

BOROUGH OF BERLIN
WORKSHOP MEETING MINUTES
TUESDAY, JULY 24, 2018
MUNICIPAL BUILDING
59 SOUTH WHITE HORSE PIKE
BERLIN, NJ 08009
7:00 P.M.

MEETING CALLED TO ORDER:

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 Rick Miller, Council Members Jim Pearce, Badolato, Rocco, Buchanan, & MacDonnell.

ABSENT: Councilman Pearce

PRESENT ALSO: Solicitor Howard Long, RMC Lois J. Sahina and CMFO Michael T. Kwasizur

Mayor Bilella - I would like to ask Council if can have two privileges of the floor tonight. I see a few people in the audience that would like to speak and I don't want them to have to wait until the end of the meeting. We would have to go out of order of the agenda tonight to do this. All agreed.

PRIVILEGE OF THE FLOOR-

Joe McGuckin

18 London Avenue
Berlin, NJ 08009

I would like to know if there is any update or information about the installation of speed humps on London Avenue?

Councilman MacDonnell - I have contacted the police and engineer to assess the situation.

Mr. McGuckin- So what has been done? No action to put speed humps on the street.

Councilman MacDonnell -The streets for the 2018 Road Program has already been designated. This would have to be considered for the 2019 Road Program and there is currently a list of streets that residents have requested to have speed bumps installed.

Brandon Farina

London Avenue
Berlin, NJ 08009

Chief Miller - We have placed a radar car on your street and also the big lighted sign with the speed limit posted. We will be installing a traffic counter on London to determine the amounts of cars and activity of the road. These are the beginning phases of assessing the problem. I have also notified all of our Patrol Officers of the problem.

Mayor Bilella - I will have the Zoning Officer contact the business owner about conforming to the zoning ordinance and the original use variance that was issued. He will also identify the problem and explain why the neighbors are complaining.

Mr. McGuckin - All these things will take time and, in the meantime, if someone gets hurt, it will be too late.

Mayor Bilella -When our Planning Board agreed to let them conduct their business in this location, there were certain conditions that were agreed to. If they are not abiding by the conditions, we are liberty to shut the business down.

Councilman Miller – We have found even with the installation of speed humps, people will still speed.

Brandon Farina- I just moved onto this street a few years ago. When we were approach by the business owner originally, we were all given a different impression of what the business traffic would be like.

Mr. McGuckin - Can't they build a business on the Pike or cut a road through the woods?

Mayor Bilella – The area of woods that you are referring to is in an area considered as pinelands. It would take years to try and get approval from the Pineland Commission.

Bill Behnke

Deputy Chief of Berlin Fire Company

- **Support Vehicle** - Just recently our support vehicle, our pickup truck, was struck by a motorist who ran a stop light. Unfortunately, our vehicle was totaled. We used this vehicle on a daily basis to carry traffic equipment. We are really struggling since this vehicle was totaled. Although the truck was 25 years old it was in great condition. Council discussed the possibility of getting a truck from DPW however their trucks are older then the one that was totaled. Deputy Chief Behnke suggested going with a state contract. We will be receiving \$9,200.00 from the insurance for the truck.

Nancy & Jack Warsing

21 South Cedar

Berlin, NJ 08009

- **Mrs. Warsing** addressed the Mayor and Council about the problem she is having with a neighbor having excessive yard sales with and without permits. His house is located on Clementon Road which is a county road. There is an ordinance that states certain roads in the municipality can not have yard sales and Clementon Road is one of them. It creates a traffic hazard because cars park along Clementon Road. It also runs down the side of his house on Cedar and I have people parking in front of my house and turning around in my driveway.
- **Mr. Warsing** - Commented that he is not just having a yard sale he is conducting a business out of his house. He holds these week after week

- **Mrs. Warsing** - Also stated that they are having a problem with her neighbor. The neighbor has 5 dogs that bark continuous. She stated that this neighbor goes away for the weekend and leaves all of the dogs outdoors. She wants to know what can be done.
- **Chief Miller** – Going forward with the yard sales, there are certain streets that a resident cannot have yard sales on.
- **Mr. Long** - Unless the police witness this they can't issue a summons. A complaint form would have to be submitted to the police. There is also an ordinance that addresses this problem. Under ordinance 89-2, barking, howling and yelling are not allowed during 10:00 pm to 7:00 am. There has not been a change to the ordinance since 2000. This ordinance can be re-visited. Come down and make a complaint to the police. Make a recording of the barking and
- **Mrs. Warding** - When Mr. Bansch came out to assess the problem with the yard sale last week, he was very rude, very unprofessional and disrespectful. He treated me like the criminal and then knocked on my door and now the people who had the yard sale are aware that we complained.
- **Mayor Bilella** - We apologized and said this will be addressed.

- **Robert Long**
Owner of Ollie Gator
Located in Berlin Borough

Mr. Long- addressed the Mayor and Council about the legalization of new marijuana dispensaries. He was informing them that he has done a lot of research about the guidelines that would be required to operate this type of business. ID's would only be given to patients by doctor's that are authorized by the state. This would be a controlled environment where no smoking would be allowed on the premise and it would be prescribed only to patients for certain medical conditions. Colorado laws should be reviewed to see how they have handled this issue along with the laws of Pennsylvania.

