

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
MONDAY, JULY 7, 2014
MUNICIPAL BUILDING
59 SOUTH WHITE HORSE PIKE
BERLIN N J
7:00 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 advertised in the Courier Post and Philadelphia Inquirer showing the date, place and time of said meeting.

ROLL CALL: Mayor John Armano, Council President James Bilella, Council members Maccaroni, Scelso, Kupchik, Pearce and Knight. Councilman Scelso and Councilman Knight were absent.

PRESENT ALSO: Solicitor George Botcheos, Administrator Charleen Santora and Chief of Police Michael DeLorenzo.

- **APPROVAL OF MINUTES:**

Special council meeting of June 23, 2014

Motion to approve made by Councilman Maccaroni, seconded by Councilwoman Kupchik. Council President Bilella and Councilman Pearce both abstained.

- **DEPARTMENT HEAD REPORTS FOR THE MONTH OF MAY, 2014.**

Tax collector's report	\$2,956,651.29
Utility report	44,580.62
Municipal clerk's report	13,954.00
Animal report	3,075.00
Construction permits	7,088.00
Court administrator's report	27,787.76
Community center fees	3,825.00
Zoning fees	295.00
Ambulance	

Motion to approve made by Councilman Maccaroni, seconded by Council President Bilella. Under a roll call vote all members present were in favor.

PRIVILEGE OF FLOOR:

Charles McHugh – 13 W. Broad Avenue – Mr. McHugh spoke to council about concerns that he has in regard to speeding on his street; People tend to run the stop sign and he asked if council would consider putting speed bumps in. Also the stop sign is not visible; He asked if DPW could go out and cut the bushes that are obstructing the view; the “no parking” signs from the 4th of July parade are still out on the street; the “no turn on red” sign is missing from Park Drive and Cross Keys Road; the line of sight at Park Drive and Broad is less than 100 feet – property is overgrown on the southeast corner; expressed that closing Broad Street at 9:00 pm during the fireworks on the 4th of July is a safety hazard.

Mayor Armano informed Mr. McHugh that at the next meeting with the ICCA they will reevaluate the plans for next year’s festivities.

COUNCIL MEMBER REPORTS:

CHIEF OF POLICE, Michael DeLorenzo informed council that the police department has been awarded \$5,000.00 in overtime for “Drive Sober or Get Pulled Over” for August 15 through September 1, 2014. \$14,000.00 in traffic grant money has been received this year through the state. At the next caucus meeting Michael would like to schedule interviews for the position of Sergeant. Also, upon completion of the interviews he would like to explain the department’s present structure and some future plans. He spoke about filling the position for the part time clerk typist and wants to consider hiring a Class I officer that could be utilized for not only the office work, but court bailiff, community police events, fleet management and other duties. Michael also went over the 4th of July festivities which accounted for 94 hours of overtime totaling \$4,735.27. The total spent in overtime for the police department from January 1 to July 1, 2014 was \$11,463.61. A full report is attached to these minutes.

MAYOR John Armano thanked the police department and emergency management coordinator Rich Crain for their efforts during the 4th of July festivities. DPW did a great job as well. On July 2nd the mayor attended a meeting at the Department of Corrections in Trenton to discuss the cells for the new police building. There is no outcome as of yet.

BUILDINGS & GROUNDS, Chairman Gary Knight was absent.

STREETS & ROADS, Chairman Jim Bilella discussed the resolution on the agenda (R7-5;2014) relating to the three (3) change orders for the municipal building addition and renovation project. Councilman Bilella spoke about re-doing the roof on the existing municipal building and re-installing skylights for a better warranty./Spoke to solicitor in regard to Arawak’s performance bond because certain punch list items were incomplete./We will be receiving bids for this year’s road program (bid opening on Thursday, July 10, 2014 at 10:00 am in the municipal building) and will award next month./Discussed various county roads that pose challenges here in the borough such as Laurel Avenue, Cross Keys Road, Olympic Drive, Tansboro Road and New Freedom

Road. Met with county engineer to go over possible federal funding (no time frame), issues in regard to maintenance and signalization mainly at Olympic and Park Drive.

