

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
MONDAY, MAY 5, 2014
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN NJ

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 Meetings Act, Pursuant to Public Law 1975, Chapter 231. Said meeting 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. Council President Bilella was absent.

PRESENT ALSO: Solicitor George Botcheos, Administrator Charleen Santora, Chief of Police Michael DeLorenzo, Fire Chief William Behnke, Property Maintenance Official Bob Monahan, Dan DiGangi, Auditor Bowman and Company, and CFO Andi McKendry

APPROVAL OF MINUTES:

Council meeting of April 29, 2014
Special budget meeting of March 24, 2014
Caucus meeting of April 1, 2014
Council meeting of April 7, 2014

Motion to approve made by Councilman Maccaroni, seconded by Councilman Knight. All members present voted in favor.

DEPARTMENT HEAD REPORTS FOR THE MONTH OF MARCH, 2014.

Tax Collector's report	238,955.31
Utility report	542,223.68
Construction permit fees	6,013.00
Zoning fees	265.00
Municipal clerks	1,918.00
Animals	2,255.60
Community center fees	2,975.00
Municipal court	19,132.04

Motion to approve made by Councilman Maccaroni, seconded by Councilwoman Kupchik. All members present voted in favor.

PRIVILEGE OF FLOOR

COUNCIL AND DEPARTMENT HEAD REPORTS:

FIRE CHIEF William Behnke reported that the fire company has responded to 252 calls for service so far this year since January 2014. The number of calls for service has increased over the past two years. Berlin Fire Company has also been faced with some vehicle fires, accidents and small residential fires this year. The main reason why Chief Behnke is here at the meeting tonight is to discuss one of the fire apparatus's that is out of service. It is the 1993 ladder truck that is about 22 years old and so far \$12,000.00 has been spent in repairs. There is a water leak from the fiberglass tank and a company that makes the tank will determine whether or not or how to remove the tank which will be a substantial amount. Copies of photos are available for council to review. A nationally certified repair center is being used to take a look at the truck and the manufacturer of the truck will make the final call about how to proceed. Routine maintenance for all other trucks may be able to be put off until next year but the budget does include the costs for repairs and maintenance if so needed. Right now there are 48 active members in the fire company, 3 new fire fighters in the academy who will be graduating soon. The fire company is continuing to grow. Also, the Courier Post has selected Berlin Fire Company as one of the best in South Jersey.

PROPERTY MAINTENANCE, Bob Monahan reported on Maloney Avenue and the trees have been removed. Jiffy Lube has been an ongoing problem and he spoke with their property manager who is out of Texas and the property is getting spruced up and the trash can that has been getting extra trash dumped in there has now been secured and the car that was there is now back at KOP. 9 Hamilton Avenue is being addressed. A notice has been left there in the mailbox. 70 East Taunton received a complaint about debris and pallets in the driveway and it has since been removed. On Cross Keys Road there are trees between the White Horse Pike and Park Drive which is a property belonging to the Gerard Estate that need to be addressed. A letter was mailed to the contact person on the deed and the issues will be rectified. The vacant lot to next to Venice Caterers at 271 Cross Keys Road has knocked down fence and open gate with all kinds of debris. Spoke with mother's owner and she was receptive to getting the property cleaned up. Craig Fallstick and Bob Monahan visited the Kohler property located at 103 Wattonstown-New Freedom Road and the owner does have a warrant out for his arrest for not being in compliance and this will be taken to a higher level. 4 Glenside is a property that is going into foreclosure and there is a realtor lock box located there so he will get in touch with the mortgage company to take care of the issue in the back yard with the water that is covering the pool.

CHIEF OF POLICE Michael DeLorenzo provided a report for the month of March 2014. Six Class II applications are currently under review and interviews should take place at the end of May. The Department completed the Distractive Driving Enforcement Campaign on April 21st and 194 summonses were issued during the overtime campaign. "Click it or Ticket" statewide Seatbelt Enforcement Campaign begins May 19th thru June

1st and the amount received for overtime is \$4,000.00. The borough website has been updated and residents can now fill out house checks and firearms applications. A full report is attached to these minutes.

