

**Township of Berkeley Heights
Union County, New Jersey
June 24, 2014**

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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, Star Ledger at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting was contained on a list of meetings set by resolution dated January 1, 2014. This meeting will not substantially go past 10:30 p.m.

COUNCIL MEMBERS:

- Edward Delia
- Kevin Hall
- Thomas Pirone
- Robert Woodruff
- Craig Pastore, Council Vice President
- Jeanne Kingsley, Council President
- Joseph G. Bruno, Mayor

AGENDA FOR PUBLIC MEETING

- I. CALL TO ORDER - 7:00 PM**
- II. ROLL CALL**
- III. EXECUTIVE SESSION –**
 - Contract Negotiations/Land Transaction- Redevelopment of the Municipal Complex**
- IV. PROCLAMATION – The TREND Club**
 - (Turning Recreational Events into New Directions)**
- OPEN SESSION**
- V. FLAG SALUTE**
- VI. CONFERENCE SESSION –**
 - 1. Presentation on parking and safety issues in the vicinity of the High School.**
 - 2. Pilgrim Pipe Line Presentation.**

VII. REGULAR AGENDA

**VIII. APPROVAL OF MINUTES – Public Meeting – May 20, 2014
Public Meeting – June 10, 2014**

IX. TOWNSHIP COUNCIL REPORTS

- A. Edward Delia**
- B. Kevin Hall**
- C. Thomas Pirone**
- D. Robert Woodruff**
- E. Craig Pastore**
- F. Jeanne Kingsley**

X. ADMINISTRATION REPORTS

Mayor Bruno
Township Administrator – Linda Cavanaugh

XI. HEARING ON AGENDA ITEMS ONLY – 3 minutes per resident

Comments are welcome during the public comment period during this meeting on any agenda item. However, if an ordinance is listed for its own public hearing on the agenda, please hold your comments for that particular public hearing. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The (Mayor/Council President) will keep time. Please promptly yield on the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

XII .NEW BUSINESS- RESOLUTIONS

OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

RESOLUTIONS

1. Resolution approving Bill List dated June 24, 2014 in the amount of \$180,558.79.
2. Resolution requesting that the County of Union reduce the speed limit on Springfield Avenue in the Township's downtown area, between Plainfield Avenue and Snyder Avenue, to (25) miles per hour.
3. Resolution supporting the submission of a grant application to New Jersey Department of Transportation for the Safe Routes to School Program.
4. Resolution authorizing Garden State Fireworks to hold fireworks displays for Our Lady of Mt. Carmel annual feast on July 12-16 and on December 31, 2014.

5. 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.

- a. Resolution removing Jon Ritchie, 155 Garfield Street, Berkeley Heights, from the active roster of the Berkeley Heights Fire Department.
- b. Resolution authorizing a release of the maintenance bond for Springfield Berkeley, LLC, 429 Springfield Avenue, Berkeley Heights, in the amount of \$5,512.94.
- c. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:
 Joseph & Marie Mate 106 Hunterdon Blvd. \$319.20
- d. Resolution authorizing an application for Kyle Ulen, of the Volunteer Fire Department, for a Blue Light Permit.

XIII. ORDINANCES

INTRODUCTION OF ORDINANCE

Public Hearing and Final Adoption scheduled for July 8, 2014:

(1) “AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING SECTION 2.100.040 ENTITLED “QUALIFICATIONS FOR APPOINTMENT” OF CHAPTER 2.100 ENTITLED “POLICE DIVISION” OF TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” TO AMEND AND UPDATE THE PROVISIONS GOVERNING THE MINIMUM REQUIREMENTS FOR NEW HIRES IN THE POLICE DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY.” (Explanation: This ordinance amends and updates the Township’s Administrative Code (Title 2 of the code of the Township of Berkeley Heights)as adopted by Ordinance No. 2-2010, and revised by Ordinance No. 14-2010) to amend the requirements for new hires in the Police Division of the Department of Public Safety.)

