

BOROUGH OF BERLIN  
COUNCIL MINUTES  
TUESDAY JULY 26, 2016

MEETING CALLED TO ORDER

FLAG SALUTE

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 Jim Bilella, Council President Jim Pearce, Council members Badolato, Buchanan, Kupchik, Miller, Rocco

PRESENT ALSO: Solicitor Howard Long, Acting Municipal Clerk Lois J. Sahina and Administrator/CFO Mike Kwasizur

DEPARTMENT HEAD REPORTS FOR THE MONTH OF JUNE 2016

June

Permit Fees-	\$ 19,235.00
Zoning Fees-	\$ 445.00
Rental Inspection Fees-	\$ 100.00
Re-inspection Fees-	\$ 1,800.00
Community Center Fees-	\$ 950.00
Tax Collector's Report-	\$ 208,435.41
Utility Report-	\$ 596,565.50
Court Administrator –	\$ 28,658.35

**Motion to Approve Reports:**

Kupchik

**Sec;** Buchanan

**RCV;** All Approved

- **COUNCIL REPORTS:**
- **BUILDINGS & GROUNDS,** Chairman Len Badolato

There are a lot things going on in Berlin Borough at this time. We have done a lot to our Borough Complex including the reconstruction of the front entrance to the Borough Hall. The entrance way will be completed by next Friday, August 5, 2016. We are currently working on replacing the municipal sign on the front property of the Municipal Building, which is falling apart and need of attention. The roof has been fixed along with some pending issues in the library. There were three trees that were growing too closely together along the sidewalk in front of the Borough Hall. They have been removed and relocated to the other side of the White Horse Pike where they were in need of trees. Seven trees were also planted in Borough Hall lawn area. We have replaced the broken fence post along the side of the Borough Hall, along with fixing the air exchange in the main hallway and thermostat in the conditioner unit. The elevator in Borough Hall is now functional after many years, and the installation and payment of our new audio/video system in the court room is finalized. We are planning on getting a message or bulletin board to put in the side foyer entrance to post the Boroughs hours instead of posting paper signs on the doors.

- **STREETS & ROADS,** Chairman Michael Buchanan

Good Evening Everybody. Thank you for coming out to tonight's meeting. We have a number of projects going on concerning our streets and roads in our borough. DPW is currently working on Malan Court. The repaving and construction of Monaray Court is scheduled to begin and we are in the process of deciding where the speed bumps will be placed.

- **WATER & SEWER,** Chairman Ron Rocco

Good Evening Mayor Biella, Members of Council and residents. Thank you for attending this meeting and having interest in our town. The June Water and Sewer reports are as follows:

Water Income total for June 2016 - \$455,782.26 vs \$463,274.91 in June 2015 (income higher in 2015 due to water shutoffs at the end of May, beginning of June) June 2016,

Sewer Income Totaled - \$131,478.50 vs. \$131,066.63 in June 2016.

The New Connection fees to the Water System total for June 2016 - \$7,850.00 vs. \$15,800.00 in June 2015.

The New Connection Fees to the Sewer System for June 2016 - \$1,454.74 vs. \$6,196.23 in June of 2015.

Water Used/Billed for 2<sup>nd</sup> quarter of 2016 = 87,625,000 gallons vs. 92,628,00 gallons in the 2nd quarter of 2015. The usage is less this year due, to the mild start of the 2016 Summer Season. It was not as hot as 2015.

Pennoni Engineers have finished Pond Crest and Mt. Construction is in the process of getting the final preparations for the Katherine Avenue project. This project is projected to be completed by December 2016. John Alisebrook was thanked for the hard work of DPW on Vets, Franklin and Blain Ave. The water tank on Chestnut Avenue is being inspected for future plans to maintain and paint the inside and out. The Tansboro Road Project is moving along on the County's end and the date of the hydro flushing process was indicated on the resident's tax bills. We have also received from our Borough Engineer Pennoni, two utility related proposals for the consideration of Council. These are for the Phase 2 Water CAD Study (for Berlin Estates) and the Phase 2 Sewer lining Proposal. We are also in the process of looking into an automatic reading system.

Many thanks go to our new CFO.

- **HEALTH & RECREATION**, Chairman Rick Miller

The annual Camp Lone- a -Coming is wrapping up in a few days and it has again been well attended and a very successful event for the 2016 summer season. The County will be starting their improvements to the County Park. They are going to re-grade the grounds, be working on the basketball, tennis, and hockey courts along with landscaping. The new baseball fields will come next.

