

**BOROUGH OF BERLIN**  
**COUNCIL MEETING MINUTES**  
**THURSDAY, APRIL 14<sup>TH</sup>, 2016**  
**7:00 PM**  
**MUNICIPAL BUILDING**  
**59 SO. WHITE HORSE PIKE**  
**BERLIN NJ**

**MEETING CALLED TO ORDER BY MAYOR BILELLA**

**FLAG SALUTE LED BY MAYOR BILELLA.**

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

**PRESENT ALSO:** Solicitor Howard Long and CFO Adriane McKendry, and Administrator Charleen Santora.

**APPROVAL OF MINUTES:**

Workshop minutes from March 1<sup>st</sup>, 2016  
Closed Session minutes from March 1<sup>st</sup>, 2016  
Budget Workshop from March 12<sup>th</sup>, 2016  
Council meeting minutes from March 10<sup>th</sup>, 2016  
Budget workshop minutes from April 2<sup>nd</sup>, 2016

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

**DEPARTMENT HEAD REPORTS FOR THE MONTH OF MARCH 2016:**

Tax Collector's report	\$338,794.19
Utility report	566,000.60
Municipal clerk's report	2128.00
Animal Report	1521.80
Court Administrator's Report	28,096.66
Construction Report	12,756.00
Community Center Rental Fees	3,400.00
Zoning Fees	320.00
Re inspection Fees	250.00
Resale Inspection Fees	900.00

Rental Inspection Fees

400.00

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

### **MAYOR AND COUNCIL REPORTS:**

#### **BUILDINGS & GROUNDS, Chairman Len Badolato.**

Councilman Badolato addressed the drainage issue at the ballfields, John Allesbrook contacted Brad Hoffman a berm will be created to address the problem, the water will flow away from the homes. The Historic Commission had their 2<sup>nd</sup> meeting, it went well, and Margaret Westfield donated her time to get a plan together. Our historic district was drawn up in 1991, we need to establish guidelines. Downtown redevelopment organization met. Good ideas are in the works, ICCA is working on bringing the beauty pageant, and for the Christmas Parade, have Santa around for more than one day. There was a discussion also of a fundraiser of having a Berlin Monopoly game. We also discussed Fireworks, worked out safety issues, meetings with public safety, there is not enough money this year, and maybe next year consideration for a laser light show could happen. It will be up to the ICCA. We have a verbal agreement with the Library now, and by May we can get things moving in the Hotel.

#### **STREETS & ROADS, Chairman Michael Buchanan;**

Councilman Buchanan reported that we received a New Jersey \$200,000 grant for road repairs. We will start at Atlantic Avenue and Cushman. There are target roads in the Borough for speed humps. We have to encourage slowing down. We are investigating a do not block box on Cross Keys and Centennial. We are also collecting data for the traffic speed in the Bel Air area. Franklin Avenue and Clementon Rd also will have a study done, there are a lot of accidents at that intersection. On Day Avenue we have a request to open the road, to allow residential sewer connection, its only 5ft into the road. The County will fund and replace culverts on Park Drive are, they are smaller. We requested NJDOT to look at line striping on Route 30 & Tansboro Rd, and Route 30 at White Horse Pike. Route 73 corridor study is under way and also and school safe grants. On Washington Ave there is a request to remove 2 dead trees, DPW determined that the lines on the trees are Verizon property.

