



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

**REGULAR MEETING MINUTES**

THURSDAY OCTOBER 8, 2020 - 7:00 pm.

Mayor Rick Miller called the meeting to order at 7:00 pm. He 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 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: Cummings, Badolato, Hohing, Miller, Simone, Pearce, and Mayor Miller

Absent: None

Mayor Miller acknowledges former Mayor Kescus, who was in the audience, and Police Chief Millard Wilkerson.

**APPROVAL OF MINUTES**

September 10– Workshop Meeting  
September 10 – Executive Session  
September 10– Regular Meeting

**Moved by:** Councilman Pearce; **Seconded by** Councilman 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

Mayor Miler noted that October is National Breast Cancer Awareness month, pointing out some ribbons in front of Borough Hall and along South White Horse Pike. He thanked the council members who helped place the ribbons and apologize for those who could not. The ribbons were hung to support the South Jersey Breast Cancer Coalition's efforts, and he was making a proclamation recognizing October as National Breast Cancer Awareness Month. He read a portion of the following proclamation and mentioned a copy would be placed on the website and the original given to the South Jersey Breast Cancer Coalition.

**Proclamation on National Breast Cancer Awareness Month  
October 2020**

WHEREAS October is National Breast Cancer Awareness Month, which is an annual campaign to increase awareness of this disease because the National Cancer Institute estimates in the United States, more than 231,000 (female) and 2 000 (male) new cases of breast cancer will be diagnosed this year, and over 40,000 people will die; and,

WHEREAS National Breast Cancer Awareness Month remains dedicated to increasing public knowledge about the importance of early detection of breast cancer diagnosis and treatment and while we have seen an increase in mammography rates and a decline in deaths, there is more we can do; and,

WHEREAS, too many women do not utilize mammography at regular intervals even though research indicates it is the best available method of detection to decrease death rates; and,

WHEREAS the awareness campaign is sending out several vital messages, most notably, the American Cancer Society continues to advise women to get an annual mammogram screening once they reach age 40; and,

WHEREAS during October, we celebrate the incredible resilience of breast cancer survivors and remember those lost to this disease. We also pray for comfort and strength for those currently battling breast cancers. Together, united by compassion and resolve, we will continue in our effort to find new treatments, medications, and a cure to eradicate this disease.

NOW, THEREFORE, BE IT PROCLAIMED that the Borough of Berlin, in the County of Camden, State of New Jersey, declares October 2020 as Breast Cancer Awareness Month in the Borough of Berlin and urge all residents to increase their knowledge about breast cancer and join us in celebrating the survivors and memorialize those who lost the battle.

IN WITNESS WHEREOF, I have hereunto set my hand this eight-day of October, in the year of our Lord two thousand twenty.



Rick Miller, Mayor

**COUNCIL REPORTS:**

- **BUILDINGS, PARKS, & RECREATION** - Chairman Len Badolato wanted to let everybody know we are getting the brick wall repaired around the Borough Hall complex and the library. They started to put the caps on the post, and hopefully, that will be finished within the next month. He mentioned he wants to get some tires and debris on the old Blaese tire place removed. To do that, we have to get approval from him to go there and remove the tires. There have been some tires getting water and some mosquitoes in the back. We want to get rid of this stuff. I will be getting the beginning paperwork from our Solicitor Howard Long tomorrow, and I'll bring it over to Joe and have him sign it so the Borough can get D.P.W. over there to get rid of all that.

He mentioned talking about some people and businesses complaining about the brightness of the streetlights in the center of town. This discussion has been going back and forth for about a year and a half now, and the bottom line is there is not going to be any change. The silver lining in that cloud is the electric company is coming out with its Smart Grid in a year, maybe even two years, but it's going to be a way where the town can dial in the lights' brightness. The technology is still in the designing phase, but when it comes out, they're going to prioritize a few towns on who will get to use this when it first come out, and Berlin Borough is supposed to be the top of that list.