XIV. CITIZENS HEARING - 3 minutes per resident

Comments are welcome during the public comment period during this meeting on any matter over which the Township has jurisdiction. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The Mayor and/or Council will keep time. Please promptly yield the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

XV. ADJOURNMENT

Ana Minkoff, Township Clerk

Proclamation
Township of Berkeley Heights

WHEREAS, The TREND Club (Turning Recreational Events into New Directions) at Governor Livingston High School promotes drug and alcohol free activities for high school students; and

WHEREAS, collectively, Allie Silverman, Lauren Mathis, Lindsey Mathis, Megan LaGuardia, Nicole Attanasio, Chris Tribuna, Courtney Osleja, Josh Quinn, Jimmy Longo, Mia Tighe and Ryan Bonk make up the TREND Executive Board working closely with TREND advisor Bob Seager; and

WHEREAS, the TREND Club sponsored such events throughout the school year such as a pumpkin decorating competition, movie night, music coffee house night; and

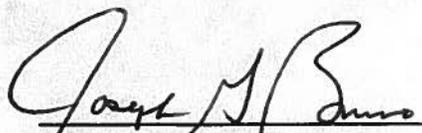
WHEREAS, the culmination of thirteen months of planning and meetings was the two day long May presentation of "The Days of Realization", a program in which 26 students were removed from school and cut off from all communication with family and friends for 24 hours because they succumbed to drugs or alcohol related "deaths"; and

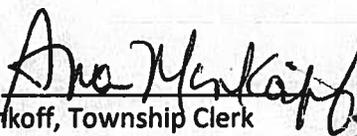
WHEREAS, the TREND executive board members were responsible for securing communication devices, staging a funeral for the participants, ordering, serving and cleaning up food for students, parents, staff members, police officers and guest speakers ; and

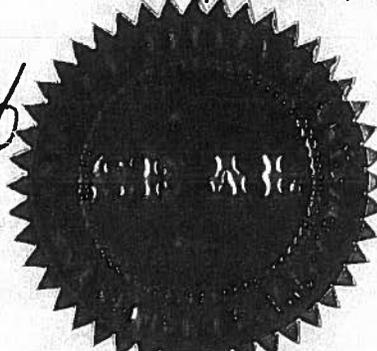
WHEREAS, the Mayor and Township Council believe it is important to recognize the students who dedicate a significant amount of time to help promote the dangers of alcohol and drugs use to their peers;

NOW, THEREFORE, be it resolved, by the Mayor and Township Council of the Township of Berkeley Heights that Allie Silverman, Lauren Mathis, Lindsey Mathis, Megan LaGuardia, Nicole Attanasio, Chris Tribuna, Courtney Osieja, Josh Quinn, Jimmy Longo, Mia Tighe, and Ryan Bonk, be recognized for their work with the TREND club in highlighting the importance of drug and alcohol free activities, and the dangers associated with drugs and alcohol use in our community and society.

Approved this 24th day of June, 2014


Joseph G. Bruno, Mayor

ATTEST 
Ana Mirkoff, Township Clerk



**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated 6/24/14, in the amount of \$180,558.79 such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

APPROVED this 24th day of June, 2014.

ATTEST:

Ana Minkoff
Township Clerk

Agenda Item No.: 2

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Township of Berkeley Heights has received numerous complaints regarding the traffic conditions on Springfield Avenue, specifically with regard to the speed on the roadway; and

WHEREAS, the Township Police Department has also received numerous complaints regarding Springfield Avenue, and has recommended that the speed limit on Springfield Avenue within the downtown area be reduced; and

WHEREAS, Springfield Avenue is a County right-of-way, under the control and authority of the County of Union, and currently has a speed limit of thirty-five (35) miles per hour; and

WHEREAS, the County must authorize any reduction of the speed limit on Springfield Avenue; and

WHEREAS, the Township Council finds it in the best interest of the Township to request the County of Union to reduce the speed limit on Springfield Avenue in the Township's downtown area, between Plainfield Avenue and Snyder Avenue, to twenty-five (25) miles per hour.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, and State of New Jersey that a formal request is made to the County of Union for the reduction of the speed limit on Springfield Avenue in the Township's downtown area, between Plainfield Avenue and Snyder Avenue, to twenty-five (25) miles per hour.