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

Councilman Rocco thanked the public for their attendance. Plant # 1 discharge valve completed, 16 service calls for meter repairs, April 11<sup>th</sup> to 29<sup>th</sup> hydrant flushing has begun use cold water for discoloration. Well # 8 pulled and inspected to determine what is needed to get the pump pumping again. Laurel Woods pump station scheduled for repairs. Chloroform by DEP they want different designs for testing, this will be done by DPW for study for bacteria in our system. There was an issue on Evanine Drive, Resolution 4-5; 2016, our Borough was going to be fined over paperwork that DEP stated was missing. Pennoni was going to offer to alleviate this condition for \$14,000, but thanks to our Administrator, Charleen, the situation has been taken care of at no cost to the Borough. Well # 15 there was a concern of contamination, it has been found that

there is no contamination detected. Katherine Avenue project has been out for bid, completion will be between fall and end of the year. An additional report regarding sewer lines rehabilitation, with the expectation to be relined by 2020. In addition to Katherine Avenue, we will have additional re-piping between Mt. Vernon between Blaine and Franklin, further study in Berlin Estates, Veteran Avenue and Franklin, completion in 2020. This should help with all of the water discoloration problems. Chlorine issues or concerns NJ American water letter confirms the Chlorine level maximum is at .7pts per million for the last 2 months, and we are .4 points per million, well below the maximum amount. The cold water exasperates the chlorine taste and smell. Thanks again to our Administrator Charleen with respect to coordinating the work for Verizon for tapping the cables on our tower and repainting of the tower on Franklin Avenue, and at no cost to the Borough. The paving on Tansboro rd. the paving has been lifted so we can inspect the pipes for lead, there will be new copper tubing going to each house, there was a study with the County regarding sewer, which was ok. Chestnut Avenue tank antennae we will have income from Verizon and AT & T, and future hook ups from Berlin Township Chick Fil A, Burger King, Green Grove Church. The work on Tansboro will start in May right after the flushing. For our work session, the sale of the original senior bus to be discussed and the water reading mechanism. The seniors will continue to have their discount for sewer bills.

#### HEALTH & RECREATION Chairman Miller.

Councilman Miller mentioned DPW out Sprucing up the playgrounds, replacing broken equipment, and replacing mulch. Thanked Lil Graham and DPW for the Community Earth Day, Clean up Day to help the town to spruce up the Town. Councilman Miller met with Hugh Dougherty regarding fans for the Community Center, they will go out to bid for electricians, and he will follow up with Charleen, it is well below the budgeted amount. Camp Long A Coming will start in July, we will vote on an ordinance tonight to set the fee schedule. Follow up with Freeholder Jeff Nash regarding conditions of the County Park needing repairs. Next week meeting to increase the bike path to continue down Park Drive. Contacted by a Realtor in town having issues with our resale inspection process, and the Borough Solicitor will look into, and try to stream line it. Mr. Long has done a number of Certificate of Occupancy or Continued Occupancy and what should be looked at, sidewalks, driveway conditions, general sanitation, things of that nature, ground surface hazards. Sump pumps, fire safety issues are interior and should be looked at. At the next workshop meeting we can discuss this further.

#### PUBLIC SAFETY, Council President Pearce,

Councilman Pearce encouraged the public to sign up for the swift 911. March 2016 stats were read into the record. Councilman Pearce thanked our Chief, he obtained another \$5000 grant for seatbelt mobilization between May 23<sup>rd</sup> and June 5<sup>th</sup>. DEA National Take back Drugs day will be on April 30<sup>th</sup>, between 10am-2pm. at CVS on Cross Keys & White Horse Pike, and May 9<sup>th</sup> and May 13<sup>th</sup> the Police will be in the schools during Police Week. May 19<sup>th</sup> at 6pm in the Woods there will be the annual Sue Cardamone scholarship run fundraiser. We will have a public safety meeting next week. Police Chief looked more into the operation guardian, and turned it over to Mike Miller. Our OEM department, Mike Miller assisted with getting money back from the State for clean up,

and we are trying to make a bigger effort, and more active with Berlin getting our fair share of monies from the State. Also our Police Chief received an Emerald Vision award from a local church, it was an honor, and we appreciate all his service. Councilman Pearce asked about an autistic child sign in a specified area, and wanted to order one. South Jersey Gas will be doing a lot of digging in Berlin, a schedule will be sent to Councilman Pearce. He also thanked our Administrator Charleen for her assistance in fixing the website, and called Verizon immediately with repairing loose wires at the Water tower. Also Councilman Miller along with Councilman Pearce are looking for ideas for missing pets.