The Solicitor Howard Long responded, commenting on the issue regarding the tire cleanup at Blaise's. The Borough needs to get permission to access that site, and he was preparing

that access agreement when he lost power in his office. His secretary was able to complete it and email it to Dwayne [the Clerk] at about 5:44 pm. The resolution would be authorizing the execution of a license to hold harmless indemnification agreement between the Borough of Berlin and Joseph E. Blaise senior, the owner of 71 S. White Horse Pike, for us to get there. He did not think it's a controversial resolution, but it will undoubtedly need to be formally approved by Council if you want to move forward with it tonight. Otherwise, it will wait another month for us to get in there and get those tires, and part of the concern, as you mentioned, is a public health hazard that should be addressed.

- PUBLIC WORKS, STREETS & ROADS - Chairman Andrew Simone mentioned the leaves are starting to fall, so with that, the landscaping of our property will come to an end, and we will turn into leaf pickup. Public works will begin once the vegetation dies off, usually after the first frost, going into the easements and the Borough property where the natural watershed drains to get rid of the overgrowth dredge the natural swale starts at the Jackson road. He would like to let residents know that when you begin to put leaves out and landscape debris clippings from cutting the grass, please make sure they are between the sidewalk and curb and not in the street. When put at the curb, they tend to overflow into the street and as soon as the rain comes, the drainage will grab that debris, and that's why we have these little miniature dams that have shown up around town. The Borough will be aggressive once our organic works slow down, and we are going to clean out these inlets, but we cannot do it until the vegetation dies. He asked the residents to please look at their trash schedule, where you will see that leaf pickup begins on Monday, November 2. Just make sure they are either in containers or in bags and out of the street. We will do the best to get the drainage ready for the incoming spring when the rainy season creates rivers.
- WATER & SEWER - Chairwoman Patricia Cummings - The contractor has sent out letters to notify the residents that the water meter replacement project is back on schedule and is beginning this month. In phase one of the replacement project, the residents will receive a letter and are asked to schedule the appointments to have their meters replaced. The D.P.W. crew is expected to disconnect the water service at 85 and 87 S. White Horse Pike before demolition. 70 utility mark out requests were completed. All routine maintenance at both water plants was conducted. The D.P.W. completed all regular monthly maintenance on the pumping stations and the ten emergency backup generators. The crews repaired the clogged pumps at the Laurel Woods pump station.
- PUBLIC SAFETY - Chairman Jim Pearce – reported October is still Fire Safety Prevention Month. According to our Fire Chief and Facebook, it has not been as publicized because it will all be done online due to COVID restrictions and protocols. He mentioned the fire department responded, for September, to 53 calls. The BFD also continued under that Safer Grant to staff duty crews on various hours, which we were happy when they found the money to do that under a grant. He reported our O.E.M. Department coordinator Pandya is working with our Administrator to send in additional Cares Act invoices to obtain reimbursement. That has to do with a lot of the situations we had with COVID. We managed that very actively at the beginning, asking all departments to report any extra expenses they might have based on the COVID situation. Mr. Pandya is still working with

our Administrator on trying to get Berlin as much money as we can. Mr. Pandya has also provided hand sanitizer to the Police, Fire, D.P.W., and E.M.S. He [Pandya] also wants everyone to know he still has plenty of P.P.E. for any of those departments if they need it. He reported to the Berlin Police Department for September 2020, handled 1737 calls, and had 115 total investigations reports taken. The Police also continued with the Data-Driven Approach to Crime and Traffic Safety and the No Need to Speed campaign. The Police also wanted to pass on. They will be hosting the Red Cross Annual Blood Drive as they do every year on October 23, 2020. The month's officer will be posted on the Berlin Police Department's social media Facebook page; it will go this month to patrolman Pohlig.