BE IT FURTHER RESOLVED that the Township Clerk shall submit a certified copy of this Resolution to the County Clerk, County Administrator and Board of Chosen Freeholders of the County of Union.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

APPROVED this 24th day of June, 2014.

ATTEST:

Ana Minkoff, Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**“Support submission of Application for New Jersey Department of Transportation
Safe Routes to School Program”**

WHEREAS, the Township of Berkeley Heights is applying for funding to conduct Pedestrian Safety Improvements along routes to various schools within the Township of Berkeley Heights; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children and residents; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Township of Berkeley Heights with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor and Township Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

APPROVED this 24th day June, 2014

ATTEST:

Ana Minkoff
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, Garden State Fireworks has requested permission to hold fireworks displays for Our Lady of Mt. Carmel Society during their annual feast July 12-July 16, 2014 and on December 31, 2014; and

WHEREAS, the fireworks displays will be held on the evenings of July 12-15th at 9:15 p.m. and on July 16th at approximately 11:00 p.m. There will also be a display of fireworks in the morning on July 16, 2014, at Lone Pine Way at 7:00 a.m.; and

WHEREAS, the Township Council believes that it is appropriate to grant permission for such display under the normal terms and conditions.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that permission is granted to Garden State Fireworks to hold fireworks displays during the Mt. Carmel annual feast July 12-16th and also at Lone Pine Way on the morning of July 16th and on December 31, 2014 at midnight provided that it satisfies all comments and concerns, if any, of the Rescue Squad, Fire Department and Police Department raised prior to, or on the night of the display including any raised as a result of the weather conditions at the time of the display.

Copies of this resolution are to be forwarded to Garden State Fireworks, Our Lady of Mt. Carmel Society, Police Department, Rescue Squad, and Fire Department.

APPROVED this 24th day of June, 2014.

ATTEST:

**Ana Minkoff
Township Clerk**

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**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE AND IT IS HEREBY RESOLVED that the Township Council of the Township of Berkeley Heights, Union County, New Jersey, in meeting assembled, that the following firefighter be removed from the Active Roster of the Berkeley Heights Fire Department;

Jon Ritchie, 155 Garfield Street, Berkeley Heights, NJ

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Jon Ritchie and the Fire Chief.

APPROVED this 24th day of June, 2014.

ATTEST:

Ana Minkoff
Township Clerk

5b

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, Springfield Berkeley, LLC was required to post a maintenance bond in the amount of \$5,512.94, in connection with work being performed at 492 Springfield Avenue and Thomas Solfaro, P.E., C.M.E. of Neglia Engineering, having inspected the work, has recommended by letter dated May 1, 2014 full release of the maintenance bond in the amount of \$5,512.94.

NOW, THEREFORE BE IT RESOLVED, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the maintenance bond posted by Springfield Berkeley, LLC, P.O.Box 246, Berkeley Heights, New Jersey, 07922 in the amount of \$5,512.94, together with any applicable interest.

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to Springfield Berkeley, LLC Township Treasurer and Township Engineer.

APPROVED this 24th day of June, 2014.

ATTEST:

Ana Minkoff
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Tax Collector has advised that there was an overpayment of a portion of 2014 property taxes for property known as Block #4804 Lot #2.01 also known as 106 Hunterdon Boulevard which requires a refund in the amount of \$319.20: and

NOW, THEREFORE BE IT RESOLVED that the Treasurer is authorized to refund the overpayment for 2014 taxes in the amount of \$319.20 to Joseph & Marie Mate, 106 Hunterdon Boulevard, Murray Hill, NJ 07974.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Joseph & Marie Mate, Treasurer and Tax Collector.

APPROVED this 24th day of June, 2014.

Attest:

**Ana Minkoff
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, members of the Berkeley Heights Fire Department are permitted by law to operate blue emergency lights on their vehicle when responding to an emergency; and

WHEREAS, the Township is required to endorse any application for “blue light” permit; and

WHEREAS, Kyle Ulen, is a member of the Berkeley Heights Fire Department and has requested that the Township endorse the blue light permit application.