FINANCE, Chairwoman Kupchik,

Councilwoman Kupchik reported that we will introduce the 2016 budget. Tonight Adrienne McKendry is present if anyone has questions. Councilwoman Kupchik thanked our Administrator Charleen along with Adrienne for working after hours on the budget to get it finalized. The budget does have a slight increase less than .03 cents. The average cost to each resident is \$67.92. Council did a great job. There are a few ordinances that need to be introduced, the cap bank, and there will be a public hearing on May 12<sup>th</sup> at 7pm.

MAYORS REPORT, Mayor James Bilella,

Mayor Bilella mentioned it has been 100 days since he has taken office, and so much has taken place. We are introducing our 2016 budget, thanked Councilwoman Kupchik for her efforts. Our budget funds a significant number of redevelopment efforts that will help with controlling tax increases. By the Governing Body investing in our own town, we show that we are interested in our own town. Our Planning Board has created an areas of need study, identified 4 properties as areas in need of redevelopment. The Revitalization Committee has gained traction in the revitalization of the White Horse Pike, a private group that shows our community residents care. Our Historic Commission that was inactive for over 14 years, we received a letter, the Administrator and other community leaders have jumped in to help save our Commission which allows us to get grant money for revitalization of downtown. We are working with Virtua to bring new uses to their facility, a significant economic engine for Berlin. The emergency room is still open, will help spur medical related development in that area. This is a matter of where and when, not if it will happen. Revitalization is not just about bringing business, it is about bringing a sense of community and a place to be as a town. Councilman Miller created the Celebration Committee and created the Eggstravaganza Easter egg hunt, over 1,000 people attended some from surrounding towns. They are looking to expand National Night Out in our town, thanks to the Celebration Committee and Police Department. Traffic safety has been a significant concern with the number of accidents we have had. Mayor Bilella has been in touch with NJDOT regarding White Horse Pike which is their intersection, and in January intersection of Franklin Avenue and Clementon Road. Our engineer has been working on this, and should be in place by the new school year. We have worked tirelessly with State and County agencies on this for the improvements. Thanks to Councilman Buchanan, and our Police Department. Due to the accidents the police presence has been increased. Communications are a major part of Public Safety, Councilman Pearce has worked hard on this. Our new DPW

Superintendent John Allesbrook and Councilman Rocco have worked hard on the projects for clean safe drinking water, and replacement of infrastructure. In the future months we have reached a tentative operating agreement with the Library and expansion into the hotel. Mayor Bilella has charged the Library with being one of the best Municipal Library's in New Jersey. They provide a great service at a lower cost. Mayor Bilella thanked Councilman Rocco for reconnecting us with Eastern TV. We are now on Eastern Regional TV, we have informational slides and a re-broadcast of our Council meetings. The Administrator was notified by DEP that the Borough did not have all the proper certifications for a tank that was removed 20 years ago. In 2016 this certification would cost us \$14,000. She used her relationships with DEP to obtain information as to what is needed, and spent 2 days researching in our vault, sent what we had to DEP and made sure the issue was resolved and saved an unnecessary expense, and Mayor Bilella thanked Charleen Santora for her efforts. We will be voting on an Anti-puppy mill ordinance, and thanked Freeholder Jeff Nash for championing this worthy cause.

ADMINISTRATOR, Charleen Santora

Administrator Santora addressed an agreement with a company called Rhino World Inc, Councilman Miller suggested we work with, and we have met twice, through these efforts there will be a combination phone system. Charleen would like to work with the new Administrator and have them sit in on the transaction. She would like to wait until the new people are in place. She is also looking into electric energy, a company called respond energy or we could lock in with Hudson energy, and prior to moving forward in December until the new Administrator should be included. Community Yard Sale is June 4th and June 5<sup>th</sup>, the Business Association sponsors it, and last year was a great success.

