

BOROUGH OF BERLIN
COUNCIL MEETING MINUTES
MONDAY, JUNE 2, 2014
MUNICIPAL BUILDING
59 SOUTH WHITE HORSE PIKE
BERLIN, NJ 08009
7:00 PM

MEETING CALLED TO ORDER BY MAYOR ARMANO.

FLAG SALUTE LED BY MAYOR ARMANO.

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 Philadelphia Inquirer showing the date, place and time of said meeting.

ROLL CALL: Mayor John Armano, Council President James Bilella, Council members Maccaroni, Scelso, Kupchik, Pearce and Knight. Councilwoman Kupchik was absent.

PRESENT ALSO: Solicitor George Botcheos and Administrator Charleen Santora.

APPROVAL OF MINUTES:

Caucus meeting of April 29, 2014
Council meeting of May 5, 2014

Motion to approve made by Councilman Scelso, seconded by Councilman Maccaroni.
All members present voted in favor.

DEPARTMENT HEAD REPORTS FOR THE MONTH OF APRIL, 2014:

Tax Collector's report	\$2,026,185.61
Utility report	155,062.59
Municipal clerk's report	2,436.50
Animal	2,683.20
Construction permit fees	5,457.00
Municipal court fees	26,619.60
Zoning fees	270.00
Community center fees	2,125.00

Motion to approve made by Councilman Maccaroni, seconded by Council President Bilella. All members present voted in favor.

Mayor Armano provided a statement in regard to COAH. He addressed several concerns relating to COAH and Eastern High School. Also, Planning Board Secretary, Debbie

Simone documented the procedure for attending and participating in a planning/zoning board meeting along with information about agendas. Included also is the application process and procedures and how public question and comments are handled at a planning/zoning board meeting. Copies of this document are available for everyone. The document is attached to these minutes.

PRIVILEGE OF FLOOR:

Harry Earl – 3 Schaeffers Way – Mr. Earl expressed that he felt there has been a void of information in regard to the COAH litigation and the proposed development. Mayor Armano informed Mr. Earl all of the public meetings have been advertised, but it is illegal to discuss litigation. The public hearing which was held in April 2013 was advertised and notice was posted on the Berlin website as well as in the Courier Post. Mr. Earl also expressed concern about there not being any public comment portion at caucus meetings and thinks that public comments should be encouraged.

Councilman Pearce made a motion to add “privilege of the floor” on the caucus meeting agendas, seconded by Councilman Scelso. Under a roll call vote all members present voted in favor.

Mr. Earl asked if the agenda be finalized and posted no later than Thursday at 5:00 p.m. so that the public can have adequate time to review it. He stated that he doesn’t think the borough is getting out the information and he also suggested/requested that ordinances be posted on the borough website before introduction. Another concern was that there is only one public portion on the council agenda and wanted to know why there is not a second public comment opportunity.

Councilman Pearce made a motion to add two “privilege of the floor” sections on the council meeting agendas, seconded by Councilman Scelso. Under a roll call vote all members present voted in favor.

There was discussion about Franklin Avenue and reducing the speed limit on Clementon Road. The county did not respond to changing the speed from 45 mph to 35 mph. Mayor Armano encouraged residents to write letters of concern to the county.

Mr. Earl stated that he is also concerned about the future traffic on Tansboro Road as a result of the proposed building of apartments/townhouses. Mayor Armano encouraged residents to write letters of concern to the county.

Hoffman- Stated that when the R-5 zone was being discussed the governing body voted on it before the public had a chance to comment at a caucus meeting and wanted to be assured that the public will have an opportunity to comment before the governing body votes on anything.

Ron Raeuber- 15 Tansgate Blvd – Mr. Raeuber spoke about the 200 foot notice that gets mailed to property owners and asked if that notice can also get mailed to property owners

who are not within 200 feet, but are still relatively close. He said that Williamstown notifies property owners who are further than the 200 feet as a courtesy. Mayor Armano explained that the planning board follows state statute when it comes to procedure. Property owners within 200 feet from all four points of the property that has submitted an application gets notified. There was more discussion about Tansboro Road. Mayor Armano explained the condition of the roads on Tansboro is the county's jurisdiction and for council to do a study and present to the county would be very costly. Mayor Armano encouraged residents to write letters of concern to the county. Council President Bilella stated that the governing body is trying to get a meeting scheduled and right now the best defense is to stay compliant with COAH.

