 **BOROUGH OF BERLIN**

MUNICIPAL BUILDING

59 SOUTH WHITE HORSE PIKE

BERLIN, NJ 08009

**COUNCIL MEETING MINUTES**

THURSDAY, FEBRUARY 9, 2023

REGULAR MEETING TO BEGIN IMMEDIATELY AFTER THE 6:30 PM WORK MEETING

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**STATEMENT OF ADVERTISEMENT:**

Notice of this meeting has been provided to the Courier Post and the Philadelphia Inquirer and is posted on the Borough Hall Bulletin Board stating the time ,date and the place of the meeting.

**ROLL CALL:**

Councilman Len Badolato

Councilwoman Patricia Cummings

Councilman Keith Hohing

Councilman Carl Mascarenhas

Councilman Millard Wilkinson

Council President Jake Miller

Mayor Rick Miller

Also present: Solicitor, Howard Long

 Co-Administrator, Charleen Santora

 Co-Administrator, Bill Behnke

 CFO, Michael Kwasizur

 Deputy Municipal Clerk, Rachel von der Tann, CMR

**APPROVAL OF MINUTES**

Motion to approve Regular meeting of December 8, 2022: Councilwoman Cummings

SECOND: Councilman Hohing AIF: All OPPOSED: None

Motion to approve Workshop meeting December 8, 2022: Councilman Mascarenhas

Second: Councilwoman Cummings AIF: All OPPOSED: None

Motion to approve Regular meeting of January 6, 2023: Councilman Mascarenhas

Second: Councilman Hohing AIF: All OPPOSED: None

Motion to approve Regular meeting February 2, 2023: Councilman Hohing

Second: Councilwoman Cummings AIF: All OPPOSED: None

**COUNCIL REPORTS**

* BUILDINGS, PARKS, & RECREATION Councilman Len Badolato
* PUBLIC WORKS, STREETS & ROADS - Councilman Millard Wilkinson
* WATER & SEWER - Councilwoman Patricia Cummings
* PUBLIC SAFETY – Councilman Keith Hohing
* COMMUNICATION – Councilman Carl Mascarenhas
* FINANCE – Council President Jake Miller
* SOLICITOR Howard Long
* MAYOR Rick Miller

Mayor Miller presented Councilman Wilkinson with a plaque and thanked him for all of his years of service in the Berlin Borough Police Department.

**OATHS OF OFFICE**

Mayor Miller swore in the officers receiving promotions and wished them all the best of luck. Council congratulated the officers.

Sergeant John Waechtler was sworn in as Lieutenant. His wife Elen held the Bible.

Sergeant Joshua Smith was sworn in as Lieutenant. His wife Gina held the Bible.

Police Officer Eric Wolf was sworn in as Sergeant. His wife Jennifer held the Bible.

Police Officer Ryan Heron was sworn in as Sergeant. His girlfriend Heather held the Bible.

**OLD BUSINESS**

**NEW BUSINESS**

**FIRST READING ON ORDINANCE**

ORDINANCE OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 1100, LOTS 4, 6, 7, 8, 9 AND 9.01 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERLIN IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, *et seq.*) (“LRHL”)

Councilman Mascarenhas stated that he would not be in favor of certain uses as a result of the passage of this ordinance.

Solicitor Long clarified that this ordinance introduction only allows for the designation of this specific area and doesn’t commit the Borough to anything.

MOTION TO APPROVE: Councilwoman Cummings SECOND: Councilman Hohing

ALL IN FAVOR: All OPPOSED: None

**RES. R2-25:2023** MEMORIALIZING AN EXECUTIVE SESSION FROM THE MEETING OF DECEMBER 8, 2022

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: 4 OPPOSED: None

**RES. R2-26:2023** APPOINTMENT OF WILLIAM COOK, ESQUIRE, FROM THE FIRM BROWN CONNERY OF HADDON TOWNSHIP NJ AS BOROUGH SPECIAL COUNSEL FOR THE YEAR 2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

