

VIII. ADMINISTRATION REPORTS

Mayor Bruno

IX. 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.

X. PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE INTRODUCED ON AUGUST 26, 2014.

(1)“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”

XI. NEW BUSINESS- RESOLUTIONS

OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

RESOLUTIONS

1. Resolution approving Bill List dated September 9, 2014 in the amount of \$141,859.46.
2. Resolution authorizing payment of unused vacation time to Deputy Clerk, Linda Santillo.
3. Resolution authorizing Professional Services Agreement with James J. Ramentol, AIA and GRA Architects, Inc. for professional architectural services in connection with the public hearings to be held on the Township’s potential land swap.
4. Resolution supporting Assembly Bill A900 which will allow municipalities and counties to properly, quickly, and economically clean and de-silt streams to help prevent flooding.
5. Resolution declaring Friday, September 19, 2014 ‘POW/MIA Remembrance Day’.

6. 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 authorizing a block party on Sycamore Avenue on September 27, 2014 from 1:00 – 8:00 p.m

- b. Resolution authorizing a block party on Orchard Lane on September 20, 2014 from 1:00 to 10:00 p.m.
- c. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:
 - 1. Atlas Realty, Snyder Ave. L.L.C. 240 Springfield Avenue \$1,574.78
- d. Resolution endorsing a blue light permit for Noel Genco, from the Berkeley Heights Rescue Squad.

XII. ORDINANCES

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption scheduled for September 23, 2014.

- (1) **“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMEINTG TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO CREATE NEW CHAPTER 2.95 ENTITLED “MEMORIAL PARK RENEWAL COMMITTEE” TO CREATE AND ESTABLISH AN ADVISORY COMMITTEE TO ASSIST THE TOWNSHIP WITH THE RENEWAL, RESTORATION AND MAINTENANCE OF THE TOWNSHIP’S MEMORIAL PARK”.** Explanation: (This ordinance amends and updates the Township’s Administrative Code (Title 2 of the Code of the Township of Berkeley Heights to create and establish and advisory committee to assist the Township with the renewal, restoration and maintenance of the Township’s Memorial Park.)
- (2) **“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING CHAPTER 10.12 ENTITLED “SPEED LIMITS AND NO-PASSING ZONES” VEHICLES AND TRAFFIC” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO REVISING THE SPEED LIMITS ON A PORTION OF SNYDER AVENUE”.** Explanation: (This ordinance revising the speed limits on a portion of Snyder Avenue.)

XIII. 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.

XIV. ADJOURNMENT

Ana Minkoff, Township Clerk

Proclamation
Township of Berkeley Heights

WHEREAS, the State of New Jersey desires that all of its citizens enjoy a high quality of life; and

WHEREAS, the provision of health and social services necessary to achieve a desired quality of life requires a cooperative effort between public and private providers of these services; and

WHEREAS, United Way of Greater Union County invests in and activates the resources to make the greatest possible impact in communities across Union County; and

WHEREAS, United Way of Greater Union County mobilizes thousands of volunteers dedicated to improving lives in Union County communities; and

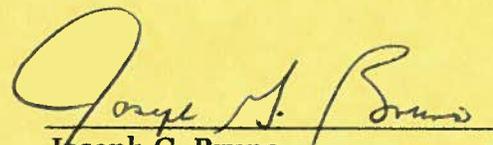
WHEREAS, Union County citizens generously contributed over \$3.5 million to United Way in their 2013-2014 campaign, investing in programs and services to help address their communities' most critical issues; and

WHEREAS, these programs helped children and youth succeed, strengthen and support families, promote self-sufficiency, build safe neighborhoods and support vulnerable and aging populations; and

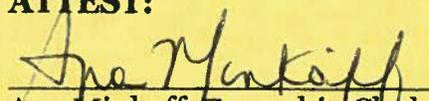
WHEREAS, it is important that United Way of Greater Union County continues to be successful in strengthening partnerships, building consensus and leveraging resources, thereby mobilizing the caring power of communities;

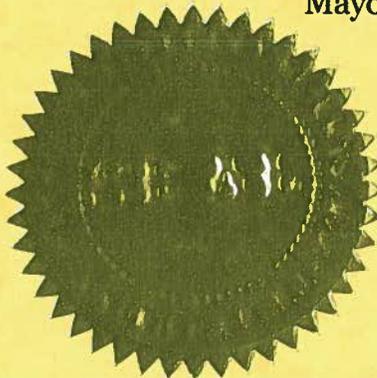
NOW, THEREFORE, the Mayor and Township Council are in support of the United Way movement, hereby declare the week of September 15th, 2014 United Way Week in the Township of Berkeley Heights, and urge Union County citizens to contribute generously through the United Way.