MAYOR John Armano reported that he received a call from the Governor's office and the borough is receiving \$195,000.00 in grant money for the 2015 Road Program. In regard to the interest arbitration cap - the assembly speaker is still holding that from the floor to be voted on so we are still up in the air with that. It is imperative that letters be written to the senate so that bill can be passed or it will have a negative effect on the budget process. Met with Good Energy and will ask them to come to council to put on a presentation to show how money can be saved from the gas and electric bill.

BUILDINGS & GROUNDS, Chairman Gary Knight reported that the air conditioner at 131 S. White Horse Pike is leaking and it needs to be fixed. Also, water came into the basement at 59 S. White Horse Pike from the rain and DPW is taking care of it. The old Berlin post office is being moved and will be placed behind the hotel.

STREETS & ROADS, Chairman Jim Bilella was absent.

WATER & SEWER, Chairman Lynn Kupchik reported that the water flushing is over in Berlin and the water is now clear. Flushing will be done again in the fall. Four bids were received for the camera I&I study and we will go with the lowest responsible bidder. Solicitor George Botcheos reviewed the bids and took a look at the statutes because the one company that submitted a bid noted that the prevailing wage act did not apply. George also spoke with someone in Trenton and the contract can be awarded. In the event that the cost of the repair work is over \$50,000.00 then the prevailing wage does have to be paid. Also, Councilwoman Kupchik spoke about resolution R5-14 relating to the change order for Well #15 which will be approved. There has been no final approval as of yet from the DEP on the Well.

HEALTH & RECREATION, Chairman Jim Pearce spoke about a \$1,000.00 donation that will be given to the community center from the Youth Elite Sports and Sara McHugh will come to a caucus meeting to present the check. They will donate a total of \$2,000.00. There also is another group that contacted Councilman Pearce about a donation for the community center. Discussed meeting with Canal's to discuss details for a fundraiser at the community center.

PUBLIC SAFETY, Chairman Scott Scelso reported that the police department handled 1,966 calls for service for the month of March 2014. 389 summonses were issued along with 51 arrests, 8 DWI arrests, 14 warrant arrests and 21 drug arrests. 10,267 miles were put on the police vehicles during patrol and other duties. 45 motor vehicle accidents were reported with 9 resulting in injuries. The fire department had 61 calls for service for the month of March and 47 calls for service for the month of April. The EMS had a total of 206 calls for the month of March and 111 were Berlin Borough.

FINANCE, Chairman Nick Maccaroni reported that the budget for 2014 will be voted on and he thanked the auditor and CFO for being here in case anyone has any questions. We have not touched the school deferred taxes since 2010 so we have been doing a good job of being self-sustaining. The hit to legal will be around \$15,000.00. Memorial Day services will be held on May 26th at the monument and for more information you can get in touch with Charleen.

SOLICITOR, George Botcheos discussed resolution 5-19;2014 awarding a contract for a municipal attorney which is a house keeping issue changing the name to a corporate entity.

ADMINISTRATOR, Charleen Santora reported that a resolution will be added to the agenda in regard to the click it or tick it campaign. Clerk's office has been very busy with animal licenses and citations and if anyone has questions they can call her.

ORDINANCES; 2ND READING

(Ordinance 2014-05 and 07 must be adopted before budget is adopted)

2ND READING

ORDINANCE NO. 2014-05, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SEWERS"

Meeting open to the public.
Meeting closed to the public.

Motion to adopt Ordinance No. 2014-05 made by Councilwoman Kupchik, seconded by Councilman Pearce. All members present voted in favor.

ORDINANCE NO. 2014-07, 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)

Meeting open to the public.
Meeting closed to the public.

Motion to adopt Ordinance No. 2014-07 made by Councilman Maccaroni, seconded by Councilwoman Kupchik. All members present voted in favor.

