



BOROUGH OF BERLIN
MUNICIPAL BUILDING
59 SOUTH WHITE HORSE PIKE
BERLIN, NJ 08009

REGULAR MEETING MINUTES

THURSDAY, MAY 12, 2022 – 7:00 PM

CALL TO ORDER AND FLAG SALUTE

Mayor Rick Miller called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

SUNSHINE NOTICE

Mayor Miller stated that adequate notice of this meeting had 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, The Philadelphia Inquirer, and posted on the Borough Hall Bulletin Board showing the said meeting's date, place, and time.

ROLL CALL

Councilman Len Badolato – PRESENT
Councilwoman Patricia Cummings – PRESENT
Councilman Keith Hohing – ABSENT
Councilman Jake Miller – PRESENT
Councilman Andrew Simone – PRESENT
Council President Jim Pearce – PRESENT
Mayor Rick Miller – PRESENT

Also, Present: Howard Long, Solicitor
Debra DiMattia, CFO/Administrator
Michaela Bosler, Municipal Clerk
Millard Wilkinson, Police Chief
Bill Behnke, Project Coordinator

APPROVAL OF MINUTES:

April 14, 2022 Workshop Meeting
April 14, 2022 Regular Meeting

Pearce motioned to approve the minutes. Hohing seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

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COUNCIL REPORTS

- BUILDINGS, PARKS, & RECREATION – Councilman Len Badolato reported the DBRC will be holding the Strawberry Festival will be held on Saturday, May 14, 2022 on the Borough Hall grounds.
- PUBLIC WORKS, STREETS & ROADS - Councilman Andrew Simone reported that there was a bid opening for the 2021 roadway improvement. Councilman Simone reported that in the past, the Borough had budgeted \$450,000-\$550,000 for the roadway improvement projects. In the last couple of years they have reduced the budgeted projects to about \$250,000-\$300,000, as the Borough receives a substantial amount of funding from the New Jersey Department of Transportation, which would cover the majority of costs, and the Borough would reallocate funds to other projects. Councilman Simone indicated that there have been requests from residents to repave their road, and further indicated that roads are assessed and recommendation by the Borough Engineer and Public Works for priority on which roads are to be completed first. Requests that came in within the last year are in the running to be completed for the next year. Councilman Simone reported that the Superintendent is looking to hire two temporary laborers for the summer to allow skilled laborers on board to do other projects during the cold months. Councilman Simone indicated that June 2nd is the expected delivery date for the street sweeper.
- WATER & SEWER - Councilwoman Patricia Cummings reported for water, all routine maintenance at Cross Keys treatment plant was completed. Rebuilt line pump at plant #1, pump is back in service. Completed 81 mark out requests. Leak on Route 73 was repaired. April hydrant flushing is complete. For sewer, completed all routine monthly maintenance at our 10 pump stations. Completed all routine monthly maintenance on our 10 emergency back up generators at the sewer pump stations. Replaced 2 aging pumps for the Smokey Run pump station.
- PUBLIC SAFETY – Council President Pearce reported that the Berlin Police Department handled a total of 1,805 calls. No need to speed focused on Jackson Road. For OEM, they continued to work with all other Borough departments. For EMS, responded to 236 calls in April 2022, and of those calls 97 were in Berlin Borough. For the Fire Department responded to 64 calls for the month of April 2022. Council President Pearce reported that on the agenda is the public hearing and adoption of Ordinance 2022:05, and stated that there are more details to work out prior to passing this ordinance, and he would like to table it until further notice.
- COMMUNICATION – Councilman Keith Hohing was not in attendance.
- FINANCE – Chairman Jake Miller reported that the governing body will be adopting the budget this evening. The budget will have a 1.6 cent increase. Based upon the average value of homes in Berlin Borough of \$235,000, the increase equates to a \$38.00 yearly increase, or

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a minimal increase of \$9.50. The total revenues collected for the month of April 2022 are as follows:

Permit Fees	\$ 14,231.00
Rental/Resale Inspection Fees	\$ 1,600.00
Zoning Fees	\$ 500.00
Community Center Fees	\$ 270.00
Tax Collector	\$ 1,682,301.96
Utility Collector	\$ 151,361.13
Animal Licensing Fees	\$ 2,340.00
Clerks Office	\$ 3,506.00
Court Office	\$ 21,207.35

- SOLICITOR – Solicitor Howard Long reported that he would like the Governing Body to consider adding the Res. 2022:069 to the agenda. This resolution would be to rescind Resolution 2022:026 since the agreement that was authorized by the resolution has never been accepted.
- MAYOR – Mayor Rick Miller reported that Camp Long-A-Coming will start July 5th. Eastern High School’s graduation will be Monday, June 20th. Berlin Community School’s graduation will be on June 16th.

Pearce motioned to approve the monthly reports. Simone seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

UNFINISHED BUSINESS

- ORD. 2022:05 AN ORDINANCE AMENDING CHAPTER 9 OF THE RULES AND REGULATIONS FOR THE OPERATION AND GOVERNMENT OF THE BERLIN BOROUGH POLICE DEPARTMENT THROUGH THE ADOPTION CERTAIN AMENDMENTS TO THE MANUAL ENTITLED “BERLIN BOROUGH POLICE DEPARTMENT RULES AND REGULATIONS”

Pearce indicated that there are some details to work out with the Public Safety Committee, Police Department, and Solicitor in regard to Ordinance 2022:05. Pearce announced he would like to table the Ordinance.

Pearce motioned to table Ordinance 2022:05. Cummings seconded the motion, which passed with all members present voting in favor in a Voice Vote.

NEW BUSINESS

- RES. 2022:054 AUTHORIZING THE 2022 MUNICIPAL BUDGET TO BE READ BY TITLE

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WHEREAS, N.J.S.A. 40A:4-8 stipulates, at the public hearing the budget shall be read in full, or it may be read by its title, if:

1. At least one week before the date of the hearing and at the hearing, a complete copy of the approved budget shall be made available for public inspection and has been made available to each person upon request, and
2. By resolution passed by not less than a majority of the full membership, the governing body determines that the budget shall be read by its title and declare that the conditions outlined in subsection 1. of this section have been met.

WHEREAS, the Municipal has confirmed these conditions have been met.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Berlin, in the County of Camden and State of New Jersey, that the 2022 Municipal Budget shall be read by title only.

Miller motioned to approve Resolution 2022:054. Simone seconded the motion with all members present voting in favor in a Roll Call Vote.

- **PUBLIC HEARING OF THE 2022 MUNICIPAL BUDGET**

Cummings motioned to open the public hearing on the 2022 Municipal Budget. Pearce seconded the motion with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Simone motioned to close the public hearing on the 2022 Municipal Budget. Pearce seconded the motion with all members present voting in favor in a Voice Vote

- **RES. 2022:055 ADOPTION OF THE 2022 MUNICIPAL BUDGET**

WHEREAS, the Governing Body and the State of New Jersey Department of Community Affairs has authorized and approved the adoption of the 2022 Municipal Budget for the Borough of Berlin; and

WHEREAS all the statutory requirements have been met; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body in the Borough of Berlin, in the County of Camden, State of New Jersey, that the 2022 Municipal Budget herein set forth is hereby adopted and shall constitute an appropriation for the purposes stated, and the sums therein set forth.

Badolato motioned to approve Resolution 2022:055. Miller seconded the motion with all members present voting in favor in a Roll Call Vote.

RESOLUTIONS

The Mayor stated the following resolutions are to be approved as a consent agenda. Council can at this time request to remove any of the resolutions from the consent agenda and they can be voted on separately.

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- RES. 2022:056 AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR CONSTRUCTION CLERK WITH THE BOROUGH OF LAUREL SPRINGS

WHEREAS, the Borough of Berlin desires to enter into a Shared Service Agreement for the services of a Construction Clerk; and

WHEREAS, the Borough of Laurel Springs is agreeable to providing said services;

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Borough of Berlin to authorize the execution of the Shared Service Agreement with the Borough of Laurel Springs for Construction Clerk services.