- **PUBLIC SAFETY**, Chairman Jim Pearce

The 4<sup>th</sup> of July Parade and festivities in the park were a great success. There was a great showing of people at the annual parade and there were a few new balloons and different kinds of floats that we haven't had in past years. Our many thanks go out to all of the volunteers and committee's that helped make this a successful holiday event. Our celebrations would not be possible also without the help of our Berlin Police and EMS Departments.

- **FINANCE**, Chairwoman Lynn Kupchik

I had a meeting with the auditor and CFO and went over the 2015 audit, which is in very good standing. We are possibly looking at an increase for the school.

- **MAYOR**, Jim Bilella

I am very proud of the great leadership that we have in our town of Berlin Borough. Our 4<sup>th</sup> of July parade would not be possible without the volunteer work of our Celebration & ICCA Committee. They did a wonderful job with the parade and after festivities at the park. We want to continue this tradition for years to come. It is a great day for our town.

Our police are working on our upcoming 1<sup>st</sup> National Night. This gives our Police Department the opportunity to engage with the community. Our Police Department, the West Berlin Police Department and I attended services at St. Simon Stock Church for our fallen policeman and woman.

Both Police departments are trying to engage within our community children. If an officer sees a child wearing their bike helmet, they are being rewarded by giving them free coupons for Rita's water ice. The Junior Police Academy is in full swing and we are very fortunate to have a great police force to sponsor this event. We are in the process of an escrow agreement for an area located on Cross keys Road and the White Horse Pike. We are also in the process of trying to secure 24 acres of open space in the borough. On a short term basis we have appointed our new CFO/Administrator Mike Kwasizur and appointed Mike De Palma as our Housing Inspector. We will also be appointing our new police chief tonight.

- **SOLICITOR**, - Howard Long

Our Property Maintenance Code Ordinance on the agenda tonight has consolidated a lot of areas.

I have also spoken to Mike Kwasizur about the adoption of a form for a Tort Claim Notice. New Jersey Tort Claims Act can only insure if laws permit in the requirements of the act. The municipality has a 90 day period to put together a notice which allows us to gather more information before they come through the door. We must work with the Insurance carrier.

The resolution in May that addressed HD Supply meter reading is being worked on with our CFO. This is a priority.

Also the way to award contracts in the most cost effective and timely manner is to go by the Local Contract Law and use EUS contracting for the awarding of equipment.

I also reviewed an agreement of sale from attorney Craig Larson about the property located at block 400 lot 3 at the address of 93 Clementon Road, known as the Simon property. Mr. Larson is representing this client in and agreement of sale of this property. At this time, the Borough has been approached along with a developer and the owners of the Berlin Farmers Market about the sale of this property and future agreements that may be made. The resolution that is on tonight's agenda is merely a resolution agreeing to negotiate an agreement of sale. Not to negotiate a sale at this time. I want to modify this agreement for leverage purposes. If need be

we would need to present this topic in the form of a referendum for open space. We would need leverage for a 50% open space money to obtain from the County. This land would become a bridge between the county park and the baseball fields. The Borough is interested, but we need to get the funding and get leverage. This agreement gives me the authority to go through only the process of purchasing this property. We really want to move on this project.

Lynn Kupchik - So this is not actually an agreement of sale

Howard Long- No this does not bind us to a sale.

Lynn Kupchik- I would like to see this agreement.

Lynn Kupchik- In regards to resolution R-8 is this additional software? Is this at a discounted price? And is R-11 the lease with PNC Band and extra amendment?

Ron Rocco- In regards to R7-16 and R7-17 I am very pleased with the appointments of these positions. The choice is very pleasant, efficient and professional.

Mayor Jim Biella- Announced that the swearing in of our new police chief, retiring of police chief, citizen and Virtua awards will be done at our next meeting of August 11, 2016.

- **ADMINISTRATOR/CHIEF FINANCIAL OFFICER**, Mike Kwasizur- No Report

### **PRIVILEGE OF FLOOR:**

Millard Wilkinson Sr.  
9 Tavistock Drive  
Berlin, NJ 08009

I have a background of accounting and on R7-12 I believe it should state accept audit for 2015 not 2016. I am the Safety Coordinator and wanted to mention that the Camp Lone a Coming Director Erin Maloney has done a very good job.

