BOROUGH OF BERLIN

COUNCIL MEETING MINUTES

THURSDAY, MARCH 12, 2020

MUNICIPAL BUILDING

59 SO. WHITE HORSE PIKE

BERLIN NJ

7:00 PM

Meeting called to order by Mayor Rick Miller.

Flag Salute led by Mayor Miller.

**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 Rick Miller, Council President Jim Pearce, Council members Badolato, Simone, Hohing, Miller and Cummings.

Present also: Solicitor Howard Long.

**Approval of minutes:**

Solicitor Long suggests the minutes with several different dates be approved as one except for those councilmen who may not have been at meeting to abstain.

Council meeting of December 12, 2019

Council re-organization meeting of January 3, 2020.

Council meting workshop of February 13, 2020

Council meeting of February 13, 2020

Budget workshop minutes of March 5, 2020.

Motion to approve made by Pearce, seconded by Simone. All were in favor with exception of Miller and Cummings who abstained for the meeting of December 12, 2019.

Mayor Miller thanks acting administrator for catching up with the minutes and videos and explains that he personally had a technical error and did not record the February 12 council meeting but since that time all has been rectified.

* DEPARTMENT HEAD REPORTS FOR THE MONTH OF FEBRUARY 2020.

Municipal Clerk’s report $ 4577.00

Animals 1831.00

Tax Collector’s report 3,515,740.90

Utility report 66,458.38

Construction permit fees 11,303.00

Monthly rental inspections 10,850.00

Monthly resale inspections 1,050.00

Zoning permit fees 400.00

Community center fees 8,500.00

Court administrator’s report 24,651.08 (45,330.26) actual take in

Motion to approve department head reports made by Pearce seconded by Badolato. All were in favor.

* PAYMENT OF BILLS FOR THE MONTH OF FEBRUARY 2020 IN THE AMOUNT OF $2,549,341.10

Motion to pay bills was made by Badolato seconded by Cummings. All were in favor.

At this time Mayor Miller asks our Emergency Management Coordinator Rushi Pandya to address the public and video camera regarding the recent information on the Coronavirus. That entire letter is attached to these minutes. Rushi Pandya states that the public is seeking general information about COVID 19 and do not need medical attention to contact the New Jersey Department of Health COVID-19 hotline at 1 800 222 1222. He also has attached links that will have constant updated information on the bottom of his letter.

Mayor states that a lot of work is being done behind the scenes to maintain the proper procedures in moving forward with any and all information and changes. Mayor thanks our first responders, EMS, fire department and all health workers for putting themselves first in situations such as this

COUNCIL REPORTS:

* **BUILDINGS, PARKS & RECREATION, Chairman Len Badolato**

Meeting set up with Superintendent John Allesbrook on how the DPW garage is being run. A plan is being put together to possibly hire a part time mechanic to take some of the work load off the full-time mechanic. There are many more pieces of equipment that needs to be repaired from time to time and the plan is to save money in the long run. Has an upcoming meeting with Anthony Maressa from Camden County College for the possibility of setting up an art class at the Dill house. Maressa will present this to his board at the college. Badolato states that the goal is the use this facility to give back to the town. The Berlin Athletic Association is requesting more funding from the borough. He, along with Councilman Simone and Councilwoman Cummings will meet with Athletic Director Iuliucci and a board member to talk about their request. Brick wall out front of municipal building needs repair. He has a company from Waterford coming to look at the needs of these repairs and the cost. Meeting set up with Terry Myers regarding the running of the community center more efficiently. Also, for safety issues the court room is being disinfected by air bombings once a week. Effective midnight on this night the community center will be closed due to the coronavirus. At this time a motion was made to adhere to the closing of the community center in accordance with Executive Order # 12 issued by the Governor which empowers officials to take any and all action necessary to protect the publics health, safety and welfare and upon approval of the Camden County Board of Health and health officials in Camden County which have authorized local officials to take any action that they believe in their discretion is of interest of their own particular communities to close the Berlin Community Center effective midnight on this night of March 12, 2020. Motion

made by Badolato seconded Cummings. All were in favor.

