE OF THE FLOOR:

John Schmidt, Gloucester City, NJ – Mr. Schmidt wanted to know why the OPRA request form he received in the Clerk's office was given out because it was not the same form that is online./Financial Disclosure forms for 2012 were not filled out by two members; Rita Christenson (Economic Development) and John McCaull (Planning Board). He asked that the members either file the forms or resign. /He asked what the reason was for going into executive

session and wanted to know if the Mayor stated the time frame./He asked that in the future the public be made aware of the specific length of time for an executive session.

Mayor Armano closed the public portion of the meeting.

COUNCIL REPORTS:

- **MAYOR ARMANO** informed everyone that the Berlin Rotary is celebrating their 75th anniversary January 19th at Lucien's Manor and the Rotary would like council to attend./Discussion on agenda item approving the purchase of a senior bus.
- **BUILDINGS & GROUNDS**, Chairman Scott Scelso reported that DPW replaced the back portion of the roof at 131 S. White Horse Pike./The cost to replace the roof was about \$1,000.00./Leaves are being collected./Meeting with Alan Blair to discuss the expansion of Police Department. Final drawings and cost will be done and presented to council December 27th.
- **STREETS &ROADS**, Chairman Jim Bilella reported on the 2012 Road Program for Ellis Avenue./No status available as to date for the re-imbusement application for Malan Avenue./Atlantic City Electric has been contacted in regard to repairs on the downtown streets for upcoming holiday events.
- **WATER & SEWER**, Chairman Lynn Kupchik was not present. No report.
- **HEALTH & RECREATION**, Chairman Jim Pearce discussed information collected in regard to motion lights at the Community Center./Discussed Berlin Train Station quotes./\$3,400.00 for eight cameras./Monitoring system included./New sports groups interested in renting Community Center./Received resumes for Camp Director position.
- **PUBLIC SAFETY**, Chairman Dennis Chance reported ytd totals for the Police Department as of Oct. 31, 2012; 33 drunk drivers arrested; 247 arrests; 780 investigations; average 1980 calls a month to 2050 calls a month.
- **FINANCE**, Chairman Nick Maccaroni discussed the tax collection percentage./Percentage is at about 96% which is the same as last year./\$160,000.00 back taxes owed by Armstrong Capital.
- **SOLICITOR**, George Botcheos discussed that progress is still continuing on Buzby Landfill litigation.
- **ADMINISTRATOR**, Charleen Santora informed council that January 15th there's an elected officials seminar at 4:30pm at Boro Hall and the Borough will receive \$250.00 insurance credit for attending./ Borough has not received any proposals from businesses in town for IT services to date./Cumberland County SPCA new contract needs to be looked over and will be on the agenda of 11/27/12 so service is not lost./Mark Mauger Report: NJ DEP recognized Berlin Borough./November trash duties and recycling duties have been done without any problems./Repaired a water main break in Berlin Township on Sunday.

ORDINANCES 2ND READING:

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

Meeting open to the public on Ordinance No. 2012-18

Meeting closed to the public on Ordinance No. 2012-18

Motion to adopt Ordinance No. 2012-18 made by Chance, seconded by Maccaroni.

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

INTRO TO ORDINANCES:

ORDINANCE NO. 2012-21, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 129 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "CONSTRUCTION CODES, UNIFORM"

Motion to introduce Ordinance No. 2012-21 made by Maccaroni, seconded by Pearce. All present were in favor.

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

RESOLUTIONS:

Meeting open to the public on Resolutions R12-1; 2012 through R12-16; 2012

Meeting closed to the public on Resolutions R12-1; 2012 through R12-16; 2012

RESOLUTION R12-1; 2012, A RESOLUTION TO ENTER INTO THE RECORD THE RESULTS OF THE PUBLIC QUESTION HELD ON THE NOVEMBER 6, 2012 BALLOT BY THE BOROUGH OF BERLIN ON WHETHER A FREE PUBLIC LIBRARY BE ESTABLISHED IN THE BOROUGH OF BERLIN PURSUANT TO SECTIONS 40:54-1 TO 40:54-29 OF THE TITLE, MUNICIPALITIES AND COUNTIES OF THE REVISED STATUTES WHEREAS A VOTE WAS RECORDED FROM THE FIVE VOTING DISTRICTS OF 1464 YES'S AND 1220 NO'S.

RESOLUTION R12-2; 2012, AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR SOLID WASTE DISPOSAL SERVICES BETWEEN THE CAMDEN COUNTY ENERGY RECOVERY ASSOCIATES, L. P. AND THE BOROUGH OF BERLIN AT THE RATE OF \$61.00 PER TON FOR THE PERIOD OF JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND THE RATE OF \$63.00 PER TON FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014.

