

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
THURSDAY, OCTOBER 15, 2015
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN NJ
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 posted on the Borough Hall Bulletin Board showing the date, place and time of said meeting.

ROLL CALL: Mayor John J. Armano, Council President Lynn Kupchik, Council members Bilella, Pearce, Knight, Miller and Badolato.

PRESENT ALSO: Solicitor Howard Long, Chief of Police Michael DeLorenzo, DPW Superintendent Mark Mauger, and Administrator Charleen Santora.

APPROVAL OF MINUTES:

Council meeting of September 10, 2015
 Closed session of September 10, 2015
 Caucus meeting of October 6, 2015

Motion to approve made by Pearce, seconded by Badolato. All members present voted in favor with the exception of Kupchik and Miller who both abstained from voting on the Caucus meeting minutes of October 6, 2015.

DEPARTMENT HEAD REPORTS FOR SEPTEMBER 2015:

Tax Collectors report	\$254,613.97
Utility report	\$767,345.45
Municipal Clerk's report	\$ 3,127.00
Construction permit fees	\$ 6,640.00
Municipal Court	\$ 16,123.14
Community Center	\$ 1,375.00
Zoning Fees	\$ 180.00
Rental Inspection fees	\$ 1,400.00
Resale Inspections	\$ 600.00
Re -Inspections	\$ 200.00
Zoning report submitted	

EMS

207 calls

Motion to approve made by Bilella, seconded by Kupchik. All members present voted in favor.

PRIVILEGE OF FLOOR AND ON RESOLUTIONS:

Dolores Motluck – 1 Stafford Court – Ms. Motluck asked Solicitor Howard Long about the rumor going around that he cost the borough over \$300,000.00 in the past years and wanted to know if it was true. Howard provided an explanation basically stating that for the past 32 years that he has been an attorney and he has never been served with an ethical violation and he represents over 25 governmental agencies. The answer to Ms. Motluck's question was no, he did not cost the borough over \$300,000.00.

Jay Happold – 101 Glacier Drive – Mr. Happold spoke to the governing body about a safety concern on the corner of Berlin-Cross Keys Road and Crater Street relative to school age children. A letter is attached to these minutes.

COUNCIL/DEPARTMENT HEAD REPORTS:

- **POLICE CHIEF**, Michael DeLorenzo reported that four officers, Kernan, Feger, Varano and Marrlow have been recognized by the Camden County Board of Freeholders' Addiction Awareness Task Force and the Camden County Chief's Association on October 7th at a luncheon that was held at the Collingswood Ballroom. Also, the department accumulated 77 pounds of prescription medications for the National take back initiative. The Police Department participated in the Berlin Fire Companies Fire Prevention Night and he said that the Fire Department did a great job. Fall Fest is coming this weekend October 17th from 10 to 4pm and officers will be at their booth location throughout the day. In honor of National Coffee Day, the department is inviting residents to come out and have coffee with the officers at the Franklin Avenue and White Horse Pike Wawa between 9 and 11am on October 24th. October 30th is the Berlin Police's 3rd Annual Blood Drive from 2-pm at the Berlin Community Center. Lastly, the hours for Trick or Treating are going to be from 4-8pm on Saturday, October 31st.
- **DPW SUPERINTENDENT**, Mark Mauger did not have anything to report, but is available for questions during Councilwoman Kupchik's report.
- **BUILDINGS & GROUNDS**, Chairman Len Badoloto reported that the sidewalk has been repaired out front of the municipal building. He is waiting to hear from Walter signs about the logo for the entrance to borough hall. As far as the trash cans go for the White Horse Pike downtown area, he is looking into other options and is working on getting prices. Charleen will report on the video recordings for the meetings. Also, Councilman Badoloto reported that he has been informed that the library roof is leaking.