- COMMUNICATION – Chairman Keith Hohing – reported some general updates for ongoing things such as the online payment process. We have been investigating various municipalities and various providers to see what the best options are. There are many caveats in terms of debits and credits and things in nature, and want to vet that entirely out before we create a situation that may not be as favorable, so he apologized for the delay. He reported that he had attended the public safety meeting with my constituents. They are still working on the final modifications to the fall newsletter, which should be out shortly, so keep an eye out for that. He finally reminded everybody to please vote
- FINANCE - Chairman Jake Miller thanked Councilman Simone for the history lesson and gave the Department Head reports for September 2020.
- SOLICITOR - Howard Long had no report.
- MAYOR'S REPORT – Rick Miller – The Council passed a resolution at the last meeting for the demolition of 89 S. White Horse Pike, the rundown building next to 91. The building is finally coming down, and the Administrator has beans and working hard to get all the services disconnected so the demolition company can go out and take it down. The purchase orders for the ambulance and the trash truck have been issued. The Borough is waiting for those to be delivered. I know some of the audience may be happy to hear this; we have had additional noise complaints, so the Borough went out and acquired a decibel reader. Now we can read decibels, whether it is barking dogs or loud vehicles. One of the issues that we have had in the past is it is tough to enforce the Ordinance when we have no way of recording the sound decibel. Under the Administrator's direction, the Police Department acquired a decibel reader. Now that can be used if we get a noise complaint, we can document it and read the decibel, which should help solve some issues. He mentioned Halloween is going forward and asked everybody to use safety precautions. It is on a Saturday, so the Borough has moved the times around a little. Trick-or-Treating will be from 3:00 pm to 7:00 pm so the little ones can get out in the daytime and be safe, and then the adults can get to their parties. He encouraged everyone to please be safe. Be sure you wear your masks, social distance, and be safe from carrying a flashlight. In the spirit of Halloween, to get the community involved, the governing body is putting out a contest for the best-decorated house in the Borough. We will put details on the website, the parties, and p social media. We are asking you to email photos of your house, and we will pick a winner. This is just something a little fun for the Holidays, and I do not see why we would not be doing something for the Christmas holidays. He mentioned the park has

been under construction for quite some time but was told they would be out there next week. The contractor had some delays and got pulled off the job. We are told they will be done by the end of October. You will see a resolution on the agenda for waiving the yards sales fees for the month. He asked the Council to consider doing away with that fee entirely and asked for an offline conversation and maybe consider it at the next meeting. Lastly, he reported on the new buyer at the Kmart site. It is under contract they are supposed to go to closing the next week. He has been in contact with the buyer who is committing to making improvements over there. By removing overgrown vegetation, some potholes will get filled, etc. They have had a final reading of utilities, so the Borough will be made whole on passed due balances before the property goes to sale. We keep everybody updated when it officially happens.

**Motion to Accept Reports:**

**Moved by:** Councilman Simone; **Seconded by** Councilman Miller

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

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

**No:** None

**Abstain:** None

**Absent:** None

**ORDINANCES FOR PUBLIC HEARING/ADOPTION**

2020-010 - PROHIBITING THE PLANTING OF BAMBOO OR INVASIVE PLANT SPECIES AND BAMBOO GRASSES

**Public Hearing –**

No one came forth with comments.

**Motion to Adopt Ordinance 2020-010**

**Moved by:** Councilwoman Cummings; **Seconded by** Councilman 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

**UNFINISHED BUSINESS:**

2020-130 - RESOLUTION AUTHORIZING REJECTION OF ALL BIDS FOR THE 2020 BERLIN BOROUGH ROADWAY IMPROVEMENT PROJECT IN ACCORDANCE WITH N.J.S.A 40A:11-13.2 (A)-(B)

**Motion to Adopt Resolution 2020-130**

**Moved by:** Councilman Simone; **Seconded by** Councilman 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

**NEW BUSINESS: RESOLUTIONS/ORDINANCES**

The Clerk read the following Resolution titles into the record:

2020-141 - GOVERNING BODY CERTIFICATION OF THE 2019 ANNUAL AUDIT

2020-142 - RESOLUTION TO APPROVE STATE CONTRACT AWARD TO NAT ALEXANDER FOR GOODS TO BE PURCHASED FOR THE BERLIN FIRE DEPARTMENT

