

**BOROUGH OF BERLIN**  
**COUNCIL MEETING MINUTES**  
**WEDNESDAY, FEBRUARY 13, 2019**  
**MUNICIPAL BUILDING**  
**59 SOUTH WHITE HORSE PIKE**  
**BERLIN, NJ 08009**  
**7:00 P.M.**

**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 Bilella, Council President Pearce, Council Members Miller, Badolato, Rocco, Buchanan, & MacDonnell.

**PRESENT ALSO:** Solicitor Howard Long, Administrator, Bill Behnke, CFMO Debra DiMattia and Municipal Clerk Lois Sahina

**SPECIAL PRESENTATION WAS MADE BY MAYOR BILELLA**

**The Winners of the 75<sup>th</sup> Smokey Bears Birthday Calendar Contest**

The New Jersey State Forest Fire Service sponsored Smokey Bears 75<sup>th</sup> Birthday Calendar Contest. The calendar is distributed statewide as part of the agencies fire prevention effort. Out of 3,500 entries from all over the state, four students from Berlin Community School were chosen as winners. These four winners had their posters printed in the calendar. Tonight, we will be recognizing the winners with certificates for their outstanding artwork and participation in the contest.

**Grand Prize 1<sup>st</sup> Place Winner:** Soyoon Ahn, 8-year-old 2<sup>nd</sup> grade student, poster featured for the month of March

Zachary John David II, 7-year-old, 1<sup>st</sup> grader, poster featured for the month of April

Yuni Banyai, 9-year-old 3<sup>rd</sup> grade student, poster featured for the month of January

Winnie Banyai, 7-year-old, 2<sup>nd</sup> grade student, poster featured for the month of November

**APPROVAL OF MINUTES**

12-04-18 Work Shop Minutes

12-04-18 Work Shop Closed Session Minutes

12-13-18 Council Meeting Minutes

12-13-18 Council Meeting Closed Minutes

**Motion to approve adoption of the minutes;** Council President Pearce

**Sec.;** Councilman Buchanan

**All in Favor 12-04-18 Work Shop Minutes & Closed Session Minutes; Yays** – Council members Pearce, Rocco, Buchanan & Rocco **Nays -0 - ABSTAINES** -Council President Miller and Councilmember Badolato abstained in the approval of 12-04-18 Work Shop Minutes and Work Shop Closed Session Minutes, as they both were absent at this meeting

**All present were in favor of:** 12-13-18 Council Meeting and Council Meeting Closed Session Minutes

## **DEPARTMENT HEAD REPORTS FOR TE MONTH OF JANUARY 2019**

Permit fees	\$ 58,153.00
Zoning fees	\$ 650.00
Re-sale inspection fees	\$ 1,750.00
Rental Inspections	\$ 7,660.00
Community Center fees	\$ 7,499.00
Tax collector's report	\$ 2,075,537.20
Utility report	\$ 1,58,135.95
Clerks report	\$ 31,106.00
Animal report	\$ 1,908.00
Court Administrator	\$ 20,747.61

**Motion to approve department head reports;** Councilman Buchanan

**Sec.;** Councilman MacDonnell

All present were in favor

## **PAYMENT OF THE BILLS FOR THE MONTH OF JANUARY 2019 IN THE AMOUNT OF \$2,609,285.35**

**Motion to approve payment of the bills;** Councilman MacDonnell

**Sec.;** Councilman Rocco

All present were in favor

## **COUNCIL REPORTS:**

- **BUILDINGS, PARKS, & RECREATION, Chairman Len Badolato**
  - Simon Farms Sign** -The sign that will be placed on the open space property that was purchased by the Borough, is now complete. Councilman Badolato met with Andy Simon and determined the area that it will be placed.
  - Downtown Lighting** - Councilman Badolato met with Ben Mazza from Halophane (lighting fixture company) about the light bulbs in the light posts in the downtown area. Mr. Mazza agreed that the wattage in the light posts is to bright. Currently the posts have 100watt bulbs and they should only be 60watt bulbs
  - DPW Roof** - There is an area on the roof of the DPW garage that is leaking. This problem will be addressed.
  - ADA Compliant** - Councilman Badolato will be meeting with Anthony LaRosa from Maser to discuss the improvements that need to be done on the Borough Hall parking lot to become ADA Compliant.
  - Downtown Traffic** - Councilman Badolato also met with Greg Fusco from Key Engineers about the traffic issues that we have in the downtown area. The Department of Transportation wants proposals sent in so these issues can be addressed. A meeting with Ken Spiegel, who is in charge of traffic issues in the Southern part of the state, will also be arranged.
- **PUBLIC WORKS, STREETS & ROADS, Chairman Dan MacDonnell**
  - 2019 Road Improvement Program** - Councilman MacDonnell informed Mayor and Council that we are currently waiting to hear how much funding we will receive from the state for the upcoming 2019 Road Improvement Program.
  - -**Traffic Calming Study** - There will be a meeting set up for the public to attend in March. The plan for traffic calming from the side streets to the pike will be discussed. A decision will be made about how to resolve this problem before the 2019 Road Improvement Program is decided.

