**RE**

**BOROUGH OF BERLIN**

MUNICIPAL BUILDING

59 SOUTH WHITE HORSE PIKE

BERLIN, NJ 08009

**COUNCIL MEETING MINUTES**

THURSDAY, APRIL 13, 2023

Meeting called to order by Mayor Miller at 7:00 pm.

The Pledge of Allegiance was led by Mayor Miller

**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 Badolato - Present

Councilwoman Cummings - Present

Councilman Hohing - Present

Councilman Mascarenhas - Present

Councilman Wilkinson - Present

Council President Miller-Present

Mayor Miller -Present

Also present: Solicitor, Howard Long- Present

 Co-Administrator, Charleen Santora- Present

 Co-Administrator, Bill Behnke-Present

 CFO, Michael Kwasizur -Present

 Deputy Municipal Clerk, Rachel von der Tann, CMR- Present

**PROCLAMATION RECOGNIZING AUTISM AWARENESS MONTH**

Proclamation was presented by Mayor Richard Miller

**APPROVAL OF MINUTES**

Motion was made by Councilwoman Cummings to approve the Regular meeting of March 9, 2023, and was seconded by Councilman Hohing and all were in favor.

Motion was made by Council President Miller to approve the Workshop meeting March 9, 2023, and was seconded by Councilwoman Cummings and all were in favor.

**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

**OLD BUSINESS**

**SECOND READING ORDINANCE 2023-01**

ORDINANCE OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY ESTABLISHING NEW CHAPTER 190 ENTITLED “LEAD-BASED PAINT”

Motion was made by Councilman Mascarenhas to open public portion on Ordinance No. 2023-01 and was seconded by Councilwoman Cummings. All voted in favor.

Motion was made by Councilman Mascarenhas to close public portion on Ordinance No. 2023-01 and was seconded by Councilman Hohing. All voted in favor.

Motion was made by Councilman Hohing to adopt Ordinance No. 2023-01 and was seconded by Councilwoman Cummings. All voted in favor and the ordinance passes.

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**SECOND READING ORDINANCE 2023-02**

AN ORDINANCE AMENDING CHAPTER 335, ZONING AND LAND USE, AND CHAPTER 336, STORM WATER, OF THE CODE OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY.

Motion was made by Councilwoman Cummings to open public portion on Ordinance No. 2023-02 and was seconded by Council President Miller. All voted in favor.

Motion was made by Councilman Hohing to close public portion on Ordinance No. 2023-02 and was seconded by Councilman Badolato. All voted in favor.

Motion was made by Councilwoman Cummings to adopt Ordinance No. 2023-02 and was seconded by Councilman Hohing. All voted in favor and the ordinance passes.

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**SECOND READING ORDINANCE 2023-03**

AN ORDINANCE DESIGNING THE PAPER STREET IDENTIFIED ON THE ATTACHED TAX MAP ADJACENT TO BLOCK 1502, LOT 12 AS “DESORTE LANE”, CONDITION UPON IMPROVEMENT OF SAME TO BOROUGH STANDARDS**”**

Motion was made by Council President Miller to open public portion on Ordinance No. 2023-03 and was seconded by Councilman Badolato. All voted in favor.

Motion was made by Councilman Hohing to close public portion on Ordinance No. 2023-03 and was seconded by Council President Miller. All voted in favor.

Motion was made by Councilman Hohing to adopt Ordinance No. 2023-03 and was seconded by Councilwoman Cummings. All voted in favor and the ordinance passes.