### **ORDINANCES AND RESOLUTIONS BEFORE INTRODUCTION OF BUDGET**

**ORDINANCE 2016-11**, COAH ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Motion to adopt Ordinance No. 2016-11 made by Councilwoman Kupchik, seconded by Councilman Miller. All members present were in favor.

**ORDINANCE 2016-12**; AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SEWERS"

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

### **RESOLUTIONS:**

**RESOLUTION R4-1; 2016**, A RESOLUTION AUTHORIZING THE DEFERRING OF SCHOOL TAXES.

Motion was made by Councilwoman Kupchik, seconded by Councilman Buchanan. With no questions, all in favor, resolution was approved.

**RESOLUTION R4-2; 2016, A RESOLUTION TO LOCALLY EXAMINE THE 2016 BUDGET.**

Motion was made by Councilwoman Kupchik, seconded by Council President Pearce, with no questions, all in favor, resolution was approved.

**RESOLUTION R4-3;2016, INTRODUCTION OF THE 2016 GENERAL, WATER & SEWER BUDGET APPROPRIATEING \$8,179,016.18 FOR THE GENERAL BUDGET, \$3,134,703.00 FOR WATER, \$807,958.00 FOR SEWER AND \$112,050.00 FOR OPEN SPACE.**

Public hearing will be held on Thursday May 12<sup>th</sup>, 2016 7 pm in the Municipal Building, 59 So. White Horse Pike, Berlin, NJ.

**ORDINANCES, 2<sup>ND</sup> READING**

**ORDINANCE NO. 2016-06, AN ORDINANCE OF THE BOROUGH OF BERLIN BANNING THE SALE OF DOGD AND CATS SOLD AT PET SHOPS THAT CONE FROM LARGE SCALE, COMMERCIAL BREEDING FACILITES, COMMONLY REFERRED TO AS PUPPY MILLS AND KITTEN MILLS.**

Meeting open to the public on Ordinance No. 2016-06.

Appearing is Nancy Bontzel, she is a representative of New Jersey residents against puppy mills, and she thanked Mayor and Council for creating this ordinance.

With no additional public wishing to speak on this ordinance, the public portion was closed.

Motion to adopt Ordinance No: 2016-06 was made by Council President Pearce, seconded by Councilman Miller, with no questions, on roll call all in favor.

**ORDINANCE NO. 2016-07, AN ORDINANCE AMENDING ORDINANCE NO. 2015-01 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLES "SALARIES".**

Meeting open to the public on Ordinance No. 2016-07. No one appeared before Council to speak, Mayor Bilella closed the public portion.

Motion to adopt Ordinance No. 2016-07 was made by Councilwoman Kupchik, seconded by Councilman Miller, with no questions, on roll call all in favor.

**ORDINANCE NO. 2016-08, AN ORDINANCE AMENDING SALARY ORDINANCE 2015-13 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SALARIES".**

Meeting open to the public for Ordinance No. 2016-08. No one appeared before Council to speak, Mayor Bilella closed the public portion.

Motion to adopt Ordinance No. 2016-08 was made by Councilman Badolato, seconded by Councilman Buchanan. Councilman Miller asked that this ordinance lists certain positions, and questioned the contractual. Councilman Miller asked to table this ordinance to discuss in executive session, Councilman Pearce seconded the motion to table. All in favor.

**ORDINANCE NO. 2016-09, AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF THE BOROUGH OF BERLIN MODIFYING FEES OF THE BERLIN COMMUNITY CENTER USE.**

Meeting open to the public on Ordinance No.2016-09. No one appeared before Council to speak, Mayor Bilella closed the public portion.

Motion to adopt Ordinance No. 2016-09 was made by Councilman Buchanan, seconded by Councilman Rocco. With no questions, on roll call vote, all in favor.