APPROVED this 9th day of September, 2014.


Joseph G. Bruno
Mayor

ATTEST:


Ana Minkoff, Township Clerk



Explanation: This Ordinance amends the Township's current Salary Ordinance (Ordinance #14-2013) to update and add the salary ranges for the various positions.

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

ORDINANCE No. _____

AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS

BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, pursuant to N.J.S.A. 40A:5-19 and N.J.S.A. 40A:9-10, that the Township's Salary Ordinance (Ordinance #4-2013 as amended by Ordinance No. 8-2013) as follows: [New language **bold and underlined**, and deleted language in ~~strike through~~.]

SECTION 1.

The annual salaries and wages of the elected and appointed officials of the Township and certain non-union Township employees in the various municipal departments of the Township of Berkeley Heights shall be fixed from time to time by the Township Council by Resolution and, except as provided herein shall not be less than the minimum amounts nor more than the maximum amounts hereinafter set forth for each position.

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Administration & Executive	Mayor	1.00	4,000.00
	Council Members	1.00	3,500.00
	Township Administrator	60,000.00	127,500.00
	Executive Assistant	25,000.00	51,000.00
	Administrative Assistant	25,000.00	45,900.00
	Township Clerk	50,000.00	89,760.00
	Acting Township Clerk	35,000.00	60,000.00
	Deputy Township Clerk	25,000.00	51,000.00

Finance Department	Treasurer/Chief Financial Officer	60,000.00	102,000.00
	Tax Assessor	20,000.00	51,000.00
	Tax Collector	20,000.00	61,200.00
			<u>61,407.00</u>
Municipal Court	Municipal Judge	10,000.00	35,700.00
Legal	Township Attorney	30,000.00	61,200.00
	Municipal Prosecutor	10,000.00	20,400.00
	Public Defender	3,000.00	10,200.00
	Planning Board Attorney	2,000.00	5,100.00
	Board of Adjustment Attorney	2,000.00	5,100.00
Public Works - Engineering Division	Township Engineer/ Director of Public Works	45,000.00	102,000.00
			<u>102,802.00</u>
	Asst. Dir. of Public Works	45,000.00	76,500.00
			<u>78,030.00</u>
	Zoning Official <u>(Tree Inspector & Code Review Officer)</u>	30,000.00	61,800.00
	Construction Official	60,000.00	81,600.00
Stipends	Dispatcher/Asst Terminal Agency Coordinator	1.00	2,500.00
Fire	Fire Official	1.00	13,000.00
Sewer Plant	Superintendent of Wastewater Management	85,000.00	120,000.00

	Acting Superintendent of Wastewater Management	50,000.00	75,000.00
Police Dept	Chief	90,000.00	156,060.00
	Police Secretary	28,000.00	51,000.00
	Confidential Secretary	28,000.00	56,100.00
	Special Police (per hr)	7.75	30.00
	Special Police Matrons (per hr)	7.25	30.00
	Crossing Guards (per hr)	7.25	30.00
Emergency Management	Emergency Management Coordinator	500.00	5,500.00
	Assistant Emergency Management Coordinator	500.00	1,500.00
Part Time Employees			
	Level 1 - Under 20 Hrs, Seasonal	7.25/Hr	18.00/Hr
	Level 2 - Under 20 Hrs, Permanent	10.00/Hr	30.00/Hr
	Level 3 - Under 20 Hrs, Permanent w/ License *	20.00/Hr	45.00/Hr
	Level 4 - Over 20 Hrs, Seasonal	7.25/Hr	18.00/Hr
	Level 5 - Over 20 Hrs, Permanent	10.00/Hr	30.00/Hr.
	Level 6 - Over 20 Hrs, Permanent w/ License *	20.00/Hr	45.00/Hr.

* This includes all Sub code officials.

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.

The provisions of this Ordinance shall be effective according to law.

Introduced: _____

Adopted: _____

Joseph G. Bruno
Mayor

ATTEST:

Ana Minkoff
Township Clerk

**NOTICE OF
INTRODUCTION**

Ordinance -2014

“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”

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 August 26, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on September 9, 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**

ROLL CALL	AYE	NAY	ABSTAIN	ABSENT
DELIA	✓			
HALL	✓			
KINGSLEY	✓			
PASTORE	✓			
PIRONE	✓			
WOODRUFF				✓
TIE:				
MAYOR BRUNO				

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

NOTICE OF FINAL ADOPTION

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE
INTRODUCED ON AUGUST 26, 2014:**

**“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM
RATE OF SALARY AND COMPENSATION OF ELECTED AND
APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION
EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF
THE TOWNSHIP OF BERKELEY HEIGHTS.”**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby certify that the above entitled Ordinance was adopted on final Passage by the Township Council of the Township of Berkeley Heights at its meeting held on September 9, 2014.

