

BOROUGH OF BERLIN  
COUNCIL MEETING MINUTES  
THURSDAY, JUNE 15, 2017  
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 Jim Bilella, Council President Jim Pearce, Council Members Miller, Badolato, Rocco, Buchanan, & MacDonnell.

**PRESENT ALSO:** Solicitor Howard Long, Municipal Clerk Lois J. Sahina and Chief Financial Officer Michael T. Kwasizur

**APPROVAL OF MINUTES**

5/11/2017 - Council Meeting Minutes

**DEPARTMENT HEAD REPORTS FOR THE MONTH OF MAY 2017**

Permit fees	\$ 8,829.00
Zoning fees	\$ 320.00
Re-sale inspection fees	\$ 1,900.00
Community Center fees	\$ 400.00
Tax collector's report	\$ 3,441,913.12
Utility report	\$ 100,017.46
Clerks report	\$ 13,672.00
Animal report	\$ 2120.00
Court Administrator	\$ 27,998.44

Motion to approve; Council President Pearce

Sec.; Councilman Badolato

RCV; All present were in favor

## **COUNCIL REPORTS:**

- **BUILDINGS & GROUNDS, Chairman Len Badolato**
  - The new light that we are having installed near the back entrance of the library is still being worked on.
  - We expect the wording for the borough doors to be completed and installed within the next week or two.
  - On Saturday, June 24, 2017 at 1:00 pm there will be the ribbon cutting ceremony for the new Jamaican soul food restaurant called “Jam Rock”. It is located on the pike in the downtown area.
  - On July 4, 2017, we have asked the businesses downtown to be open and take advantage of the potential business that the people attending the annual parade may bring. The Vault is planning a roof top concert and Maggie’s Bakery & Ollie Gators will participate in this event on the 4<sup>th</sup>.
  - The look of the downtown area is starting to improve with the painting of the store fronts of Key Engineers & Fantasy Travel. New facades have been installed on Maggie’s Bakery and an awning over the front of Jam Rock. Many thanks go out to this Mayor and Council for the continued support in the efforts of the DVRC.
  
- **STREETS & ROADS, Chairman Dan MacDonnell**
  - Many thanks are extended to our Fire Company and Ladies Auxiliary for the wonderful unveiling of our new fire truck and following reception.
  - We just received a \$187,000.00 grant from the NJDOT for our upcoming 2017 Road Program. We will be addressing the worst first, which includes Constitution Boulevard in the Centennial Square Development.
  - The Royal Farms preliminary site plans and final site plans were approved by the Planning Board at their last meeting of June 12, 2017. Some residents are concerned about the traffic issues this may create on the nearby side streets of Rich and Thackara Avenues. These issues will be addressed.
  
- **WATER & SEWER, Chairman Ron Rocco**
  - Water, sewer, connections, complaints, engineer & income reports for the month of May 2017 were given.
  - The bid went out for the Rehabilitation Pipeline. Standard Pipeline was awarded.
  - The future work that must be done on Rose Lane will be going out to bid in the near future.
  - Our hydrant flushing is completed.
  - Councilman Rocco read a short message in honor of Flag Day, June 14, 2017.
  
- **HEALTH & RECREATION, Chairman Mike Buchanan**
  - Thanks, were extended to Mr. Rocco in honoring “Flag Day” with a patriotic message.
  - This coming Sunday, June 18, 2017 the Community Center will be cleaning out all of the “Lost and Found” items. They will be donated unless claimed.

- The Community Center has been rented out for this coming Saturday, June 17, 2017. Roger Strong will be the attendant for this event. We are still looking for a permanent attendant for future events.
- I have received some phone calls from some interested residents who want to form a Pickle Ball Club and hold Pickle Ball Events at the Community Center.
- The Voorhees Town Center has a Teen Center inside the mall for teens to take advantage of events in a safe environment.
- I have also been approached by some residents for an update on the parking ordinance. Councilman MacDonnell commented: There is a new planner from CME who is looking at the ordinance. We have had one resident apply for a variance.
- I would like to extend my thanks to the Berlin Fire Company for their well-planned welcoming and unveiling of the new fire truck. I wanted to thank Chief Behnke for all of his hard work and research in the careful purchase of this truck.
- This past Election Day went well and I wanted to extend thanks to the hard-working volunteers and board workers for their help.
- I also wanted to extend holiday wishes for the upcoming July 4<sup>th</sup>. If anyone is interested in volunteering for the upcoming parade and festivities, please feel free to contact me.