2014 GENERAL, WATER & SEWER BUDGET

RESOLUTION R5-1;2014, A RESOLUTION TO READ BUDGET BY TITLE ONLY THE 2014 GENERAL, WATER & SEWER BUDGET, Whereas, N.J.S.A 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 to approve Resolution R5-1;2014 made by Councilman Maccaroni, seconded by Councilwoman Kupchik. All members present voted in favor.

2014 GENERAL, WATER & SEWER BUDGET APPROPRIATING \$7,240,555.76 IN GENERAL, \$2,865,528.00 IN WATER, AND \$746,000 IN SEWER.

Hearing open to the public
Hearing closed to the public.

Motion to adopt the 2014 General, Water & Sewer Budget made by Councilman Scelso, seconded by Councilman Maccaroni. All members present voted in favor.

ORDINANCES:

2ND READING

ORDINANCE 2014-04. SALARY ORDINANCE AMENDS SALARY ORDINANCE 2014-01 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED “SALARIES”

Meeting open to the public.
Meeting closed to the public.

Motion to adopt Salary Ordinance 2014-04 made by Councilman Pearce, seconded by Councilman Knight. All members present voted in favor.

ORDINANCE 2014-06. AN ORDINANCE OF THE BOROUGH OF BERLIN, IN THE COUNTY OF CAMDEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE BOROUGH’S WATER UTILITY SYSTEM AND RELATED EXPENSES AND APPROPRIATING \$200,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$200,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE BOROUGH TO FINANCE SAID PURPOSES; AND PROVIDING FOR OTHER MATTERS RELATING THERETO

Meeting open to the public.

Meeting closed to the public.

Motion to adopt Ordinance No. 2014-06 made by Councilwoman Kupchik, seconded by Councilman Knight. All members present voted in favor.

INTRODUCTION OF ORDINANCE:

ORDINANCE NO. 2014-08, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 246 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "PROPERTY MAINTENANCE"

Motion to introduce Ordinance 2014-08 made by Councilman Maccaroni, seconded by Councilman Pearce. All members present voted in favor.

RESOLUTIONS:

Meeting open to the public on Resolutions R5-2 through R5-22; 2014.

Meeting closed to the public.

RESOLUTION R5-2; 2014, AUTHORIZATION TO ACCEPT THE RESIGNATION OF FIRE SUB CODE OFFICIAL RICHARD NAPIER FROM HIS POSITION EFFECTIVE MARCH 27, 2014.

RESOLUTION R5-3;2014, APPOINTMENT OF RONALD J. SNYDER TO THE POSITION OF FIRE SUB CODE OFFICIAL EFFECTIVE APRIL 14, 2014 TO FILL THE POSITION OF RICHARD NAPIER WHO RESIGNED MARCH 27, 214 FOR THE ANNUAL SALARY OF \$2601.00.

RESOLUTION R5-4;2014, A RESOLUTION AUTHORIZING THE TAX REFUND FOR BLOCK 2008 LOT IN THE AMOUNT OF \$1582.52 DUE TO MORTGAGE COMPANY OVERPAYMENT.

RESOLUTION R5-5;2014, A RESOLUTION AUTHORIZING A WATER PAYMENT REFUND IN THE AMOUNT OF \$27.90 DUE TO TITLE COMPANY OVERPAYMENT.

RESOLUTION R5-6;2014, AUTHORIZATION TO WAIVE ANY FEES FOR CONSTRUCTION PERMITS AND ELECTRICAL PERMITS FOR THE FAITH UNITED CHRISTIAN CHURCH, 119 WASHINGTON AVENUE, BERLIN PER REQUEST FROM REV. WALTER A. MCDANIEL

RESOLUTION R5-7; 2014, APPROVAL FROM BOROUGH COUNCIL TO PERMIT THE VFW OF BERLIN TO USE THE 2ND SENIOR BUS FOR MEMORIAL DAY TO TRANSPORT INDIVIDUALS TO THE MEMORIAL DAY SERVICES

RESOLUTION R5-8;2014, AUTHORIZATION TO APPROVE THE COST FOR SURVEY AND DESIGN SERVICES TO DEVELOP AN ENGINEERED GRADING PLAN FOR THE AREA ASSOCIATED WITH THE LONG TERM PLAN FOR THE BOROUGH POLICE STATION ADDITION FOR THE COST OF \$7524.00. (CFO has certified the funds)

RESOLUTION R5-9;2014, AUTHORIZATION FROM BOROUGH COUNCIL FOR CHARITABLE SOLICITATION (COIN DROPS) TO BE DONE BY THE BERLIN FIRE COMPANY # 1 IN THE BOROUGH OF BERLIN ON MAY 1, 2014 AND SEPTEMBER 20, 2014.

