

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
THURSDAY, MAY 12, 2016
MUNICIPAL BUILDING
59 SO. WHITE HORSE PIKE
BERLIN NJ

MEETING CALLED TO ORDER BY MAYOR BILELLA.

FLAG SALUTE LED BY THE MAYOR.

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 Kupchik, Miller, Badolato, Rocco and Buchanan were all present.

PRESENT ALSO: Solicitor Howard Long, Auditor Dan DiGangi, CFO Andriane McKendry and Administrator Charleen Santora.

- **APPROVAL OF MINUTES:**

Workshop minutes from April 5, 2016
Closed session minutes from April 5, 2016
Council meeting minutes from April 14, 2016
Closed session minutes from April 14, 2016

Motion to approve made by Buchanan seconded by Pearce. All were in favor.

- **DEPARTMENT HEAD REPORTS FOR THE MONTH OF APRIL, 2016.**

Municipal Clerk's report	\$3047.00
Animal report	4018.40
Tax Collector's report	1,626,768.93
Utility report	161,243.38
Court Administrator's report	20,674.31

Motion to approve made by Kupchik seconded by Buchanan. All were in favor.

- **COUNCIL REPORTS:**

- BUILDINGS & GROUNDS, Chairman Len Badolato Logo for main entrance has been completed and hung. /Air exchange parts have been ordered for the municipal building.

Lights being worked on outside in driveway. The wiring is bad./Front entrance area is scheduled to have work done in the next two weeks./He and Mayor Bilella met with AC Electric in regards to how bright and different the street lights are on one side of the White Horse Pike in compared to the other side./The issue regarding the drainage near a residents home next to the ball fiends has been worked on by the DPW/The gutter drains in the borough are being worked on./He is ordering trash cans for the borough and will be able to order less now that we do not have to cover up the old lamp posts areas. He will reach out to the Down Town Development Committee for their input on these cans. /A meeting is set with himself, Property Maintenance Official Bill Bansch and a representative from Attorney Long's office to help put together a good ordinance for abandoned properties in our municipality.

- **STREETS & ROADS**, Chairman Michael Buchanan Four street lights were installed in the borough. Two on Kerhart and two on Crater near Cross Keys Road. The cost to install two versus one was so minimal that the borough was able to take advantage of this effectiveness. /A resolution will be added to agenda to move forward with the Cushman Avenue road project. Borough awarded \$200,000. grant money towards this years DOT funding that will be put towards this project./Sink hole on Rich Avenue is being looked into./Two dead trees were taken out on Washington Avenue that was interfering with the electric and phone lines./
- **WATER & SEWER**, Chairman Ron Rocco Thanks all for attending meeting. He states the hydrant flushing has been concluded and the borough will flush again in October. /All of the water services are being inspected on Tansboro Road before the County road project begins to see if the lines are copper or galvanized. All galvanized lines will be replaced, if any. /Well # 8 is back in service./He noted the tax collectors figures from year 2015 to year 2016./Discussed the radio read water system that has to be upgraded due to the server the borough has no longer able to support our system. He met with the representatives of HD Water Supply and there are two ways the borough can move on this, both of which are five years contracts. A resolution will be put on this agenda to approve moving forward with the contract to allow the server to be located in another area other than the borough once the CFO and Administrator make sure we are in compliance with the bid threshold and pay to play rules.
- **HEALTH & RECREATION**, Chairman Rick Miller Walk thru at park canceled due for the clean up day but will be re-schueled for June 12 from 10 am to 1 pm for open space clean communities. / The mulch for the play grounds will be put down soon. / He is recommending that we close the Community Center gym on Friday nights until September due to the summer months and children being outside more. No one from council disagreed. /Three quotes were received for the ventilation system (fans) being put in at the community center and a resolution is on agenda to move forward with awarding to the lowest of three quotes with ABS of Elmer, N. J. /Camp Long A Coming starts the first week of July this year.

