

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 12, 2015
BERLIN COMMUNITY SCHOOL
SOUTH FRANKLIN AVENUE
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 advertised in the Courier Post and posted on the Borough Hall Bulletin Board and on the Berlin Website showing the date, place and time of said meeting.

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

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

APPROVAL OF MINUTES:

Council meeting of January 20, 2015
Caucus meeting of February 3, 2015

Motion to approve made by Councilman Pearce, seconded by Councilman Bilella. All members present were in favor. Councilman Miller abstained from approving the January 20, 2015 Council minutes.

APPROVAL OF DEPARTMENT HEAD REPORTS FOR THE MONTH OF JANUARY, 2015:

Tax Collector's report	\$1,620,138.64
Utility report	192,660.45
Construction fees	3,590.00
Community Center	10,874.00
Resale inspection fees	350.00
Rental inspection fees	300.00
Municipal Clerk's report	1,455.90
Animal license	1,100.40
Court administrator's fees	13,989.32

Motion to approve made by Council President Kupchik, seconded by councilman Pearce. All members present were in favor.

PRIVILEGE OF FLOOR:

Ron Rocco- 25 Carriage Stop Drive – Mr. Rocco asked what Ordinance No. 2015-01 was exactly. Charleen explained that it is the salary ordinance for 2015 for those employees who have contracts which have already been settled. The rate changes for those employees at the beginning of the year.

COMMITTEE REPORTS, DEPARTMENT HEAD REPORTS, DISCUSSION:

BUILDING & GROUNDS, Councilman Badolato was absent.

STREETS & ROADS, Councilman Knight reported that the Malan Avenue Reconstruction Project has now been completed. Several stop signs have been replaced around the borough; Jefferson and Hamilton, Washington and Route 73, and Heights and Park Ave. We also have a listing of county roads that may have potholes and they can be reported to the county engineer. Any potholes seen on any other borough road can be reported to the Administrator or DPW. There is contact information on the borough website if anyone needs to report a pothole.

WATER & SEWER, Council President Kupchik reported that the water and sewer department finished the Phase I of the pipeline remediation; there is a resolution on the agenda for a change order which is a decrease of \$10,687.00 (Resolution R2-1-2015). We contacted the CCMUA to determine how much of an impact this has had and then we will be moving on the Phase II of the sewer rehabilitation project. Also, Council President Kupchik reported that there was a meeting with the engineer due to the issues with the water system in West Berlin; The quality and purity of the water is being affected by a lot of iron. A study of the water flow will be done and a significant amount of funds will be allocated and used over the next four to five years to maintain. Council President Kupchik reminded everyone about the Business Association’s cocktail party that is being held in 2 weeks at Paris Caterers from 6-8:00pm. Also, if there is a business in town that would like to join the association the fee is \$100.00. More information on the cocktail party can be found on the borough’s website.

HEALTH & RECREATION, Councilman Miller reported that on March 3rd the Board of Health will meet and discuss the free rabies clinic that will be held on March 28th from 10-12:00 pm in the DPW garage. Also, as mentioned before, the community center has generated \$10, 874.00 for the month of January; in 2013 the community center for the entire year generated a total of \$17,500.00 and in 2014 the community center generated a total of \$30, 655.00. The community center continues to be utilized increasingly more and more each month. Councilman Miller is working with Debbie Simone to balance out the schedule and he has met with the majority of the heavy users of the center to ensure that their organizations within the borough get their fair share and time slots to use the center. Five tables were damaged in the center and will be replaced this month for a total of \$200.00. We have gotten great feedback from the users of the center; so far things have been going well.

PUBLIC SAFETY, Councilman Pearce reported that the Fire Chief is going to be putting together a resolution for a shared services agreement; council will see that at the caucus meeting if they have any questions. Also, Bill Behnke is finishing up the process of hiring a fire inspector and once he is finished with interviews he will make a recommendation and inform the Administrator; council will see a resolution relative to that as well in the near future. The Police Chief and Public Safety Committee have been working on several things and Councilman Pearce along with council's approval would like to authorize the Police Chief to hire another Class II officer that can be utilized up to 29 hours a week; if there are no objections from council than Councilman Pearce would like to have the Chief of Police set up interviews for the next meeting. Since there were not any objections from council the Chief will move forward bringing applicants in to interview.