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**NEW BUSINESS**

**FIRST READING ORDINANCE 2023-04**

AN ORDINANCE OF THE BOROUGH OF BERLIN APPROPRIATING $200,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF POLICE VEHICLES IN THE BOROUGH OF BERLIN

MOTION TO APPROVE: Councilman Hohing SECOND: Council President Miller

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**FIRST READING ORDINANCE 2023-05**

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

MOTION TO APPROVE: Councilwoman Cummings SECOND: Councilman Hohing

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**FIRST READING ORDINANCE 2023-06**

AN ORDINANCE BY THE MAYOR AND BOROUGH COUNCIL AMENDING THE BOROUGH OF BERLIN CODE OF ORDINANCES TO REPEAL CHAPTER 167 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 167 FLOOD MANAGEMENT REGULATIONS; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

MOTION TO APPROVE: Councilwoman Cummings SECOND: Councilman Hohing

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**RES. R4-74:2023**

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964”

MOTION: Council President Miller SECOND: Councilman Badolato

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**RES. R4-75:2023**

AUTHORIZING LOCAL EXAMINATION OF THE 2023 BUDGET

MOTION: Council President Miller SECOND: Councilman Hohing

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

**RES. R4-76:2023**

**INTRODUCTION OF THE 2023 MUNICIPAL BUDGET**

*This is the introduction of the 2023 Municipal Budget; public hearing will be on May 11, 2023 at 7:00 PM*

Motion to introduce the 2023 Municipal Budget: Council President Miller

Seconded: Councilman Mascarenhas

**ROLL CALL:**

Councilman Badolato Y Councilwoman Cummings Y

Councilman Hohing Y Councilman Mascarenhas Y

Councilman Wilkinson Y Council President Miller Y

Resolutions R4-77:2023 to R4-92:2023 are approved via a consent agenda

**RES. R4-77:2023**

AUTHORIZING PENNONI TO MOVE FORWARD WITH THE SIMONE TRACT MASTER PLAN PROJECT AND CONCEPT DEVELOPMENT AS PER THE SUBMITTED PROPOSAL

Motion to approve: Councilman Mascarenhas AIF: 4

Second: Councilwoman Cummings Opposed: 1 – Councilman Badolato

Abstain: Councilwoman Cummings

**RES. R4-78:2023**

AUTHORIZING A MEMORANDUM OF UNDERSTANDING, BY AND BETWEEN THE COUNTY OF CAMDEN (DEPARTMENT OF PUBLIC WORKS) AND THE BOROUGH OF BERLIN, FOR THE DVRPC BLACKWOOD CLEMENTON ROAD (CR 534) NEW JERSEY TRAFFIC SIGNAL RETIMING INITIATIVE CONCEPT OF OPERATIONS

**RES. R4-79:2023**

AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE AND ACCEPTING A MAINTENANCE GUARANTEE IN THE AMOUNT OF $11,175.00 FOR 369, 373 & 377 MINCK AVENUE PROJECT, EMS ENTERPRISES, LLC

**RES. R4:80-2023**

AUTHORIZING THE AWARD OF A BID FOR THE CROSS KEYS PUMP STATION #6 REHABILITATION TO THE LOWEST RESPONSIBLE BIDDER, LEVEL-1 CONSTRUCTION OF WILLIAMSTOWN, NJ, IN THE AMOUNT OF $323,000.00.

**RES. R4:81-2023**

AUTHORIZING THE TITLE OF RENTAL INSPECTION COORDINATOR TO DONNA PLUTE, WITH A SALARY OF $2,000.00 ANNUALLY EFFECTIVE MARCH 30, 2023

**RES. R4:82-2023**

AUTHORIZING A REFUND IN THE AMOUNT OF $50.00 FROM COOPER SQUARE ACQUISITIONS II, LLC, SUBMITTED AS PAYMENT FOR A REINSPECTION FEE OF 1 W BROAD STREET

**RES. R4:83-2023**

APPROVING THE LEASE AGREEMENT AMENDMENT BETWEEN THE BOROUGH OF BERLIN AND NEW JERSEY TRANSIT FOR THE HISTORICAL RAILROAD STATION BUILDING FOR THE PERIOD OF SEPTEMBER 1, 2020 TO AUGUST 31, 2030

**RES. R4-84:2023**

AUTHORIZING THE APPROVAL BY THE BOROUGH OF BERLIN TO APPROVE THE CROSSROADS OF THE REVOLUTION HISTORIC INTERPRETIVE SIGN LOCATION

