

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JANUARY 23, 2014**

CALL TO ORDER

At 7:00 p.m. Mayor Bruno called the meeting to order and stated that adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting will not go substantially past 10:30 p.m.

ROLL CALL

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

**DEPARTMENTAL BUDGET PRESENTATIONS
(7:01 p.m.)**

The following Departments made budget presentations for the Township Council

- 1. Municipal Court**
- 2. Recreation Department**
- 3. Rescue Squad**

Budget presentations concluded at 8:00 p.m.

FLAG SALUTE

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

**EXECUTIVE SESSION – 1. Attorney/Client Privilege-Litigation-BAC v. Berkeley Heights
2. Attorney/Client Privilege-Litigation-Matula v. Berkeley Heights
3. Contract Negotiations/Land Transaction-Little Flower Church
4. Contract Negotiations – Police Collective Bargaining Agreement**

Moved by Mrs. Kingsley to go into Executive Session, seconded by Mr. Pastore and upon roll call vote:
(8:03 p.m.)

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

Moved by Mrs. Kingsley to go out of Executive Session, seconded by Mr. Pastore and upon roll call vote:
(9:00 p.m.)

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

CONFERENCE SESSION – Beautification Committee Presentation

Julie Lloyd and Rick Froio of the Beautification Committee gave a presentation and spoke about their ideas for the downtown.

There was discussion among the Township Council.

OPEN SESSION

The Township Council continued with the public meeting at 8:01 p.m.

TOWNSHIP COUNCIL REPORTS

Mr. Delia had nothing to report.

Mr. Pastore had nothing to report.

Mr. Pirone thanked the members of the Beautification Committee for the hard work they are doing.

Mr. Woodruff had nothing to report.

Mrs. Kingsley thanked the DPW for the great job they did with the snow removal.

Mr. Hall had nothing to report.

Mayor Bruno reported he went to Lyons Hospital with the VFW to serve pizza to the veterans.

Moved by Mr. Woodruff to accept and approve the Township Council Reports, seconded by Mr. Hall and upon roll call vote:

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

HEARING ON AGENDA ITEMS ONLY

Moved by Mr. Pirone to open the Hearing on the Agenda Items Only, seconded by Mr. Hall and upon roll call vote:

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

Tom Foregger of 14 Dorsett Road referred to the Municipal Alliance and asked if they prevent alcohol and drug abuse in Berkeley Heights.

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Mayor Bruno responded he doesn't know if it prevents it but it curtails it. It is an organization that educates people on alcohol and drug abuse.

Mr. Foregger asked how do you know?

A discussion continued.

Mr. Foregger asked how much time was spent on the Executive Session items.

Mr. Delia responded to Mr. Foregger's questions regarding the time spent on the Executive Session items.

Carol Matula of 5 Hastings Road had questions on the times that were spent on the Executive Session items and asked if anything else had been discussed.

Mr. Woodruff responded to Mrs. Matula's question regarding the times on Executive Session items.

Mrs. Matula had questions regarding the figures in resolution #4 for the Municipal Alliance.

Mayor Bruno reviewed the figures in the resolution for the Municipal Alliance for Mrs. Matula and said there was a typo error for the DEDR amount.

Discussion continued on the resolution. Mayor Bruno will have the CFO Michel Marceau get back to Mrs. Matula and explain the figures listed in the resolution.

Mrs. Matula asked for the amounts for the tax appeal settlement for resolution #2 for Berkeley Heights Self-Storage.

Mayor Bruno responded there will be a credit for 2010 for \$9,951.00, 2011 \$3,585.00 and no charge for 2012 and 2013 for a total amount of \$13,536.00.

Mr. Woodruff suggested these appeal amounts be included in the documents in the future.

Stephen Yellin of 130 Dogwood Lane commented on the Municipal Alliance program. He also referred to resolution #5 and asked if this service agreement is in the event of a potential agreement with the church or has an agreement already been made with the church?

Mr. Hall responded to Mr. Yellin's question regarding resolution #5.