WATER & SEWER, Chairman Lynn Kupchik reported that the water department is no longer going to be installing water meters and we are still looking into what the proper fee would be for inspections.

HEALTH & RECREATION, Chairman Jim Pearce reported that the soccer camp that was using the fields is now over./Rentals are usually higher during the month of May./Camp Long-A-Coming started today and Councilman Pearce thanked the police department for coming over to the camp with a squad car./Discussed the minor change in Ordinance 2014-11 which is on the agenda for introduction tonight./Thanked Council President Bilella for getting the generator on Gov Deals website. The generator sold for a cost of \$5,755.00./Spoke in regard to video-taping the council meetings. Administrator Charleen Santora is going to speak with Eastern High School about the videotaping to go over what the cost would be for a shared service.

PUBLIC SAFETY, Chairman Scott Scelso was absent.

FINANCE, Chairman Nick Maccaroni discussed the audit for 2013 and the borough is in good shape. There were not any items that had to be sent to the state for corrections./He thanked the police department, ems, fire department, department of public works, emergency management and everyone that was involved with the 4th of July festivities for their efforts./Councilman Maccaroni expressed that he is concerned about the gas prices rising and so the CFO is watching the line item closely.

SOLICITOR, George Botcheos discussed legislation in regard to water connection fees. The supplying local unit has to charge the same rates to the customers. He is going to be doing some more research. Also, council will have to go into closed session tonight to discuss Well #12 litigation.

ADMINISTRATOR, Charleen Santora reported that the Merkley property has been rescheduled for court for July 9, 2014./There are two resolutions that have to be added to the agenda for tonight. Once resolution is in regard to liens that are going on properties due to property maintenance issues (210 Tansboro Road; 126 Route 73; and 136 S. Franklin Avenue) and the other resolution is approval for a leafer to be purchased for DPW.

ORDINANCES:

2ND READING

ORDINANCE NO. 2014-09, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 256 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "RENTAL PROPERTIES"

- **Public hearing open to the public on Ordinance No. 2014-09**

William Earl – 3 Schaeffers Way – Mr. Earl looked over the ordinance and thanked Council President Bilella for his efforts because he thinks that this is a good step and a good thing for the town. Also, he mentioned that the fees are comparable to other towns in regard to inspections. Mr. Earl wanted to know if inspections on rental properties are being done every twelve (12) months.

Hearing closed to the public.

Motion by Councilwoman Kupchik to amend Ordinance No. 2014-09 as introduced, seconded by Council President Bilella. Under a roll call vote all members present were in favor.

Public hearing for Ordinance No. 2014-09 will be held on Monday, August 4, 2014.

ORDINANCE INTRODUCTIONS:

ORDINANCE NO. 2014-10, AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF BERLIN CREATING A NEW CHAPTER 150, ENTITLED, "DISTURBING THE PEACE"

Motion to introduce made by Councilwoman Kupchik, seconded by Councilman Macaroni. Under a roll call vote all members present were in favor.

ORDINANCE NO. 2014-11, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 8 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "COMMUNITY CENTER, USE OF"

Motion to introduce made by Councilman Pearce, seconded by Council President Bilella. Under a roll call vote all members present were in favor.

RESOLUTIONS:

Meeting open to the public on Resolutions R7-1; 2014 through R7-18; 2014

Meeting closed to the public

RESOLUTION R7-1; 2014, A RESOLUTION APPROVING BUDGET INSERTION PER 40A:4-87 FROM THE NJ DIVISION OF HIGHWAY TRAFFIC SAFETY'S CLICK-IT-OR-TICKET PROGRAM IN THE AMOUNT OF \$4000

RESOLUTION R7-2; 2014, A RESOLUTION APPROVING BUDGET INSERTION PER 40A:4-87 FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION'S CLEAN COMMUNITIES PROGRAM IN THE AMOUNT OF \$13,385.63