/Celebration Committee had a meeting and will have a school style dance at the school on June 3 from 6:30 to 9 p-m for the younger children. They already spoke with the two officers who sit on the committee and do not feel there are any safety issues.

- **PUBLIC SAFETY**, Chairman Jim Pearce Soccer camp is June 27, 28, 29 and 30/the old DARE program now being called LEAD had an anti drug and alcohol program at both the Berlin Community School and Mt. Carmel School on April 29. /Reminds all again about the Swift 911 program noting that the seniors were informed about how this works by our police department./He read the Chief's report that is attached to these minutes./There will be a scholarship run in the name of Sue Cardamone on May 19, 2016. / We are able to purchase two sign boards that are constantly being used for borough information and we are also receiving two AED's one of which is coming from Virtua Hospital. Any money not used from the police budget that was put in for the AED will be able to put to other use. The Knights of Columbus donated \$1000. to the police department to also help purchase an AED. /Fire Department held another annual hoagie sale that was another great success. /Met with Fire Chief regarding the new ladder truck that is on order. There is hope that the fire department will have this truck in by their fireman's convention in September or at least for the October fire prevention week's event. /The fire company is getting information on how the generator the borough has here that is not in use is needed to confirm it to work at the fire department for their much needed generator.
- **FINANCE**, Chairman Lynn Kupchik Thanks all who worked on the 2016 budget that is on agenda tonight for the public hearing noting that an excellent job was done on keeping the budget expenses down without having to cut any services to our residents./ 2nd. reading on the cost of living ordinance is on agenda for approval. /Community yard sale sponsored by the Berlin Business Association is scheduled for June 4 and 5 noting all proceeds are going to the town for Christmas decorations. This year the fire department will reserve spots for those who may want to take their wares there to sell.
- **MAYOR**, Jim Bilella Thanks all for the hard work and especially wants to thank volunteers who he met with last evening regarding the down town revitalization corp. noting that it is amazing how many volunteers we have in town and how much they contribute to our town. All these groups help with keeping our budget down naming the ICCA, the Rotary, the Lions Club, the Knights of Columbus, the CAC, and the Businesses Association and so many more. With our budget we are investing a significant amount of money this year for redevelopment in a way we can help spur economic activity that leads to better revenues, better town and better place to live and a future for our town the mayor states noting this is extremely important. The down town revitalization corp. committee will have a visioning session May 17 at the borough hall at 7 pm. This is an opportunity for all of our residents to voice their opinions on how the borough can look like, what should be here. This will take time. This will really help the committee focus on

the down town section of the borough helping us create the focus on what we actually want for our borough. He notes we need to make that shine again because this is the core of our town and the history of our down town as we know it. He thanks council for the hard work on the budget supporting our investment in the borough because if we do not support Berlin we can't ask property and business owners to do so./Reaching out to the DOT in regards to the White Horse Pike and Franklin Avenue intersection. He sent accident reports to the DOT so they can focus on improvements. Councilman Buchanan along with the engineer and himself has been working on the Franklin Avenue intersection so we can have a safe intersection for our children to go to school. /Met with Virtua Hospital who is an instrumental part of our economic redevelopment of our economic future owning a very large facility that has become somewhat dormant. He wants to work with Virtua to become an economic engine for our town. He notes they have plans and understand the need for our revitalization for bringing new activities to the hospital. They would be willing to meet with our senior groups promoting the Berlin Hospital noting it is still a fully functional emergency room hospital./There is talk about a particular property that has come on the market with residents concerns. He has reached out to our solicitor for ideas and the possibility of obtaining this property and the solicitor will explain what it takes for something like this to happen for the borough. Solicitor Long explains that the borough created an open space trust fund several years ago with money put aside for open space acquisition. He states that because the borough did an open space referendum it makes the matching funds availability well within out reach. Upon approval from the governing body he will reach out to Jack Sworaski, Director of Camden County Open Space who works Open Space Commission. Green Acres funding can also be pursued per Howard and also private agencies that work with communities. He explains the idea is to leverage the least amount of local funds as possible. At this time the mayor asked the council for a consensus to move forward with this issue and all of council was in agreement. Solicitor explains this transaction in no way is any condemnation of property. The solicitor will proceed. Mayor continues that a resolution is on agenda for designation of redevelopment per recommendation of the planning board. Also mayor states Alan Nickerson has resigned as trustee of library and he should have an appointment for next month thanking Alan Nickerson for service to the community and for the work he did as library trustee.