**ORDINANCE NO. 2016-10, AN ORDINANCE ESTABLISHING CERTAIN FEES FOR PARTICIPATION IN CAMP LONG A COMING.**

Meeting open to the public for Ordinance No. 2016-10. No one appeared before Council to speak, Mayor Bilella closed the public portion. With no questions, on roll call vote, all in favor.

## **RESOLUTIONS**

### **Meeting open to the public on Resolutions R4-4 through R4-14;2016**

Mayor Bilella opened this portion of the meeting to the public. With no one appearing before Council, Mayor Bilella closed the public portion.

**RESOLUTION R4-4;2016, APPROVAL FROM BOROUGH COUNCIL TO APPROVE FOR THE PROVIDING OF EQUIPMENT, MATERIAL, CONNECTORS AND INSTALLATION OF AUDIO VIDEO EQUIPMENT ALONG WITH CEILING SPEAKERS TO STARLITE PRODUCTIONS OF MOORESTOWN NJ, LOWERS OF TWO QUOTES, IN THE AMOUNT OF \$14,070.00. (FUNDS CERTIFIED BY CFO)**

**RESOLUTION R4-5;2016, AUTHORIZATION TO RESCIND RESOLUTION R3-18:2016 THAT HAD AUTHORIZED PENNONI ASSOCIATES TO ADDRESS REMEDIATION REQUIREMENTS AT THE BERLIN BOROUGH WATER PLANT 2**

LOCATED ON EVANINE DRIVE IN BERLIN FOR THE AMOUNT OF \$14,000 DUE TO THE DEP ISSUING A NO FURTHER ACTION ON THIS SITE.

**RESOLUTION R4-6;2016**, RESOLUTION AUTHORIZING TAX REFUNDS DUE TO HOMESTEAD CREDIT FOR TAX EXEMPT VETERANS FOR THE FOLLOWING:

BLOCK 1405/LOT 13	352.28
BLOCK 1401/LOT5	478.52
BLOCK2304/LOT34	558.25

**RESOLUTION R4-7;2016**, A RESOLUTION AUTHORIZING 1<sup>ST</sup> QUARTER 2016 UTILITY BIL ADJUSTMENTS FOR THE FOLLOWING PROPERTIES;

110 KENNEDY LANE	CHG FOR MISSING RADIO	+150.00
110 KENNEDY LANE	UNUSED CONSUMPTION	+119.45
208 FOURTH AVE.	CHG FOR MISSING RADIO	+150.00
272 PINE EDGE DR.	CRACKED METER	+200.00
26 HOLLY DRIVE	SHUT DOWN OF SPRINKLER	- 48.00
18 HILLCROFT DRIVE	METER MISSING	+250.00

**RESOLUTION R4-8;2016** APPROVAL OF MERCANTILE LICENSE FOR DANYLO POPIL, T/A VUYKO STORE, LLC. 47 CLEMENTON ROAD, BERLIN FOR A GROCERY STORE, BRYAN POPPOCA, T/A PARILLA LA NUEVA FOGATA, 25-27 W. WHITE HORSE PIKE, BERLIN FOR A RESTAURANT, CHRISTINA MONEZ, T/A MAGGIE BAKE SHOP, 137 WHITE HORSE PIKE FOR A BAKE SHOP, AND CHARLES HEIMLICH, T/A HEIMLICHS KARATE, 101 SO. WHITE HORSE PIKE, BERLIN FOR A KARATE SCHOOL

**RESOLUTION R4-10;2016**, APPROVAL FROM COUNCIL TO INCREASE THE SALARY OF THE COURT ADMINISTRATOR \$100.00 PER MONTH EFFECTIVE APRIL 1<sup>ST</sup>, 2016.

**RESOLUTION R4-11;2016**, APPROVAL FROM COUNCIL TO PERMIT 22 DAY AVENUE TO OPEN UP A FIVE (5)FT SECTION OF ROAD THAT HAS A FIVE YEAR MORATORIUM TO INSTALL A SEWER LINE CONTINGENT UPON A RESIDENT ADHERING TO THE INFRARED REPAIR ON THE SMALL SECTION OF THE ROADWAY. (HOME IS AT THE END OF THE ROADWAY).