- PUBLIC SAFETY, Chairman Jim Pearce

- The Police Department Statistics Reports were given for May of 2017 including:
  - Total Calls Handled - 1334
  - Investigation Reports - 101
  - Drug Arrests – 19
  - Warrant Arrests – 17
  - DWI Arrests – 5
  - Accident Reports – 35
  - Motor Vehicle Citations - 330
- The Police Department was able to purchase two brand new Fuji bikes with an outside grant source of \$2500.00.
- We are also looking into trying to receive “COPS” grant money.
- Starting on June 26-30, 2017 the Berlin Police Department will be sponsoring the “Third Annual Junior Police Academy” for children ages 9-12.
- The “No Need to Speed Campaign” continues to focus on certain areas in town that have issues with speeding. These areas include:
  - Egg Harbor Road- Between White Horse Pike & Franklin Avenue
  - RT. 30 - Between the boarder of Atco and Taunton Avenue
  - Taunton Avenue - Between RT 73 & RT. 30
- There was a total of 68 fire calls made in the May 2017, making a total of 313 calls for the total year to date.
- My thoughts are with the Congressman in Washington, D.C. in reference to the recent shooting.

- FINANCE, Chairman Rick Miller

- We received a “Clean Community” Grant in the amount of \$187,000.00.
- To date, we have collected \$10,500 from “Prochamps” on foreclosed and vacant properties.

- On June 2, 2017, I met with the Camden County Park Improvements concerning improvements that will be made to the park and softball fields. They will be clearing away the blocked, overgrowth and poison ivy on the trails and paths. We are also working with the FAA to have overgrown trees in the park cut back.
  - The Public Works Portal is almost up and running thanks to our CFO.
  - On Friday, June 23, 2017 @ 6:00 pm there will be a “Kids Paint Night” sponsored by the Celebration Committee. This will be located at the Community Center. They will be painting the American Flag.
- MAYOR, Jim Bilella
    - Last Fall the 24-acre property know as Simone Family Farm went up for sale. The Borough was approached by the Berlin Farmers Market to see if the Borough was interested in a joint purchase of this property. The Berlin Farmers Market was interested in purchasing approximately 24 acres. They proposed keeping 10 acres of this property for warehouse purposes and then subdividing the property and selling the remaining 14 acres including the house on the front of the property to the Borough for open space purposes. We were able to negotiate a tri-lateral deal with an agreement to buy this land. This agreement would protect this land from having a potential builder build 100 houses on this sight, as it is zoned residential. The agreement has been approved by the Berlin Farmers Market and Mr. Long. The agreement of sale is ready to be signed tonight and I will be moving forward with this transaction. The settlement of this property will take place in approximately September or October of 2017. This is the first time since 2008, when the voters voted to be taxed for open space, that these funds will be used to preserve open space in the Borough of Berlin.

Council President Pearce commented: In November of 2012 both (at the time Councilman Bilella) and I spoke out against the building of apartments on this land. Almost ten years ago, the tax payers voted for the tax for open space and now we are able to take action on this opportunity.

- Mayor Bilella continued comments: The upcoming newsletter adds to the open and transparent policy that we administer in our Borough. Our updated website, facebook page, and the new connection with the Eastern Regional TV station, all help with this ongoing effort. People still seem to be asking what is going on and why we don't have a newsletter. This is why I have reached out to the company “Home Town News”. This will add another dimension to our transparency and help get the town information out to our residents. We will be able to mail 4800 to 5000 newsletters, 2x a year, in the Fall and Spring, at no cost to our tax payers. Some of the information you can expect to see are the updates on road projects, dates of hydrant flushing's, department updates and mayor and council committee update reports.
- We are looking forward to awarding the bid of our Phase III Sidewalk Project along Clementon Road. This project will start in July 2017 and we hope to have it completed by the beginning of the new school year, in September of 2017. This phase of the project will again, help to make our roads safer for our residents.

- Councilman Rocco, Mr. Long and myself met with NJ American Water about the amount of water and the quality of the water that we purchase. They understand our concerns for the residents and they are working with us to resolve this issue.
- At the last Planning Board Meeting the preliminary and final plans for Royal Farms was approved. There are some residents that are concerned about how the side streets that they live on will be affected. They are concerned about cut through traffic, speeding and reckless driving on Rich and Thackara Avenues. We do live in a very densely populated area and this is a concern for all areas of our town. We will be planning ahead to address these concerns.
- The Fire Department Housing of the new fire truck was a very nice event. I am very proud of our Fire Department. They have great leadership and their group is growing with new members. They protect our residents in a cost-effective way because of their many dedicated volunteers. The cost of a new truck is far less, compared to having to pay for a staff of fire fighters.