Hearing no voices, moved by Mr. Pirone to close the Hearing on the Agenda Items Only, seconded by Mr. Woodruff and upon roll call vote:

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

NEW BUSINESS- RESOLUTIONS
OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

RESOLUTIONS

Mr. Delia introduced the following resolution:

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1. Resolution approving Bill List dated January 21, 2014 in the amount of \$592,351.34.

Moved by Mr. Delia to approve resolution #1, seconded by Mr. Pastore and upon roll call vote:

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

Mrs. Kingsley introduced the following resolution:

2. Resolution authorizing a tax appeal settlement for Berkeley Heights Self-Storage, Block 1901, Lot 50.03, 310 Snyder Avenue.

Moved by Mrs. Kingsley to approve resolution #2, seconded by Mr. Pastore and upon roll call vote:

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

Mr. Hall introduced the following resolution:

3. Resolution consenting to the TWA Application in connection with the approved development of the property identified as Block 4903, Lot 13, located along Murray Hill Boulevard and authorizing the Township Engineer to execute the NJDEP's form Statements of Consent.

Moved by Mr. Hall to approve resolution #3, seconded by Mr. Pirone and upon roll call vote:

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

Mr. Pirone introduced the following resolution:

4. Resolution authorizing the submission of a strategic plan for the Berkeley Heights Municipal Alliance grant for the fiscal year July 2014-June 2019.

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

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

Mr. Woodruff introduced the following resolution:

5. Resolution consenting to the Professional Services Agreement with James J. Ramentol, AIA, and GRA Architects, Inc., for professional architectural services in connection with the

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Township's development of a new municipal complex as a result of a potential land swap with Little Flower Church. (**AMENDING RESOLUTION #289-2013**)

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

Ayes: Mr. Delia, Mr. Hall, Mrs. Kingsley, Mr. Pastore, Mr. Pirone and Mr. Woodruff
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:

- (6)
- a. Resolution authorizing the Tax Collector to cancel credit/debits for 2013 under \$10.00 each.
 - b. Resolution removing Kevin Dreitlein from the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - c. Resolution removing Joe Loaiza from the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - d. Resolution removing Michael Lipere from the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - e. Resolution removing Chris Schulze from the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - f. Resolution adding Jon Michael Scribner to the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - g. Resolution adding Owen Tansey to the active duty roster of the Berkeley Heights Volunteer Fire Department.
 - h. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:
 - 1. Eugene & Robin Weitz 236 Spring Ridge Drive \$1,183.26
 - 2. Claire Armstrong 26 Meadowview Lane \$2,643.46
 - 3. Alice Cross 2 Meadowview Lane \$2,636.57

Moved by Mr. Pastore to approve Consent Agenda resolutions #6a-h, seconded by Mr. Hall and upon roll call vote:

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

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CITIZENS HEARING

Moved by Mr. Hall to open the Citizens Hearing, seconded by Mr. Woodruff and upon roll call vote:

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

William Rapp, Junior Vice Commander of VFW Post #6259 spoke about the Fire Official Mike Ambrose issuing the VFW a notice of violations. Mr. Rapp went on to explain what the violation was for and said the VFW building must include an automatic fire alarm system. Mr. Rapp went on to explain the use and capacity of the hall in detail.

A discussion continued with Joseph Sordillo, Township Attorney explaining there was no recourse for the Township Council in this matter. He said the only recourse is that the VFW could appeal to the Union County Construction Board of Appeals. There was more discussion among the Township Council regarding the situation with the VFW violations.

Carol Matula of 5 Hastings Road supplemented Mr. Hall's response to Mr. Yellin regarding resolution #5.

Stephen Yellin of 130 Dogwood Lane wished the Mayor and Township Council a Happy New Year and wished them the best for the year to come.

Hearing no voices, moved by Mr. Hall to close the Citizens Hearing, seconded by Mr. Woodruff and upon roll call vote:

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

ADJOURNMENT

Moved by Mr. Pastore to adjourn, seconded by Mr. Hall and upon roll call vote:
(9:36 p.m.)

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

Approved: March 25, 2014