



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

## **REGULAR MEETING MINUTES**

THURSDAY FEBRUARY 11, 2021 - 7:00 pm.

Mayor Rick Miller called the meeting to order at 7:00 pm. He stated that adequate notice of this meeting was given according to 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 said meeting's date, place, and time.

After the Salute to the Flag, the following roll call was taken:

Present: Councilmembers: Badolato, Cummings, Hohing, Miller, Simone, Pearce, and Mayor Miller

Absent: Councilmembers: None

Solicitor Howard Long was present via phone.

### APPROVAL OF MINUTES - December 17, 2020 – Regular Meeting

**Moved by:** Councilmember Pearce; **Seconded by** Councilmember Simone

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

### COUNCIL REPORTS:

- **BUILDINGS, PARKS, & RECREATION** - Chairman Len Badolato had mentioned previous conversations about getting the borough garage lights upgraded. He has two proposals. John Allsebrook D.P.W. and a couple of guys that work in there are going over both estimates, and they are going to try to pick the one they think would work well. When I get that report from them next week, we could move on to it. I spoke to Debbie DeMattia, and we do have the funds for that. He mentioned some problems with the gutters at the Community Center. There is a chance that D.P.W. may be able to fix it. John's going to let him know next week. If not, we are going to get a couple of estimates on getting that repair done. He reported the brick wall work in front of Borough Hall had been done. He also mentioned getting the traffic calming done on the White Horse Pike. The Key Engineers did send a second proposal to the N.J.D.O.T., and the N.J.D.O.T. sent it back to Key Engineer with some requested changes. I am trying to handle this with kid gloves because the key Engineer is doing the work at no charge. He mentioned that HPC [Historic Preservation Commission] had reached out to the Historic Preservation Office a

while ago. The Borough had received the grant to get our historic district amended. It was initially turned down, so the HPC reached out again to see if we could get it through and, if not, to at least get the Berlin Hotel on the National Register. In Trenton, the National Preservation Office responded with an email saying that they felt the Berlin Hotel is worthy of being on the State and National Register. The Preservation office and our Commission will work on this over the next few months for 2021.

- PUBLIC WORKS, STREETS & ROADS - Chairman Andrew Simone reported that D.P.W.'s focus was on storm remediation for several weeks. He gave a brief explanation of a storm's inner workings, so everyone is aware that everything is always prepared days and weeks ahead of predicted storms. The Public Works Department looks at the weather before the storm, during the storm, and after, and many things go into the planning and post-planning of storms. He mentioned that the Borough had been a little lax in our recycling bins. He said on the website was a list describing the 12 specific items that go directly into recycling bins and what do not. Other towns do the very thorough job of inspecting recycling cans and were now where we don't think it's necessary, so we want to keep informing the residents to please be cautious of what you put in recycling bins.
- WATER & SEWER - Chairwoman Patricia Cummings reported for the Water Department. The water meter replacement project is continuing, and there have been approximately 550 meters replaced. Seventy-nine utility mark-out requests were completed, and all the routine maintenance at the water plant was also completed this month. For sewer, we completed all our regular monthly maintenance at the ten pumping stations. We completed all our regular monthly maintenance at the ten emergency backup generators, and the maintenance on the SCADA system is ongoing has been updated this month.
- PUBLIC SAFETY - Chairman Jim Pearce reported for January, noting the Police responded to 1719 calls of service. He gave the statistical breakdown by category. He reported on the Data-Driven Approach to Crime and Traffic Safety [D.D.A.C.T.S.], which focused on route 30 on Franklin Ave., Cross Keys, Jackson West Taunton Ave. The no need to speed campaign for January focused on Clementon Rd, and it was a collaborative initiative with the Pine Hill Police Department. He reported that the O.E.M. [Office of Emergency Management] Rushi Pandya had worked tirelessly during the snowstorms keeping everyone updated, putting out alerts, and coordinating with all the different departments, including public works. He thanked him for that and noted he's also working on the process of getting some money back for the last storm, which was declared the State of Emergency. He has already started all the paperwork on that, and hopefully, we can get some money back for the amount of overtime that we had in several of our departments. He reported the fire Department for January had a total of 56 calls. They also did their daily training as they continue to staff under the weekly safer grant. The Berlin Fire Department is a volunteer, so when they can get a little extra money under a grant, that saves the taxpayers money. The Fire Dept. repeatedly let us know they were on standby during the recent snowstorms. They will do another useful service for this town helping public works which may be jammed up doing another situation. We are proud, and I echo Councilman Simone on how everybody worked together. I thought the streets were pretty flawless, considering that this was a relatively large storm. He reported that the E.M.S.

Department for January answered a total of 224 calls, and of those calls, 105 were in Berlin Borough.

