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**BOROUGH OF BERLIN**

MUNICIPAL BUILDING

59 SOUTH WHITE HORSE PIKE

BERLIN, NJ 08009

**COUNCIL MEETING MINUTES**

THURSDAY, MAY 11, 2023

Mayor Miller called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

**STATEMENT OF ADVERTISEMENT:**

Solicitor Long stated that 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

**APPROVAL OF MINUTES**

Motion was made to approve the Regular Meeting minutes of April 13, 2023, by Council President Miller. The motion was seconded by Councilman Hohing and all were in favor.

Motion was made by Councilwoman Cummings to approve the Workshop Meeting April 13, 2023. The motion was seconded by Councilman Badolato 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 – See attached report
* 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 2023-04**

AN ORDINANCE OF THE BOROUGH OF BERLIN APPROPRIATING $200,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF POLICE VEHICLES IN THE BOROUGH OF BERLIN

Motion was made by Councilman Wilkinson to open public comment on Ordinance No. 2023-04 and was seconded by Council President Miller. All voted in favor.

Motion was made by Councilman Badolato to close public comment on Ordinance No. 2023-04 and was seconded by Councilwoman Cummings. All voted in favor.

Motion was made by Councilman Wilkinson to adopt Ordinance No. 2023-04 and was seconded by Councilman Badolato. All voted in favor.

**SECOND 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 was made by Council President Miller to open public comment on Ordinance No. 2023-04 and was seconded by Councilman Hohing. All voted in favor.

Motion was made by Councilwoman Cummings to close public comment on Ordinance No. 2023-04 and was seconded by Councilman Badolato. All voted in favor.

Motion was made by Councilman Hohing to adopt Ordinance No. 2023-04 and was seconded by Councilman Badolato. All voted in favor.

**SECOND 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 FLOOD PLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Motion was made by Councilwoman Cummings to open public comment on Ordinance No. 2023-04 and was seconded by Councilman Badolato. All voted in favor.

Motion was made by Council President Miller to close public comment on Ordinance No. 2023-04 and was seconded by Councilwoman Cummings. All voted in favor.

Motion was made Councilwoman Cummings to adopt Ordinance No. 2023-04 and was seconded by Councilman Badolato. All voted in favor.

**NEW BUSINESS**

**FIRST READING ORDINANCE 2023-07**

AN ORDINANCE AMENDING SALARY ORDINANCE 2022-11 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED “SALARIES”

Motion was made by Council President Miller to approve the ordinance and was seconded by Councilman Hohing. All voted in favor.

**FIRST READING ON ORDINANCE 2023-08**

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF $3,315,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO $3,149,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion was made by Councilman Hohing to approve the ordinance and was seconded by Councilman Badolato. All voted in favor.

**RES. R5-93:2023**

AUTHORIZING THE 2023 GENERAL, WATER, SEWER, AND OPEN SPACE BUDGET TO BE READ BY TITLE ONLY. WHEREAS, N.J.S. 40A:4-8, as amended by 7 L. 2015, c 95 14,20-15, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection and has been made available to each person upon request and WHEREAS, these two conditions have been met; and NOW, THEREFORE BE IT RESOLVED, that the budget shall be read by title only.

2023 GENERAL, WATER, SEWER AND OPEN SPACE BUDGET APPROPRIATING $10,525,971.00, IN GENERAL, $3,447,026.00 IN WATER, $1,191,726.94 IN SEWER AND $120,176.64.IN OPEN SPACE.

Motion to approve was made by Councilman Badolato and was seconded by Councilman Hohing. All were in favor.

**PUBLIC HEARING OF THE 2023 MUNICIPAL BUDGET**

Motion to open the 2023 budget public hearing was made by Councilman Wilkinson and seconded by Council President Miller. All voted in favor.

Motion to close the 2023 budget public hearing was made by Council President Miller and seconded by Councilman Hohing. All voted in favor.

**RES. R5-94:2023 ADOPTION OF THE 2023 GENERAL, WATER, SEWER AND OPEN SPACE BUDGET.**

Motion to approve the budget was made by Councilman Wilkinson and was seconded by Councilman Mascarenhas. All voted in favor.

Motion to open the public portion for Resolutions R5-95:2023 through R5-108:2023 was made by Council President Miller and was seconded by Councilman Hohing. All voted in favor.

A motion to close the public portion for Resolutions R5-95:2023 through R5-108:2023 was made by Councilman Badolato and was seconded by Councilwoman Cummings. All were in favor.

**RES. R5-95:2023**

A RESOLUTION MEMORIALIZING AN EXECUTIVE SESSION FROM APRIL 13, 2023

**RES. R5-96:2023**

A RESOLUTION AMENDING THE MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN PARTICIPATING UNITS FOR THE DISPATCHING AND UTILIZATION OF PUBLIC WORKS PERSONNEL AND EQUIPMENT IN THE EVENT OF AN EMERGENCY

**RES. R5-97:2023**

A RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE HADDON AVENUE WATER MAIN REPLACEMENT PROJECT FOR A NET REDUCTION OF $32,858.09 TO MSP CONSTRUCTION CORP

**RES. R5-98:2023**

A RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE SEWER LINING PROJECT FOR A NET INCREASE OF $17,938.00 TO MOBILE DREDGING & VIDEO PIPE, INC. (CERTIFICATE OF FUNDS ATTACHED)