SOLICITOR, Howard Long

- We have a 2<sup>nd</sup> reading ordinance that will be up for adoption on the agenda tonight. This ordinance establishes a Public Right Away to Block 1502 Lot 13 off of Jackson Road. This ordinance will establish this as a paper street. It will also give us a give clear right of way and access to our pump station.
- We have a 1<sup>st</sup> reading ordinance on the agenda tonight which will transfer and give acceptance to the borough, on the land, on the corner of Washington Avenue & Cooper Road. This is being donated by Schaeffer Land LLC. This resolution also states the exceptions and conditions of this agreement. Along with the acceptance there are modifications stipulating that any new home that is built on this property in the future must be shifting away from the existing dwelling.
- The Mayor, Councilman Rocco and myself met with NJ American Water and the NJDEP. We are starting to see process with this matter.
- We need to go into closed session tonight to discuss litigation matters.

- CHIEF FINANCIAL OFFICER, Michael T. Kwasizur

Our new internet based Work Order Management Input System, Mobil 311.com, will be ready within the next month. The Department of Public Works employees will be trained first on how to use the service. We will then train all of the other department employees how to input a work request. This information will also be send to our residents so they will know how they can get sign up simply by typing in Mobil.311.com. This will allow them to place a work order directly to the DPW.

**PRIVILEGE OF THE FLOOR: No one spoke**

**READING ORDINANCES**

**2ND READING ORDINANCE**

**ORDINANCE 2017-08 – ORDINANCE ESTABLISHING A PUBLIC RIGHT OF WAY ON BLOCK 1502, LOT 13 IN THE BOROUGH OF BERLIN**

Motion to Adopt: Councilman Rocco  
Sec.: Councilman MacDonnell  
RCV: All present were in favor

**1ST READING ORDINANCE**

**ORDINANCE NO. 2017-09**  
**ORDINANCE AUTHORIZING THE TRANSFER AND ACCEPTANCE OF PROPERTY AND EXECUTION OF CERTAIN DOCUMENTS FROM SCHAEFFER LAND, LLC TO THE BOROUGH OF BERLIN, IDENTIFIED AS LOT “C” COMPRISED OF A PARCEL OF LAND AND BUILDING AS SET FORTH IN THE SETTLEMENT AGREEMENT AUTHORIZED BY RESOLUTION R6-09; 2017, BEING A PORTION OF BLOCK 1400, LOT 14, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY**

Motion: Councilman Badolato  
Sec.: Councilman MacDonnell  
RCV: All present were in favor

**READING RESOLUTIONS**

**MEETING OPEN TO THE PUBLIC ON RESOLUTIONS R06-03 ;2017 THROUGH R06-18; 2017-** No one spoke

**MEETING CLOSED TO THE PUBLIC** - No one spoke

**RESOLUTION R 6-03; 2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING A TAX SALE PURSUANT TO N.J.S.A. 54:5-19 & THE MAILING OF TAX SALE NOTICES PURSUANT TO N.J.S.A. 54:5-26**

**RESOLUTION R6-04; 2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING TAX REFUND IN THE AMOUNT OF \$2,952.45 FOR BLOCK 2303 LOT 34 DUE TO MTG. CO. OVERPAYMENT.**

**RESOLUTION R06-05;2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING 2<sup>nd</sup> QTR. 2017 UTILITY BILL ADJUSTMENTS FOR THE FOLLOWING PROPERTIES.**

**RESOLUTION R06-06; 2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF SUBSEQUENT TAX PAYMENTS FOR BLOCK 2202 LOT 26 IN THE AMOUNT OF \$650.02 DUE TO YEAR END PENALTY TO LIENHOLDER.**

**RESOLUTION R6-07; 2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF TAXES IN AMOUNT OF \$418.44 FOR BLOCK 203 LOT 8 DUE TO THE APPROVAL OF A TOTALLY DISABLED VETERAN.**

**RESOLUTION R06-08; 2017**

**AUTHORIZATION TO APPROVE LIQUOR LICENSE RENEWALS FOR THE YEAR 2017-2018 FOR THE FOLLOWING LICENSE HOLDERS: LUCCH LLC, T/A PASTA VINO, WOODBRIAR CORP, TA/WOODBRIAR INN, PARIS CATERERS, LLC/T/A PARIS CATERERS, RENAISSANCE BEVERAGES II LLC T/A CANAL'S DISCOUNT LIQUOR, EVINOS CORP INC., T/A LUCIENS MANOR, TREAHH INC, T/A OLLIE GATORS PUB, ANMAC VFW POST 6253**

**RESOLUTION R06-09;2017**

**RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, FROM THE GOVERNING BODY AFFIRMING THAT \$0.015 WAS ADOPTED FOR THE 2017 OPEN SPACE BUDGET LINE.**

**RESOLUTION R06-10; 2017**

**A RESOLUTION AWARDDING THE 2017 BERLIN BOROUGH, CLEMENTON ROAD IMPROVEMENT - PHASE III SIDEWALK PROJECT BID TO THE LOWEST MOST RESPONSIBLE BIDDER THINK PAVERS HARDSCAPING, LLC LOCATED IN MT. ROYAL, NJ WHO SUBMITTED THE LOWEST MOST RESPONSIBLE BASE BID AND ALTERNATE BEING A COMBINED TOTAL OF \$164,167.50**