NOW, THEREFORE, BE IT RESOLVED that the appropriate municipal officials are hereby authorized to endorse the application of Kyle Ulen, for a blue light permit.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Kyle Ulen, BH Fire Department, Police Department and Township Clerk.

APPROVED this 24th day of June, 2014.

ATTEST:

Ana Minkoff
Township Clerk

EXPLANATORY STATEMENT: This ordinance amends and updates the Township's Administrative Code (Title 2 of *The Code of the Township of Berkeley Heights* (as adopted by Ordinance No. 2-2010, and revised by Ordinance No. 14-2010) to amend the requirements for new hires in the Police Division of the Department of Public Safety.

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

ORDINANCE No. _____

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing Section 2.100.040 Entitled "Qualifications For Appointment" of Chapter 2.100 Entitled "Police Division" of Title 2 Entitled "Administration and Personnel" to Amend and Update the Provisions Governing the Minimum Requirements for New Hires in the Police Division of the Department of Public Safety

BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, as follows:

Section 1. Section 2.100.040 entitled "Qualifications For Appointment" of Chapter 2.100 entitled "Police Division" of Title 2 entitled "Administration and Personnel" of *The Code of the Township of Berkeley Heights* is hereby supplemented and amended as follows: [New language **bold and underlined**, deleted language ~~double strikethrough~~.]

2.100.040 Qualifications for appointment.

To be eligible for appointment to the police division, an applicant must be a citizen of the United States of America and a resident of the state of New Jersey, must be of good moral character, never be convicted of a crime or offense involving moral turpitude, and meet all other tests and qualifications established by N.J.S.A. 40A:14-122, et seq., this chapter and the rules and regulations of the police division. All such applicants must be in good health, sound in body and mind and certified by the police physician to be physically capable of performing the duties required of a police officer. All applicants must meet the statutory age requirements. No applicant shall be eligible for appointment to the police division unless he or she has earned a ~~high school diploma or its equivalent~~ **bachelor's or higher degree awarded by a bachelor's degree-granting college or university. Qualified veterans, as defined by the New Jersey Department of Military and Veterans Affairs, who have not earned a bachelor's or higher degree awarded by a bachelor's degree-granting college or university, can substitute a combination of two years of full-time, active military service and an associate's degree awarded by a degree-granting college or university to satisfy the education requirement.**

If a qualified veteran, as defined herein, can substitute four years of full-time, active military service the education requirement may be waived.

All such appointments shall be made pursuant to applicable laws of the state of New Jersey, including N.J.S.A. 40A:14-122 through 127.

All appointments to the police division shall be made by executive order of the mayor. Each such employee shall receive such salary, benefits and emoluments as may be provided by collective bargaining agreement, ordinance or resolution of the township council.

Section 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall not take effect until after final passage and publication in accordance with all applicable laws and statutes.

INTRODUCED the _____ day of _____, 2014.

ADOPTED the _____ day of _____, 2014.

Joseph Bruno, Mayor

ATTEST:

Ana Minkoff, Township Clerk

**NOTICE OF
INTRODUCTION**

Ordinance -2014

“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING SECTION 2.100.040 ENTITLED “QUALIFICATIONS FOR APPOINTMENT” OF CHAPTER 2.100 ENTITLED “POLICE DIVISION” OF TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” TO AMEND AND UPDATE THE PROVISIONS GOVERNING THE MINIMUM REQUIREMENTS FOR NEW HIRES IN THE POLICE DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY.”

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights , do hereby certify that the foregoing Ordinance was introduced on First Reading at a meeting of the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, on June 24, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on July 8, 2014 at 7:00 p.m. or as soon thereafter, as practical, same can be considered, at the Municipal Building, 29 Park Avenue, Berkeley Heights, NJ, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available in the Municipal Clerk’s office in said Municipal Building, to the members of the general public who shall request the same.

**Ana Minkoff
Township Clerk**