**RES. R4-85:2023**

AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE BERLIN GIBBSBORO VOORHEES MUNICIPAL ALLIANCE FOR FISCAL YEAR 2024

**RES. R4-86:2023**

AUTHORIZING A PROPOSAL FROM PENNONI TO CONDUCT SOC MONITORING WAIVER WELL VULNERABILITY SURVEYS IN THE AMOUNT OF $6,500.00

**RES. R4-87:2023**

AUTHORIZING THE TAX CANCELLATION OF FUTURE TAXES AND THE TAX REFUND OF $475.31 FOR BLOCK 1209; LOT 10 DUE TO 100% TOTALLY DISABLED VETERAN

**RES. R4-88:2023**

APPROVING THE PAYMENT OF BILLS – APRIL 2023 TOTALING $1,416,754.97

**RES. R4-89:2023**

AUTHORIZING THE PROPOSAL FROM PENNONI FOR PROFESSIONAL SERVICES FOR THE CHESTNUT STREET TANK PAINTING FOR ENGINEERING COST OF $145,000 AND PROJECT COST TOTALING $1,865,000. (CFO has certified the funding)

**RES. R4-90:2023**

APPROVING A REQUEST FROM THE BERLIN BOROUGH FIRE COMPANY #1, STATION 211 TO CONDUCT A COIN DROP ON ROUTE 30 AND WASHINGTON AVENUE ON JUNE 3, 2023 AND SEPTEMBER 23, 2023

Motion to approve Consent Agenda Resolutions R4-77:2023 TO R4-90:2023: Councilman Mascarenhas

Second: Councilwoman Cummings AIF: All Opposed: None

**RES. R4-91:2023**

APPROVING A CONTRACT BETWEEN THE BOROUGH OF BERLIN AND POLICE CHIEF MICHAEL SCHEER FOR A PERIOD OF APRIL 23, 2023 THROUGH APRIL 23, 2028

Motion to approve: Councilman Mascarenhas Seconded: Councilman Hohing

AIF: All Opposed: None

**RES. R4-92:2023**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, AUTHORIZING A SEPARATION/SETTLEMENT AGREEMENT

Motion to approve: Councilman President Miller Seconded: Councilman Hohing

AIF: 5 Opposed: None

Abstain: Councilman Wilkinson

**COMCAST FRANCHISE AGREEMENT PUBLIC HEARING**

A public hearing was held in accordance with N.J.S.A. 48:5A-1 et. seq., regarding the extension of a franchise agreement with Comcast Television.

Motion to open the public hearing: Council President Miller

Second: Councilman Mascarenhas AIF: All Opposed: None

No residents spoke.

Motion to close the public hearing: Councilman Mascarenhas

Seconded: Councilwoman Cummings AIF: All Opposed: None

**PRIVILEGE OF FLOOR**

Motion to open the public portion: Councilman Mascarenhas

Seconded: Councilwoman Cummings AIF: All Opposed: None

Jean Keskes

Berlin, NJ 08009

Mrs. Keskes spoke to Council regarding efforts to have the school students involved in veteran’s events in the borough. She suggested events like the Memorial Day observance and the 4th of July celebration.

Councilman Mascarenhas stated that he will reach out to the superintendent at the school regarding these suggestions.

Mrs. Keskes also asked if anything can be done to prohibit the riding of dirt bikes behind her home and referenced the excessive noise generated by the dirt bikes.

Police Chief Sheer stated that he will look into her concerns.

Motion to close the public portion: Councilwoman Cummings

Seconded: Councilman Badolato AIF: All Opposed: None

**CLOSED SESSION**

An Executive Session was held in the caucus meeting beginning at 7:30pm.

Motion to enter Executive Session: Council President Jake Miller

Seconded: Councilman Hohing AIF: All Opposed: None

**GOOD OF THE ORDER**

Motion to adjourn: Councilman Hohing

Seconded: Council President Miller AIF: All Opposed: None

Submitted by:

Rachel von der Tann

Deputy Municipal Clerk