- **SOLICITOR**, Howard Long Thanks Councilman Badolato for his persistence in re-writing the property maintenance ordinance so it becomes more efficient and user friendly. This new draft will be discussed at the next workshop for consideration of council.
- **ADMINISTRATOR**, Charleen Santora Adding another mercantile license to agenda./Ask council to see what old equipment, if any they may want to put on gov deals and would like list for the work shop meeting./Next months work shop meeting has to be changed due to election day. Council will hold on Wednesday, June 8 instead of Tuesday. /Met with Hugh Doughery from Pennoni on

performance bonds and maintenance bonds and may have resolutions for next meeting to cancel or extend./Contacted an appraiser for the V & I Building and is working on getting this appraisal started./Will be putting a resolution on agenda for all liquor license in the borough for renewal by July 1, 2016. Notes that the boroughs present fee is \$1944.00 annually to all license holders except the VFW whose fee is \$100.00 and we have not had an increase since 2004. Mentions that there is no code for the fee set by ordinance for a brewery license for the borough. Solicitor is working on same.

ORDINANCES & RESOLUTIONS:

2nd reading

ORDINANCE NO. 2016-11, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK.
(N.J.S.A. 40A:4-45.14)

Meeting open to the public.

Meeting closed to the public.

Motion to adopt Ordinance No. 2016-11 made by Kupchik seconded by Badolato. All were in favor.

2016 GENERAL, WATER, SEWER AND OPEN SPACE BUDGET.

RESOLUTION R5-1;2016, Whereas, N. J. S. 40A:4-8, as amended by 7 L. 2015, c. 95 14, 20-15, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection and has been made available to each person upon request; and **WHEREAS**, these two conditions have been met; and **NOW, THEREFORE BE IT RESOLVED**, that the budget shall be read by title only.

Motion made by Kupchik seconded by Miller. All were in favor.

2016 GENERAL, WATER, SEWER AND OPEN SPACE BUDGET
APPROPRIATING \$8,179,016.18 IN GENERAL, \$3,134,703.00 IN WATER,
\$807,958.00 IN SEWER AND \$112,050.00 IN OPEN SPACE.

Hearing open to the public on the 2016 General, Water, Sewer and Open Space budget.

John Armano
112 Rich Avenue
Berlin N J

Armano states the budget is increasing 3 cents. Mayor Bilella notes it is 2.6 cents.
Armano states that we are using \$160,000 of deferred school taxes to balance the budget.

Mayor Bilella states it is not being used to balance the budget, it is being used to invest in redevelopment of Berlin. Armano states he can only track \$85,000 and mayor notes this money is in other parts of the budget. Bilella reminds the former mayor that over \$150,000 was used in 2010 to balance the budget back when he was mayor. Armano stated it was because of the 2% cap the borough was under. Bilella notes that the borough today is under the same 2% cap. Bilella notes that the budget was increased 4 cents in 2012 under Armano's administrator and former chairman of finance Maccaroni. / Armano questions the zoning line item increase amount. CFO explains she has had to reallocate the money correctly in the appropriate lines. Bilella states we actually decreased the zoning budget. Armano states that the salaries for administrative increased considerably. CFO states that the outgoing administrator's salary has to be in the budget until she is actually off the payroll and this cost reflects a new person being hired. CFO reminds the former mayor that there are additional finance expenses due to the new payroll company that was brought on board this year. Mayor Bilella explains that the CFO has had to reallocate errors from previous years that were incorrect. Councilman Pearce explained to Armano that each line item of the budget was discussed at two open to the public budget meetings held for numerous hours whereas the public could have heard the budget discussions in full and would have been able to hear each line questioned. Pearce notes that this budget was taken very serious by this governing body.

