

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
RE-ORGANIZATION MEETING – JANUARY 1, 2013**

CALL TO ORDER

At 1:00 p.m. Mayor Bruno called the meeting to order and stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall, forwarding a copy to the Courier News and Star Ledger and filing a copy with the Clerk at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore, Mr. Hall and Mayor Bruno answered present. Also present was Township Attorney Joseph Sordillo, Township Administrator Amey Upchurch and Acting Township Clerk Ana Minkoff.

FLAG SALUTE

Mayor Bruno asked everyone present to stand as he led the Flag Salute.

Invocation – Father Andy Prachar

Invocation was given by Father Andy Prachar with some words of wisdom for the Mayor and Township Council.

Mayor Bruno welcomed Senator Tom Kean, Assemblywoman Nancy Munoz and Assemblyman Jon Bramnick and thanked them for coming to the Re-organization meeting.

Administration of Oath of Office and Presentation of Certificate of Election to Councilman Hall

Senator Kean administered the Oath of Office to Councilman Hall and presented him with a Certificate of Election certified by the County Clerk.

Administration of Oath of Office and Presentation of Certificate of Election to Councilman Pastore

Assemblyman Bramnick administered the Oath of Office to Councilman Pastore and presented him with a Certificate of Election certified by the County Clerk.

Mayor Bruno asked for nominations for Council President

Mrs. Kingsley nominated Kevin Hall for Council President, seconded by Mr. Woodruff.

Upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Hall accepted the nomination for Council President.

Mayor Bruno asked for nominations for Council Vice President

Mr. Woodruff nominated Craig Pastore for Council Vice President.

Mr. Pastore said he does not accept the nomination for Council Vice President.

Mr. Pastore nominated Jeanne Kingsley for Council Vice President, seconded by Mr. Hall.

Upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mrs. Kingsley accepted the nomination for Council Vice President.

1st Public Participation Session – Agenda Items Only

Moved by Mr. Woodruff to open the 1st Public Participation Session, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Carol Matula of 5 Hastings Road referred to resolution #18 and asked if Building Inspection Underwriters receives \$400.00 per day no matter how many inspections they do. Mrs. Matula asked if there is any way we could require them to do a certain number of inspections per day.

Mayor Bruno responded it is a temporary position because at this point we do not have a plumbing inspector. We cannot require them to perform a certain number of inspections per day.

Hearing no voices, moved by Mr. Hall to close the 1st Public Participation Session, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

RESOLUTIONS FOR 2013 REORGANIZATION:

RESOLUTIONS

Mrs. Kingsley introduced the following resolution:

- 1. Resolution consenting to the Appointment of McElroy, Deutsch, Mulvaney & Carpenter, LLP as Township Attorney.

Moved by Mrs. Kingsley to approve resolution #1, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None

Absent: None

Mr. Delia introduced the following resolution:

2. Resolution appointing Donald Bogosian as the Municipal Court Judge for a three year term to expire December 31, 2015.

Moved by Mr. Delia to approve resolution #2, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Pastore introduced the following resolution:

3. Resolution appointing Kevin Hall as the Council Representative to the Planning Board.

Moved by Mr. Pastore to approve resolution #3, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Pirone introduced the following resolution:

4. Resolution consenting to the appointment of Michael Mitzner as the Municipal Prosecutor.

Moved by Mr. Pirone to approve resolution #4, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Woodruff introduced the following resolution:

5. Resolution consenting to the appointment of August Santore as the Public Defender.

Moved by Mr. Woodruff to approve resolution #5, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Hall introduced the following resolution:

6. Resolution consenting to the appointment of Samuel Klein and Company, as Township Auditor.

Moved by Mr. Hall to approve resolution #6, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mrs. Kingsley introduced the following resolution:

7. Resolution consenting to the appointment of McManimon and Scotland, LLC, as the Township Bond Counsel.

Moved by Mrs. Kingsley to approve resolution #7, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Delia introduced the following resolution:

8. Resolution consenting to the appointment of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC, as Township Tax Attorney.

Moved by Mr. Delia to approve resolution #8, seconded by Mr. Pirone and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Pastore introduced the following resolution:

9. Resolution consenting to the appointment of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC, as Township COAH Attorney.

Moved by Mr. Pastore to approve resolution #9, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Pirone introduced the following resolution:

10. Resolution consenting to the appointment of McElroy, Deutsch, Mulvaney & Carpenter, LLP, as the Township Labor Attorney.

Moved by Mr. Pirone to approve resolution #10, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Woodruff introduced the following resolution:

- 11.** Resolution consenting to the appointment of Brown & Brown Metro as the Township Insurance Broker.

Moved by Mr. Woodruff to approve resolution #11, seconded by Mr. Hall and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Hall introduced the following resolution:

- 12.** Resolution consenting to the Appointment of Ana Minkoff as the Acting Township Clerk.

Moved by Mr. Hall to approve resolution #12, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mrs. Kingsley introduced the following resolution:

- 13.** Resolution consenting to the appointment of CME Associates to Engineering Services related to Waste Water Treatment.

Moved by Mrs. Kingsley to approve resolution #13, seconded by Mr. Pirone and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff and Mr. Hall
Nays: Mr. Pastore
Abstain: None
Absent: None

Mr. Delia introduced the following resolution:

- 14.** Resolution appointing Barbara Russo and Ana Minkoff as the Berkeley Heights representatives for CDBG and Amey Upchurch and Tom Barton as the alternate representatives for CDBG and authorizing them to make Grant Application for the Year XXXIX Union County Community Development Block Grant Program.