John Somers – 8 Stephanie Court – Mr. Somers asked council what the benefit was economically of the new development and how can the town as a whole put a stop to it. Also, he wanted to know if the residents of Berlin be assured that their kids won't be kicked out of Eastern High School. There was hearsay about a common wealth law. Council suggested that Frank Domain Administrator for the Board of Education can answer any questions or concerns about Eastern High School and residents are encouraged to attend Board of Education meetings to express their concerns.

Greg Sorce – 528 Riggs Ave, Winslow Twp – Mr. Sorce said that this proposed development is being built in his backyard and this is going to create a burden on the tax payers. He pays \$10,000.00 a year in taxes and does not want this.

Len Badalato – 36 Jefferson Ave – Asked council if there were units already in town that qualify as COAH units.

Ron Sabatini- 63 Gardens Ave – Asked council why the borough was sued and wanted to know why the law wasn't followed so that this situation could be avoided.

Frank Vallack – 13 Tansgate Blvd- Stated that the 200 foot notice is a state law and cannot be imposed. The planning board posts notices on the website. Mr. Vallack had a question about Armstrong Capital. Wanted to know if there is going to be commercial business's built and then eventually residential homes built.

Farrah Morgan – 2 Lakeworth Drive- Ms. Morgan wanted to know approximately how many units there will be built in the proposed development and is concerned about the number of bedrooms and sleeping arrangements. Mayor Armano informed her that it was negotiated to be about 470 units total. Council President Bilella explained that there are restrictions on the number of bedrooms and there are limitations on the total number of bedrooms. One bedroom is 70 square feet and then 50 square feet for each additional person. A 10x12 bedroom cannot hold more than two people.

Dorris - 42 Haines Avenue – Stated that Lonaconing and Carriage Stop were a built as result of COAH lawsuit. Solicitor George Botcheos informed the resident that is not a true statement.

Lisa Asare – 2 Chillemi Court and Ms. Vining – 16 Chillemi Court – Both approached council as concerned mothers who have young children in the school system. They wanted to make sure that the relationship with Eastern regional High School is not fragile and would like to know if the Superintendent would attend a council meeting and provide more answers. Mayor Armano said that the community is welcome to attend Board of Education meetings and ask questions.

Mike Bradley – 318 Rutgers Blvd – Stated that the proposed building site was once a farm and asked council about possibly getting money to fund purchasing the land.

Nick Guerere – 12 Glenview Ave – According to NJSA regional school districts are not going to be broken. School board meetings are held on the third Thursday of the month and he encourages residents to attend the meetings and ask questions.

Tracey Quigley – 15 Briar Hill Road – Stated that Winslow school district dissolved by vote of communities and is worried that Eastern Regional may do the same as a result of the new development.

James Osbourn – 536 Riggs Ave, Winslow Twp – Asked if an appeal can be filed with the courts in regard to the proposed development. Solicitor George Botcheos explained the procedure and informed the resident about the court hearings that took place and the motions made by the borough were denied. The court master made the final settlement decision. Mr. Osbourn mentioned the Forever Green Project and spoke about how land is preserved with government funding.

Rita Christenson – 8 Martin Place – Asked if that particular land is part of the Pinelands. Mayor Armano informed her that only a very small part around the Route 73 overpass is part of the Pinelands. Ms. Christenson said that she likes to think outside the box and create some different ideas and she is a social media strategist. She would like to come up with some ideas and present them to council.

Paul Werner – 516 Riggs Ave, Winslow Twp – Stated that there has been a lack of transparency for this proposed development. Solicitor George Botcheos informed the resident that he is able to request government documents by filling an OPRA request form in the clerk's office anytime. Mr. Werner asked if the borough has communicated with Winslow Township and Mayor Armano stated that every document has been sent to Winslow since last year. Mr. Werner asked if there has been any face to face contact because he thinks that would more of a difference and would like the governing body to make more of an effort. Also, he expressed his concern about the volume of traffic that will come to the area due to the building of a complex.

Pat Quigley – 15 Briar Hill Road – Mr. Quigley thanked council for looking out for the town and for having answers ready and available for the public. He appreciates council's efforts.