RESOLUTION R7-3; 2014, A RESOLUTION APPROVING BUDGET INSERTION PER 40A:4-87 FROM THE NJ DIVISION OF HIGHWAY TRAFFIC SAFETY'S DISTRACTED DRIVER MOBILIZATION PROGRAM IN THE AMOUNT OF \$5000

RESOLUTION R7-4;2014, A RESOLUTION AUTHORIZING THE REQUEST TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO MAKE THE FOLLOWING CORRECTIONS IN THE 2014 BUDGET FOR THE GRANT LINE FROM NEW JERSEY DEPARTMENT OF TRANSPORTATION TO OVER THE LIMIT UNDER ARREST

RESOLUTION R7-5;2014, A RESOLUTION FOR THE APPROVING OF THREE CHANGE ORDERS FOR THE BERLIN MUNICIPAL BUILDING ADDITION AND RENOVATION PROJECT FROM FASOLINO CONTRACTING CORP OF SEWELL NJ, CHANGE ORDER # 3 FOR AN INCREASE OF \$2000. TO PROVIDE AND INSTALL HARDWARE ON ALUMINUM DOORS, CHANGE ORDER # 4, A DEDUCTION OF \$1199.15 FOR THE DELETION OF LABOR AND MATERIAL FOR TWO WINDOWS AND CHANGE ORDER # 5, INCREASE IN THE AMOUNT OF \$2304.00 TO REMOVE AND REINSTALL EIGHT SKYLIGHTS @ 288.00 EACH

RESOLUTION R7-6;2014,A RESOLUTION TO APPROVE THE WAIVING OF THE CONSTRUCTION PERMIT FEES FROM THE POLICE ASSOCIATION OF SOUTH JERSEY, A NON PROFIT ORGANIZATION, FOR THE ADDING OF A STORAGE ROOM LOCATED AT BROAD AVENUE

RESOLUTION R7-7;2014,A RESOLUTION TO APPROVE THE ISSUING OF LIQUOR LICENSE FOR THE YEAR 2014-2015 TO VENICE CATERING OF BERLIN INC. AS THEY HAVE MET ALL THE NECESSARY REQUIREMENTS PER THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL

RESOLUTION R7-8;2014, A RESOLUTION TO REFUND DIGGERLAND USA OF WEST BERLIN NJ \$2000 OF POSTED ESCROW DUE TO THE COMPLETION OF THEIR PROJECT AND THE NOT NEEDING OF ANY INSERTION VALVES IN THE WATER MAIN HYDRANT THAT NEEDED TO BE INSPECTED

RESOLUTION R7-9;2014, A RESOLUTION AUTHORIZING THE REFUND OF ESCROW FEES IN THE AMOUNT OF \$6233.18 FOR BLOCK 1001, LOT 1 DUE TO PROJECT NOT BEING COMPLETED

RESOLUTION R7-10;2014, A RESOLUTION AUTHORIZING 1ST QUARTER 2014 UTILITY BILL ADJUSTMENTS FOR 444 COMMERCE LANE DUE TO METER PULLED, A DEDUCTION OF \$197.08 AND SENIOR DEDUCTION FOR SOUTH FRANKLIN AVENUE OF \$83.64

RESOLUTION TABLED

RESOLUTION R7-11;2014, A RESOLUTION TO RESCIND RESOLUTION R6-13;2014 THAT ORIGINALLY APPROVED THE PURCHASE OF HOLDING CELLS FOR THE NEW POLICE BUILDING FROM DEPTCOR BUREAU OF STATE USE INDUSTRIES, MARLTON FOR A TOTAL AMOUNT OF \$10,165.00

RESOLUTION R7-12;2014, A RESOLUTION TO FORMALLY APPROVE THE REPAIR WORK AT WATER TREATMENT PLANT # 1 AWARDED TO COMPLETE CONTROL SERVICES, INC. OF EGG HARBOR CITY N J IN THE AMOUNT OF \$28,000.00 (CFO HAS CERTIFIED THE FUNDS)