- **Street Assessment** - ERI, Special Projects Engineers, did a five year assessment of every borough owned street. The streets were put in priority of worst first, meaning the condition of the worst streets will be prioritized and fixed first on the upcoming road programs.
- **Mobile 311** – County roads that need attention should be reported to the County. Some of the county owned roads in the borough are Cross Keys Road, Watsontown New Freedom Road, Jackson Road, Rt 30. These are just a few that would need to be reported to the county.
- **WATER & SEWER, Chairman Ron Rocco**
  - **Reports and Monthly Statistics** – Councilman Rocco gave the Sewer and Water Reports for the month of January. The reports included income, water connections, maintenance, sewer connections, water main breaks and pump station updates. There were no water complaints for the month of January. He asked for Councils support on Resolution R02-6;2019 authorizing the Community Development Block Grant and water main replacements on Harker and Hillside Avenues.
  - **Forecast Meeting for 2019-2022** - A Sewer & Water Forecasting meeting was held at the end of January. The New Jersey Water Accountability Act will be enforced as of April 2019. All valves must be exercised within four years. There are a lot of improvements that need to be done to the system. Some of the items that need to be considered are cyber security to the SCADA system which is currently up and working successfully. An emergency on call contract for \$183,000. A high- pressure truck with vacuum connection, which will cost \$330,000.00. Maintenance on pump #6 at the cost of \$25,000.00 and the Chestnut Street Tank needs to be painted inside and out which will cost \$1.7 million. A job this big will have to be the only project that gets done in that chosen year.
  - **Mediation Committee** – Councilman Rocco wants to re-establish the volunteer Community Dispute Resolution Committee to relieve our court of some of the issues that are brought to Council.
- **PUBLIC SAFETY, Chairman Jim Pearce**
  - **Police Statistics** - All police reports for the month of January were given. Among some of the reports were a total of number of arrests, investigations, accidents and tickets issued.
  - **No Need to Speed** - The “No Need to Speed Campaign” for the month of February will concentrate on Berlin New Freedom Road, White Horse Pike and London Avenue.
  - **Closed Session** - Tonight we will have to be have to go into Closed Session to discuss personnel matters.
- **COMMUNICATIONS, Chairman Rick Miller**
  - **Easter Event** -The Borough will be sponsoring an Easter Event April 13<sup>th</sup> rain date is the 14<sup>th</sup>.
  - - **Camden County Park Clean Up** - There will be a Camden County Park Clean up on April 27<sup>th</sup>. It will start at 10:00 am and will start at the tennis courts. All supplies will be provided.
  - - **Town Yard Sale** -The Celebration Committee will be sponsoring a town wide yard sale on May 4<sup>th</sup>. A resolution needs to be done to wave the normal Borough Fee of \$3.00. To all who want to participate the proceeds collected will go to the Celebration Committee.
  - **Spring News Letter** - The annual Spring News Letter will focus on all of the upcoming events for May, June and July.
- **FINANCE, Chairman Mike Buchanan**
  - **AFCME Contract** – This contract is being reviewed with the Department Heads.
  - **Debt**- Next year we will be having a large amount of debt rolling off. This will give us money to fund new water projects.
  - **Water Accountability Act** – There are many issues in our Water Department that are very costly that must be addressed due to compliance with this new Water Accountability Act

which goes into effect April 2019. Water rates were increased last year. American Water is trying to put the municipalities that have their own water companies out of business. We have our own water company and want to keep it that way.

- **Tipping Fees** – The tipping fees for recycling and trash will be going up. We no longer are getting the rebates for recycling
- **Rabies Clinic** – The annual Rabies Clinic will be held from 10-12 noon on Saturday April 5<sup>th</sup>
  
- **ECONOMIC DEVELOPMENT & REAL ESTATE, Mayor Jim Bilella**
  - **Energy Audit** - The free energy audit finished and we will be reviewing the report to see the total amount of money that can be saved on energy costs.
  - **Non-Generated Land** - Mayor Bilella will be scheduling a meeting to access the non-generating land that is located in the Borough.
  - **Royal Farms** - Royal Farms is now in the process of site planning. There was a fuel storage tank that was discovered that had to be removed by DEP standards. The site planning stages should be completed approximately June of 2019.
  - **Closed Session** - There will be a need to go into Closed Session tonight
  
- **SOLICITOR, Howard Long**
  - **Closed Session** - I will be requesting that Mayor and Council enter into closed session this evening to discuss personnel issues.
  
- **ADMINISTRATOR - William Behnke**
  - **Personnel Policies** - The updated Personnel Policy and Procedure Manual is complete and needs to be sent out to be printed. Every employee will be issued a copy after printed.
  - **Main Entrance** - The main entrance door on the side of the building had to be repaired and the handicap entrance door will have to be fixed as it is very difficult to open.
  
- - **CFO - Debra DiMattia** - No report was given

## **2ND READING ORDINANCE**

### **ORDINANCE NO. 2019-01**

AN ORDINANCE AMENDING SALARY ORDINANCE 2018-01, AND 2018-02 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED “SALARIES”.