- **STREETS & ROADS**, Chairman Gary Knight reported that the Taunton Avenue project is complete and it looks great. The Laurel Avenue project has been completed as well. Haines Avenue project punch list is pretty much complete and the sidewalk is going to be finished tomorrow. He discussed some cross streets such as Marshall, Bishop and Pine in regards to children's safety walking to school. A meeting did take place to go over some options to remediate the safety issue and there is an ordinance on the agenda for introduction relative to those specific streets. Councilman Knight did mention that grant money is not as plentiful as it used to be. Two speed humps have been placed at Franklin Avenue for the safety of the children and he thanked Jennifer Adair-LaFontaine and her sister Charlene Galiano for their efforts and feedback. He also thanked Lt. Beasley for efforts relative to getting the traffic study done.
- **WATER & SEWER**, Chairman Lynn Kupchik discussed the second stage remediation and that the bids came in too high. She said there is still rusty water and studies were done on the flow of the water in the areas that the rust was showing up. Although the water is not harmful and is safe the priority does have to be water; to make improvements to Katherine Avenue the cost is going to be about \$300-400,000.00. The idea is to have a 5 year plan and to continue to upgrade the infrastructure. There was discussion between the governing body and DPW Superintendent Mark Mauger about initiating the effort and a resolution does not need to be done if strictly done in house. Councilwoman Kupchik reminded everyone about Fall Fest being held Saturday from 10-4pm. She needs some volunteer's from council to be judges for the car show and for Berlin's Got Talent. There is going to be sumo wrestling, bands and good day should be had by all.
- **PUBLIC SAFETY**, Chairman James Pearce reported that he attended Fire Prevention night and said that the fire department is very much appreciated. He thanked the police department as well for their participation and said that the night was a big success. Councilman Pearce provided the statistical report for the Police Department for the month of September 2015. The department handled 1,431 calls for service. 251 summonses were issued along with 46 arrests, 5 DWI arrests, 12 warrant arrests and 15 drug arrests. 36 motor vehicle accidents were reported with 4 resulting in injuries. A full report is attached to these minutes. The speed humps on Franklin Avenue are working out and so far he hasn't heard anything negative about them. The Home and School Association had a movie night on Friday, September 25th at the Community Center and Councilman Pearce said it was good to be there and the Celebration Committee can do something like that in the future as well.
- **HEALTH & RECREATION**, Chairman Rick Miller reported that there is a condensation issue going on at the Community Center. He met with Engineer Hugh Dougherty and discussed some options such as installing a fan. Rick will work on getting some quotes. Hugh also suggested putting together a wish list and budget for the future. Councilman Miller met with Andrew Lavaca from the

County to discuss implementing bike paths in the borough; the borough would pay for the studies and then the county would look for grants. Also, the county passed a resolution and they will be making improvements to the Berlin Park the first quarter of 2016. Councilman Miller has the schedule of dates that the Celebration Committee will be meeting and he will submit them to her so she can post them on the borough website.