Rich Kelleher
8 Greenleaf Court
Berlin N J

He states he went over the budget by percentages. He questions the salaries and wages and that he is noting a high percentage of increase compared to 2%. Mayor Bilella explains that there are union contracts that were negotiated prior to this new council that were guaranteed by the previous mayor and previous finance chairman, some with increase up to 23% for certain employees in the borough. His council spent over one year in negotiations to come up with a future that will allow for future spending. Current employees are under a salary contract that the borough cannot exclude themselves from for now mayor Bilella explains. He states that we have to look into increasing development because that is the only way we can increase our revenue. Revenue thru economic growth and not in raising taxes. Kelleher questions the operating expenses in the budget that has also gone up. Mr. Kelleher is questioning the zoning line again that was already answered. He asks when the contracts are up and how long they are for. Councilwoman Kupchik explains that there are three contracts that stagger.

Kelleher was offended regarding Councilman Pearce's comment about hurrying up to get the hoagies at the annual lady's alluxiary hoagie sale before they were sold out. Pearce explained he only meant because they were so good.

John Mitchard
10 Canyon Drive
Berlin N J 08009

He asks how he can get the union contracts and was told to make an OPRA request and he would be provided same.

Hearing closed to the public.

Motion to adopt the 2016 General, Water & Sewer Budget made by Buchanan seconded by Kupchik. All were in favor.

ORDINANCE INTRODUCTIONS:

ORDINANCE NO. 2016-13, AN ORDINANCE MODIFYING CHAPTER 6 CELEBRATION ADVISORY COMMITTEE.

Motion to introduce; Rocco Sec.; Miller. All were in favor.

ORDINANCE NO. 2016-14, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 218 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "MERCANTILE LICENSES".

Motion to introduce; Miller. Sec.; Kupchik. All were in favor

ORDINANCE NO. 2016-15; AN ORDINANCE CREATING CHAPTER 233 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED RESIDENT PERMIT PARKING ONLY.

Motion to introduce; Buchanan, Sec.; Rocco. All were in favor.

ORDINANCES 2ND. READING

ORDINANCE NO. 2016-12, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 261 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SEWERS"

Meeting open to the public.
Meeting closed to the public.

Motion to adopt Ordinance No. 2016-12; Rocco, Sec.; Badolato .All were in favor.

RESOLUTIONS:

Meeting open to the public on Resolutions R5-2 through R5-17; 2016.

Meeting closed to the public.

RESOLUTION R5-2;2016, APPROVAL FROM BOROUGH COUNCIL FOR THE BERLIN VOLUNTEER FIRE COMPANY TO HOLD A COIN DROP ON ROADWAYS IN BERLIN JUNE 4 AND SEPT. 24, 2016.

RESOLUTION R5-3; 2016, A RESOLUTION OF THE BOROUGH OF BERLIN AFFIRMING THAT \$0.015 WAS ADOPTED FOR THE 2016 OPEN SPACE BUDGET LINE.

RESOLUTION R5-4; 2016, A RESOLUTION AUTHORIZING THE REFUND OF DEVELOPER ESCROW BALANCE FOR BLOCK 700, LOT 19 IN THE AMOUNT OF \$582.25.

RESOLUTION R5-5;2016, A RESOLUTION APPROVING THE 2016 CAMP LONG A COMING STAFF LIST AS FOLLOWS;

Sara Durmala, Beth Snyder, Marie Majuri, Jessica McGowan, John Meo and Brent Woods at the rate of \$20.00 per hour, Rylee Jacobs, \$8.75 per hour, Sarah Chiumento, Kevin Henley, and Haley Reese at \$8.25 per hour, Jake Caruso at \$8.00 per hour, Armen Mardikian, Sean Collilns, and Brent Cooper at \$7.75 per hour, Sophia Baldino, Kylie Easterday, Trevor Shannon, Kyle Henley, David Robinson, Michelle Squillace and Ryan Peters at \$6.25 per hour. Sub list Jamie Brown, Matt Jenkins, Debbie Mansis, Lilian Chen and Taylor Pilla.

