

COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 22, 2017
MUNICIPAL BUILDING
59 SO WHITE HORSE PIKE
BERLIN, NJ 08009
7:00 P.M.

MEETING CALLED TO ORDER:

FLAG SALUTE:

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 Jim Bilella, Council President Jim Pearce, Council Members Miller, Badolato, Rocco, Buchanan and MacDonnell

ABSENT: Councilman MacDonnell- Active Duty

PRESENT ALSO: Solicitor Howard Long, Municipal Clerk Lois J. Sahina and Administrator/CFO Michael T. Kwasizur

- **APPROVAL OF MINUTES**

Council meeting of 1/26/17

- **DEPARTMENT HEAD REPORTS FOR THE MONTH JANUARY 2017**

Permit fees	\$ 10,425.00
Zoning fees	\$ 145.00
Re-sale inspection fees	\$ 400.00
Rental Inspections	\$ 600.00
Community Center fees	\$ 8,800.00
Tax collector's report	\$ 1,322,491.14
Utility report	\$ 125,364.75
Clerks report	\$ 12,625.00
Animal report	\$ 243.60
Court Administrator	\$ 28,092.10

Motion to approve: Councilman Miller

Sec.: Council President Pearce

RCV: All present in favor

Absent- Councilman MacDonnell

COUNCIL REPORTS

- BUILDINGS & GROUNDS, Chairman Len Badolato
In the last council meeting Councilman Badolato covered eight items that he would like to accomplish in the upcoming year. At present, he is waiting for the budget to be finalized before he moves forward with any of these projects.
- STREETS & ROADS, Chairman Dan MacDonnell – No report
- WATER & SEWER, Chairman Ron Rocco
Statistical Reports for the month of January 2017 were given for Water & Sewer Income. There were some calls about discolorization of water on Glenview, Park and London Ave. This problem was addressed immediately. The repair on Rt 73 North was and the defective valves replaced at well 2. Well 1 has been painted and is now completed. There were sewer blockages on Holly and West Main & Taunton. All these areas were fixed. The maintenance of all sewer pump stations was completed and we currently have a special water projects out for bid.
- HEALTH & RECREATION, Chairman Michael Buchanan
The upcoming Rabies Clinic is scheduled for April 1, 2017 at the DPW station. We are looking into upcoming dates for a community cleanup day. We are looking at the area around the jug handle to start. Please contact Michael Buchanan if you see other areas in town that are in need of clean up. A meeting is scheduled on March 1, 2017 to discuss the current parking ordinance. A community meeting will then be scheduled for the residents. The community center will now be available as an open gym on Fridays from 4-6. This is for 30 plus and young people who would like to use the facility. We are currently in need of an attendant for these hours. If you know of anyone that would be interested, please contact Michael Buchanan for more details.
- PUBLIC SAFETY, Chairman Jim Pearce
Tonight, we will be swearing in Detective TJ Varano. The fireman's installation Dinner was a well-attended function. All of the Governing Body members were present. The Borough was presented with a plaque in thanks of helping them to obtain their new ladder truck. The plaque also includes a picture of the new truck and is now hanging in the hall outside of the court room.

The statistics for January 2017 for the police department were read.
- FINANCE, Chairman Rick Miller
Community Champions helped the borough to collect past due foreclosure fees of \$6900.00 on a total of 23 properties.

Councilman Miller has contacted the County about the trash along Cross Keys Road. It has been reported that there are blue medical gloves scattered along this area.

The upcoming Easter Event is being planned and scheduled on April 9th from 2-4 at the Borough Hall.

- MAYOR, Jim Bilella-

Mayor Bilella gave a brief report on Streets and Roads for Councilman MacDonnell. He gave an overview of the completion of Clementon Road Project Phase I & II. He stated that before Phase I & II, there were approximately 20 -25 accidents per year along this road. After its completion, there have been no accidents reported along this road. This area is considered a school safety zone where some children are required to walk to school and we are very proud to see that the new configurations of this road have been successful. During our reorganization meeting we implemented Phase III of the Clementon Road Project. Phase III will involve adding sidewalks to developments and areas where they are needed. Clementon Road is a county road and we are currently waiting to receive approval so we can move forward with Phase III. We are planning on having the sidewalks complete by the Summer of 2017. You can't place a value on a child's or person's life, that's why we are placing safety first because this is where we have control for the residents of our community.