RESOLUTION R5-10; 2014, AUTHORIZATION TO REFUND DEVELOPERS ESCROW IN THE AMOUNT OF \$37.50 FOR BLOCK 2100, LOT 2.08 DUE TO ACCOUNT BEING CLOSED.

RESOLUTION R5-11; 2014, AUTHORIZATION TO REFUND DEVELOPER'S ESCROW IN THE AMOUNT OF \$261.85 FOR BLOCK 2501, LOT 8 DUE TO ACCOUNT BEING CLOSED.

RESOLUTION R5-12; 2014, AUTHORIZATION TO REFUND DEVELOPER'S ESCROW IN THE AMOUNT OF \$165.00 FOR BLOCK 2503, LOT 12 DUE TO ACCOUNT BEING CLOSED.

RESOLUTION R5-13;2014, AUTHORIZATION TO REFUND DEVELOPER'S ESCROW IN THE AMOUNT OF \$72.50 FOR BLOCK 700, LOT 11 DUE TO ACCOUNT BEING CLOSED.

RESOLUTION R5-14;2014, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE CHANGE ORDER NO.1 FOR UNI TECH DRILLING CO, FRANKLINVILLE N J PER RECOMMENDATION FROM PENNONI FOR WORK ALREADY COMPLETED IN THE AMOUNT OF \$28,022.80. (CFO HAS CERTIFIED FUNDS)

RESOLUTION R5-15;2014, A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE **YEAR 2013** FOR \$60,000.

RESOLUTION R5-16;2014, A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE **YEAR 2014** FOR \$60,000.

RESOLUTION R5-17; 2014, AUTHORIZATION THE TAX REFUND FOR BLOCK 2008, LOT 3 IN THE AMOUNT OF \$1,582.52 DUE TO MORTGAGE COMPANY OVERPAYMENT.

RESOLUTION R5-18;2014, APPROVAL TO AWARD CONTRACT FOR CLEANING AND VIDEO TAPING TO RUSSELL REID WASTE HAULING & DISPOSAL SERVICES, 200 SMITH STREET, KEASBEY, NJ FOR THE AMOUNT OF \$26,998.50. (CFO has certified the funds).

RESOLUTION R 5-19;2014, RESOLUTION AWARDED CONTRACT FOR MUNICIPAL ATTORNEY.

RESOLUTION R5-20;2014, APPROVAL FROM BOROUGH COUNCIL FOR COURT TO CANCEL CHECKS TOTALING \$51.00 THAT HAVE BEEN OUTSTANDING FOR MORE THAN ONE YEAR.

RESOLUTION R5-21;2014, A RESOLUTION AUTHORIZING THE TAX REFUND FOR BLOCK 2504, LOT 21 IN THE AMOUNT OF \$1559.79 TO LIEN HOLDER KKR HOLDING, LLC DUE TO DUPLICATE PAYMENT.

Motion to adopt Resolutions R5-2; 2014 through R5-22; 2014 made by Councilman Pearce, seconded by Councilman Knight. All members present voted in favor.

PAYMENT OF BILLS FOR THE MONTH OF APRIL, 2014 IN THE AMOUNT OF \$2,646,871.53

Motion to approve made by Councilman Maccaroni, seconded by Councilwoman Kupchik. All members present voted in favor.

Next scheduled caucus meeting will be held on Tuesday, May 27, 2014 at 7 pm.

Motion to adjourn made by Councilwoman Kupchik. All members present voted in favor.

Charleen Santora
RMC