**HEARING OPEN TO THE PUBLIC ON ORDINANCE 2019-01**

**HEARING CLOSED TO THE PUBLIC – No one spoke**

**Motion to Adopt:** Councilman Buchanan

**Sec.;** Councilman MacDonnell

All present were in favor

## **READING RESOLUTIONS R02-01; 2019 THROUGH R02-07; 2019**

### **RESOLUTION R02-01; 2019**

A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF ESCROW IN THE AMOUNT OF \$570.00 TO VALERIE CLINE

**RESOLUTION R02-02; 2019**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF PERMIT FEES OF \$130.00 TO JOHN'S A.C. & HEAT

**RESOLUTION R02-03; 2019**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF ESCROW TO WBO/CONSULTING IN THE AMOUNT OF \$498.00

**RESOLUTION R02-04; 2019**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE TAX REFUND TOTALING \$3,501.84 DUE TO MORTGAGE COMPANY OVERPAYMENTS.

**RESOLUTION R02-05; 2019**

A RESOLUTION FROM THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING J HARTE ASSOCIATES AS IT CONSULTANTS FOR THE BOROUGH OF BERLIN FOR THE YEAR 2019

**RESOLUTION R02-06; 2019**

A RESOLUTION FROM THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING APPLCIATION FOR PROGRAM YEAR 2019 COMMUNITY DEVELOPMENT BLOCK GRANT FOR SENIOR CITIZEN TRANSPORTATION AND WATER MAIN REPLACEMENT AT HARKER & HILLSIDE AVES,

**RESOLUTION R02-07; 2019**

A RESOLUTION FROM THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE PAYMENT TO PENNONI LLC FOR SCOPE OF SERVICES FOR ADDITION WORK PERFORMED FOR THE 2018 ROADWAY IMPROVEMENT PROGRAM IN THE AMOUNT OF \$3,800.00

**MEETING OPEN TO THE PUBLIC ON RESOLUTIONS R02-01; 2019 THROUGH R02 - 07;2019**

**MEETING CLOSED TO THE PUBLIC**

**Motion to approve Resolutions R02-01; 2019 through R02-07; 2019** – Council President Pearce

**Sec.;** Councilman MacDonnell

All present were in favor

**PRIVILEGE OF THE FLOOR**

**Carl Mascarenes**

**13 Washington Avenue**

**Berlin, NJ 08009**

Mr. Mascarenes distributed handouts to Mayor and all of Council. He explained that he feels he was targeted and personally attacked by our Code Enforcement Officer. He said he feels that he was wrongfully accused of not applying with borough code because of his business signage. Intimidation and bullying techniques have been used and this is unacceptable. He said there are many other business owners who also feel this way, but are afraid of retaliation and are afraid to step forward. There were messages posted on Facebook that were unappropriated and racist.

**Mr. Long** - Mr. Long stated that because this is a personnel matter, that by law, the Mayor and Council can only discuss this in Executive Session. Because of nature of your complaints there can be no public response to your statements.

**Joe McGuckin**  
**18 London Ave**  
**Berlin, NJ 08009**

Mr. McGuckin addressed Mayor and Council and stated that this is not the first time he has been to a Council Meeting to address his concerns about the speeding problems on his street. He said he heard mention of the 2019 Road Program and wanted to know if speed humps will be considered in this year's program?

**Mr. Long** - At approximately 7:58 pm, the Mayor and Council will be going into Executive Session and will come out of Executive Session in approximately ½ hour. Personnel matters will be discussed. Following Executive Session action may or may not be taken.

**Motion to go into Executive Session** - Councilman Buchanan  
**Sec.** Councilman MacDonnell  
All present were in favor

#### **EXECUTIVE SESSION**

**Motion to come out of Executive Session** - Councilman Pearce  
**Sec.**, Councilman MacDonnell  
All present were in favor

**MAYOR BILELLA** - Action be taken as a result of executive session

#### **READING RESOLUTIONS R02-08; 2019 THROUGH R02-09; 2019**

##### **RESOLUTION 02-08;2019**

A RESOLUTION AUTHORIZING THE EXECUTION OF A RETIREMENT AGREEMENT BY AND BETWEEN THE BOROUGH OF BERLIN AND POLICE CHIEF MICHAEL MILLER

##### **RESOLUTION 02-09;2019**

A RESOLUTION APPOINTING HAL TALBOT AS PROPERTY MAINTANENCE OFFICER AND CODE ENFORCER

#### **MEETING OPEN TO THE PUBLIC ON RESOLUTIONS R02-08;2019 THROUGH R02 - 09;2019**

#### **MEETING CLOSED TO THE PUBLIC**

**Motion to approve Resolutions R02-08; 2019 through R02-09; 2019** – Council President Pearce  
**Sec.**; Councilman MacDonnell  
All present were in favor

**GOOD OF THE ORDER** – No one spoke

**Motion to adjourn;** Councilman MacDonnell  
**Sec.**, Councilman Buchanan  
All present were in favor

Lois J. Sahina  
Registered Municipal Clerk  
February 13, 2019