RESOLUTION R5-6;2016, APPROVAL FROM BOROUGH COUNCIL TO RELEASE THE PERFORMANCE BOND FOR JS HOVNANIAN, MONTEBELLO WATER SERVICE PHASE 2 PER RECOMMENDATION FROM MASER ENGINEERS CONTINGENT UPON THE POSTING OF A MAINTENANCE BOND IN THE AMOUNT OF \$4852.50 AND ESCROW AN ADDITIONAL \$242.60 TO REMAINING ESCROW BALANCE..

RESOLUTION R5-7; 2016, APPROVAL FROM BOROUGH COUNCIL TO ACCEPT THE RESIGNATION OF MICHAEL LATIGONA FROM THE ECONOMIC DEVELOPMENT COMMITTEE AND THE CELEBRATION ADVISORY COMMITTEE EFFECTIVE APRIL 28, 2016, THE DATE OF HIS RESIGNATION LETTER TO THE BOROUGH.

RESOLUTION R5-8;2016, AUTHORIZATION FROM BOROUGH COUNCIL TO APPROVE THE POLICY FOR PAYROLL FOR NEW EMPLOYEES ONLY EFFECTIVE THIS DATE, MAY 12, 2016 IN REGARDS TO PAY PERIODS.

RESOLUTION R5-9;2016, A RESOLUTION AUTHORIZING THE RENEWAL OF THE SHARED SERVICES AGREEMENT BETWEEN CHERRY HILL FIRE DISTRICT # 13 AND THE BOROUGH OF BERLIN/BERLIN FIRE COMPANY # 1.

RESOLUTION R5-10; 2016, APPROVAL FROM BOROUGH COUNCIL TO ACCEPT THE RESIGNATION OF LIBRARY TRUSTEE ALAN NICKERSON EFFECTIVE IMMEDIATELY.

RESOLUTION R5-11;2016, APPROVAL FROM BOROUGH COUNCIL TO ACCEPT PROPOSAL FOR PROFESSIONAL SERVICES FROM PENNON ASSOCIATES FOR INSPECTION OF ELEVATED TANKS FOR A COST NOT TO EXCEED \$12,000. (FUNDS CERTIFIED BY CFO)

RESOLUTION R5-12;2016, APPROVING MERCANTILE LICENSES FOR FRANK FIRICANO, T/A ARIES FILTER WORKS AT 117 JACKSON ROAD FOR THE FABRICATIONS OF WATER FILTERS AND WATER TREATMENT SYSTEMS AND MICHAEL HANSON, T/A HANSON AND ZOLLINGER, INC. AT 117 JACKSON ROAD FOR THE ASSEMBLY AND FABRICATION OF OPTICAL PRODUCTS.

RESOLUTION R5-13;2016, AUTHORIZATION TO AWARD PROJECT FOR VENTILATION FANS AT THE BERLIN COMMUNITY CENTER TO ABS ELECTRIC, INC. OF ELMER, NJ, THE LOWEST OF THREE QUOTES FOR THE AMOUNT OF \$32,452.00. (CFO HAS CERTIFIED THE FUNDS CONTINGENT UPON PAY TO PLAY EXECUTED FORMS)

RESOLUTION R5-14; 2016, APPROVAL FROM BOROUGH COUNCIL TO CANCEL OUTSTANDING CHECKS OVER SIX MONTHS ISSUED BY THE MUNICIPAL COURT FOR A TOTAL AMOUNT OF \$\$570.01

RESOLUTION R5-15;2016, AUTHORIZATION FROM COUNCIL TO APPROVE THE PROPOSAL FROM PENNONI ASSOCIATES TO MOVE FORWARD WITH THE DESIGN SERVICES FOR SIGNAL IMPROVEMENTS FOR THE INTERSECTION OF FRANKLIN AVENUE AND CLEMENTON ROAD, PHASE 1 IN THE BOROUGH OF BERLIN FOR A COST OF \$8640.00. (CFO HAS CERTIFIED THE FUNDS)

RESOLUTION R5-16; 2016, A RESOLUTION DESIGNATING NON-CONDEMNATION REDEVELOPMENT AREAS FOR THE BOROUGH OF BERLIN.