RESOLUTION R7-13;2014, A RESOLUTION APPROVING COMPLIANCE PER N.J.A.C. 5:30-6.5 CERTIFYING THE BOROUGH OF BERLIN'S ANNUAL REPORT OF 2013 AUDIT HAS BEEN FILED BY A REGISTERED MUNICIPAL ACCOUNTANT, BOWMAN & ASSOCIATES

RESOLUTION R7;14;2014, APPROVAL FROM BOROUGH COUNCIL TO PURCHASE FROM CHERRY HILL WINNER FORD A 2015 F350 4WD PICKUP TRUCK WITH SNOWPLOW, STATE CONTRACT # A83558T2101 FOR THE AMOUNT OF \$31,676.69 (CFO WILL CERTIFY FUNDS FROM ORDINANCE NO. 2014-02)

RESOLUTION R7-15;2014, AUTHORIZATION FROM BOROUGH COUNCIL TO ENTER INTO A CONTRACT WITH F & G CONTRACTORS FOR THE REPAIR AND REPLACEMENT OF THREE (3) BRICK STEPS IN FRONT AND ON THE SIDE OF THE MUNICIPAL BUILDING LOCATED AT 59 SO. WHITE HORSE PIKE FOR A TOTAL AMOUNT OF \$6200.00 (FUNDS WILL BE CERTIFIED BY CFO)

RESOLUTION R7-16; 2014, APPROVAL FROM COUNCIL TO PLACE A SIGN ABOVE STREET SIGN NAMED WASHINGTON AVENUE TO READ WALTER MCKEEVER AVENUE

Motion to adopt Resolutions R7-1 through R7-18;2014 with the exception of Resolution R7-11;2014 which was tabled made by Council President Bilella, seconded by Councilman Maccaroni. Under a roll call vote all members present voted in favor.

- **PAYMENT OF BILLS FOR THE MONTH OF MAY, 2014 IN THE AMOUNT OF \$2,152,468.19** made by Councilman Maccaroni, seconded by Council President Bilella. All members present voted in favor.

PRIVILEGE OF FLOOR:

Patrick Quigley - 15 Briar Hill – Mr. Quigley mentioned that he thinks Costco would be a good replacement at the Kmart shopping center. He also asked if we have contacted Eastern High School about videotaping the meetings.

Tracey Quigley - 15 Briar Hill – Mrs. Quigley spoke to council about her concerns relating to a traffic light at Cross Keys Road near the Lon-A-Coning development. It is a four way intersection with heavy volume and a traffic light should be at that intersection. Also, Mrs. Quigley expressed her concern about the difficulty turning left on to Cross Keys Road when coming from the Berlin Farmers Market. She suggested that if you are coming from the farmer’s market drivers should go to Park Drive where the traffic light is to avoid congestion and possible accidents. She also suggested a “no left turn” sign located at Cross Keys Road when coming out of the farmers market.

Ron Sabatini – 63 Gardens Avenue – Mr. Sabatini wanted to know if the CCMUA has upgraded the sewer system in the Bel-Air development due to the Nexus litigation. Mayor Armano explained that CCMUA has already met the capacity of the sewer needs.

Joseph Theurer - 21 Coleman Road – Mr. Theurer informed council that at the location where the proposed development is going to be built trees have already been cut down and there are two concrete blocks on the property. Also, Mr. Theurer wanted to know if a traffic light is going to be erected once the development is complete. Mayor Armano stated that before any groundbreaking takes place at the proposed development approval is needed from the planning board.

Frances Ballak - 13 Tansgate Road – Mr. Ballak asked if a lien has been put on 210 Tansboro Road due to property maintenance violations. Administrator Charleen Santora informed him that a lien is being put on the property.

Motion to go into closed session to discuss Remington and Vernick litigation made by Councilman Maccaroni, seconded by Councilwoman Kupchik. All members present were in favor.

Motion to come out of closed session made by Councilman Pearce, seconded by Council President Bilella. All members present were in favor.

Motion to adjourn made by Councilman Pearce, seconded by Council President Bilella. All members present were in favor.



Charleen Santora, RMC
Borough Clerk