**Ana Minkoff,
Township Clerk
Township of Berkeley**

Agenda Item

11

**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 9/9/14, in the amount of \$141,859.46 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 9th day of September, 2014.

ATTEST:

Ana Minkoff
Township Clerk

Agenda Item: 2

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

RESOLUTION

WHEREAS, Linda Santillo is the Deputy Clerk for the Township of Berkeley Heights;
and

WHEREAS, throughout the past year, Ms. Santillo has performed all of the duties of her position as Deputy Clerk, as well as met all of the additional requirements and needs of the Township which was requested of her, specifically during periods when other personnel were not in the office or unavailable; and

WHEREAS, due to her efforts, Ms. Santillo has not had the opportunity to take all of the vacation time she has accrued; and

WHEREAS, pursuant to Section 2.128.110 of the Township Code, a Township employee must take his/her vacation allowance during the current calendar year as permitted or directed by his/her Department Head, unless the Department Head determines that it cannot be taken because of the pressure of work; and

WHEREAS, Section 2.128.110 further provides that employees may not be paid for unused vacation leave unless approved by the Council, upon recommendation from the Administrator the Township; and

WHEREAS, Ms. Santillo currently has approximately three (3) weeks of unused vacation time that she has been carrying over for several years; and

WHEREAS, the Township of Berkeley Heights recognizes the extraordinary hard work and efforts that Ms. Santillo has provided to the Township; and, upon recommendation of the Township Clerk, as the position of Township Administrator is currently vacant, the Township Council wishes to authorize the payment of unused vacation time to Ms. Santillo.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey that Linda Santillo, Township Deputy Clerk, is hereby authorized to receive payment for her unused vacation time on the pay date of October 10, 2014, for her three (3) weeks of unused vacation time for a total amount of \$2,684.31 for the extraordinary hard work and efforts she provided to the Township.

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

ATTEST:

**Ana Minkoff
Township Clerk**

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

RESOLUTION

WHEREAS, the Township has entered into professional services agreements with James J. Ramentol, AIA, of GRA Architects, Inc., for the provision of architectural services in connection with the Township of Berkeley Heights' potential development of a new municipal complex and library as a result of a potential land swap with Little Flower Church, as well as the potential redevelopment of the existing municipal complex and library building; and

WHEREAS, the Township is in need of continued architectural services in connection with the public hearings to be held on the Township's potential land swap, development of a new municipal complex and library or redevelopment of the existing municipal complex and library building; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., more specifically N.J.S.A. 40A:11-5 allows for the awarding of a contract for "professional services" without public advertising for bids; and

WHEREAS, James J. Ramentol, AIA, of GRA Architects, Inc., submitted a supplemental proposal dated August 22, 2014, to the Township to provide professional architectural services and attend the public hearings before the Township Council (the "Proposal"), which is attached hereto and made a part hereof; and

WHEREAS, prior to the execution of a contract, Mr. Ramentol, on behalf of GRA Architects, will have completed and submitted a Business Entity Disclosure Certification which certifies that she has not made any reportable contributions to a political or candidate committee in the Mayor or Township Council of the Township of Berkeley Heights in the previous year, and that the contract will prohibit her from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, this was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the Township Council finds it to be in the best interest of the Township to enter into the Professional Services Agreement with James J. Ramentol, AIA, and GRA Architects, Inc., for professional architectural services in connection with the public hearings to be held on the Township's potential land swap, development of a new municipal complex and library or redevelopment of the existing municipal complex and library building.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Professional Services Agreement with James J. Ramentol, AIA, and GRA

Architects, Inc., for the professional architectural services and attendance at the public hearings before the Township Council for the consideration set forth in the Proposal attached hereto.

2. This Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5.
3. A certificate showing the availability of funds for the Contract authorized hereby has been provided and is made a part hereof indicating that the appropriation for the within expenditure is charged to the 2014 operating budget.
4. The Business Disclosure Entity Certification shall be placed on file with this Resolution.
5. A notice of this action shall be printed in the official newspapers required by law within ten (10) days of its passage.

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

APPROVED this 9th day of September, 2014.