* **PUBLIC WORKS, STREETS & ROADS, Chairman Andy Simone**

Councilman Simone welcomes residents and guests to this meeting. Talks about several pothole repairs that have been completed in the borough, specifically a large area near Park and the White Horse Pike. He states that these repairs were brought in thru mobile 311, an online site that is available thru the boroughs web site and enables communication electronically. This is used by DPW for non-emergency concerns. Issues for this site are for pothole repairs, trash misses, street markings signs and property maintenance issues. The requests go directly to the DPW and a work order is completed, and work is scheduled for the up coming weeks. This application is valid 24/7 noting DPW hours are Monday thru Friday from 6 am to 2:30 pm. He encourages residents to use this similar that the county provides for all county roads in the borough. Asking residents to also use the recycling coach application readily available to the public. This application provides up to date information on recycling programs, collections schedules and changes due to holidays and weather. Preferences may be set for weekly alerts for reminders. He is encouraging our residents that have any questions or concerns to contact the borough departments directly to get the correct up to date information. Simone states that the borough web site has recently been redone and is user friendly thanking Councilman Miller and Hohing for their web site input. Mayor Miller added that the recycling application is a 3rd party application that is not controlled or paid for by the borough noting there some glitches in this application that may have to be addressed.

* **WATER & SEWER, Chairman Patricia Cummings**

Regarding water. There were 15 service orders for meter repair or replacement completed. 73 utility mark outs were completed. The monthly maintenance at both water plants were completed. Lime pump # 1 was replaced and pump # 2 was sent to get rebuilt. The DPW crew has been using the valve exerciser, crew exercises water valves and records each exercise to keep in compliance with the Water Quality Accountability Act. The water system has approximately 1700 valves. DPW has been working in the Carriage Stop area. Regarding sewer. All routine monthly maintenance at the ten (10) pump stations have been completed. All routine monthly maintenance on the ten (10) emergency backup generators at the sewer pump stations have been completed. The new Jet-Vac truck was used this past month to clean debris out of all storm drains. This will keep storm water flowing and keeps the borough in compliance with the NJDEP storm water permit Cummings reports. The sewer video camera is continually being used to inspect and video sewer mains according to the schedule. The DPW crew found root intrusion in a section of a sewer main and was able to clear the main. No major problems have been found.

* **PUBLIC SAFETY, Chairman Jim Pearce**

Councilman Pearce reports that several discussions were held on whether to have this meeting due to coronavirus circumstances, however, due to a lot of business that needs to be acted upon, it was decided to continue as usual. He feels that at this time coronavirus is their foremost priority and will continue to comply with all regulations handed down by the State, County and Federal Government. He thanks all first responders, police, fire, EMS and specifically Rushi Pandya, our Emergency Management Coordinator, along with Craig Fallstick and Fred Tuttle. He attended a meeting at the fire house the night before and pleased to hear how the borough is working with the township even more so regarding what is being planned for this coronavirus. He states that the governing body is not taking any of this coronavirus lightly as many of them spent their day working on the situations that are changing hour by hour. Reminds public that it is important to check the web site daily for continuing information.

Fire report: Fire Chief was at a training in February. There were 56 fire department calls. 7 dwelling fires, 3 fire police assignments, 17 incidentals, 2 rescuer assignments, 1 vehicle fire, 18 alarms, 4 motor vehicle accidents, 3 wires down. Training was held for truck, company operations and combustible gas review. Governing body is always welcome to attend training sessions Pearce states. Inhouse duty crew is staffed every Monday and Friday night. For the month of February EMS had a total of 198 calls of which 94 calls were here in Berlin Borough. 71 of those calls were in Berlin Township.

Councilman Pearce recognized the officer of the month, Behind the Badge recognized Sgt. Christy, Ptl. Knapp, Ptl. Pohlig and Detective Heron for their outstanding investigation for the month of February. The entire incident report is attached to these minutes.

Councilman Pearce adds that there will be another budget meeting with the police department in the coming week.