**RESOLUTION R06-11; 2017**

**A RESOLUTION TO APPROVE THE BUDGET INSERTION FOR THE FISCAL YEAR 2017 NJDOT ROAD IMPROVEMENT PROGRAM GRANT IN THE AMOUNT \$187,000.00**

**RESOLUTION R06-12; 2017**

**A RESOLUTION TO APPROVE THE BUDGET INSERTION FOR THE FISCAL YEAR 2017 CLEAN COMMUNITIES GRANT IN THE AMOUNT \$15,867.80**

**RESOLUTION R06-13; 2017**

**A RESOLUTION TO APPROVE THE BUDGET INSERTION FOR THE FISCAL YEAR 2017 ALCOHOL EDUCATION & REHABILITATION GRANT IN THE AMOUNT \$1,544.16**

**RESOLUTION R6-14; 2017**

**A RESOLUTION AUTHORIZING THE REFUND OF DEVELOPER ESCROW BALANCE**

**RESOLUTION R6-15; 2017**

**A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BY AND BETWEEN SCHAEFFER LAND, LLC AND THE BOROUGH OF BERLIN, SUBJECT TO CERTAIN TERMS AND CONDITIONS**

**RESOLUTION R06-016; 2017**

**A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, REQUESTING PERMISSION FOR THE BERLIN BOROUGH POLICE DEPARTMENT TO OCCUPY THE RIGHT- OF -WAY ON RT. 561 STATE HIGHWAY AND CONTINUING ONTO US RT. 30 TO EAST TAUNTON AVENUE FOR THE ANNUAL INDEPENDENCE DAY COMMUNITY PARADE ON TUESDAY, JULY 4, 2017.**

**RESOLUTION R06-017; 2017**

**A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH TO SELL SURPLUS PROPERTY ONLINE ON GOV DEALS**

**RESOLUTION R06-018; 2017**

**A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, ACCEPTING THE RESIGNATION OF STEVE BUCHHOFER FROM THE POSITION OF ELECTRICAL INSPECTOR**

**RESOLUTION R6-019; 2017 A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY AUTHORIZING TO GO INTO CLOSED SESSION ACCORDING TO ONE OF THE NINE EXCEPTIONS TO THE OPEN PUBLIC RECORDS ACT, INCLUDING PENDING OR EXISTING LITIGATION.**

**Motion to approve Resolutions R06-03 through R06-19; 2017- Council President Pearce**

**Sec.; Councilman MacDonnell**

**RCV; All present were in favor**

**PAYMENT OF THE BILLS FOR THE MONTH OF MAY, 2017 IN THE AMOUNT OF \$ 1,259,337.06**



**Motion;** Councilman Miller  
**Sec.;** Councilman Badolato  
**RCV;** All present were in favor

• **PRIVILEGE OF THE FLOOR**

Chief William Behnke  
43 Haines Avenue  
Berlin, NJ 08009

- The Berlin Fire Company Members and myself would like to extend our many thanks to our Mayor and Council for all of your help and support with the purchase of our new 2017 Pierce Impel Ascendant 107 Quint Fire Truck. This acquisition would not have been possible without your support. Thanks also for attending our unveiling of our new truck on June 10, 2017. This was a very exciting day for our Fire Company and Borough. We were glad you could be a part of this special event in our community.
- The Fire Company would also welcome the opportunity to use the Camden County Park as a drill night to train new firefighters how to use chain saws. They can help open up some of the blocks paths in the park, of course with permission given.

Mr. Long stated that we would need to go into executive session according to the Open Public Records Act to discuss tonight's Resolution 06:19; 2017. This resolution falls under pending or threatening existing litigation, which is one of the nine exceptions to the Open Public Records Act. I anticipate that this will last 10 to 15 minutes and with no formal action being taken. Stated time was 7:58 pm.

**Motion to enter into closed session;** Council President Pearce  
**Sec;** Councilman MacDonnell  
**RCV;** All present were in favor

**CLOSED SESSION**

**Motion to enter into open session;** Councilman MacDonnell  
**Sec;** Council President Pearce  
**RCV;** All present were in favor

**FOR THE GOOD OF THE ORDER IS THERE ANY OTHER INFORMATION TO BE DISCUSSED**

-Councilman Buchanan announced that at 6:00 pm on Monday, June 19, 2017 the Berlin Community School 8<sup>th</sup> Grade Graduation will be held at Eastern High School.

**Motion to adjourn;** Council President Pearce  
**Sec.;** Councilman MacDonnell  
**Voice Vote;** All present were in favor

Lois J. Sahina  
Registered Municipal Clerk  
June 15, 2017