ATTEST:

Ana Minkoff
Township Clerk



**Supplemental Proposal-3 to
Township of Berkeley Heights
For
Preparation for Public Meetings
Berkeley Heights Municipal Complex**

August 22, 2014

1.0 PROJECT DESCRIPTION

The Township of Berkeley Heights (TBH) has progressed to the Public Hearing phase of the land transfer between the Township and the Church of the Little Flower. A series of (4) public meetings have been scheduled for September 15, 22 & 29 and October 6, 2014. Presentations will be made at each meeting by a variety of professionals retained by the TBH to study the financial & functional issues that this project must address. Each meeting will include an opportunity for public comments and questions.

TBH has requested the architectural team of GRA Architects & Arcari & Iovino to assemble all the documents presented to the Mayor & Council at prior executive sessions. Many of these documents prepared by the architectural team that will be used and inserted into the binders assembled by Mike Mistretta of Harbor Consultants, will require updating and "perfecting" based on additional information received after the initial draft presentations.

Additionally, our Architectural team will be formally presenting at two of the four meetings which will involve meeting prep time & coordination with Mike & others. We plan to attend the other meetings in a more "passive" capacity.

RECEIVED

AUG 26 2014

TWP. CLERK

2.0 SCOPE OF SERVICES

2.1 BASIC SERVICES

The following is a summary of the services we propose to provide:

1. Drawing & rendering refinement & document printing.
2. Meeting preparation prior to each meeting.
3. Attendance at strategy meeting(s) prior to public hearings.
4. Attendance at each public hearing meeting (Min. 4 meetings).

2.2 DELIVERABLES

- a. Our final deliverable will include drawings, other graphic images and a detailed cost estimate that describes our process, findings, graphics and costs.
- b. We will provide a digital version of the deliverables as a PDF file and can provide hard copies as needed. All printing will be reimbursed at-cost.

2.3 SCHEDULE

All drawings & other data will be submitted to M. Mistretta no later than Sept. 8, 2014.

2.4 ADDITIONAL SERVICES

Upon request and written approval from Township, the Architect can perform the following services beyond those described in Section 3.1 above.

- a. All other architectural & engineering services beyond those described in 2.1 above.
- b. All Site Engineering and State, County Local site approvals.
- c. Preparation of Environmental Impact Statement.
- d. Other Special Consultants: i.e., Data, Audio/Visual, Emergency power, etc.
- e. Renderings & Models.
- f. Soil Investigation and Geotechnical Services.
- g. Permit Fee and other governmental approval fees.
- h. All Construction Administration Services

3.0 COMPENSATION

3.1.1 Basic Services

The Architect will provide services as outlined in the Scope of Services for a fixed fee as summarized below plus reimbursable expenses.

<u>Phase</u>	<u>Description</u>	<u>Total</u>
IB.	Public Meeting Preparation Hourly not to Exceed	\$5,000.00

Reimbursable Printing Expense - (1)
(1) All printing will be performed by Derco Printing & billed directly to TBH

3.2 Additional Services

Upon request from Township, the Architect and its consultants will provide additional services on an hourly basis at the firm's Hourly Rate Schedule listed below. Additional services will not be performed without prior written approval from the Township.

Changes in the scope or design of the project may necessitate additional services & fees by the Architect. Compensation would be calculated on an hourly basis using the Hourly Rate Schedule. Fees for additional services shall be agreed to in advance. It is our policy to use the most cost-effective personnel appropriate for any given task.

3.3 Reimbursable Expenses -

Bulk Printing, Overnight Mail	At Cost
Outside Consultants (if authorized by the Owner)	At Cost
Other Reimbursements (if authorized by the Owner)	At Cost

3.4 GRA Hourly Rate Schedule

Architect	
Principal	\$175/hr.
Senior Project Manager	\$140/hr.
Project Manager	\$125/hr.
Senior Project Architect/Project Coordinator	\$110/hr.
Project Architect/Project Coordinator	\$ 95/hr.
Design/Draftsperson	\$ 85/hr.
Draftsperson	\$ 75/hr.
Administrative	\$ 55/hr.

3.5 Invoicing

Invoice is due upon receipt from the Architect.

If the above meets with your approval, please sign a copy of this Proposal and return one (1) copy to our office.

Very truly yours,

GRA Architects, Inc.

James J. Ramentol

James J. Ramentol, A.I.A.
Principal

THE UNDERSIGNED UNDERSTANDS THIS PROPOSAL AND ACCEPTS THE TERMS AND CONDITIONS SET FORTH HEREIN AND AUTHORIZES THE SERVICES TO PROCEED.