- RES. 2022:057 AUTHORIZING THE BOROUGH OF BERLIN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH BUCKINGHAM PARTNERS, LLC (“BUCKINGHAM”)

WHEREAS, Buckingham is the contract purchaser of commercial property located at Block 1100, Lots 4, 6, 7, 8, 9 and 9.01 on the Berlin Borough Tax Map (“Property”); and

WHEREAS, Buckingham is interested in redeveloping the Property into a mixed use development of residential units and commercial/retail space (the “Redevelopment”); and

WHEREAS, in order to so, it is necessary for the Borough and Buckingham to enter into a Memorandum of Understanding (“MOU”) for this purpose; and

WHEREAS, entering into the MOU will promote the public health, safety and general welfare of the residents of Berlin Borough.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Berlin, County of Camden and State of New Jersey that:

- (1) The recitations of the preamble hereto are incorporated by reference as though same were set forth fully herein at length;
- (2) Berlin Borough is hereby authorized to enter into the Memorandum of Understanding with Buckingham (Exhibit “A”);
- (3) The Mayor is hereby authorized and directed to execute the Memorandum of Understanding on behalf of the Borough of Berlin; and
- (4) A copy of this Resolution shall be published in the official newspapers as required by law within ten (10) days of its passage.

- RES. 2022:058 SUBMISSION OF APPLICATION FOR DMHAS GRANT FUNDING FOR BERLIN-GIBBSBORO-VOORHEES MUNICIPAL ALLIANCE

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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WHEREAS, The Borough Council of the Borough of Berlin, County of Camden, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Camden;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Berlin, County of Camden, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of an application for DMHAS Grant funding for the Berlin-Gibbsboro-Voorhees Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$8,500.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

• RES. 2022:059 APPROVE CHANGE ORDER #2 – WATER METER REPLACEMENT PHASE I

WHEREAS, the Borough of Berlin has entered a contract with Core & Main LP as authorized by Resolution 2020:106 and has committed sufficient funds to pay for the Water Meter Replacement – Phase I project; and

WHEREAS, Change Order #1 for the Water Meter Replacement Project was approved by Resolution 2020:180 to revise the contract amount to \$257,879.00; and

WHEREAS, Pennoni Associates, Inc., has recommended changes that will decrease the revised contract price of \$257,879.00, as modified by Change Order #2, dated May 5, 2022, by \$13,536.28 to a revised contract price of \$244,342.72; and

WHEREAS, N.J.A.C. 5:30-11 et seq., requires that changes in payment for activities within the scope of activities of a contract shall be effectuated by a written change order authorized by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Berlin, in the County of Camden, State of New Jersey, that Change Order #2 for the Water Meter Replacement Phase I is approved.

• RES. 2022:060 APPROVING THE 2022 CAMP LONG-A-COMING EMPLOYEES AND EMPLOYEE RATES

WHEREAS, authorization is needed from the Borough Council to approve the following Camp Counselors and employee rates for Camp Long-A- Coming for the year 2022;

Marie Majuri	\$25.00/hr
Barbara Caruso	\$25.00/hr
Brent Woods	\$25.00/hr

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Andrew Viereck	\$25.00/hr
Courtney Murphy	\$20.00/hr
Jamie Brown	\$12.00/hr
Sophia Baldino	\$10.00/hr
Hannah Kates	\$10.00/hr
Victoria Harris	\$8.75/hr
Kealy Huder	\$8.75/hr
Noah Masino	\$8.75/hr
Connor Scott	\$8.75/hr
Braden Carr	\$8.75/hr
Kenneth Balmer	\$8.75/hr
William Caruso	\$8.75/hr
Michael Schaeffer	\$8.75/hr

Subs:

Jessica McGowan
Sara Durmala
Debbie Mansis
Lori Benchoff

WHEREAS, the aforementioned individuals are subject to pre-employment testing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Berlin, County of Camden and State of New Jersey, that the above mentioned individuals are hereby authorized for employment with Camp Long-A-Coming for the year 2022 subject to pre-employment testing.