- **FINANCE**, Chairman Jim Bilella discussed two ordinances that are on the agenda providing and explanation as to why they are being introduced (Ordinance 2015-22 and Ordinance 2015-23). Councilman Bilella also spoke about getting prepared for next year's budget; now is the time to start thinking ahead as well as gather information from the department heads. He discussed the importance of investing in the town as far as the Master Plan goes; this includes enhancing the downtown area and the sidewalks. The Master Plan is certain requirements set forth by the State and must be done every ten years. Although there are still two more years left to do the Master Plan Councilman Bilella thinks that it is time to envision the town that we want to have in the community. It is also time to think about the economic re-development zones and the areas in need. He discussed the importance of strengthening the commercial core in Berlin without raising taxes.
- **MAYOR**, John Armano reported that he has been put on the Steering Committee by the county for the improvements to Tansboro Road and he will report back on the progress to council. He attended the NJ Conference of Mayor's meeting in Trenton and several issues were discussed; Bill A-4565 which applies to the Local Public Contracts Law (Pay to Play Law). The bid threshold amount is \$17,500 and if you have a certified purchasing agent then the threshold is \$36,000. However, we can never go to the \$36,000 threshold due to the laws contradicting each other. The bill is allowing for the laws to not contradict each other so we will be able to go to the \$36,000.00 threshold if passed. Atlantic City Electric also reported at the meeting in regard to the June 23rd storm. There was communication breakdown between ACE and Verizon; new policies and procedures will be implemented moving forward to avoid any breakdowns in the future. Mayor Armano had a meeting with the new owners of the Berlin Farmer's Market; they are putting a 5-7 year plan in place relative to parking, aesthetics and plan to make a lot of improvements. Also, the Berlin Brewery has received all of the approvals from the ABC and they will have a grand opening in mid-November.
- **SOLICITOR**, Howard Long said that he will have items to discuss in executive session such as police negotiations and he also spoke about the ordinance on the agenda relative to vehicles and traffic.
- **ADMINISTRATOR**, Charleen Santora reported that the microphones have been installed in the court office, tax office and clerk's office. She is working on getting a price for a camera for the meetings from Starlight Productions; she is looking to get a price that will include the camera and the mounting. Also, the

CFO and Treasurer met with three different payroll companies to discuss outsourcing payroll; employees will be getting weekly paychecks in January. Charleen spoke to the governing body about Robert Monahan's resignation from his position as the Property Maintenance Official; she needs a motion and a second to formally accept his resignation. Mayor Armano asked for a motion; Kupchik made a motion, seconded by Badolato. All members present voted in favor.

ORDINANCES:

• **2ND READING**

ORDINANCE NO. 2015-20, AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF BERLIN MODIFYING THE FEES RELATING TO NEW JERSEY UNIFORM FIRE CODE INSPECTIONS AND FEES

Meeting open to the public.

Meeting closed to the public.

Motion to adopt Ordinance No. 2015-20 made by Pearce, seconded by Miller. All members present voted in favor.

• **1ST READING**

ORDINANCE NO. 2015-21, AN ORDINANCE AMENDING CHAPTER 315, SECTION 48 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED VEHICLES AND TRAFFIC

Motion to introduce by title only made by Pearce, seconded by Bilella. All members present voted in favor.

ORDINANCE NO. 2015-22, AN ORDINANCE AMENDING CHAPTER 218, SECTION 2 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED MERCANTILE LICENSES

Motion to introduce by title only made by Bilella, seconded by Badolato. All members present voted in favor.

ORDINANCE NO. 2015-23, AN ORDINANCE RESCINDING CHAPTER 86 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED AMUSEMENT DEVICES

Motion to introduce by title only made by Bilella, seconded by Kupchik. All members present voted in favor.

RESOLUTIONS:

R10-2-2015, A RESOLUTION AUTHORIZING THIRD QUARTER 2015 UTILITY BILL ADJUSTMENTS AS FOLLOWS:

14 Constitution Blvd	meter in backwards	-53,600.60 - TABLED
10 Day Avenue	new meter account	+250.50
6 Harmony Lane	new meter account	+55.00
115 Piedmont Blvd	new meter account	+309.50
4 Vienna Lane	new meter account	-524.00
30 S. Rose Lane	meter frozen	+106.00
121 Franklin Ave	meter frozen	+359.00
200 First Ave	meter frozen	+274.50
299 Rte 73	broken curbstop	-1,693.50

R10-3-2015, AUTHORIZATION TO APPROVE A MERCANTILE LICENSE FOR ERNEST TETTEH-OBUBI T/A GREEN LIGHTS LOGISTICS, LLC LOCATED AT 259 WATSONTOWN-NEW FREEDOM ROAD, BERLIN, NJ FOR A LOGISTICS COMPANY

R10-4-2015, AUTHORIZATION TO APPROVE A MERCANTILE LICENSE FOR TINA TOWNSEND T/A THE THREE POOCHES, LLC LOCATED AT 136 S. WHITE HORSE PIKE, BERLIN, NJ FOR A PET GROOMING BUSINESS