Authorized Signature:

Township of Berkeley Heights - (Owner)

Date

cc:

File: M1230-003

Agenda Item # 4

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

RESOLUTION

WHEREAS, sediment, debris, garbage, brush and trees that accumulate in our waterways contribute to serious flooding that causes property damage and threatens personal safety; and,

WHEREAS, restrictions on stream cleaning, de-silting and de-snagging projects by counties or municipalities are currently onerous and restrictive; and,

WHEREAS, Assembly Bill A900 will allow municipalities and counties to properly, quickly, and economically clean and de-silt streams to help prevent flooding.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey that it does hereby support A900 and urge quick action to be taken on it to help relieve the flooding issues that occur through New Jersey; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Assembly Environmental and Solid Waste Committee, Assembly man Jerry Green, Assemblywoman Linda Stender, the New Jersey State League of Municipalities, and all Union County Municipalities.

APPROVED this 9th day of September, 2014.

ATTEST:

Ana Minkoff
Township Clerk

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

RESOLUTION

WHEREAS, The Board of Chosen Freeholders of the county of Union, on Friday, September 19, 2014 call on all Union County residents to gather in front of the Union County Courthouse in Elizabeth, New Jersey, to remember and honor the men and women who have given so much to make and keep us free and secure in this country, and

WHEREAS, Friday, September 19, 2014 has been declared "POW/MIA Remembrance Day" in the Township of Berkeley Heights, a recognition day to give thanks and to remember the sacrifices rendered to us by all our POW/MIA Veterans, and

WHEREAS, in honor of this special day, a ceremony will be held in front of the Union County Courthouse, 2 Broad Street, Elizabeth, New Jersey, beginning at 11:15 a.m. All residents of Berkeley Heights are urged to make a special effort to give thanks and remember the sacrifices made.

NOW, THEREFORE BE IT RESOLVED by the Township of Berkeley Heights that Friday, September 19, 2014 be declared "POW/MIOA Remembrance Day" in the Township, and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to VFW Post 6259.

APPROVED this 9th day of September, 2014.

ATTEST:

Ana Minkoff
Township Clerk

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

RESOLUTION

WHEREAS, by letter received on September 3, 2014 a request was made by Elizabeth Kane requesting permission from the Township Council to hold a neighborhood block party on Sycamore Avenue which would involve erecting barricades on a public street; and

WHEREAS, the Township Council wishes to support the request for a neighborhood block party subject, however, to the special requirements of the appropriate local Township Officials.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that it does hereby approve of a neighborhood block party for Sycamore Avenue on Saturday, September 27 2014 from 1:00 p.m. until 8:00 p.m.

BE IT FURTHER RESOLVED that said approval is subject and contingent upon the approval of the Berkeley Heights Police Department, Fire Department and other appropriate officials; and

BE IT FURTHER RESOLVED that a copy of this Resolution is to be forwarded to Elizabeth Kane, Chief of Police, Fire Chief, and the Director of Public Works.

APPROVED this 9th day of September, 2014.

ATTEST:

Ana Minkoff
Township Clerk

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

RESOLUTION

WHEREAS, by email received on September 2, 2014 a request was made by Tammy Siksnius requesting permission from the Township Council to hold a neighborhood block party on Orchard Lane which would involve erecting barricades on a public street; and

WHEREAS, the Township Council wishes to support the request for a neighborhood block party subject, however, to the special requirements of the appropriate local Township Officials.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that it does hereby approve of a neighborhood block party for Orchard Lane, on Saturday, September 20 2014 from 1:00 p.m. until 10:00 p.m.

BE IT FURTHER RESOLVED that said approval is subject and contingent upon the approval of the Berkeley Heights Police Department, Fire Department and other appropriate officials; and

BE IT FURTHER RESOLVED that a copy of this Resolution is to be forwarded to Tammy Siksnius, Chief of Police, Fire Chief, and the Director of Public Works.

APPROVED this 9th day of September, 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 #801 Lot #30 also known as 96 Snyder Avenue which requires a refund in the amount of \$3,662.14; and

NOW, THEREFORE BE IT RESOLVED that the Treasurer is authorized to refund the overpayment for 2014 taxes in the amount of \$3,662.14 to Atlas Realty, Snyder Ave., L.L.C. 784 Morris Turnpike, #309, Short Hills, NJ 07078.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Atlas Realty, Snyder Ave. L.L.C., Treasurer and Tax Collector.

APPROVED this 9th day of September, 2014.