RESOLUTION R5-17;2016, APPROVAL FROM COUNCIL TO APPOINT SENNETT KRUG CHAIRMAN OF THE CELEBRATION ADVISORY COMMITTEE AND CASEY BUCHANAN VICE CHAIRMAN OF THE CELEBRATION ADVISORY COMMITTEE.

RESOLUTION R5-18;2016, AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH PENNONI ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES INCLUDING CONTRACT ADMINISTRATION, INSPECTION & CONSTRUCTION MANAGEMENT FOR THE RECONSTRUCTION OF CUSHMAN AVENUE ROAD PROJECT YEAR 2016 FOR THE COST OF \$39,000.00. CFO HAS CERTIFIED THE FUNDS.

RESOLUTION R5-19;2016, AUTHORIZATION FROM BOROUGH COUNCIL TO HAVE THE CFO/ADMINISTRATOR WORK WITH HD SUPPLY FOR THE COST OF THE UPGRADING THE RADIO READ CURRENT WATER SYSTEM AN TO

PROCEED WITH THE FIVE YEAR CONTRACT FOR THE UPGRADING
CONTINGENT UPON THE PROPER FUNDING AND CONTRACT.

Mayor re- opens the meeting to the public back again for Resolutions R5-2 through R5-19 due to any confusion at the beginning of the resolutions. No one had any questions.

Motion to adopt Resolutions R5-2 through R5-19; 2016 made by Pearce seconded by Kupchik. All were in favor.

- **PRIVILEGE OF FLOOR:**

Delores Motluck
1 Stafford Ct.
Berlin N J

Asked the council to consider a newsletter being put out to all residents because not everyone has access to a computer and does to get vital information. She feels a lot of the community is not all informed and she feels everyone should be informed as to what is going on at all times. She showed the council a newsletter from Winslow Township for us to look at. Mayor states they are trying and get more information out by reconnecting with Eastern Regional High School's channel.

Charlene Galliano
265 So. White Horse Pike
Berlin

Thanks Councilman Pearce and Councilman Badolato for the hard work they do for the ICCA committee. She is a big advocate of Cindy Williams.

Micki Armano
112 Rich Avenue
Berlin

Questions Resolution R4-4; 2016 from last month's agenda regarding the providing of equipment and materials for audio and where this is going. Mayor explains this is being purchased to video our own rather than pay an outside service monthly. This will also enhance the audio of all meetings.

- **PAYMENT OF THE BILLS FOR THE MONTH OF APRIL, 2016 IN THE AMOUNT OF \$ 2,385,904.33.**

Motion made by Kupchik seconded by Badolato. All were in favor.

At this time a motion was made to go into executive session to discuss matters of personnel on new hires for the borough. All applicants received a Rice Notice.

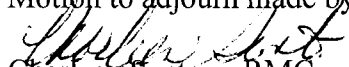
Anticipated time is approximately 20 minutes to ½ hour. Action may or may not be taken at the end of the executive session. Motion made by Pearce, seconded by Miller.

At this time a motion was made to go back into open session by Kupchik seconded by Badolato. All were in favor.

APPOINTMENT:

Motion to appoint Lois Sahina as acting municipal clerk for the Borough of Berlin effective actual date of hire and agreement for a one year term at the annual salary of \$55,000 made by Pearce, seconded by Miller. All were in favor.

Motion to adjourn made by Miller seconded by Kupchik. All were in favor.


Charleen Santora, RMC