Councilman Buchanan- I approached and talked to all of the residents who live on Harker Avenue. All of them had no problem with the location that was to be considered. Could you also forward me a copy of the bill related to the bill that our Senators are working on currently.

IS THERE ANYONE ELSE WHO WOULD LIKE TO ADDRESS COUNCIL- No one spoke

PRIVILEGE OF THE FLOOR WILL THEN BE CLOSED

COUNCIL DISCUSSION:

- **BUILDINGS, PARKS, & RECREATION**, Chairman Len Badolato
- **Ball Field Drainage** - The Ball Field Drainage Project was postponed this week due to the rainy weather we have had this past week, work will resume once the weather clears.
- **Hotel Paint Job** - I met with Councilman Rocco, Joe Hoffman, Dennis Dougherty, from Maser and we met with two paint contractors, to go over their proposals Elite, Certapro &

American Construction. I asked everyone to have their proposals in by the end of this week.

HVAC System - We had our HVAC system checked by Pennoni Engineering firm to see if it is working properly and efficiently and if there are any problems including the presence of any mold in the building.” We passed with flying colors.

• **PUBLIC WORKS, STREETS & ROADS, Chairman Dan MacDonnell**

2018 Road Program- The upcoming 2018 Road Program has been awarded to Landberg Company. The reconstruction meeting will be held upstairs in the conference room on July 31st at 10:00 am if anyone of you would like to attend.

• **WATER & SEWER, Chairman Ron Rocco - No Report was given**

• **PUBLIC SAFETY, Chairman Jim Pearce - Absent - No Report was given**

• **COMMUNICATIONS, Chairman Rick Miller**

Project Insight - The Mayor was contacted by Project Insight and I went to a demo about that explained this program. They have some really neat technology. Select questions are addressed to the public and then the data collected would provide the Borough of what the results were compromised. I think it is very expensive at 30,000 for us to receive the data and am thinking to address the County about getting this program so that all the municipalities can take advantage of this program

• **FINANCE, Chairman Mike Buchanan – No report was given**

ECONOMIC DEVELOPMENT & REAL ESTATE, Mayor Jim Bilella

- Rental Rehabs need to be started before the end of the year. A Committee needs to come up with some decisions
- **DWP CONTRACT** – The DPW Superintendents Contract needs to be renegotiated by the end of year. I would like Councilman MacDonnell to lead that & Councilman Rocco be a part of this committee.

• **SOLICITOR, Howard Long**

- There are three matter of discussion that I request that we pass upon a motion to go into Executive Session. The four matters to be discussed:
 1. **Police Personnel Matters** - Chief Miller please stay for this portion
 2. **Nexus Litigation**
 3. **Medicinal & Recreational Marijuana** updated legal advice related to
 4. **Contractual relative to Restate Acquisition and or Purchase**

CHIEF FINANCIAL OFFICER, Michael T. Kwasizur

- **Mold testing** came back negative, there are no issues
- **Tax Bills** - Will be mailed out on July 26th and the grace period to pay is usually August 10th but we are extending to August 20th because you have to give a 25day notice
- **Berlin Park Clean Up** – Will be held by the 8th grade dance committee. They asked for a \$500.00 donation. This will be happening on Saturday, July 28th

- **Main Fire Inspector** is retiring August 23rd. Chief Behnke will be helping to find a replacement
- **Fire Vehicle Replacement and how we would like to finance this**
Council President Miller - I would like to go on record by saying, that I know it is only \$500.00 but our school taxes our residents more than the municipality and I don't think we should consider doing this in the future.
- **2019 Calendar Magnets**- Will be ordered soon
- **Shred Event** – Would like to schedule this for October
- **Ball Field Drainage Project** – The project will begin next week due to the fact of the rain we had this past week. This will start on July 30th
- **Nexus Project Meeting was held earlier today**

PRIVILEGE OF THE FLOOR - No one spoke

Mayor Bilella

Motion to go into Closed Session: Councilman Buchanan

Sec.- Council President Miller

All present were in favor

EXECUTIVE SESSION

Motion to come out of Closed Session: Councilman MacDonnell

Sec. Council President Miller

All present were in favor

RESOLUTION R07-12;2018

Resolution to adopt the provisions of Chapter 48, P.L. 1999 State Health Benefits Program

PRIVILEGE OF THE FLOOR – No one spoke

Motion - Councilman MacDonnell

Sec: - Councilman Buchanan

All present were in favor

RESOLUTION R07-13; 2018

Resolution authorizing an agreement and release

PRIVILEGE OF THE FLOOR – No one spoke

Motion - Councilman Buchanan

Sec: - Councilman MacDonnell

All present were in favor

ATTACHED – PROPOSED AUGUST 9, 2018 COUNCIL MEETING

GOOD OF THE ORDER -No one spoke

Motion to adjourn: Councilman MacDonnell

Sec., Councilman Badolato

All present were in favor

Lois J. Sahina

Registered Municipal Clerk
July 24, 2018