Moved by Mr. Delia to approve resolution #14, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None

Absent: None

Mr. Pirone introduced the following resolution:

15. Resolution authorizing appropriations to provide for period of January 1, 2013 until budget adoption, not to exceed 26.25% of the 2012 budget.

Moved by Mr. Pirone to approve resolution #15, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Woodruff introduced the following resolution:

16. Resolution authorizing the appropriations for temporary budget debt service for the Township of Berkeley Heights for the coming fiscal year.

Moved by Mr. Woodruff to approve resolution #16, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mr. Hall introduced the following resolution:

17. Resolution authorizing the appropriate municipal officials to enter into an Interlocal Agreement with the Township of Millburn and the Township of Livingston for Animal Control Services for a period of one year.

Moved by Mr. Hall to approve resolution #17, seconded by Mr. Pirone and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mrs. Kingsley introduced the following resolution:

18. Resolution authorizing a contract with Building Inspection Underwriters for the provision of temporary plumbing sub code official services for the Township in an amount not to exceed \$17,500.00.

Moved by Mrs. Kingsley to approve resolution #18, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

CONSENT AGENDA

All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Mr. Pastore introduced the following resolutions:

(19)

- a. Resolution adopting selection of Council President and Council Vice President for 2013.
- b. Resolution Establishing Council Meeting Schedule for 2013.
- c. Resolution Designating Courier and Star Ledger as the legal newspapers for the Township.
- d. Resolution authorizing Library to re-appropriate fines and gifts for library purposes.
- e. Resolution authorizing Mayor, Clerk and Township Treasurer to sign checks, legal documents, etc.
- f. Resolution designating Institutions as depositories of Township funds and naming officials who may issue or sign checks.
- g. Resolution authorizing Township Treasurer to maintain a payroll account with TD Bank and draw there from.
- h. Resolution establishing interest rate on delinquent taxes and sewer charges up to \$1,500.00 and interest rate on delinquent taxes and sewer charges in excess of \$10,000.00 and allowing for a ten (10) calendar day grace period on both.
- i. Resolution authorizing establishment of Petty Cash Funds.

Moved by Mr. Pastore to approve Consent Agenda resolution items #19a-i, seconded by Mr. Woodruff and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Mayor's Statement

Mayor Bruno read his statement the State of the Township Address. **(A copy of which is attached to the permanent minutes)**

Township Council – Statements

Mr. Hall wished everyone a Happy Holiday and a Happy New Year. He thanked the community and his colleagues for their support. We did a lot of great things and he looks forward to doing so further. The economy will continue to be weak and that will require that we focus on the budgeting process carefully. One of the many opportunities is the proposal from Little Flower Church and this will give us the opportunity to deal with an infrastructure issue we have not had the opportunity to address economically. We will all work together and he encouraged the community to get involved.

Mr. Pastore said we are looking forward to doing a great job this year and making some more changes for the town. We are looking forward to working with Little Flower because this is a good opportunity for everyone. Mr. Pastore said he will be focusing his attention on the Engineering Department and their needs and wants. Mr. Pastore thanked everyone for his re-election and the support of everyone. Mr. Pastore wished everyone a Happy New Year.

Mr. Pirone congratulated Kevin Hall and Craig Pastore on their re-election and continuing role as members of the governing body. Mr. Pirone also congratulated Jeanne Kingsley in her new role as Council Vice President. This is the first time in six years that has not had a change in a member of the governing body and that goes a long way in adding to the stability of this town.

Mrs. Kingsley said the first year on the Council was fun and challenging for her and extremely rewarding to work with everyone on the Council. In 2014 we will continue to push on the Beautification side and working with downtown Berkeley Heights. The Little Flower transaction, if we can get it accomplished, can really help with the town center. She looks forward to all of the challenges.

Mr. Woodruff congratulated Kevin Hall and Craig Pastore on their re-election. Also Jeanne Kingsley in her new position, she will serve us well. Mr. Woodruff endorses what the Mayor spoke about in his State of the Township Address. He feels Little Flower will be very important to the town, in the immediate future and especially the long term future. Our obligations are to make this a better town to live in. He thanked everyone for coming and wished them a Happy New Year.

Mr. Delia wished everyone a Happy New Year.

Mrs. Upchurch thanked the governing body and all of her colleagues for a wonderful 2012. She is looking forward to 2013 and having some great accomplishments to report as the year progresses. She wished everyone a Happy New year.

Mayor Bruno said it is a pleasure to sit up here with the Township Council. He is blessed to have a Council of this magnitude surrounding him. There is a lot of talent and brain power here and their only agenda is to do service for this town.

2nd Public Participation Session

Moved by Mr. Woodruff to open the 2nd Public Participation Session, seconded by Mr. Pastore and upon roll call vote:

Ayes:	Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays:	None
Abstain:	None
Absent:	None

Stephen Yellin of 130 Dogwood Lane congratulated Mr. Hall and Mr. Pastore on their re-election. He wished the Council the very best going forward. He read a quote from President Lincoln he felt was applicable. He thanked everyone.

Hearing no voices, moved by Mr. Woodruff to close the 2nd Public Participation Session, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None

Benediction – Father Andy Prachar

Father Andy Prachar gave the benediction with some words of wisdom for the Township of Berkeley Heights.

ADJOURNMENT

Moved by Mr. Hall to adjourn, seconded by Mr. Pastore and upon roll call vote:
(1:36 p.m.)

Ayes: Mrs. Kingsley, Mr. Delia, Mr. Pirone, Mr. Woodruff, Mr. Pastore and Mr. Hall
Nays: None
Abstain: None
Absent: None