- **RES. 2022:061 AUTHORIZING AWARD OF BID FOR 2021 BERLIN BOROUGH ROADWAY IMPROVEMENT PROJECT TO ARAWAK PAVING CO., INC IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW**

WHEREAS, specifications were completed and bids were properly advertised by the Borough of Berlin ("Borough") for Contract BBGEX 21006 – 2021 Berlin Borough Roadway Improvement Project; and

WHEREAS, nine (9) vendors submitted bids for the specified contract as follows:

VENDOR	BASE BID (FOR EVALUATION PURPOSES ONLY)
1. Arawak Paving Co., Inc	\$267,900.00
2. Charles Marandino, LLC	\$283,463.00
3. American Asphalt Company, Inc.	\$285,306.50
4. Think Pavers Hardscaping, LLC	\$301,928.00
5. Gerald A. Barrett, LLC	\$343,302.75
6. Command Company, Inc.	\$351,828.50
7. Landberg Construction, LLC	\$354,076.75
8. Richard Pierson Construction, Inc.	\$362,271.75
9. Paving Plus	\$365,327.10

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WHEREAS, the Borough Engineer has reviewed the bids and via letter dated May 5, 2022 recommended an award to Arawak Paving Co., Inc., of Hammonton, NJ, as the lowest responsible bidder contingent upon review and approval of the Borough Solicitor; and

WHEREAS, the Borough of Berlin has therefore determined that Arawak Paving Co., Inc., is the lowest responsible bidder, having submitted a bid in accordance with the Bid Specifications and Advertisement; and

WHEREAS, the bids were reviewed the Borough Solicitor, who via opinion letter dated May 5, 2022 opined that the bid complied with the specifications from a legal perspective and recommended the award of the bid to Arawak Paving Co., Inc.; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Berlin as follows:

1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.
2. Contract BBGEX 21006 – 2021 Berlin Borough Roadway Improvement Project on behalf of the Borough of Berlin is hereby awarded to Arawak Paving Co., Inc.
3. The Borough Administrator and/or designee is hereby authorized and directed to take any and all steps necessary to effectuate the award and execution of this Contract.
4. Funds are available for payment of this Contract.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Berlin that authorization is hereby given to execute this contract with Arawak Paving Co., Inc., of Hammonton, NJ, for the 2021 Berlin Borough Roadway Improvement Project.

- **RES. 2022:062 APPOINTMENT OF POLICE RECORDS CLERK – ANGELICA FONTANEZ**

WHEREAS, a vacancy exists within the Borough of Berlin for the position of Police Records Clerk; and

WHEREAS, the recommendation has been submitted to the Governing Body of Angelica Fontanez to be appointed as Police Records Clerk;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Berlin to appoint Angelica Fontanez as Police Records Clerk effective June 1, 2022 with a pay rate pursuant to AFSCME agreement at \$23.00 per hour

- **RES. 2022:063 APPOINTMENT OF MUNICIPAL BOND COUNSEL**

WHEREAS, the Borough of Berlin needs to contract for a Municipal Bond Counsel; and,

WHEREAS the position of Municipal Bond Counsel is a position/appointment for specialized legal work and services in connection with matters of public finance and other issues as directed by the Borough Governing Body, including but not limited to the authorization, issuance, sale, and delivery of Bonds and/or Bond Anticipation Notes for the Borough, the preparation of any bond ordinances or resolutions authorizing financing; and,

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WHEREAS The Borough of Berlin, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 solicited proposals from qualified attorneys for the appointment to the position of Municipal Bond Counselor for the calendar year 2022; and,

WHEREAS proposals were opened on May 10, 2022, and later evaluated by the Governing Body, for the most advantageous individual or firm, with due consideration to the qualifications, experience, compensation, and other factors and criteria; and,

WHEREAS Alexis B. Batten, Esq. from the firm Archer & Greiner, P.C., of Voorhees, NJ is an attorney licensed by the State of New Jersey who is an experienced Bond Counselor and meets all the requirements as outlined in the Borough's request for proposal; and,

WHEREAS funds are or will be available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Berlin, County of Camden, State of New Jersey, that Alexis B. Batten, Esq. of the firm Archer & Greiner, P.C., is hereby appointed Municipal Bond Counselor for the year 2022 at the fees specified with any additional services to be provided as per the contract.