FINANCE, Councilman Bilella reported on the borough hall expansion and renovations; He provided council with breakout of all costs to date as well as an analysis of where costs are going. There have been some unforeseen costs relative to flooring, tile and roofing repairs. Basically, we are under the overall budget and there will be more discussion at the next caucus meeting. Also, he has had a discussion with Councilman Badolato about buildings and grounds and he will be transitioning the completion of the renovations on the municipal building project over to him. As far as finance issues goes; the budget workshop will be held on February 19th; department heads will present their budget requests to the council which will be an informative session to get a better understanding of where money goes on a line by line basis. There will be a second budget workshop with DPW as well. Councilman Bilella was present at the Planning Board meeting and he reported that there was a case that involved helping a new business open in Berlin; Planning Board was able to make progress while still working through some issues. He also spoke about meeting with the Solicitor about working with the Planning Board on permitting microbreweries to open businesses in commercial zones; it's a trendy business in these times and would be good for the town. He commends the planning board for working really hard for trying to overcome some of the difficult challenges that are presented. Councilman Bilella spoke about resolutions on the agenda for approval in regard to change orders (R2-8;2015 and R2-9;2015); they are necessary to complete the project. Also, in regard to the Malan Avenue Project we were able to do the additional interaction at Briar Hill and Wayside while reducing the overall contract by \$16,000.00.

MAYOR, John Armano reported on the new law signed by the Governor having to do with traffic calming measures; the borough is unable to use that law to reduce the speed limit on the White Horse Pike and Clementon Road; so the Mayor is continuing his efforts with the county to get the speed limit lowered on those two roads. Tonight he was on a conference call with the Conference of Mayors relative to the Transportation Trust Fund; it is becoming a critical issue and there has not been any resolution as how to fund that bill. The public is saying that they do not want the gas tax; initially they discussed raising the gas tax \$.11 to subsidize the Transportation Trust Fund; the Governor, Senator Sweeny and Speaker of the House are looking into short term bonding to get us through

to 2016. Grant money for streets and roads comes from the Transportation Trust Fund; all the repairs to highways and bridges are paid for with that money. The walkway is closed on the bridge going over to Berlin Twp at 561 and won't be repaired until we get the money through the trust fund. They are urging council to put a resolution on supporting the efforts of the legislature to get something in effect. (Resolution was added to agenda for approval). Mayor Armano met with Verizon this week and worked out a better deal on one of the parts of the Verizon bill and he was able to negotiate a costs savings of \$1,000.00 a year. Last night there was a meeting at 41 Monmouth Avenue in regard to the group home that Rutgers University purchased; Mayor and Council were not notified that this group home is going in to our residential area. There was public meeting held at 41 Monmouth Avenue last night and about 100 residents attended; Mayor Armano, Councilman Pearce and Councilman Badolato were all present as well. The Mayor approached the CEO from Rutgers Behavioral Health and asked him if he would have a public meeting at the community center, but hasn't heard back from him as of yet. Mayor Armano also had a discussion with the Solicitor about this and was in contact with the State Behavior of Health and talked to them about setting up a meeting to go over the law and be clear on what Rutgers plans to do with the location. The Solicitor has also called two divisions of the state and is gathering more information. We are trying to get a meeting together for the public so that we can inform everyone of how this group home is going to work.

CHIEF OF POLICE, Michael DeLorenzo reported that during the month of January the department handled 1,532 calls for service. 219 summonses were issued along with 15 arrests, 4 DWI arrests, 10 warrant arrests and 5 drug arrests. 37 motor vehicle accidents were reported with 4 resulting in injuries. Attached to these minutes is a full, detailed report.

DPW SUPERINTENDENT, Mark Mauger did not have anything to report.