- COMMUNICATION – Chairman Keith Hohing reported on the website and that there is content there and some excellent links on the primary page related to covid vaccinations. I think it's very valuable information. He concurred with other council members there have been quite a few meetings, and it has been a hectic month for us meeting-wise. He has participated in both public safety meetings and had several interview processes, and discussed options with leasing some of our Department vehicles and things of that nature.
- FINANCE - Chairman Jake Miller gave a detailed reporting of the revenues collected during the month totaling \$2,080,652.41. Outside of that, there have been many meetings throughout and all in the Borough and department heads' best interests. We made a lot of headway, and we still have a lot more work to do to get the budget in line, and we find ourselves doing so.
- SOLICITOR - Howard Long gave an explanation on Ordinance 02 on the agenda concerning stormwater control. This Ordinance is a mandate from the state emanating out of the New Jersey D.E.P. requiring all municipalities in the State of New Jersey to enact more environmentally friendly stormwater controls, particularly as it relates to development. He also commented on Ordinance 03 regarding lockboxes and how this will allow the fire dept to address alarms at the business more efficiently and quickly. He mentioned there were two bids with resolutions. Regrettably, after speaking to our C.F.O., we issued an opinion on January 20, which indicated for the 2020 road improvement projects that we don't have the necessary appropriations to award. Our engineers have to take a look at that and downsizes it a little bit. The good news is the Laurel Hill Court water main replacement appears to be for us to move forward. We added a resolution authorizing the Mayor to execute an agreement of sale for 79-81 S White Horse Pike. I know there's just some interest in acquiring that parcel to help with our downtown revitalization. He also believes Council President Pearce has requested a closed session for general discussions only on filling a vacant position.
- MAYOR'S REPORT – Rick Miller mentioned the agreement to purchase the building, which is right next door to the Blaise's property. The building came up for sale and the Borough, to control our destiny for the downtown redevelopment, quickly worked out an agreement, and hopefully, we can agree on a price that is right for everybody. He thanked D.P.W., O.E.M., the Police Department, and the Fire Department for their hard work during the storm, putting all the time and energy into keeping us safe. He remarked on our Deputy Clerk leaving to enter the private industry, and he was sorry to see her leave. He thanked her for her time at the Borough and noted she is going to be missed. He acknowledged our new Tax Collector, who started great. Although it is sad to see people leave, the nice thing is when new folks come in, they bring knowledge from their old places of employment, and she's already made us aware of a few things to our attention I think can help us with efficiency and save us money.

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Motion to Approve Reports

February 11, 2021 – Berlin Governing Body Meeting

**Moved by:** Councilmember Pearce; **Seconded by** Councilmember Hohing  
**Vote:** Motion carried by roll call vote (summary: Yes = 6)  
**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce  
**No:** None  
**Abstain:** None  
**Absent:** None

NEW BUSINESS:

Municipal Clerk Dwayne Harris read the following Resolutions by title into the record:

2021-020 - RESOLUTION AUTHORIZING THE ACCEPTANCE OF RESIGNATION TENDERED BY DANA MCGARVEY, DEPUTY CLERK, AND CERTIFIED MUNICIPAL REGISTRAR EFFECTIVE FEBRUARY 2, 2021

2021-021 - AUTHORIZING THE MAYOR OF THE BOROUGH OF BERLIN TO EXECUTE AN AGREEMENT OF SALE BY AND BETWEEN THE BOROUGH OF BERLIN AND PALAZZO UNO, L.L.C., TO PURCHASE PROPERTY LOCATED AT 79-81 SOUTH WHITE HORSE PIKE, IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 1108, LOT 8, SUBJECT TO CERTAIN TERMS AND CONDITIONS

2020-022 - RESOLUTION APPOINTING THERESA STAGLIANO AS AUTHORIZED AGENT FOR TAX APPEALS

2020-023 - RESOLUTION REJECTING ALL BIDS FOR THE 2020 BERLIN BOROUGH ROADWAY IMPROVEMENT PROJECT

2020-024 - AWARDING LAUREL HILL COURT WATER MAIN REPLACEMENT TO ALL J'S SERVICES, L.L.C.

2020-025 - RESOLUTION APPOINTING SCHOOL CROSSING GUARD[S] FOR THE BOROUGH OF BERLIN

2020-026 - RESOLUTION AUTHORIZING THE RELEASE OF A MAINTENANCE BOND FOR GATES OF HEAVEN CEMETERY, DIOCESE OF CAMDEN, BLOCK 100, LOTS 1, 1.01, 4, 5, AND 6

2020-027 – RESOLUTION AUTHORIZING AN AGREEMENT AND RELEASE

2020-028 – PAYMENT OF BILLS - \$3,425,530.10

Mayor Miller opened the public meeting to comment on Resolution 2021-020 through resolution 2021-028. No one from the public came forward to speak.

Motion to close the comments on the resolutions.