Police stats for the month of February were as follows; 1737 total calls handled. There were 120 reports taken. 66 total arrests were made of which 13 were drug arrests, 23 warrants served, 1 prostitution, 2 burglary, 2 thefts, 5 assaults, 1 DWI arrest and 10 other arrests. There were 29 total accidents. There were 429 total motor vehicle citations given. 4708 was recovered from stolen property. The data driven approach to crime and traffic safety for the month of December was at Rt. 30 and Franklin Avenue, Rte. 30 and Cross Keys Road and Route 30 and Jackson Road. The year to date crashes are down 23% during the same period in 2019. For the month of February, the No Need to Speed campaign focused on Chestnut/Malan Avenue.

Mayor Miller explains the change in committee chairs to finance now being Jake Miller and Communications now being Keith Hohing due to

* **COMMUNICATIONS, Chairman Keith Hohing**

Councilman Hohing explains that he feels the role of communications chairman may fit him better to serve the borough due to his communication skills even though he does have experience in finance. Looks forward to working with Councilman Miller and his finance knowledge. Thanks all of council for their guidance along the way. He states that the web updates are continuing. Looking into automating a lot of our paper applications. Working with acting administrator in the finalizing of updating minutes and videos on the web site. All information on the web site can be easily printed out for public information. Budget discussions and committee meetings regarding the budget have been active.

* **Finance, Chairman Jake Miller** He appreciated all departments who submitted their budgets for the committee to review stating he and his committee will do their best to comply with the needs of each department while keeping the interest of the borough taxpayers in mind.

Attended a seminar with Councilman Simone on stop the bleeding and Narcan training program that was very informative and thanks the fire department and EMS for putting together. Regarding the seniors and coronavirus, effective immediately, all outings, senior busing and get togethers will be suspended until further notice. Mayor Miller adds that the seniors basically decided to suspend their activities on their own due to their own health and welfare. Mayor added that this thought process was not taken lightly and feels that the seniors were more than happy to comply with these new decisions right now.

* **MAYOR Rick Miller**

Mayor Miller reiterates on the fact that the decision to do this meeting was made to the the amount of business at hand, but he continues to get up dates on the direction it is suggested to be taken down the road. All options will be explored if meeting gatherings are no longer permitted. Solicitor will speak on the legalities of how meetings can be held to include the public input.

* SOLICITOR, Howard Long Department of Community Affairs has issued guidance relative to conducting virtual meetings. This would be like a skype situation whereas the state would recognize participation by telephone. The public would have an opportunity to have input. The state is not recommending closed sessions. All aspects of this would have to be worked out as to whether this type of meeting can be live streamed again emphasizing that there is a way the borough can do business without physical being together in the council chambers. Long states that this governing body has been doing a lot of work behind the scenes to make sure the public and the employee’s best interest is in mind. Also gives praise to Emergency Management for their guidance and information to all. Councilman Hohing states that he has enough knowledge that is we must go to virtual meetings he will be able to get us thru that process.

**Mayor Miller** thanks all department heads for their efforts during the many questions and concerns they are getting asked by the public on how the borough is moving forward. He states that the State and County along with our own Chief is keeping the borough informed daily County putting on a webinar tomorrow, March 13 at 9 am for coronavirus information noting that there was a similar webinar yesterday also. No February or March planning board meeting due to no applications. Councilman Pearce asked the mayor if he was able to contact the Library for their plan during this coronavirus and the mayor stated he was unable to get in touch with the library director as she was out of town. Mayor states the school, as of right now, is still open and Solicitor Long states that they are developing contentious plans for virtual learning.

Long explains some guidelines he received for Civil Service Communities and even though the borough is not a Civil Service Community the guidelines for our local government would most likely be similar. He said there are guidelines being put together is assurance of making all workers whole with assistance from the State in the event an employee, or employees could not work due to mandated shutdowns. The question came up about the cancelation of court. Long stated the the AOC has final say and control of that, however, the Governor today passed the 250 people rule that does not allow more than that amount of people to be in one location. Mayor Miller states that as of right now, our court has not been postponed by the AOC.

Solicitor Long advises council that a Resolution, R03-13;2020 will be added to the agenda for a shared service agreement with the Board of Education.

* **ORDINANCE INTRODUCTIONS:**

ORDINANCE NO. 2020-01, An Ordinance amending the code of the Borough of Berlin to add chapter 67, article I, 67-5 A. and B entitled water department, in the Borough of Berlin, County of Camden and State of New Jersey.