SOLICITOR, Howard Long reported that he is working with several committees and appreciates them seeking his insight and legal advice. Also, he has had interaction with the Mayor on several different issues, especially about group homes being placed in municipalities. Municipalities cannot regulate the group homes; it is not doable by state law. Howard has had past experience with this issue and took part in crafting an ordinance in 1993, was involved in litigation and the community he was working with was advised that municipalities cannot enact any regulations. The State has been given the authority to license, locate and approve the internal operations and management of practices and procedures of those facilities. There is a letter from Howard posted on the borough's website which gives his legal opinion in regard to what municipalities can and can't do relative to group homes. Howard has also made two calls; one to the Division of Developmental Disabilities and the other to the Division of Mental Health. Again, the Mayor and council were not notified, but even if they were we are not permitted to notify the residents. The state needs to be involved in providing information. He has been working on some of the suggestions from the Planning Board on zoning ordinances relative to solar panels and cell towers; also working on looking further into tax

abatements and whether or not an ordinance should be drafted. He has also been talking with Councilman Badolato about a sign ordinance and he is working on that.

ADMINISTRATOR , Charleen Santora reported that resolution R1-25;2015 needs to be amended to change the dollar amount Councilman Pearce made a motion to amend the resolution, seconded by Councilman Bilella. All members present were in favor. Some resolutions have been added to tonight's agenda; R2-10 through R2-12. She provided an explanation for each resolution. She spoke with Tom Reilly from Atlantic City Electric and informed council that the eight street lights that are out on the White Horse Pike are due to underground wiring. ACE is responsible for the repair and it will disturb the power and concrete pavers. Tom will meet with Mark Mauger to go over this. There is a budget workshop being held February 19 2015 at 7:00 pm and it has been advertised; the meeting is open to the public. All offices will be closed on Monday, February 16th in observance of Presidents' Day.

ORDINANCES:

ORDINANCE NO. 2015-01, AN ORDINANCE AMENDING ORDINANCE NO. 2014-01, SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SALARIES"

Motion to introduce made by Councilman Miller, seconded by Councilman Bilella. All members present were in favor.

ORDINANCE NO. 2015-02, AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF BERLIN ENTITLED "DEALERS IN PRECIOUS METALS, GEMS AND SECONDHAND GOODS"

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

RESOLUTIONS:

Meeting open to the public on Resolutions R2-1 through R2-14;2015.

Meeting closed to the public on Resolutions.

RESOLUTION R2-1;2015, A RESOLUTION APPROVING A CHANGE ORDER DECREASE FROM INSITUFORM TECHNOLOGIES, INC. FOR THE PIPELINE REHABILITATION PROJECT IN THE AMOUNT OF \$10,687.40 FOR QUANTITIES, UNITS AND UNIT PRICE CHANGES

RESOLUTION R2-2;2015, A RESOLUTION AUTHORIZING THE REFUND OF DEVELOPER ESCROW BALANCE FOR BLOCK 10.01, LOTS 2,3, AND 7.01 IN THE AMOUNT OF \$16.25, BLOCK 1306, LOT 5 IN THE AMOUNT OF \$557.83,

BLOCK 2501, LOT 6 IN THE AMOUNT OF \$115.00 AND BLOCK 1310, LOT 8 IN THE AMOUNT OF \$372.00

RESOLUTION R2-3;2015, A RESOLUTION OF THE BOROUGH OF BERLIN AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997

RESOLUTION R2-4;2015, APPROVAL OF MERCANTILE LICENSE FOR DANIEL PLATA, T/A MART TRADING POST, INC. AT THE BERLIN MART, 41 CLEMENTON ROAD, BERLIN FOR THE SALE OF ELECTRONICS, MUSIC EQUIPMENT AND TOOLS

RESOLUTION R2-5;2015, APPROVAL OF MERCANTILE LICENSE FOR SHEILA HEMINGWAY, T/A PHASE ONE UNISEX HAIR DESIGN STUDIO, LLC FOR THE SALE OF HAIR PRODUCTS LOCATED AT 130 W. WHITE HORSE PIKE, BERLIN NJ

RESOLUTION R2-6;2015, A RESOLUTION AUTHORIZING TAX REFUNDS IN THE AMOUNT OF \$4,425.01 FOR THE FOLLOWING BLOCKS AND LOTS;

2203/25	\$1910.99	REFUND DUE TO SALE
1902/3	609.85	EXEMPT VETERAN
905/1	1,124.33	MORTGAGE OVER PAYMENT
1003/6	779.84	MORTGAGE OVERPAYMENT