Harry Earl – 3 Schaeffers Way – Asked about the rental property ordinance and wanted to know what was included in the ordinance as well as what changes are in the ordinance. Also, Mayor Armano informed Mr. Earl that the ordinances are published in the Courier Post after introduction for review.

Rita Christenson – 8 Martin Place – Would like to have at least three members of council involved and the solicitor to create a twitter account, facebook account and global connect for Berlin Borough. Councilmen Maccaroni, Pearce, and Scelso said they would all be on board and so Solicitor George Botcheos agreed as well.

Denise Anderson – 515 Riggs Ave, Winslow Twp – Ms. Anderson stated that she has lived here for four years and thinks that everyone is going to re-asses their taxes due to this new proposed development and that it is not going to be good for the town.

Len Badalato – 36 Jefferson Ave – Asked council how many properties qualify for COAH under Phase II.

COUNCIL MEMBER REPORTS:

- **MAYOR** John Armano reminded everyone that the dedication to Ottilie Grimmie will be held on June 4th at 3:00 pm and the Grimmie family will be in attendance. Republic Bank will be coming to Berlin by the end of 2015 and there is also a brewery that will be opening up in Berlin once their application is finalized with the state.
- **BUILDINGS & GROUNDS**, Chairman Gary Knight obtained one quote for the repair of the front steps at the municipal building and is working on obtaining a second quote. The first quote received was for the price of \$6,500.00.
- **STREETS & ROADS**, Chairman Jim Bilella reported that the renovations and addition to the municipal building is moving forward and on the agenda is a resolution in regard to the necessary change orders. We will be going out to bid for the Malan Avenue Road Program by the end of this month. Next year the grant money will be used for Taunton Avenue. On the agenda there is a resolution in regard to the safe routes to school grant and a letter of support from the school superintendent will accompany that resolution.
- **WATER & SEWER**, Chairman Lynn Kupchik was absent.
- **HEALTH & RECREATION**, Chairman Jim Pearce will meet with Solicitor George Botcheos on Thursday, June 5th at 10:00 am to go over the ordinance in regard to raising the fees for rentals at the community center. Everything with the camp is on schedule. Councilman Pearce suggested that we reach out to our website provider and see what the cost is to videotape the meetings.

*Not
Suggested
To DO
without
w/10/11
Sign*

- **PUBLIC SAFETY**, Chairman Scott Scelso provided a report for the police department for the month of April 2014. During the month of April 2014 the police department handled 2,367 calls for service. 548 summonses were issued along with 32 arrests, 3 DWI arrests, 19 warrant arrests and 14 drug arrests. 8,617 miles were put on the police vehicles during patrol and other duties. 23 motor vehicle accidents were reported with 0 resulting in injuries. Also, negotiations for the police contracts will be discussed sometime next month.
- **FINANCE**, Chairman Nick Maccaroni thanked everyone involved for their efforts at the Memorial Day ceremony. New flagpoles were installed and the event as a whole was very well received. Thank you to DPW for all of their work and for helping the Memorial Day services come together. Names of the Vietnam veterans will have their names displayed on the plaques.
- **SOLICITOR**, George Botcheos did not have anything to report.
- **ADMINISTRATOR**, Charleen Santora reported that on the record the minutes will be posted on the website before council's approval and will be marked "draft." Also, before an ordinance is introduced it will be posted on the website with a disclaimer. Mercantile renewals have been sent out for the 2014-2015 year. Liquor licenses are also being renewed and we are waiting on two establishments due to tax clearance from the state. The property maintenance report was distributed to council and she informed them that the status changes daily and new items may be added daily as well. Atlantic City Electric submitted an application to increase rate charges and the public hearing is being held Monday, June 16, 2014 at 5100 Harding Hwy in Mays Landing, NJ.

ORDINANCE'S

2ND READING

ORDINANCE NO. 2014-08, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 246 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED "PROPERTY MAINTENANCE"

Meeting open to the public on Ordinance No. 2014-08.

Meeting closed to the public.

Motion to approve Ordinance No. 2014-08 made by Councilman Maccaroni, seconded by Councilman Scelso. All members present were in favor.

ORDINANCE INTRODUCTION:

ORDINANCE NO. 2014-09, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 256 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED, "RENTAL PROPERTIES"

Motion to introduce Ordinance No. 2014-09 made by Council President Bilella, seconded by Councilman Knight. All members present voted in favor.