AIF: 4 OPPOSED: Councilman Mascarenhas

ABSTAIN: Councilman Wilkinson

**RES. R2-27:2023** APPOINTMENT OF RICHARD DE MICHELE, FROM THE FIRM DE MICHELE & DE MICHELE OF HADDON TOWNSHIP, NJ AS BOROUGH PROSECUTOR FOR THE YEAR 2023 FOR MATTERS PRESENTLY BEING HANDLED

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-28:2023** APPOINTMENT OF FRANCIS FALKENSTEIN, FROM THE LAW FIRM OF FRANCIS J. FALKENSTEIN, OF AUDUBON, NJ AS BOROUGH PUBLIC DEFENDER FOR THE YEAR 2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-29:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING FINAL PAYMENT OF THE EDGEWOOD WATER MAIN PROJECT CONTRACT NUMBER BBWSZ21006

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-30:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, RELEASING A MAINTENANCE BOND FOR ROYAL FARMS BLOCK 1300, LOTS 2 & 4, IN THE AMOUNT OF $30,679.05 PER RECOMMENDATION FROM PENNONI ENGINEERS.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-31:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF CHARGES IN THE AMOUNT OF $268.00 FOR TOWNSHIP OF BERLIN BLOCK 1417 LOT 11 DUE TO BANKRUPTCY.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-32:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING A PERSON-TO-PERSON LIQUOR LICENSE TRANSFER FROM WOODBRIAR CORP TO 1927 PUB HOUSE, INC.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-33:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING A CONTRACT FOR ANIMAL CONTROL SERVICES WITH INDEPENDENT ANIMAL SERVICES, LLC. FOR THE YEAR 2023.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-34:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING A PREVENTATIVE MAINTENANCE AGREEMENT FOR HVAC SYSTEMS WITH HAWKES & COMPANY WEST DEPTFORD, NJ.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-35:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING REILLY REALTORS TO ACT AS RENTAL PROPERTY MANAGER AT A RATE OF 7% OF YEARLY RENTAL PAYMENTS

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-36:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AWARDING A BID FOR THE HADDON AVENUE WATER MAIN REPLACEMENT TO MSP CONSTRUCTION CORP. IN THE AMOUNT OF $1,070,368.00, LOWEST OF SIX BIDDERS

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-37:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING AL HALLWORTH TO THE POSITION OF CONSTRUCTION OFFICIAL AND BUILDING SUBCODE OFFICIAL FOR A

4-YEAR TERM FROM 1/1/2023 - 12/31/2026

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-38:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING JOE CORNFORTH TO THE POSITION OF FIRE SAFETY INSPECTOR FOR A 4-YEAR TERM FROM 1/1/2023 - 12/31/2026

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-39:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING JOHN WHITE TO THE POSITION OF ELECTRICAL INSPECTOR AND ELECTRICAL SUBCODE INSPECTOR FOR A

4-YEAR TERM FROM 1/1/2023 - 12/31/2026

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-40:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING LESLIE TEMPLETON TO THE POSITION OF PLUMBING SUBCODE INSPECTOR FOR A 4-YEAR TERM FROM 1/1/2023 -12/31/2026

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-41:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTMENT OF PUBLIC WORKS LABORER, SEAN R. MCGEE EFFECTIVE 2/13/2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-42:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTMENT OF PUBLIC WORKS LABORER, FREDERICK OTTO DETERDING III EFFECTIVE 2/13/2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-43:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTMENT OF SADIE PILLING AS COORDINATOR OF BERLIN COMMUNITY CENTER.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-44:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE PROMOTION OF SERGEANT JOHN WAECHTLER TO THE POSITION OF LIEUTENANT IN THE BERLIN BOROUGH POLICE DEPARTMENT EFFECTIVE 2/9/2023.

MOTION: Councilman Hohing SECOND: Councilman Mascarenhas

ALL IN FAVOR: All OPPOSED: None

**RES. R2-45:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE PROMOTION OF SERGEANT JOSHUA SMITH TO THE POSITION OF LIEUTENANT IN THE BERLIN BOROUGH POLICE DEPARTMENT EFFECTIVE 2/9/2023.

MOTION: Councilman Hohing SECOND: Councilman Mascarenhas

ALL IN FAVOR: All OPPOSED: None

**RES. R2-46:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE PROMOTION OF OFFICER ERIC WOLF TO THE POSITION OF SERGEANT IN THE BERLIN BOROUGH POLICE DEPARTMENT EFFECTIVE 2/9/2023.