Motion to introduce; made by Cummings, seconded by Miller. All were in favor.

ORDINANCE NO. 2020-02, An Ordinance authorizing an extension of a lease of land and building located at 11 Jackson Road, Block 1400, Lot 14, on the official tax map of the Borough of Berlin, County of Camden, and State of New Jersey.

Motion to introduce; was made by Pearce seconded by Badolato. All were in favor.

ORDINANCE NO. 2020-03, Introduced by Title Only, An Ordinance authorizing modification of fees for the Community center to be established by the buildings, parks and recreation.

Motion to introduce; Badolato, Seconded by Cummings. All were in favor.

* **RESOLUTIONS:**

**Resolution R03-1;2020,** A Resolution authorizing Pennoni Associates to commence with the start of the 2020 Berlin Borough Roadway Improvement Program contingent upon the CFO certifying the funds for a purchase order in the amount not to exceed $68,700., funding coming from the $245,000 grant for road improvements.

**Resolution R03-02;2020,** A resolution amending Personnel Policies and Procedures Manual adopted by Resolution R16-2018 on December 18, 2018 under Payroll Policy to change policy from weekly to bi -weekly.

**Resolution R03-03;2020**, A resolution authorizing a refund of resale inspection fee in the amount of $100. 00 to Berkshire Hathaway due to a duplicate payment of this fee.

**Resolution R03-04;2020,** A resolution authorizing refund of $100.00 security deposit fee to Justina Ruane for the Berlin Community Center due to good condition policy consideration.

**Resolution R03-05;2020,** A resolution authorizing escrow refund for block 519, lot 1.11 at Presidential Drive in the amount of $403.00 as all final inspections have been made and Pennoni has confirmed there will be no additional billing.

**Resolution R03-06;2020,** A resolution authorizing the tax cancellation of $2,443.11 and tax refund of $610.77 for block 1109, lot 13 due to 100% totally disabled veteran.

**Resolution R03-07:2020,** A resolution authorizing an application for Program Year 2020 Community Block Grant funding for Senior citizen transportation.

**Resolution R03-08;2020**; A resolution authorizing the release of the performance bond in the amount of $184,074.30 for Royal Farms as per Pennoni Associates contingent upon the posting of a two year maintenance bond, or cash, in the amount of $30,679.05 and a separate maintenance bond in the amount of $6548.10 equal to 15% of landscaping items. (subject to outstanding legal issues by Solicitor

**Resolution R03-09;2020, A** resolution authorizing the late fee for animal licensing for this year remain at April 30, 2020 before a late fee can be assessed due to a conflict in certain documents.

**Resolution R03-10;2020,** A resolution authorizing the adoption execution of an agreement by and between this agreement, the Borough of Berlin and Berlin Multi Family, LLC, (Nexus Properties) for certain reimbursement due and owing.

**Resolution R03-11;2020,** A resolution authorizing the reduction of the performance bond per recommendation from Pennoni Associates for Carriage Mews, Block 2400, Lots 27 & 28 to a new revised amount of $206,488.60 and revised cash in the amount of $22,943.18.

**Resolution R03-12;2020,** Approving the sale by assignment of tax sale certificate No. 18-00021, owned by the Borough of Berlin pursuant to N.J.S.A. 54:5-113.

**Resolution R03-13;2020** A resolution authorizing a shared service agreement with the Berlin Borough board of education regarding the community center usage.

Meeting open to the public on Resolutions R03-01:2020 thru R0-3-13;2020.

Meeting closed to the public

Motion to adopt Resolutions R03-01 thru R03-13;2020 made by Simone seconded by Hohing. All were in favor.

Privilege of floor.

No one spoke.

Good of the Order.

Councilman Simone informed the council and the public that New Jersey Forest Fire Service is doing controlled burns in Gloucester County is doing controlled burns and that may be the reason they are smelling smoke in the area./Fire Company performing live training sessions on South Franklin Avenue the next couple of days.

Motion to adjourn made by Pearce seconded by Hohing. All were in favor.

Charleen Santora

Acting Administrator