The Borough and the NJ State League of Municipalities is encouraging high school Juniors and Seniors in the borough to apply for a \$1000.00 scholarship to use towards their college education. There will be more information and details upcoming on our borough website. There will be three winners at the state level. This is a great opportunity for our students to compete.

There is a resolution on tonight's agenda in relationship with the COAH agreement. This agreement is also known as the Mt. Laurel Decision. Detailed explanation of this agreement and COAH were discussed. The boroughs Fair Share Housing quota has been filled and we are now in compliance with the state until 2025, meaning no additional housing requirements need to be built until the fourth round in 2025. We were the first town in the County to meet compliance.

Council has an opportunity to maintain open space in the Borough. The area known as Simon Family Farms, which is zoned R-2 development and would be considered for high density housing. Over 90 units could be built in this location but Council has moved forward with keeping it as open space. Simon Farms, The Berlin Farmers Market and the Borough have negotiated to purchase part of this land to keep as open space. The other part will be purchased by the Berlin Farmers Market and zoned commercial. The front part of the property will be maintained as open space.

Currently the Council is pushing for re-development in the borough. Budgets are tight and we don't want to raise taxes. There is a limit to how much we can spend and can't. Budgets can't be cut enough before you have to raise taxes and we have necessary services for our residents that must be maintained including Police, DPW & Municipal Employees. Our Fire

Company is entirely volunteer. We fund their services which we work into the general budget and don't have to pay taxes for a separate fire district.

Redevelopment is the only way to raise our tax base and raise revenues. We need commercial taxes. The K-Mart Sopping Plaza has been in foreclosure for many months. It is owned by Armstrong Capital. At this time, all of the properties owned by this company are in foreclosure. It is taking longer than they thought to resolve. They had hoped this process would have been done by December of 2016, but the case is very complex. Sterling Bank received judgement against the owner for over 5.4 million dollars and is now moving forward. This property must be on the market for four weeks and they are currently looking for developers to purchase this property. If they find an interested party before the foreclosure process, they will gladly sell ahead of the foreclosure process. The Mayor is currently working with the bank and the mission is to make Berlin the Center of Commerce in New Jersey.

- SOLICITOR, Howard Long- No report at this time
- ADMINISTRATOR, Mike Kwasizur – No report at this time

Mayor Bilella announced that resolution R2-8;2017 is being moved forward on the agenda tonight. There were no objections by Council.

Motion - Council President Pearce
Sec.- Councilman Miller
RCV-All present were in favor

The swearing in and oath was administered to TJ Varano by Mayor Bilella moving from Detective to Sergeant. His wife and mother held the bible. Chief Mike Miller stood by the Mayor and his wife pinned the officer after the oath was read.

The swearing of a Special Patrolman II was administered. His mother & father held the bible while Mayor Bilella read the oath of office. His mother pinned the officer after the oath was read.

ORDINANCES

2ND Reading

ORDINANCE NO. 2017-02

AN ORDINANCE AMENDING CHAPTER 238-6C OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED DEALERS IN PRECIOUS METALS, GEMS AND SECONDHAND GOODS

Meeting open to the public - No one spoke

Meeting closed to the public – No one spoke

Motion to Adopt: Council President Pearce

Sec.: Councilman Badolato

RCV – All present were in favor

Absent- Councilman MacDonnell

1ST Reading

ORDINANCE NO. 2017-03

AMENDS SALARY ORDINANCE 2016-08 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED “NON-CONTRACTUAL SALARIES”.

Motion to approve Ordinance on First Reading as read. Made by; Councilman Badolato

Sec.; Councilman Rocco

Voice Vote- All in favor

ORDINANCE NO. 2017-04

AN ORDINANCE AMENDING ORDINANCE NO. 2016-07 SUPPLEMENTING CHAPTER 62 OF THE CODE OF THE BOROUGH OF BERLIN ENTITLED “CONTRACTUAL SALARIES”

Motion to approve Ordinance on First Reading as read. Made by; Councilman Miller

Sec.; Councilman Badolato

Voice Vote- All in favor

RESOLUTIONS

MEETING OPEN TO THE PUBLIC ON RESOLUTIONS R2-01;2017 THROUGH R2-08; 2017

MEETING CLOSED TO THE PUBLIC

RESOLUTION R2-01; 2017

A RESOLUTION TO ACCEPT HAVBROS BERLIN, LLC LETTER OF CREDIT #1919 FROM AMBOY BANK, LOCATED IN OLD BRIDGE NJ, IN THE AMOUNT OF \$130,593.60 WHICH REPRESENTS THE PERFORMANCE GUARANTEE ESTIMATE OF 90% OF THE BOND AMOUNT OF \$145,104.00 FOR WATER IMPROVEMENTS TO MONTEBELLO SECTION 4A IN BERLIN TOWNSHIP.