RESOLUTION R12-3;2012, A RESOLUTION OF THE BOROUGH AUTHORIZING 3RD QUARTER 2012 UTILITY BILL ADJUSTMENTS FOR THE FOLLOWING PROPERTIES IN THE AMOUNT OF \$5488.16;

386 COOPER ROAD	-164.75
257 S. WHITE HORSE PIKE	-73.40
460 RT. 73 N	-3575.00
13 CROSS KEYS ROAD	-595.50
540 ROUTE 73 N	-706.50
11 SEVILLE CT.	-373.00

RESOLUTION R12-4;2012, A RESOLUTION AUTHORIZING THE TAX REFUND FOR BLOCK 1001 LOT 3.01 FOR \$1398.92 AND BLOCK 2203 LOT 8 FOR \$2262.07 DUE TO MORTGAGE CO. OVERPAYMENT.

RESOLUTION R12-5; 2012, A RESOLUTION AUTHORIZING THE REFUND OF RESIDENTIAL RESALE INSPECTION APPLICATION FEE FOR BLOCK 2401, LOT 34 FOR 108 WILSON IN THE AMOUNT OF \$100.00.

RESOLUTION R12-6, 2012, A RESOLUTION AUTHORIZING THE REFUND OF RESIDENTIAL RESALE INSPECTION APPLICATION FEE FOR BLOCK 1302, LOT 6 FOR 10 W BROAD AVENUE IN THE AMOUNT OF \$100.00.

RESOLUTION R12-7; 2012, A RESOLUTION AUTHORIZING THE REFUND OF DEVELOPER ESCROW BALANCE FOR BLOCK 101, LOT 1 IN THE AMOUNT OF \$21.50.

RESOLUTION R12-8;2012, APPROVAL TO AUTHORIZE BOROUGH TAX COLLECTOR TO PLACE LIENS ON PROPERTIES LISTED BELOW FOR LAWN CUTTING, SEWER JETTER AND VARIOUS SERVICE NEEDED THAT WAS DONE BY THE DEPARTMENT OF PUBLIC WORKS ON AUGUST 8 AND AUG 30, 2012;

14 SO. FRANKLIN AVENUE, BLOCK 613, LOT 20	\$1165.00
LEROY AVENUE	3480.00
136 S. FRANKLIN AVENUE, BLOCK 505, LOT 32	610.00
34 EAST BROAD, BLOCK 1103, LOT 5	1165.00
42 JOANS LANE	1165.00

RESOLUTION R12-9;2012, AUTHORIZATION TO APPROVE A MERCANTILE LICENSE FOR RENEE ANTOINE, T/A THE STUDIO SHOP OF RENEE FRANCE DESIGNS LOCATED AT 41 CLEMENTON ROAD, STORE # 316, BERLIN NJ.

RESOLUTION R12-10; 2012, AUTHORIZATION TO APPROVE APPROPRIATION TRANSFER FROM INSIDE CAP TO INSIDE CAP IN THE AMOUNT OF \$12,000 FROM GENERAL BUDGET AND \$9900.00 FROM WATER UTILITY.

RESOLUTION R12-11; 2012, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE A CONTRACT AWARDED TO ALLIANCE BUS GROUP LOCATED AT 51 KERO ROAD, CARLSTADT, NJ IN THE AMOUNT OF \$57,880.00 (CFO HAS CERTIFIED THE FUNDS)

RESOLUTION R12-12; 2012, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE A SHARED SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF BERLIN AND THE BOROUGH OF BERLIN FOR THE PURCHASE AND USE OF A POLICE RADAR RECORDER PURSUANT TO NJSA 40A:65-1, ET SEQ

RESOLUTION R12-13; 2012, A RESOLUTION OF THE BOROUGH OF BERLIN AUTHORIZING 3RD QUARTER 2012 UTILITY BILL ADJUSTMENTS FOR PROPERTIES AT VARIOUS LOCATIONS TOTALING \$10,238.62 (ALL ADDRESSES LISTED ON RESOLUTION)

RESOLUTION R12-14; 2012, A RESOLUTION AUTHORIZING THE SECURITY DEPOSIT REFUND OF \$342.20 FOR PORTABLE HYDRANT METER RENTAL BY ARCADIS TO ARCADIS

RESOLUTION R12-15; 2012, A RESOLUTION APPOINTING STEVEN M. PALMA FROM BLACKWOOD, NJ TO THE POSITION OF BERLIN BOROUGH POLICE OFFICER EFFECTIVE JANUARY 1, 2013

RESOLUTION R12-16; 2012, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE THE AFSCME THREE (3) YEAR CONTRACT EFFECTIVE JANUARY 1, 2013 THROUGH DECEMBER 31, 2015

Motion to table Resolution R12-2; 2012 made by Bilella, seconded by Scelso. All present were in favor.

Motion to approve Resolutions R12-1; 2012 through R12-16; 2012, not including Resolution R12-2; 2012 made by Scelso, seconded by Bilella. All present were in favor.

PAYMENT OF BILLS FOR THE MONTH OF NOVEMBER, 2012 IN THE AMOUNT OF \$2,186,471.81

Motion to approve made by Maccaroni, seconded by Bilella. All present were in Favor.

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

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

Charleen Santora, RMC

Borough Clerk