**RES. R5-99:2023**

A RESOLUTION OF THE BOROUGH OF BERLIN TO AMEND ADOPTED BUDGET (CHAPTER 159) FOR SPECIAL ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87

**RES. R5-100:2023**

A RESOLUTION APPROVING A BILLING AND ACCOUNTS RECEIVABLE SERVICE AGREEMENT – THIRD PARTY BILLING FOR EMERGENCY SERVICES TO EMS CONSULTING SERVICES OF BERLIN, NJ

**RES. R5-101:2023**

A RESOLUTION ADOPTING THE 3-YEAR COOPERATION AGREEMENT WITH THE COUNTY OF CAMDEN

**RES. R5-102:2023**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE TAX REFUND OF $1,780.94 FOR BLOCK 1209 LOT 1 DUE TO OVERPAYMENT

**RES. R5-103:2023**

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE TAX REFUND OF $1,458.90 FOR BLOCK 1209 LOT 10 DUE TO OVERPAYMENT

**RES. R5-104:2023**

A RESOLUTION APPROVING THE 2023 CAMP LONG-A-COMING EMPLOYEES AND EMPLOYEE RATES

**RES. R5-105:2023**

A RESOLUTION ESTABLISHING A CASH FUND IN THE AMOUNT OF $300.00

**RES. R5-106:2023**

A RESOLUTION AUTHORIZING THE HIRING OF SHANNON WILSON AS A SCHOOL RESOURCE OFFICER EFFECTIVE MAY 11, 2023

**RES. R5-107:2023**

A RESOLUTION APPROVING THE PAYMENT OF BILLS – MAY 2023 TOTALING $4,556,118.56

**RES. R5-108:2023**

A RESOLUTION APPROVING THE DONATION OF A 1994 KME FIRE TRUCK TO THE BERLIN BOROUGH FIRE DEPARTMENT

Motion to approve Consent Agenda Resolutions R5-95:2023 TO R5-108:2023 was made by Council President Miller and was seconded by Councilman Hohing. All voted in favor.

**PRIVILEGE OF FLOOR**

Motion to open the public portion was made by Councilman Mascarenhas and was seconded by Councilman Badolato. All were in favor.

Motion to close the public portion was made by Council President Miller and seconded by Councilman Badolato. All were in favor.

**CLOSED SESSION** A closed session was not held.

**GOOD OF THE ORDER**

Charlie Maimone, Berlin NJ

The above resident stated that the former site of Blaise’s Tires is in foreclosure due to lack of payment on taxes. Explains there may be possible water contamination. States that many towns have abandoned gas stations sites. Explains the options if the Borough takes possession, could fix it up or if someone were to buy it.

Solicitor Long states that if the site is contaminated and the Borough buys it, the Borough cannot be held for possible contamination on the site. He proposes the questions “what is the level of contamination? And “what are the chances of us getting a grant.

Solicitor Long recommends securing the building. The solicitor suggests getting a LSRP price from Pennoni.

Kristen Simone, Berlin NJ

The above resident voiced her concerns over the future of the Simone Farm.

Ms. Simone wants to make sure the farm name stays the same “Simone Farm Preserve”.

Ms. Simone expressed concern over potential traffic patterns and congestion on Blackwood Clementon Road.

Solicitor Howard Long assured residents the name will not be changed. He explained to residents that this was only a design/drawing to get some ideas and added that the deed states the name must remain “Simone Farm Preserve”. He stated to the residents that their opinion matters as this is the first piece of land Berlin Borough has as open space and urged residents to voice their opinions and suggested holding a special meeting on this topic.

Joanne Nixon, Berlin NJ

Ms. Nixon voiced her concerns over the new ideas and projects at the Simone Farm Preserve”

and also questioned the current plans for Owens Corning.

Clem Simone, Berlin NJ

Mr. Simone stated that he will always take pride in the farm and will continue to cut the grass as long as he is needed to do so.

Francis Simone, Atco NJ

Mr. Simone stated that he does not want to see the name changed and reminded Council how long his family’s farm has been a part of Berlin Borough. He expressed concern about the future of the farm.

Marie Foskey, Berlin NJ

Ms. Foskey stated that she is a neighboring resident to Simone Farm and voiced her concerns about fire hazards, trash, population, noise, and debris. Wants to make sure traffic studies have been completed before anything is done moving forward.

Kristin Simone, Berlin NJ

Mrs. Simone inquired about the new salary ordinance of Berlin Borough.

Guy Johnson, Berlin NJ

Mr. Johnson voiced his concern over the ongoing parking situation on Presidential Drive. He would like to see “No Parking” signs or a heavier police presence.

Solicitor Long states this matter will be further investigated by the police chief.

Stephanie Himan, Berlin NJ

Ms. Himan stated that one possible reason for the additional traffic and parking on Presidential Drive is safety concerns of walking from the Community Center and having to cross Franklin Drive to go to the school with a toddler. She added that in the past school officials have told her to park on Presidential for drop off and pick up.

Betty Vitale, Berlin NJ

Ms. Vitale thanked the Mayor and Governing Body for all they do for the Borough. She stated that Berlin is a wonderful place to live and work.

Ms. Vitale Invited residents to come out for the grand opening of Monaco Go Carting. The tentative date for this event would be either June 21 or June 26.

ADJOURNMENT

Motion to adjourn was made by Councilman Wilkinson and seconded by Councilman Mascarenhas. All were in favor.

Submitted by:

Rachel von der Tann

Deputy Municipal Clerk