Attest:

**Ana Minkoff
Township Clerk**

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

RESOLUTION

WHEREAS, members of the Berkeley Heights Rescue Squad 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, Noel Genco, is a member of the Berkeley Heights Rescue Squad 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 Noel Genco, for a blue light permit.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Noel Genco, BH Rescue Squad, Police Department and Township Clerk.

APPROVED this 9th day of September, 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* to create and establish an advisory committee to assist the Township with the renewal, restoration and maintenance of the Township's Memorial Park.

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 Title 2 Entitled "Administration and Personnel" of *The Code of the Township of Berkeley Heights* to Create New Chapter 2.95 Entitled "Memorial Park Renewal Committee" to create and establish an advisory committee to assist the Township with the renewal, restoration and maintenance of the Township's Memorial Park.

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

Section 1. Title 2 entitled "Administration and Personnel" of *The Code of the Township of Berkeley Heights* is hereby supplemented and amended as to create new Chapter 2.95 entitled "Memorial Park Renewal Committee" to read as follows:

Chapter 2.95 MEMORIAL PARK RENEWAL COMMITTEE

Sections:

- 2.95.010 Purpose.
- 2.95.020 Definitions.
- 2.95.030 Establishment--Membership.
- 2.95.040 Appointments; Term of Office; Vacancies.
- 2.95.050 Removal of Members.
- 2.95.060 Organization--Officers.
- 2.95.070 Meetings.
- 2.95.080 Powers and duties.

2.95.010 Purpose.

The purpose of this Chapter is to create an advisory committee, which shall assist in coordinating and fundraising for the renewal, restoration and ongoing maintenance of the Township's Memorial Park, and to perform such other duties as may be deemed necessary by the Mayor and Council.

2.95.020 Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated

“Memorial Park” means the area of the Township designated as the Memorial Park, located at 205 Plainfield Avenue, at the corner of Park Avenue and Plainfield Avenue, in the Township of Berkeley Heights.

2.95.030 Establishment--Membership.

There is hereby established the “Berkeley Heights Memorial Park Renewal Committee.” The membership of the Committee shall consist of five (5) members: one (1) member of the governing body, and four (4) residents of the Township of Berkeley Heights. Members of the Committee shall serve without compensation.

2.95.040 Appointments; Term of Office; Vacancies.

The appointment and terms of the members of the Committee shall be as follows:

A. The representative of the governing body shall be appointed by and serve at the pleasure of the Township Council, or shall terminate at the completion of their respective term of office.

B. The four (4) resident members of the committee shall be appointed by the Mayor, and shall serve for a period of two (2) years, except that the respective terms of office of the originally appointed members shall be as follows in order to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first three years after their appointments:

1. Two members shall serve for terms of two years; and
2. Two members shall serve for terms of one year.

C. The term of each member shall begin on the first day of January, and each member shall continue in office until his or her successor shall be appointed, except upon the filling of a vacancy, and for the initial term of appointees, which shall commence once appointed, and relate back to January of such year for purposes of counting the term of the initial appointment.

D. In the event of a vacancy, the Mayor shall fill said vacancy of a resident member, or the Township Council of a governing body member, by appointment for the remainder of the unexpired term. A vacancy shall occur if the member resigns from office, in the event of death or the inability to service, or in the event of the member’s absence from fifty (50%) percent or more of the regularly scheduled meetings of the Committee in any twelve month period, in which latter event removal shall automatically occur.

2.95.050 Removal of Members.

The Mayor or Township Council may remove any member of the Committee for cause, on written charges serviced upon the member, and after a hearing before the governing body, at which the member shall be entitled to be heard in person or by counsel.

2.95.060 Organization--Officers.

A. The Committee shall elect a chairperson, vice chairperson and secretary at its organizational meeting in January, which officers shall serve for a term of one year and remain in office until their successor is appointed.

B. The secretary shall keep minutes of all meetings of the Committee, which minutes and copies of official correspondence of the Committee shall be kept on file in the office of the Township Clerk.

2.95.070 Meetings.

The Committee shall hold regular monthly meetings at the same time and day of each month in the Township municipal building as set in its organizational meeting, which meeting shall be open to the public unless closed to the public by the Committee pursuant to an exception authorized under the Open Public Meetings Act. Special meetings may be called by the chairperson on three days' notice to each member of the Committee. The Committee may make and amend rules and regulations concerning the conduct of its meetings.

2.95.080 Powers and duties.

The Committee shall have the following powers and duties:

A. To develop a plan and strategies to renew, restore and to continue the ongoing maintenance of the Memorial Park. With the review and advise of the Mayor, Township Council shall have the sole authority to approve and execute the plan of the Committee by Resolution. Once approved, the Committee shall have the authority to implement the plan as directed by the Mayor and Township Council.