- RES. 2022:064 PAYMENT OF BILLS – MAY 2022

WHEREAS certain numbered vouchers have been submitted to the Borough of Berlin for payment from a list prepared and dated May 11, 2022 which totals as follows:

Current Fund (1-01):	\$2,100.00
Water Utility Fund (1-05):	\$1,560.00
Sewer Utility Fund (1-07):	\$1,047.40
Current Fund (2-01):	\$2,300,208.54
Water Utility Fund (2-05):	\$19,205.23
Sewer Utility Fund (2-07):	\$1,350.08
Escrow Fund (2-17):	\$4,597.14
Capital Fund (C-04):	\$2,079.50
Water Capital (C-06):	\$70,259.72
Sewer Capital (C-08):	\$63,256.54
State/Federal Grant Fund (G-02):	\$2,938.37
Payroll Agency Account (P-13):	\$27,820.45
Trust Other (T-03):	\$3,507.06
Prior Payments:	\$1,035,945.87
TOTAL:	\$3,535,875.90

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Berlin, in the County of Camden, State of New Jersey, that these vouchers, totaling \$3,535,875.90 be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills submitted is also on file in the Municipal Clerk's office for reference.

- RES. 2022:065 REFUND CAMP LONG-A-COMING PAYMENT

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WHEREAS, a payment was received by Joseph Kwon and Hye An Kim in the amount of \$400.00 through check#849 for two summer camp registrations; and

WHEREAS, Joseph Kwon and Hye An Kim have decided to cancel the registrations and have requested a refund;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Berlin, County of Camden, State of New Jersey, that payment in the amount of \$400.00 be refunded to Joseph Kwon and Hye An Kim.

- RES. 2022:066 AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ADMINISTRATIVE AGENT SERVICES FOR AFFORDABLE HOUSING MATTERS

WHEREAS, the Borough of Berlin is in need of administrative agent services related to implementation of and compliance with the Borough's affordable housing settlement and plan; and

WHEREAS, the Borough has received a proposal of services, essential to implementation of the Borough's Court approved affordable housing plan, from Triad Advisory Services, Inc., dated January 2, 2020 attached hereto and made a part hereof as Exhibit "A" ("Proposal"); and

WHEREAS, Triad Advisory Services, Inc. provides professional administrative agent services related to implementation and compliance with affordable housing settlements and plans on a professional basis; and

WHEREAS, the Borough has the need to acquire the professional services of Triad Advisory Services, Inc. to be provided hereunder as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, it is expected that the value of the services will not exceed \$17,500 in one (1) year; and

WHEREAS, Triad Advisory Services, Inc. has or will certify that it did not make a reportable campaign contribution during the one-year preceding the award of the Contract pursuant to N.J.S.A. 19:44A-20.8; and

WHEREAS, Triad Advisory Services, Inc. has or will complete a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Berlin in the previous one (1) year and Triad Advisory Services, Inc. shall be prohibited from making any reportable contributions through the term of the contract.

NOW THEREFORE BE IT RESOLVED, by Mayor and Council of the Borough of Berlin, County of Camden, State of New Jersey hereby approves the Proposal with Triad Advisory Services, Inc., dated January 1, 2022 to provide professional administrative agent services related to the Borough's implementation and compliance with affordable housing settlement and plans for the reasons set forth above; and

BE IT FURTHER RESOLVED that the Proposal and Business Entity Certification be placed on file with the Resolution; and

BE IT FURTHER RESOLVED that the Clerk shall publish such notice, if any, as required under the law.