RESOLUTION R2-7;2015 AUTHORIZATION TO APPROVE THE LIBRARY TRUSTEES FOR THE MARIE FLECHE MEMORIAL LIBRARY RECOMMENDED BY THE MAYOR WITH APPROVAL FROM COUNCIL;

JOHN ARMANO	MAYOR
TONY TRONGONE	COMMUNITY SCHOOL SUPERINTENDENT
MILLARD WILKINSON, JR.	5 YEAR 12/31/19
ALAN NICKERSON	4 YEAR 12/31/18
TINA HOFFMAN	5 YEAR 12/31/19
NANCY GROVER	3 YEAR 12/31/17
JANET GUERERE	2 YEAR 12/31/16
BOB FOSTER	1 YEAR 12/31/15

RESOLUTION R2-8;2015, APPROVAL OF THE FOLLOWING CHANGE ORDERS FROM MJF ELECTRICAL CONTRACTING OF TREVOSE PA FOR ADDITIONAL WORK AND NEEDS FOR THE POLICE STATION AS FOLLOWS;

CHANGE ORDER # 16	\$15,338.91	ADDITIONAL ELECTRICAL REQUIREMENTS
CHANGE ORDER # 17	4,810.32	ADDITIONAL ELECTRICAL REQUIREMENTS

CHANGE ORDER # 18	4,033.42	ADDITIONAL ELECTRICAL REQUIREMENTS
CHANGE ORDER # 20	3,408.08	ADDITIONAL ELECTRICAL REQUIREMENTS
CHANGE ORDER # 21	1,557.90	ADDITIONAL ELECTRICAL REQUIREMENTS

CFO HAS CERTIFIED TOTAL AMOUNT FOR \$29,148.63.

RESOLUTION R2-9;2015, APPROVAL OF CHANGE ORDER # 23 FROM FASOLINO CONTRACTING OF SEWELL NJ IN THE AMOUNT OF \$19,998.00 FOR THE INSTALLATION OF TERRAZZO AT THE POLICE STATION (**CFO HAS CERTIFIED THE FUNDS**)

RESOLUTION R2-10;2015, A RESOLUTION OF THE BOROUGH AMENDING RESOLUTION R1-17;2015, THE CASH MANAGEMENT PLAN ADDING TO SECTION III, C THE MARIE FLECHE LIBRARY FOR TAX PAYMENTS ACCORDING TO SCHEDULES

RESOLUTION R2-11;2015, APPROVAL FROM BOROUGH COUNCIL PER RECOMMENDATION FROM CHRIS NORMAN FROM RAYMOND/COLEMAN/HEINOLD AND NORMAN, SPECIAL COUNCIL FOR WELL # 12 LITIGATION TO ENTER IN THE SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF BERLIN AND REMINGTON & VERNICK ENGINEERS et. al

RESOLUTION R2-12;2015, AUTHORIZATION FROM COUNCIL TO ACCEPT THE RECOMMENDATION FROM THE BOROUGH ADMINISTRATOR AND DPW SUPERINTENDENT TO HIRE APPLICANT KEITH CHARLES MILLER OF ATCO, N J FOR THE LABORER'S POSITION AT THE DEPARTMENT OF PUBLIC WORKS EFFECTIVE MARCH 9, 2015

RESOLUTION R2-13;2015,

RESOLUTION R2-14;2015,

Motion to adopt Resolutions R2-1 through R2-14;2015 made by Councilman Pearce, seconded by Councilman Biella. All members present were in favor.

PAYMENT OF THE BILLS FOR THE MONTH OF JANUARY, 2015 IN THE AMOUNT OF \$2,877,708.43

Motion to approve made by Council President Kupchik, seconded by Councilman Knight. All members present were in favor.

PRIVILEGE OF FLOOR:

Millard Wilkinson – 9 Tavistock Drive – Millard thanked council for the resolution in regard to the Library board of Trustees.

CLOSED SESSION:

Motion to go into closed session to discuss police negotiations made by Council President Kupchik, seconded by Councilman Bilella. All members present were in favor.

Motion to go back into open session made by Council President Kupchik, seconded by Councilman Pearce. All members present were in favor.

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

Charleen Santora, RMC
Borough Clerk