B. To review and recommend to the Mayor and Township Council planting, trees, shrubbery and other landscaping, along with signage, decorations, holiday lights, and the like for the Township's Memorial Park; and, with the consent of the Mayor and Council, organize and engage in seasonal plantings and decorations on public properties. If Township funds or employees are required for such plantings or decoration, specific approval for such funding or use of Township employees is required by the Township Council by Resolution.

C. To recruit and direct organizational and individual interest in and support for the renewal, restoration and maintenance of the Memorial Park.

D. To act as a coordinating agency for successful organizational corporate and individual efforts for the renewal, restoration and maintenance of the Memorial Park.

E. To work with the Township, as well as local merchants, corporations and individuals to raise funds for the renewal, restoration and maintenance of the Memorial Park; which funds shall be kept and held by the Township, with the Township Council having authority over the expenditure of same.

F. To work with the Township, the Township Recreation Commission, as well as local merchants, to sponsor activities and events in the Township's Memorial Park.

G. The Committee shall, annually submit a proposed budget to the Township Council, and purchase equipment and supplies subject to review and approval by the Township Administrator and Treasurer/Chief Financial Officer. The Township Council has the authority and discretion, but not the obligation, to provide for funding towards the proposed budget. The Committee shall have the authority to obtain funding for the proposed budget through fund raising efforts, including the application for grants. All funds received shall be utilized by the Committee and the Township for the purposes set forth herein.

H. The Committee shall, annually, submit to the Township Administrator an annual report of the programs and activities of the Committee undertaken during the prior year.

I. The Committee shall assist the Township Administrator with researching and applying for grants, as appropriate, for use by the Committee pursuant to this Chapter.

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 G. 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 SUPPLEMEINTG TITLE 2 ENTITLED “ADMINISTRATION AND PERSONNEL” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO CREATE NEW CHAPTER 2.95 ENTITLED “MEMORIAL PARK RENEWAL COMMITTEE” TO CREATE AND ESTABLISH AN ADVISORY COMMITTEE TO ASSIST THE TOWNSHIP WITH THE RENEWAL, RESTORATION AND MAINTENANCE OF THE TOWNSHIP’S MEMORIAL PARK”.

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 September 9, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on September 23, 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**

EXPLANATORY STATEMENT: This Ordinance revising the speed limits on a portion of Snyder Avenue.

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 Chapter 10.12 entitled “Speed Limits and No-Passing Zones” of Title 10 entitled “Vehicles and Traffic” of *The Code of the Township of Berkeley Heights* to Revising the Speed Limits on a Portion of Snyder Avenue.

WHEREAS, pursuant to N.J.S.A. 39:4-8(b) and N.J.S.A. 39:4-197(1)(a), the Township of Berkeley Heights is authorized to enact ordinances which designate reasonable and safe speed limits, without the approval of the Commissioner of Transportation; and

WHEREAS, the Township Police Department recommended revising the speed limits on a portion of Snyder Avenue due to concerns over traffic safety, traffic complaints, and for the general safety of the public; and

WHEREAS, the Mayor and Township Council of the Township of Berkeley Heights find it to be in the best interests of the Township and its citizens to revise the speed limits on a portion of Snyder Avenue.

NOW, THEREFORE, 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 10.12.010 entitled “Speed Limits” of Chapter 10.12 entitled “Speed Limits and No-Passing Zones” of Title 10 entitled “Vehicles and Traffic” of *The Code of the Township of Berkeley Heights* is hereby supplemented and amended to read as follows: [New language **bold and underlined**; deleted language ~~double strikethrough~~]

10.12.010 – Speed Limits.

The speed limit for both directions of traffic along the streets hereinafter designated is established as follows:

A. Diamond Hill Road:

1. Forty (40) miles per hour from the New Providence Borough-Berkeley Heights line to the Watchung Borough line;
2. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Division of Motor Vehicles dated July 23, 1956.

B. Emerson Lane:

1. Twenty-five (25) miles per hour.

C. Glenside Road:

1. Thirty-five (35) miles per hour from the New Providence line to Glenside Avenue;
2. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Division of Motor Vehicles dated April 19, 1965.

D. Hamilton Avenue:

1. Thirty-five (35) miles per hour for its entire length except that within the Little Flower Parochial School zone the speed limit shall be twenty-five (25) miles per hour while children are going to or leaving school during opening or closing hours;
2. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Division of Motor Vehicles dated November 27, 1968.