**RESOLUTION R4-12;2016**, APPROVAL FROM COUNCIL TO WAIVE THE COST OF A YARD SALE PERMIT OF \$3.00 FOR THE BUSINESS ASSOCIATION MEMBERS PARTICIPATING IN THE BUSINESS ASSOCIATION SPONSORED YARD SALE BEING HELD ON JUNE 4<sup>TH</sup> AND 5<sup>TH</sup>.

**RESOLUTION 4-13;2016**, APPROVAL FROM COUNCIL TO APPROVE THE GRANT AGREEMENT BETWEEN BOROUGH OF BERLIN FIRE DEPARTMENT AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF

ENVIRONMENTAL PROTECTION GRANT IDENTIFIER FS16-211 FOR VOLUNTEER FIRE ASSISTANCE GRANT.

**RESOLUTION R4-14:2016**, AUTHORIZING THE EXECUTION OF A LEASE EXTENSION WITH PNC BANK AND THE BOROUGH OF BERLIN.

Motion to adopt Resolutions R4-4 through R4-14:2016 was made by Council President Pearce, removing R4-9:2016, and seconded by Councilman Buchanan. With no questions, on roll call vote, all in favor.

- **PRIVELEGE OF THE FLOOR**

Appearing before Council is Stephen Clyde of 80 Virginia Avenue, Haddon Township, NJ. Mr. Clyde addressed the inspection process and addressed some suggestions. He feels the checklist is for rental units, for tenants. The checklist is not appropriate for Resales. These inspections can run up to \$800 to sell the property. If action to be taken to halt these inspection until this is revisited. If any changes could be sent to the board of realtors. The majority of realtors are present and were unaware of the change. Mr. Long added rather than vote on something sight unseen, it would be appropriate to advise the inspector of our change and have a discussion regarding the inspections this point forward. Mr. Long will make that contact with the inspector. Mayor Bilella commented that this ordinance has been on the books for quite some time, it has not been applied as our previous rental inspector, we have been made aware by this spring of the situation, and what the report and checklist consists of, to be in line with other communities. Council President Pearce commented that this was something that was inherited and we will work to fix it.

Next to appear before council is the resident at 22 Day avenue, Mayor Bilella stated that has been approved.

Next to appear before council is Nick Maccaroni of 67 Gardens Avenue. He questions Resolution R4-1:2016, Deferring of School Taxes. There is no number for that deferral. \$160,000 per Charleen Santora. Mayor Bilella stated it is to pay for one time investments in our town, which is normal business practice.

Next to appear before the board is Barbara Beraio of 122 Juniper. Mrs. Beraio questioned when discussions begin, would we be able to suspend the expense of heating and roofing certifications, and the requirements of buyers obtaining a new survey. Also is Maryann McKeown of 106 Rutgers Blvd. her concern was that her sellers needed a survey, it is a senior development that does not permit fencing, and there were no changes. Mr. Long stated that he needs some time to go over this. Mayor Bilella stated we will do our best to adjust the situation. With no further public comments from the public, Mayor Bilella closed the public portion.

- **PAYMENT OF THE BILLS FOR THE MONTHG OF MARCH, 2016 IN THE AMOUNT OF \$2,089,937.87.**

Motion to approve payment of the bills was made by Councilwoman Kupchik, and seconded by Councilman Buchanan. On roll call vote, all in favor.

**RESOLUTION R4-9:2016, A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12 REGARDING LITIGATION MATTERS.**

Motion to go into closed session at 8:15pm. for approximately 20 minutes was made by Councilman Miller, and seconded by Councilman Buchanan. On roll call vote, all in favor.

**Meeting closed to the public**



**Charleen Santora, RMC**