RESOLUTION R2-02; 2017

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2017 BERLIN BOROUGH ROAD IMPROVEMENT PROGRAM

RESOLUTION R02-03;2017

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR THE "2016 ROADWAY IMPROVEMENT PROJECT"

RESOLUTION R02-04;2017

RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AUTHORIZING THE TAX REFUNDS IN THE AMOUNT OF \$5,575.09 FOR BLOCK & LOTS LISTED BELOW DUE TO SALE OF PROPERTY.

RESOLUTION R02-05;2017

RESOLUTION CONFIRMING APPOINTMENT OF JOHN ALLSEBROOK TO RECYCLE COORDINATOR FOR THE BOROUGH OF BERLIN EFFECTIVE IMMEDIATELY FOR THE YEAR 2016

RESOLUTION R02-06;2017

RESOLUTION APPROVING THE 2017 SAFETY CONTRACT FOR THE CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION R02-07;2017

RESOLUTION ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN

RESOLUTION R02-08;2017

RESOLUTION CONFIRMING APPOINTMENT OF TJ VARANO TO SERGEANT IN THE BOROUGH OF BERLIN POLICE DEPARTMENT

RESOLUTION R02-9;2017

A RESOLUTION OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN, AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE BY AND BETWEEN THE BERLIN FARMERS' MARKET, II, LLC AND THE BOROUGH OF BERLIN, SUBJECT TO CERTAIN TERMS AND CONDITIONS

Motion to approve Resolutions R2-01 through R2-09; 2017- Councilman Miller

Sec.; Council President Pearce

RCV; All present were in favor

- **PRIVILEGE OF THE FLOOR**

Joe Theurer
21 Coleman Ave
Berlin, NJ 08009

Mr. Theurer asked if Nexus and Armstrong properties were owned by the same company? Mayor Bilella said they were owned by two different parties. Mr. Theurer also wanted to know what is going to be done in reference to traffic control on Tansboro Road. The Mayor explained that currently the design and engineer are working through this problem.

Councilman Buchanan mentioned that the Berlin Soccer Club who utilizes the Franklin Ave Fields is entering into the Round II of applying for the grant. It is due by March 31. He wants to talk more to the Mayor and Chief Miller about this issue.

Bill Bansch
79 New Freedom Road
Berlin, NJ 08009

Mr Bansch stated that he is a part time employee of Berlin Borough. He addressed Council and our Borough Solicitor and asked what can be done about the recent face book allegations that have been posted about our governing body. He said that what is being said is slander and should cease to exist. The Borough Solicitor, Howard Long said that because this is a private sight and under the first amendment freedom of speech, there was nothing that could be done.

Donald Falk
Downtown Revitalization Committee Member
Board member - Treasurer

Mr. Falk explained the goal of the DVRC. He stated that revitalization of the down town area and renovations are not being paid for with tax payers money. They are being funded by the owners of the property.

Motion to Close Public Portion- Councilman Miller
Sec.; Council President Pearce
RCV; All present were in favor

Mayor Bilella stated that if anyone is interested in what the DVRC is planning for the upcoming 2017 year you can go onto their website. They meet the 4th Tuesday of the Month and that one of the officers will be at our next work session on March 7th. Their first matter of business was to hold a public meeting where all were welcome. This is a grass roots organization that are trying to make this town a better place for all.

Mr. Long added to his prior comment about the social media policy of the borough. He stated that the face book page that is in question is not governed by the Borough of Berlin. Therefore, we are allowed to touch or react to anything on this sight. This is an independent sight. He commented that it is very easy to sit behind a monitor and key board but because of the 1st amendment freedom of speech amendment we have no recourse in what is said on this sight.

PAYMENT OF THE BILLS FOR THE MONTH OF FEBRUARY, 2017 IN THE AMOUNT OF \$3,144,806.12

Motion, Councilman Miller
Sec.; Councilman Buchanan
RCV- All present were in favor

Motion to adjourn; Councilman Miller
Sec.; Council President Pearce
RCV; All present were in favor

Lois J. Sahina
Municipal Clerk
February 22, 2017