**Moved by:** Councilmember Pearce; **Seconded by** Councilmember Hohing  
**Vote:** Motion carried by roll call vote (summary: Yes = 6; Absent = 0).

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**Yes:** Council members Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Motion to adopt Resolution 2021-020 through Resolution 2021-028 as a Consent Agenda.

**Moved by:** Councilmember Hohing; **Seconded by** Councilmember Badolato

**Vote:** Motion carried by roll call vote (summary: Yes = 6; Absent = 0).

**Yes:** Council members Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Clerk Harris read the following Ordinance[s] by title for introduction:

**2021-01** A ORDINANCE AUTHORIZING THE RESCISSION, REVOCATION, AND ANNULMENT OF ORDINANCE 2018-09 ENTITLED ORDINANCE AUTHORIZING THE 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 TO THE DOWNTOWN BERLIN REVITALIZATION CORPORATION FROM THE BOROUGH OF BERLIN FOR NOMINAL CONSIDERATION IN ACCORDANCE WITH N.J.S.A. 40A:12-14 OF THE NEW JERSEY LOCAL LANDS AND BUILDINGS LAW, UNDER TERMS AND CONDITIONS TO BE ESTABLISHED BY THE MAYOR AND BOROUGH COUNCIL

Councilmember Badolato made a motion to table this Ordinance indefinitely. Councilmember Hohing seconded the motion.

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

**2021-02** AN ORDINANCE CREATING NEW CHAPTER 336 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "BERLIN BOROUGH STORMWATER CONTROL ORDINANCE."

Motion to Introduce Ordinance 2021-02:

**Moved by:** Councilmember Cummings; **Seconded by** Councilmember Pearce

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Having been properly introduced, this Ordinance will have a public hearing with possible adoption on March 11, 2021.

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**2021-03** - AN ORDINANCE REQUIRING THE INSTALLATION OF A KEY LOCKBOX EMERGENCY ACCESS SYSTEM FOR USE BY THE BERLIN BOROUGH FIRE COMPANY NO. 1 DURING AN EMERGENCY OR ANY OTHER ACTION DEEMED NECESSARY BY THE BERLIN BOROUGH FIRE COMPANY NO. 1 AND ADDING PART II, SECTION 80 TO THE CODE OF THE BOROUGH OF BERLIN

Motion to Introduce Ordinance 2021-03:

**Moved by:** Councilmember Pearce; **Seconded by** Councilmember Simone

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Having been properly introduced, this Ordinance will have a public hearing with possible adoption on March 11, 2021.

**2021-04** - AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY LOCATED AT 79-81 SOUTH WHITE HORSE PIKE, IN THE BOROUGH OF BERLIN, IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 1108, LOT 8, SUBJECT TO CERTAIN TERMS AND CONDITIONS, IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW JERSEY LOCAL LANDS AND BUILDINGS LAW

Motion to Introduce Ordinance 2021-04:

**Moved by:** Councilmember Hohing; **Seconded by** Councilmember Badolato

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Having been properly introduced, this Ordinance will have a public hearing with possible adoption on March 11, 2021.

PRIVILEGE OF THE FLOOR – No comments from the public.

GOOD OF THE ORDER – No comments from Councilmembers.

**EXECUTIVE SESSION –**

WHEREAS the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS this public body believes such circumstances presently exist; and,

February 11, 2021 – Berlin Governing Body Meeting

WHEREAS the Governing Body wishes to discuss:

- Item – Personnel – Appointment of Registrar

Minutes will be kept, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Berlin, in the County of Camden, State of New Jersey, to go into Executive Session to discuss the above items, and the public is excluded from this meeting.

**Moved by:** Councilmember Pearce; **Seconded by** Councilmember Simone

**Vote:** Motion carried by roll call vote (summary: Yes = 6)

**Yes:** Councilmember Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

The regular meeting resumed.

Resolution 2021-029 - RESOLUTION APPOINTING DWAYNE M. HARRIS AS THE REGISTRAR OF VITAL STATISTICS

**Moved by:** Councilmember Badolato; **Seconded by** Councilmember Cummings

**Vote:** Motion carried by roll call vote (summary: Yes = 6; Absent = 0).

**Yes:** Council members Badolato, Cummings, Hohing, Miller, Simone, Pearce

**No:** None

**Abstain:** None

**Absent:** None

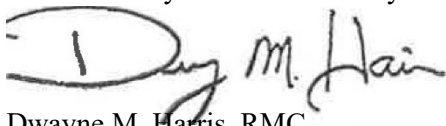
There being no further business before the body:

**Moved by:** Councilmember Badolato; **Seconded by** Councilmember Pearce

**Vote:** Motion carried by unanimous consent.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Berlin, in the County of Camden, State of New Jersey, hereby certify these Minutes were approved by the Governing Body, at its Regular Meeting, held March 11, 2021.

WITNESS my hand this 16th day of March 2021.



Dwayne M. Harris, RMC