R10-5-2015, A RESOLUTION AUTHORIZING BERLIN BOROUGH'S CONTINUED PARTICIPATION IN THE MUNICIPAL CONSORTIUM FOR THE PURPOSES OF ENGAGING AN EXPERT FOR THE PREPARATION OF STATEWIDE, REGIONAL AND MUNICIPAL FAIR SHARE NUMBERS AND RETENTION OF A NEW EXPERT CONSULTANT

R10-6-2015, AUTHORIZATION FROM BOROUGH COUNCIL TO APPOINT BILL BANSCH TO THE POSITION OF PROPERTY MAINTENANCE OFFICIAL EFFECTIVE OCTOBER 3, 2015 FOR AN ANNUAL SALARY OF \$6030.00 PER 2015 SALARY ORDINANCE

R10-7-2015, AUTHORIZATION TO RELEASE THE MAINTENANCE BOND FOR WAWA #8310 LOCATED ON THE WHITE HORSE PIKE IN THE AMOUNT OF \$39,144.20 AS PER RECOMMENDATION FROM PENNONI ASSOCIATES

R10-8-2015, A RESOLUTION TO APPROVE THE REFUND OF OVERPAYMENTS FOR THE BERLIN BOROUGH MUNICIPAL COURT IN THE AMOUNT OF \$761.00

R10-9-2015, AUTHORIZATION TO APPROVE A MERCANTILE LICENSE FOR STEVE CHALAKO T/A ELITE TAX PREP AND NOTARY SERVICE LOCATED AT 33 W. WHITE HORSE PIKE, BERLIN, NJ FOR A TAX PREPARTION AND NOTARY SERVICE BUSINESS

R10-10-2015, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE THE BEST PRACTICES PROCEDURES IN COMPLIANCE WITH THE LOCAL FINANCE BOARD

R10-11;2015, AUTHORIZATION FROM COUNCIL FOR PENNONI ASSOCIATES TO APPLY TO THE NJDOT FOR THE 2016 MUNICIPAL AID APPLICATION

R10-12;2015, APPROVAL FROM BOROUGH COUNCIL TO AUTHORIZE PENNONI ASSOCIATES TO AWARD MARTIN ACKLEY ASSOCIATES FROM ATCO, NJ FOR THE TEST CORES NEEDED ON TAUNTON AVENUE TO CLOSE OUT THE NJDOT GRANT APPLICATION IN THE AMOUNT OF \$800 THE LOWEST OF THREE QUOTES

R10-13;2015, APPROVAL FROM COUNCIL TO LIEN ARMSTRONG CAPITAL IN THE AMOUNT OF \$2275.00 FOR CLEANUP FEES AND FOR THE REMOVAL OF A SIGN THAT WAS DEEMED AN UNFIT STRUCTURE PER ORDINANCE NO. 2011-13

Motion to adopt Resolution R10-2;2015 through R10-13;2015 made by Pearce, seconded by Bilella. All members present voted in favor.

PAYMENT OF THE BILLS FOR SEPTEMBER 2015 IN THE AMOUNT OF \$1,149,802.42

Motion to approve made by Bilella, seconded by Kupchik. All members present voted in favor.

PRIVILEGE OF FLOOR:

There was no public comment.

EXECUTIVE CLOSED SESSION TO DISCUSS PERSONNEL MATTERS IN REGARDS TO FOREMAN JOHN ALLSBROOK AND DISCUSSION IN REGARDS TO POLICE NEGOTIATIONS:

Motion to go into closed session made by Bilella, seconded by Knight. All members present voted in favor.

Motion to go back into open session made by Pearce, second by Knight. All members present were in favor.

Motion to adjourn made by Pearce, seconded by Badolato. All members present were in favor.

A handwritten signature in cursive script, appearing to read "Charleen Santora".

Charleen Santora, RMC/Borough Clerk