



BOROUGH OF BERLIN

REGULAR MEETING MINUTES

THURSDAY JUNE 11, 2020 - 7:00 P.M.

Mayor Rick Miller called the meeting to order at 7:00 pm. He stated that 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.

After the salute to the Flag the following roll call was taken:

Present: Councilmembers: Badolato, Cummings, Hohing, Miller, Simone, Pearce and Mayor Miller
Absent: None

Approval of Minutes:

May 14, 2020 Regular Council Meeting
June 2, 2020 Special Emergency Council Meeting.

Moved by: Council President Pearce; **Seconded by:** Councilwoman Cummings

Vote: Motion carried by roll call vote (summary: Yes = 6).

Yes: Council President Pearce, Councilman Badolato, Councilman Simone, Councilwoman Cummings, Councilman Miller, Councilman Hohing

No: None

Abstain: None

Absent: None

Clerk Harris read into the record the Department Head financial reports for the month of May.

DEPARTMENT HEAD REPORTS FOR THE MONTH OF MAY 2020

Permit fees	\$80,983.00
Permit Inspection	\$16,191.00
Rental Inspections	\$26,720.00
Zoning fees	\$ 3,225.00
Re-sale Inspection Fees	\$ 4,200.00
Community Center Fees	\$ 0.00 - CLOSED
Tax collector's Report	\$ 3,756,424.72
Utility Report	\$ 94,387.47
Clerks Report	\$ 4,185.00
Animal Report	\$ 606.00
Court Administrator	\$ 16,974.26

COUNCIL REPORTS:

➤ **BUILDINGS, PARKS, & RECREATION** - Chairman Len Badolato

He reviewed a few things about the walkway lights up at the Community Center. We were going to try to get them in a little more properly into the ground as they're not the best lights. I gave the OK to get the lights repaired, the ones that were broken, by the parents from the kids that had vandalized them. They were supposed to pay for the repairs and hopefully they'll be done by the end of June. He also noted that the parents had an agreement with TJ Verano, they were supposed to make payments in January, February and March. I just found out today that so far, they only made one of those payments in January. Stacy is going to contact TJ Verano to see about getting the balance. The Dept of Parks and Recreation the DPW, finally put the flowers on the poles in town. I'm still having to work on another estimate to get the brick wall shored up in front of the Borough Hall library.

I have to get one more quote for the post office. That's going to be the big expense, to repair their heating and ventilation system. It is from the 1950s so hopefully if we get it fixed it will be as good as the one that's in there now.

I spoke to a couple council people today in reference to reimbursing the Director for camp. She had sent me a list of things that she did getting ready for the summer camp. Based on what she normally does, she thought that it was about 58% of what she normally does and would like to get paid. He was asking for everyone's perspective because with the virus and the way people are struggling to pay their taxes. He realized that the camp isn't going to work out this year and we tried to do our best to see what happened, but it's just wasn't feasible, and we had to pull the plug. She was asking ballpark around a little over \$3000. If you figure everything she did, I assume that she could probably have gotten it done in a week and would like to pay her something.

PUBLIC WORKS, STREETS & ROADS - Chairman Andrew Simone

Combined his report due to the back-to-back storms that swept through Berlin last Wednesday, June 3rd.

After each heavy rainstorm, the Public Works Department's main priority was to clear all Borough streets of debris, sitting water, and downed utilities to ensure safe travel throughout the Borough. The daily pick-up of trash, recycles, and bulk items had to be completed before organics and storm debris were removed. He asked for the residents, to please be patient as the Department is continuing to remove large residential piles that had been left at curbside. He did note that Public Works staff are not permitted on private property without permission and are not responsible for fallen debris left in yards and in easements of Homeowner Associations. The Borough is only able to pick up debris at curbside. The Property Maintenance officer will notify all vacant property owners where fallen debris is not removed in a timely manner.

He also highlighted that nine (9) County Routes and two (2) public parks were within Berlin Borough. These roadways, properties, and storm inlets are not within our jurisdiction to maintain. Fortunately, Camden County Public Works Department did clear all fallen debris in county streets and parks within the last few days. Branches and trees on South Park Drive will be removed during the upcoming phase of the Berlin Park Trails Improvement Project.

Lastly, the Main Office and the Construction Office continuously receives anonymous requests for maintenance concerns. We have no issue with residents remaining anonymous, BUT

with no name or address identified it is very difficult to locate the streets and properties within the requests. He asked that all incoming requests and concerns please include a specific address or landmark to allow the Borough to quickly resolve the situation.

WATER & SEWER - Chairwoman Patricia Cummings

Reported all inside water meters appointments continue to be suspended to avoid contact with residents. There was a major mechanical failure at Plant #2 and the contractor is currently working on the well to replace the pump and motor. Completion is estimated to be around June 30. She reported that 41 utility mark-outs requests and the monthly maintenance at Plant #1 had been completed.

The Monthly routine maintenance at our 10 pump stations and emergency back-up generators at the sewer pump stations had been completed. The crew running sewer cameras have not found any major issues our sewer system. Some minor issues have been discovered and have been addressed.