E. Horseshoe Road:

1. Thirty-five (35) miles per hour for its entire length;
2. Regulatory signs are to be installed in accordance with a letter of authorization from the Department of Transportation dated September 6, 1973.

F. McMane Avenue:

1. Thirty-five (35) miles per hour for its entire length from Diamond Hill Road to Glenside Avenue;
2. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Division of Motor Vehicles dated April 2, 1965.

G. Mountain Avenue:

1. Forty (40) miles per hour from the westerly Berkeley Heights Township line to Diamond Hill Road-Union Avenue in the Township of Berkeley Heights, except within the Mountain Park School zone, where the speed limit shall be twenty-five (25) miles per hour while children are going to or leaving school, during opening or closing hours or during recess;
2. Forty (40) miles per hour from the point where the New Providence Borough-Berkeley Heights Township line crosses Mountain Avenue east of Glenside Road to a point where the New Providence Borough-Berkeley Heights Township line again crosses Mountain Avenue west of Murray Hill Boulevard;
3. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Department of Transportation dated February 17, 1971, and the letter of authorization from the Department of Transportation dated March 26, 1970, and signs with the words School Speed Limit 25 MPH When Flashing shall be installed, operated and maintained in accordance with a letter of authorization from the Department of Transportation dated December 21, 1971.

H. Park Avenue:

1. Forty (40) miles per hour between Mountain Avenue and a point six hundred (600) feet north of the center of Forest Avenue;
2. Thirty-five (35) miles per hour between a point six hundred (600) feet north of the center of Forest Avenue to Plainfield Avenue;
3. Signs are to be installed in accordance with a letter dated September 3, 1970, from the Department of Transportation, and flashing school advance signs shall be installed, operated and maintained in accordance with a

letter of authorization from the Department of Transportation dated December 17, 1971.

I. Plainfield Avenue:

1. Thirty (30) miles per hour in the township, except within the Columbia School zone, where the speed limit shall be twenty-five (25) miles per hour while children are going to or leaving school, during opening or closing hours or during recess;
2. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Department of Transportation dated March 25, 1970, and signs with words School Speed Limit 25 MPH When Flashing shall be installed, operated and maintained in accordance with a letter of authorization from the Department of Transportation dated December 29, 1971.

J. Roosevelt Avenue:

1. Thirty-five (35) miles per hour for its entire length except within the Little Flower Parochial School zone where the speed limit shall be twenty-five (25) miles per hour while children are going to or leaving school during opening or closing hours;
2. Regulatory and warning signs shall be installed and maintained in accordance with the letter of authorization from the Division of Motor Vehicles dated November 27, 1968.

K. Snyder Avenue:

1. Thirty (30) miles per hour between Mountain Avenue and the center of Pine Grove Road;
2. ~~Forty (40)~~ Thirty (30) miles per hour between the center of Pine Grove Road and Industrial Road;
3. Thirty-five (35) miles per hour between Springfield Avenue and the Morris County line;
4. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Department of Transportation dated December 19, 1969, and signs with the words School

Speed Limit 25 MPH When Flashing shall be installed, operated and maintained in accordance with a letter of authorization from the Department of Transportation dated March 3, 1972.

L. Springfield Avenue:

1. Forty (40) miles per hour from New Providence line to the center of Kuntz Avenue;
2. Thirty-five (35) miles per hour from the center of Kuntz Avenue to the center of Station Street;
3. Forty (40) miles per hour from the center of Station Street to the Long Hill and Berkeley Heights Township line;
4. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Division of Motor Vehicles dated August 22, 1956, and flashing school advance signs shall be installed, operated and maintained in accordance with a letter of authorization from the Department of Transportation dated December 17, 1971.

Section 2. In accordance with N.J.S.A. 39:4-198, the Township Public Works Department is authorized to erect the appropriate signage along the applicable portions of Snyder Avenue in conformance with the current Manual on Uniform Traffic Control Devices and New Jersey law.

Section 3. 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 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 6. This Ordinance shall not take effect until after final passage, approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7, and publication in accordance with all applicable laws and statutes.

INTRODUCED the _____ day of _____, 2014.

ADOPTED the _____ day of _____, 2014.

Joseph G. 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 CHAPTER 10.12 ENTITLED “SPEED LIMITS AND NO-PASSING ZONES” VEHICLES AND TRAFFIC” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO REVISING THE SPEED LIMITS ON A PORTION OF SNYDER AVENUE”.

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 September 9, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on September 23, 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**