- RES. 2022:067 APPOINTMENT OF CROSSING GUARD – SANDRA HUFF

WHEREAS, the Borough of Berlin is in need of hiring an additional crossing guard; and

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WHEREAS, Sandra Huff has been recommended to the governing body to be appointed to this position;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Berlin, in the County of Camden and State of New Jersey, that we do hereby appoint Sandra Huff as School Crossing Guard for in the Borough of Berlin for the period of May 12, 2022 through December 31, 2022, or until such time as their successors shall have been appointed. Compensation shall be \$17.00 per hour.

- RES. 2022:068 AUTHORIZING THE TAX REFUND OF \$1,042.30 FOR BLOCK 1900 LOT 38 DUE TO HOMESTEAD BENEFIT

WHEREAS, Sylvester Tighe is the current owner of block 1900 lot 38 commonly known as 8 Gatsby Lane, Berlin; and

WHEREAS, Mr. Tighe has been approved by the Department of Veterans Affairs and the Berlin Borough Tax Assessor to be a 100% totally and permanently disabled veteran of the property 8 Gatsby Lane effective April 1, 2021, which entitles him to future taxes cancelled; and,

WHEREAS, The State of New Jersey issued the Borough of Berlin Tax Collector an Adjustment labeled Homestead Credit on March 31, 2022 to apply to 8 Gatsby Lane as a credit towards the 2nd quarter taxes in the amount of \$1,042.30; and

WHEREAS, Mr. Tighe does not owe property taxes for the 2nd quarter of 2022 taxes and now has a credit on his account of \$1,042.30

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Berlin, County of Camden, State of New Jersey, authorize a tax refund with a refund amount of \$1,042.30 to Sylvester Tighe located at 8 Gatsby Lane, Berlin, NJ 08009.

- RES. 2022:069 RESCINDING AND REVOKING IN ITS ENTIRETY THE APPROVAL SET FORTH IN RESOLUTION 2022:026 AS THE AGREEMENT TENDERED THEREIN HAS NOT BEEN ACCEPTED AT THIS TIME

WHEREAS, the governing body of the Borough of Berlin passed Resolution 2022:026 on February 10, 2022; and

WHEREAS, Resolution 2022:026 authorized the governing body to execute a retirement agreement with Patrolman Thomas Locke; and

WHEREAS, as of May 12, 2022, the terms of said agreement have not been agreed upon between the Patrolman Thomas Locke and the Borough of Berlin; and

WHEREAS, upon recommendation of the Borough Solicitor, the governing body of the Borough of Berlin wishes to rescind and revoke Resolution 2022:026 in its entirety as the agreement tendered therein has not been accepted at this time;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Berlin that Resolution 2022:026 is hereby rescinded and revoked in its entirety.

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Pearce motioned to open the meeting for public comment on the resolutions. Cummings seconded the motion, which passed with all members present voting in favor in a Voice Vote.

There were no comments from the public.

Pearce motioned to close the meeting for public comment on the resolutions. Simone seconded the motion, which passed with all members present voting in favor in a Voice Vote.

Miller motioned to approve the consent agenda. Cummings seconded the motion, which passed with all members present voting in favor in a Roll Call Vote.

PRIVILEGE OF THE FLOOR

Pearce motioned to open the meeting to the public for privilege of the floor. Cummings seconded the motion, which passed with all members present voting in favor in a Voice Vote.

- John Feger – 37 N. Arlington Ave. – Commented that he is a patrolman with the Borough of Berlin and is seeking retirement in August. Mr. Feger further stated that he has been reaching out to various council members to negotiate an exit agreement without a response beyond their first meeting. The Solicitor indicated that Mayor and Council are not interested in entering into an exit agreement with Mr. Feger, and that he may retire under the existing laws of the state.

Badolato motioned to close the meeting to the public for privilege of the floor. Miller seconded the motion, which passed with all members present voting in favor in a Voice Vote.

GOOD OF THE ORDER

None

ADJOURN

Pearce motioned to adjourn the meeting at 7:20 PM. Cummings seconded the motion with all members present voting in favor in a Voice Vote.

Minutes respectfully submitted by:



Michaela Bosler, RMC
Municipal Clerk