MOTION: Councilman Hohing SECOND: Councilman Mascarenhas

ALL IN FAVOR: All OPPOSED: None

**RES. R2-47:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE PROMOTION OF OFFICER RYAN HERON TO THE POSITION OF SERGEANT IN THE BERLIN BOROUGH POLICE DEPARTMENT EFFECTIVE 2/9/2023.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-48:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING RACHEL VON DER TANN TO THE POSITION OF REGISTRAR

MOTION: Councilman Hohing SECOND: Councilman Mascarenhas

ALL IN FAVOR: All OPPOSED: None

**RES. R2-49:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE VOLUNTEER FIRE DEPARTMENT APPLICATION FOR KRISTEN ASHLEY MERTZ EFFECTIVE 2/9/2023.

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-50:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, ACCEPTING THE RESIGNATION OF KIMBERLY CUNNINGHAM AS A TRUSTEE ON THE LIBRARY BOARD

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-51:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE TAX REFUND OF $1,796.77 FOR BLOCK 2201.01 LOT 39 DUE TO PAYMENT ON INCORRECT ACCOUNT

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-52:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE REFUND OF $200 FOR BLOCK 2406 LOTS 25.01, 25.02, 25.03, 25.04 DUE TO PAYMENT OF INCORRECT METER SIZE

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-53:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF FLEET VEHICLES IN THE DEPARTMENT OF PUBLIC WORKS

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-54:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPROVING THE PAYMENT OF THE BILLS IN THE AMOUNT OF $5,327,629.47

MOTION: Councilwoman Cummings SECOND: Councilman Miller

ALL IN FAVOR: All OPPOSED: None

**RES. R2-55:2023** RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, APPOINTING CECILIA KUHN AS A MEMBER OF THE LIBRARY BOARD TO FILL THE UNEXPIRED TERM OF KIMBERLY CUNNINGHAM FOR A TERM OF 1/1/2019 – 12/31/2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES. R2-56:2023** APPOINTMENT OF COSTIGAN AND COSTIGAN FROM OF HADDONFIELD NJ AS BOROUGH SPECIAL COUNSEL FOR THE YEAR 2023

MOTION: Councilman Hohing SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**RES R2-57:2023** THIS RESOLUTION WAS PASSED BY BOROUGH COUNCIL AT A SPECIAL MEETING HELD ON FEBRUARY 2, 2023 APPOINTING MICHAEL SCHEER AS POLICE CHIEF.

MOTION: Councilman Wilkinson SECOND: Councilman Hohing

ALL IN FAVOR: All OPPOSED: None

**RES. R2-58:2023** AMENDING AN AGREEMENT BY AND BETWEEN THE BOROUGH OF BERLIN AND THE SOUTHERN CAMDEN COUNTY PBA LOCAL #362

MOTION: Councilman Mascarenhas SECOND: Councilman Wilkinson

ALL IN FAVOR: 4 OPPOSED: Councilman Badolato, Councilwoman Cummings

MOTION TO ENTER INTO CLOSED SESSION: Councilman Hohing

SECONDED: Councilwoman Cummings

All IN FAVOR: All OPPOSED: None

CLOSED SESSION – PBA contract provision.

**PRIVILEGE OF FLOOR**

Motion to open the public portion: Councilman Miller SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

Brenda Rowand

39 Joans Lane

Ms. Rowand asked how much the Borough is paying for William Green’s services and the Mayor replied that it is based on the rate listed in the Request for Proposal.

Ms. Rowand congratulated Millard Wilkinson on his retirement.

Ms. Rowand added that in her opinion, speed humps are not the answer to the speeding issues.

Motion to close the public portion: Councilman Miller SECOND: Councilwoman Cummings

ALL IN FAVOR: All OPPOSED: None

**GOOD OF THE ORDER**

Motion to adjourn: Councilwoman Cummings SECOND: Councilman Miller

ALL IN FAVOR: All OPPOSED: None

**Respectfull Submiitted:**

**Rachel von der Tann, Deputy Municipal Clerk**