RESOLUTIONS:

Meeting open to the public on Resolutions R6-1; 2014 through R6-19; 2014

Meeting closed to the public.

RESOLUTION R6-1; 2014, A RESOLUTION TO GRANT PERMISSION TO THE INTER-COMMUNITY CELEBRATION ASSOCIATION FOR THE OPERATION OF FIREWORKS FOR THE ANNUAL 4TH OF JULY CELEBRATION 2014

RESOLUTION R6-2;2014, A RESOLUTION FROM THE GOVERNING BODY OF THE BOROUGH OF BERLIN AFFIRMING THAT \$.015 WAS COMMITTED TO THE 2014 OPEN SPACE BUDGET LINE

RESOLUTION R6-3;2014, APPROVING THE RENEWAL OF LIQUOR LICENSES FOR 2014-2015 FOR THE FOLLOWING ESTABLISHMENTS AS THEY HAVE MET ALL REQUIREMENTS NEEDED TO RENEW; RENAISSANCE BEVERAGES II, LLC, TREA, INC., EVINO'S CORP, INC. LUCCH, LLC, AND WOODBRIAR CORP

RESOLUTION R6-4; 2014, AUTHORIZATION TO ACCEPT THE RESIGNATION DUE TO RETIREMENT OF DPW EMPLOYEE KEN DE CLEMENT EFFECTIVE JUNE 30, 2014 OFFICIALLY LEAVING MAY 23, 2014

RESOLUTION R6-5;2014, A RESOLUTION TO MOVE PART TIME EMPLOYEE MICHAEL SOMERS WHO HAS BEEN WORKING FOR THE BOROUGH OVER TWO YEARS TO FULL TIME POSITION IN THE DEPARTMENT OF PUBLIC WORKS TO FILL THE VACANCY OF KEN DE CLEMENT EFFECTIVE JUNE 2, 2014 FOR A SIX MONTH PROBATION PERIOD

RESOLUTION R6-6;2014, AUTHORIZATION FROM BOROUGH COUNCIL TO OFFICIALLY ACCEPT THE RESIGNATION DUE TO RETIREMENT OF POLICE MATRON EVELYN PEREZ EFFECTIVE FOR DECEMBER 1, 2014 BUT OFFICIALLY LEAVING JULY 10, 2014

RESOLUTION R6-7;2014, AUTHORIZATION FROM BOROUGH COUNCIL TO OFFICIALLY APPOINT DAWN LATTANZI AS POLICE MATRON TO FILL THE POSITION OF EVELYN PEREZ IN THE BERLIN POLICE DEPARTMENT AT THE RATE OF POLICE MATRON EFFECTIVE JULY 7, 2014

RESOLUTION R6-8; 2014, A RESOLUTION AUTHORIZING THE TAX REFUND FOR BLOCK 2503, LOT 24 & BLOCK 2306, LOT 11 TOTALING \$4432.91 DUE TO MORTGAGE COMPANY OVERPAYMENT

RESOLUTION R6-9;2014, AUTHORIZATION FROM COUNCIL TO APPROVE THE EMPLOYEES FOR THIS YEAR'S CAMP LONG A COMING PER RECOMMENDATION FROM CAMP DIRECTOR KRISTINE HEIGHT AS FOLLOWS;

Sara Fallon	21.25	per hour
Jen Cardamone	18.25	per hour
Erin Maloney	21.25	per hour
Jessica McGowen	20.00	per hour
Amanda Cirillo	10.00	per hour
Kit Rose	10.00	per hour
Ashley Philip	10.00	per hour
Rylee Jacobs	8.50	per hour
Jake Caruso	7.50	per hour
Lillian Chen	7.50	per hour
Sarah Chiumento	7.50	per hour
Chase Finnigan	7.50	per hour
Kevin Henley	7.50	per hour
Haley Reese	7.50	per hour
Victoria Robinson	7.50	per hour
Sean Colins	6.00	(new hire)
Brett Cooper	6.00	(new hire)
Armen Mardinkan	6.00	(new hire)
Brianna Strassle	6.00	(new hire)

Sub list;

Janet Finnigan

Jaime Brown

Matt Jenkins

Debbie Mansis new hire

Tim Caruso new hire

RESOLUTION R6-10; 2014 A RESOLUTION ADOPTING THE 3 YEAR COOPERATION AGREEMENT WITH THE COUNTY OF CAMDEN. FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEARS 2015, 2016 AND 2017