2020-143 – WAIVING YARD SALE PERMIT FEES FOR OCTOBER 2020

2020-144 - APPROVAL OF BUDGET INSERTION FOR THE FISCAL YEAR 2020 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$15,185.45

2020-145 - RESOLUTION AUTHORIZING BOROUGH ENGINEER, PENNONI ASSOCIATES INC., TO PERFORM PHASE I SEWER LIFT STATION UPGRADES FOR THE BERLIN WATER AND SEWER DEPARTMENT

2020-146 – PAYMENT OF BILLS = \$1,916,604.18

2020-147 - AUTHORIZING THE EXECUTION OF A LICENSE, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT BETWEEN THE BOROUGH OF BERLIN AND JOSEPH E. BLAESE, SR., THE OWNER OF 71 SOUTH WHITE HORSE PIKE, BERLIN, NEW JERSEY 08033

Mayor Miller asked for comments from the public on the above resolutions.

Nancy Pearson 21 S Cedar mentioned she was curious about the yard sale thing because there was an issue with people doing every week, causing a nightmare with traffic. She said the Mayor had commented that he would like to do away with the fee. She was aware the \$3 cost is a pain in the neck but thinks it is more of a controlling factor, knowing who is doing it and how often. She was worried about the future; if they were to do that [eliminate the fee], we have no way to track who is having one.

The Mayor acknowledges her concern and explained that even though we are waiving the fee, the resident will still be required to get a permit. He mentioned, usually have a community-wide yard sale in October, which did not happen because of COVID-19. Residents will still come in and get a permit because he [the Mayor] agrees that there needs to be some control.

Ms. Pearson further questioned why the Borough was cleaning up the tire on a private business instead of making them clean up the tires. The Mayor explained the situation of the In-Rem Tax Foreclosure.

Seeing no one else from the public, Mayor Miller requested that unless a member of the Council would like to consider any of the items separately, they would pass resolutions 141- 147 under a consent agenda.

### **Motion to Adopt Resolutions [Consent Agenda]**

**Moved by:** Councilman Hohing; **Seconded by** Councilman 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

### **ORDINANCES**

Mayor Miller asked for the Ordinances to be read by title for their introduction.

2020-011 - AN ORDINANCE AMENDING SALARY ORDINANCE 2019-01 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "SALARIES."

### **Motion to Introduce Ordinance 2020-011**

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

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

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

**No:** None

**Abstain:** None

**Absent:** None

Having been properly introduced, this Ordinance will have a second reading, public hearing, and possible adoption on November 12, 2020.

### **PRIVILEGE OF THE FLOOR**

Joe Kescus mentioned he was a property owner, and he has a tenant in there for eight months without paying rent and who has and destroyed his property. He went down to the Construction

Office about permits. He was told he had to get permits, asking if the permit fees could be waived. He would also like to talk to Howard [the Solicitor] about this matter.

Howard briefly explained that some permits fees the Borough does not have authority to waive and did agree to speak with him as a friend, not as a representative of the Borough.

**GOOD OF THE ORDER** – No comments

**EXECUTIVE SESSION: [7:40 pm]**

2020-148 – RESOLUTION TO ENTER EXECUTIVE SESSION

**Moved by:** Councilman Pearce; **Seconded by** Councilman Hohing

**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

The regular Session resumed at 7:45 pm.

**ADJOURN**

There being no further business before the body:

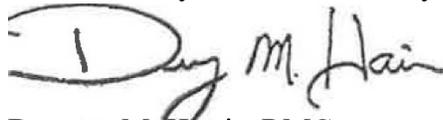
**Motion to adjourn [7:47]**

**Moved by:** Councilman Pearce; **Seconded by** Councilman Hohing

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

I, Dwayne M. Harris, Administrator/ 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 November 12, 2020.

WITNESS my hand this 13th day of November 2020.



Dwayne M. Harris, RMC  
Administrator/Clerk