PUBLIC SAFETY - Chairman Jim Pearce –

Started his report commenting on what he believed to be a much bigger issue. He had spoken to many of our residents and civic groups, covered employees, volunteers for the Borough, as well as having several communications with the governing body, the solicitor and the Police Chief. The number one fact that he, all of the police, all those people he had spoken with, and this Governing body, is that the Governing Body wanted it to be known and go in the record, that all police actions and the use of excessive force that was used in the killing George Floyd. There is no discussion and he has had no one come to say anything different than our Police Department has stated that they recognize that there are bad cops and they Berlin Police Dept.] are just as angry, and they've actually stated they were angrier. That being said we also discussed several key points relevant to that exact issue:

1. Any and all complaints including use of excessive force are thoroughly investigated by the Berlin Police Department
2. Policies they plan on implementing include additional training to ensure nothing like this will ever happen in our town
3. They are audited by the Camden County Prosecutor's office. For 2019, and they want the public to know, that they passed as completely compliant with all of the ways they have handled their policing.

The Berlin Police Department works hard to keep everyone safe and we also want them to know that we appreciate that every day. We, as the governing body, along with the Police Department want to ensure the residents of Berlin Borough do not condone that type of behavior in Berlin and we will not condone it. Let me be very clear about that!

He wanted to recognize the officer of the month for the month of May, John Fager. We will prepare a certificate of recognition so that people know how grateful we are for his work

He gave an overview of the activity for the month of May 2020 of which the volunteers of the Berlin Fire Company successfully accomplished:

Responded to 58 calls for service in the month of May 2020

Received Online Training via Facebook Work Group on Tuesday nights.

Staffed weekly SAFER Grant Duty Crews

Council President Pearce also reported that the Berlin OEM in conjunction with the Red Cross assisted a family on Jackson Road whose home had caught fire. They had also been working with Camden County OEM to fully stock our public safety partners with the PPE needed to operate daily and have also supplied the Borough Hall offices. The OEM coordinator met with Mr. Harris, the new Administrator and supplied him with the approval letter from the NJ State Police for the Emergency Operations Plan which had been renewed for an additional four years.

COMMUNICATION – Chairman Keith Hohing - Councilman Hohing dropped from the call and was absent for the remainder of the meeting.

- FINANCE - Chairman Jake Miller had no further report.
- SOLICITOR - Howard Long reviewed the Ordinance 2020-08 that was up for a second reading and public hearing. He also reviewed some of the Resolutions being presented for consideration.
- MAYOR’S REPORT – Rick Miller welcomed Mr. Harris to the Borough and noted how proactive he has been, handling matters for the Borough. On a personal note he reflected on the occurrences around the world over the last few weeks: These past few weeks have probably been the hardest I've ever experienced in my life I'm sure there's been others, but especially I found it difficult even watch the news or read the newspaper. I'm sad and on many levels, as a father, as a businessman, as a community leader, as a citizen and a human being who believes in justice, equality and respect for all. I think what troubles me the most was not the person kneeling; taking a life away but with the three people who stood around and did nothing; just sat there and did nothing. I think that's what troubles me the most. I'm not going to try to remember who said it, but the only thing necessary for evil to triumph is for good people doing nothing and that was the case...I participated and attended the two events over the weekend. One was on Friday and one on Saturday and as I walked around and talked with a lot of people, the emotion I got the most was that people felt hurt. I know my experience and I learned a little by speaking with members of the audience at the events. Our residents continue to move forward and with the experiences of the past, we need to do our part here in Berlin to provide a safe place for them and our visitors. I can't write the wrong, but we can do our best to make sure it doesn't happen here. I hope we can all do our part to make it [Berlin] better for you.

ORDINANCES FOR PUBLIC HEARING/ADOPTION

ORDINANCE 2020-05 - BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE WATER UTILITY SYSTEM IN AND FOR THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,055,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,055,000;

MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Public Hearing -

No one from the public appeared to speak.

Moved to adopt: Council President Pearce; **Seconded by:** Councilwoman Cummings

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

No: None

Abstain: None

Absent: Councilman Hohing

ORDINANCE 2020-06 – BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE SEWER UTILITY SYSTEM IN AND FOR THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$530,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$530,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Public Hearing -

No one from the public appeared to speak.

Moved to adopt: Councilwoman Cummings; **Seconded by:** Council President Pearce

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

No: None

Abstain: None

Absent: Councilman Hohing

ORDINANCE 2020-07 - BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$1,477,225 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,403,364; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Public Hearing -

No one from the public appeared to speak.

Moved to adopt: Councilman Badolato; **Seconded by:** Councilman Miller

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

No: None

Abstain: None

Absent: Councilman Hohing

ORDINANCE 2020-08 - ALLOWING FOR ISSUANCE OF ZONING PERMITS, EFFECTIVE FOR A TIME PERIOD OF 120 DAYS, TO PERMIT TEMPORARY OUTDOOR RESTAURANT SEATING AND RETAIL OUTDOOR DISPLAY SALES AREAS AT EXISTING LAWFUL BUSINESSES, SUBJECT TO BULK ZONING AND CONSTRUCTION CODE REQUIREMENTS AND OTHER OUTSIDE AGENCY APPROVALS

Public Hearing -

No one from the public appeared to speak.