RESOLUTION R6-11; 2014, APPROVAL FROM BOROUGH COUNCIL TO AMEND THE PREVIOUS CONTRACT FOR ARCHITECT ALAN BLAIR IN THE AMOUNT OF \$73,500.00 BASED ON THE NEW TOTAL CONTRACT AWARDS

TOTALING \$1,871,595.00 MAKING HIS BALANCE \$66,869.25 (CFO has certified the funds)

RESOLUTION R6-12;2014, APPROVAL FROM COUNCIL TO PURCHASE THE SECURITY HARDWARE NEEDED FOR THE NEW POLICE BUILDING FROM EVESHAM LOCK AND SAFE CO., INC. OF MARLTON, NJ. FOR A TOTAL AMOUNT OF \$26,058.00 (CFO has certified the funds)

RESOLUTION R6-13;2014, APPROVAL FROM COUNCIL TO PURCHASE HOLDING CELLS FOR THE NEW POLICE BUILDING FROM DEPTCOR BUREAU OF STATE USE INDUSTRIES, MARLTON NJ FOR A TOTAL AMOUNT OF \$10,165.00 (CFO has certified the funds)

RESOLUTION R6-14;2014, APPROVAL FROM COUNCIL TO HIRE MATTHEW T. DAWKINS FROM BERLIN FOR TEMPORARY SUMMER HELP TO WORK PART TIME IN THE DEPARTMENT OF PUBLIC WORKS UNDER THE CLEAN COMMUNITIES PROGRAM. EFFECTIVE MAY 27, 2014

RESOLUTION R6-15; 2014, APPROVAL FROM COUNCIL TO APPLY FOR THE SAFE ROUTE TO SCHOOL GRANT

RESOLUTION R6-16; 2014, AUTHORIZATION FROM COUNCIL TO APPROVE CHANGE ORDER NO. 1 FROM FASOLINO CONTRACTING CORP. OF SEWELL, NJ FOR THE FOR PHASE I CONSTRUCTION OF POLICE STATION FOR A REDUCTION OF \$1,000.00 AND FOR CHANGE ORDER NO. 2 FOR AN INCREASE OF \$730.89

RESOLUTION R6-17; 2014, APPROVAL FROM COUNCIL TO ADVERTISE ON GOV DEAL THE SALE OF A KOHLER STANDBY GENERATOR THAT IS BESIDE THE MUNICIPAL BUILDING NOT IN USE

RESOLUTION R6-18;2014, APPROVAL FROM COUNCIL TO INCREASE THE FEE PAID TO HEATHER IANNARELLA FROM WATERFORD TOWNSHIP IN REGARDS TO THE INTERLOCAL SERVICES AGREEMENT WHO WORKS EACH COURT DAY FOR THE BERLIN MUNICIPAL COURT FROM \$100.00 TO \$130.00 THAT WAS CALCULATED IN THIS YEAR'S BUDGET

RESOLUTION R6-19;2014, AUTHORIZATION TO RELEASE PERFORMANCE BOND FOR VIRTUA HEALTH SYSTEM PER RECOMMENDATION FROM PENNONI ASSOCIATES AS A FIELD INSPECTION OF BONDED IMPROVEMENTS HAVE BEEN MET CONTINGENT UPON THE POSTING OF A TWO YEAR MAINTENANCE BOND IN THE AMOUNT OF \$17,606.66 AND ESCROW TO COVER ALL INSPECTIONS

In regard to resolution R6-17;2014 Mayor Armano suggested that the Ambulance may be interested in the generator and if so they will let council know.

Motion to adopt Resolutions R6-1 through R6-19; 2014 made by Council President Bilella, seconded by Councilman Maccaroni. All members present voted in favor.

**PAYMENT OF THE BILLS FOR THE MONTH OF MAY, 2014 IN THE
AMOUNT OF \$937,908.96**

Motion to approve made by Councilman Maccaroni, seconded by Council President Bilella. All members present voted in favor.

Motion to adjourn made by Councilman Knight, seconded by Councilman Pearce. All members present voted in favor.

A handwritten signature in cursive script, appearing to read "Charleen Santora".

Charleen Santora
RMC