We have the best Safety Program in Camden County. At our last JIF Meeting we had a good report. I am currently working with Mike Kwasizur to update the PLO Programs, and the employee manual for our deadline of October 1, 2016. I have been instrumental in saving our tax payers over \$250,000.00 with our JIF Program running correctly. It is currently a work in progress.

I have been in politics for thirty seven years and President of the Library for seventeen years. The Library plan is completed for space utilization and furnishings for the 1<sup>st</sup> floor. Things are moving along, but the process is slower than anticipated.

I would also like to congratulate our newly appointed Police Chief- Mike Miller. He has been a patrolman since 1994. I am very pleased with our police force today. Thank you for your time.

## **ORDINANCES, 1<sup>ST</sup> READING**

**ORDINANCE NO. 2016-16** – AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF BERLIN CHAPTER 246, PROPERTY MAINTENANCE

Meeting open to the public on Ordinance No. 2016-16 - None  
Meeting closed to the public.

**Motion to Adopt Ordinance No. 2016-16:**

Motion made by Councilwoman Kupchik, seconded by Councilman Buchanan, All members present on roll call were in favor.

**ORDINANCE NO. 2016-17** – AN ORDINANCE AUTHORIZING A FORM OF NOTICE OF TORT CLAIM

Meeting open to the public on Ordinance No. 2016-17 - None  
Meeting closed to the public.

**Motion to Adopt Ordinance No. 2016-17:**

Motion made by Councilman Buchanan, seconded by Councilman Rocco. All members present on roll call were in favor.

## **RESOLUTIONS**

**RESOLUTION R7-1; 2016** - A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING 2<sup>ND</sup> QTR. 2016 UTILITY BILL ADJUSTMENTS

**RESOLUTION R7-2; 2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF WATER CONNECTION CHARGES IN THE AMOUNT OF \$400.00 FOR BLOCK 708 LOT 4 DUE TO CANCELLATION OF PROJECT

**RESOLUTION R7- 3; 2016** – A RESOLUTION AUTHORIZING THE REFUND OF PERMIT FEES IN THE AMOUNT OF \$252.80 TO SUNRUN INC.

**RESOLUTION R7- 4; 2016** – A RESOLUTION AWARDDING THE KATHERINE AVENUE WATER MAIN EXTENSION BID TO THE LOWEST MOST RESPONSIBLE BIDDER MOUNT CONSTRUCTION LOCATED ON 427 SOUTH WHITE HORSE PIKE PO BOX 619 BERLIN, NJ 08009 WITH THE BASE BID OF \$199,960.00 INCLUDING AN ALTERNATE 1 SUM OF \$11,300.00 WITH THE TOTAL SUM OF PROJECT BEING \$211,260.00.

**RESOLUTION R7-5; 2016** – A RESOLUTION AWARDED THE 2016 BERLIN BOROUGH ROADWAY IMPROVEMENT BID TO THE LOWEST MOST RESPONSIBLE BIDDER ARAWAK PAVING, LOCATED ON 7503 WYMOUTH ROAD, HAMMONTON, NJ 08330 WITH THE BASE BID OF \$163,500.00, ALTERNATE 1 \$32,790.00 AND ALTERNATE 2 \$9,800.00 TOTAL SUM OF PROJECT BEING \$206,090.00

**RESOLUTION R7-6; 2016** – A RESOLUTION AWARDED THE FRANKLIN AVENUE AND CLEMENTON ROAD SIGNAL CHANGES TO JEN ELECTRIC, INC FOR A LOW QUOTE OF \$12,314.00

**RESOLUTION R7-7; 2016** – AUTHORIZATION OF COUNCIL FOR PENNONI ASSOCIATES TO PROCEED WITH THE PROPOSAL OF PHASE 2; (ROAD DIET FOR CLEMENTON ROAD) WHICH WILL ENABLE THE BOROUGH TO MOVE FORWARD WITH THE DESIGN PLANS, SPECIFICATIONS AND BIDDING TO RESTRIPE CLEMENTON ROAD BY OCTOBER OF 2016

**RESOLUTION R7-8; 2016** – A RESOLUTION AWARDED THE 5-YEAR HOSTED RNI UPGRADES AND WATER SERVER MAINTENANCE AGREEMENT TO HD SUPPLY WATERWORKS AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE (EUS) IN THE AMOUNT OF \$107,852.50

**RESOLUTION R7-9; 2016** – A RESOLUTION AUTHORIZING GRANT SUBMISSION FOR THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE

**RESOLUTION R7-10;2016** - A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF THE FIRE SUPPRESSION SYSTEM ACCOUNT FOR BLOCK 1003 LOT 2 AFTER INSPECTION AND RECOMMENATION FROM THE FIRE OFFICIAL

**RESOLUTION R7-11;2016** - A RESOLUTION TO ACCEPT THE SECOND MENDMENT TO AGREEMENT BETWEEN THE BOROUGH OF BERLIN AND PNC PANK, NATIONAL ASSOCIATION IN INTEREST TO FIRST CAMDEN NATIONAL BANK AND TRUST COMPANY

**RESOLUTION R7-12; 2016** - A RESOLUTION ACCEPTING THE ANNUAL AUDIT OF ITS BOOK, ACCOUNTS AND FINANCIAL TRANSACTIONS FOR THE YEAR 2016

**RESOLUTION R7-13; 2016** – APPROVAL OF A BUDGET INSERTION FROM FEMA FOR THE FISCAL YEAR 2015 ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF \$279,762.00

**RESOLUTION R7-14 ;2016** – A RESOLUTION TO REFUND SCOTT BORDICK OF HAVBROS BERLIN, LLC IN THE AMOUNT OF \$3,882.00 WHICH WAS THE ORIGINAL CASH GUARANTY POSTED FOR THE MONTEBELLO SECTION 2 WATER PROJECT THEY ARE CURRENTLY ON A TWO YEAR MAINTENANCE BOND

**RESOLUTION R7-15;2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, CONFIRMATION OF MAYOR’S APPOINTMENT OF A BOROUGH HOUSING INSPECTOR, MICHAEL DEPALMA

**RESOLUTION R7-16 ;2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, CONFIRMATION OF MAYOR’S APPOINTMENT OF A DEPUTY REGISTRAR MICHAEL T. KWASIZUR, CPA, CMFO IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 26:8-25 AND BERLIN

**RESOLUTION R7-17 ;2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, RESCINDING RESOLUTION R6-2:2016 & CONFIRMATION OF MAYOR’S APPOINTMENT OF MICHAEL T. KWASIZUR, CPA, CMFO AS CHIEF FINANCIAL OFFICER FOR THE BOROUGH OF BERLIN IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:9-140.13 AND BERLIN BOROUGH ADMINISTRATIVE CODE SECTION 46-18 ET SEQ. AND AUTHORIZING A CONTRACT THEREFORE.

**RESOLUTION R7-18;2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, CONFIRMATION OF MAYOR’S APPOINTMENT OF A NEW HIRE-PROBATIONARY EMPLOYEE IN THE DEPARTMENT OR PUBLIC WORKS, MARK MALONEY

**RESOLUTION R7-19:2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE BY AND BETWEEN THE SIMONE FAMILY TRUST AND THE BOROUGH OF BERLIN, SUBJECT TO CERTAIN TERMS AND CONDITIONS

**Motion to Approve Resolutions R7-1 through R7-19** Motion -Council member Miller;  
**Sec.;** Council member Buchanan, RCV- All in favor

**Mayor’s Appointment as Chief of Police**

Michael Miller, in accordance with N.J.S.A. 40A:60-5(g) and §52-3 of the Code of the Borough of Berlin.

**RESOLUTION R7-20; 2016** – A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, CONFIRMATION OF MAYOR’S APPOINTMENT OF MICHAEL MILLER AS THE CHIEF OF POLICE



**Motion to Confirm Appointment:**

**Motion** Councilman Miller

**Sec.** Councilman Buchanan

**RCV-** 5 Ayes, 1 Abstain - Councilwoman Kupchik

**Meeting open to public on Resolutions - None**

**Meeting closed to the public on Resolutions**

**APPLICATIONS FOR APPROVAL**

Berlin Lions Club Raffle - 10/1/16 Berlin Fall Fest

**Motion** Council President Pearce

**Sec.** Council member Miller

**RCV-** All in favor

- **Privilege of the floor** - None
- **Payment of the bills for the month of June, 2016 in the amount of \$2,369,450.37**

**Motion** - Council member Miller

**Sec.** - Council President Pearce

**RCV** - All in favor

**Motion**

**to adjourn;** Council member Badolato

**Sec.** Council member Kupchik

**RCV-** All in favor

Lois J. Sahina  
Acting RMC/CMR  
July 26, 2016