Moved to adopt: Council President Pearce; **Seconded by:** Councilman Badolato

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

No: None

Abstain: None

Absent: Councilman Hohing

NEW BUSINESS: RESOLUTIONS/ORDINANCES

The Clerk read the following Resolutions into the record.

RESOLUTION 2020-067 – RESOLUTION ADOPTING THE 3-YEAR COOPERATIVE AGREEMENT WITH THE COUNTY OF CAMDEN

RESOLUTION 2020-068 - RESOLUTION AUTHORIZING UTILITY BILL ADJUSTMENTS FOR THE FOLLOWING PROPERTIES

RESOLUTION 2020-069 - APPROVAL OF BUDGET INSERTION FOR THE FISCAL YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$5,000

RESOLUTION 20 20-070 – CONFIRMING EMERGENCY AND AWARDING A CONTRACT FOR EMERGENCY SERVICES TO AC SCHULTES FOR THE REMOVAL AND MAINTENANCE OF THE VERTICAL TURBINE PUMP AT WELL #11 FOR THE BERLIN WATER UTILITY

RESOLUTION 2020-071 - RENEWAL OF AGREEMENT BETWEEN THE BOROUGH OF BERLIN AND THE VOORHEES ANIMAL ORPHANAGE FOR THE PROVISION OF ANIMAL SHELTER SERVICES

RESOLUTION 2020-072 - RESOLUTION AUTHORIZING AN AWARD OF CONTRACT PURSUANT TO COMPETITIVE CONTRACTING REQUEST FOR PROPOSALS #17-10, (1st ONE-YEAR OPTION) BY AND BETWEEN THE COUNTY OF CAMDEN [DIVISION OF ENVIRONMENTAL AFFAIRS) AND FCR CAMDEN, LLC, FOR MARKETING SERVICES OF SINGLE-STREAM RECYCLABLE MATERIALS FOR THE COUNTY OF CAMDEN AND PARTICIPATING COUNTY MUNICIPALITIES UNDER THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, ID#57-CCCPS

RESOLUTION 2020-073 - APPROVING AND AUTHORIZING APPLICATIONS FOR ALL FOOD OR BEVERAGE ESTABLISHMENTS TO EXPAND THEIR FOOTPRINT TO OUTDOOR DINING AREAS PURSUANT TO EXECUTIVE ORDER 150 AND GRANTING THE ENDORSEMENT AND APPROVAL FOR ANY LICENSEES OR PERMITEES WITH AN RETAIL CONSUMPTION LICENSE TO APPLY FOR AN A COVID-19 EXPANSION OF PREMISES PERMIT FROM THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL

RESOLUTION 2020-074 – PAYMENT OF BILLS = \$1,240,294.03

RESOLUTION 2020-075 - RESOLUTION APPROVING CHANGE ORDER #1 FOR THE 2019 BERLIN BOROUGH ROADWAY IMPROVEMENT PROJECT

RESOLUTION 2020-076 - RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2021 BERLIN BOROUGH ROAD PROGRAM PROJECT

RESOLUTION 2020-077 - RESOLUTION AWARDDING A CONTRACT TO PENNONI ASSOCIATES INC. FOR PROFESSIONAL SERVICES RELATED TO THE WATER METER REPLACEMENT PROJECT

Mayor Miller asked for comments from the public on the above resolutions. No one from the public appeared to speak. He stated that unless a member of the Council would like to consider any of the items separately, they would be passed under a consent agenda.

Motion to approve Resolutions 2020-067 – 2020-074 as a consent agenda: Councilman Miller; **Seconded by:** Councilman Simone

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

No: None

Abstain: None

Absent: Councilman Hohing

PRIVILEGE OF THE FLOOR was offered by the Mayor. No one came to speak

GOOD OF THE ORDER was offered by the Mayor with no comments.

There being no further business before the Governing Body:

Moved to adjourn [7:52 pm]: Councilman Badolato; **Seconded by:** Councilwoman Cummings

Vote: Motion carried by roll call vote (summary: Yes = 5; Absent = 1).

Yes: Councilmembers: Pearce, Badolato, Simone, Cummings, Miller,

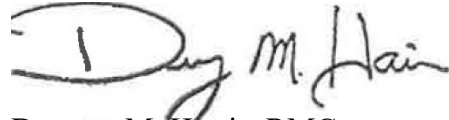
No: None

Abstain: None

Absent: Councilman Hohing

I, Dwayne M. Harris, Administrator/ Clerk of the Borough of Berlin, in the County of Camden, State of New Jersey, hereby certify these Minutes were approved by the Governing Body, at its Regular Meeting, held July 9, 2020.

WITNESS my hand this 10th day of July 2020.

A handwritten signature in black ink that reads "Dwayne M. Harris". The signature is written in a cursive style with a large initial "D" and "H".

Dwayne M. Harris, RMC
Administrator/Clerk