



**Mayor Bruno**

**VIII. APPROVAL OF MINUTES – Public Meeting – August 26, 2014**

**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 SEPTEMBER 9, 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.)

**XI .NEW BUSINESS- RESOLUTIONS**

**OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:**

**RESOLUTIONS**

1. Resolution approving Bill List dated September 23, 2014 in the amount of \$217,171.69.
2. Resolution authorizing an amendment to the Cooperative Agreement with the County of Union previously authorized on June 10, 2014 (Resolution #144-2014).
3. Resolution consenting to the TWA application in connection with the proposed sewerage improvements for the approved residential development located along Hillcrest Road.
4. Resolution authorizing a 2% increase in salary to for the non-union Township employees, and members of the various municipal departments of the Township.

5. Resolution authorizing the renewal of the Alcoholic Beverage License to Nickolas T. Agathis for the Plenary Retail Distribution License.
6. Resolution authorizing a release of a Performance Bond in the amount of \$7,141.68 to Westfield Gospel Hall, 94 Sherman Avenue.

**7. 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 the close of Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue for the Berkeley Heights Volunteer Fire Department Annual Car Show on October 12, 2014 from 9:00 a.m. – 4:00 p.m..
- b. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:
 

1. Berkeley Swim Club	Bruns Avenue	\$23.90
2. Ocwen Loan Servicing	87 Hampton Drive	\$2,702.19
- c. Resolution removing Chris Schulze, 1133 Plainfield Avenue, from the active roster of the Berkeley Heights Fire Department.
- d. Resolution removing Ricardo Montalvan, 27 Bolton Boulevard, from the active roster of the Berkeley Heights Fire Department.

## **XII. ORDINANCES**

### **INTRODUCTION OF ORDINANCES**

**Public Hearing and Final Adoption scheduled for October 7, 2014.**

- (1) **“ORDINANCE REAPPROPRIATING \$30,494.89 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE MUNICIPAL FACILITIES STUDY IN AND BY THE TONWSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEWJERSEY.”**
- (2) **”AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE LEASE WITH OUR LADY OF MOUNT CARMEL SOCIETY FOR THE 2014-2015 TERM.”**
- (3) **“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING SECTION 8.44.040 ENTITLED “EXCEPTIONS AND PERMITS” OF CHAPTER 8.44 ENTITLED “NOISE CONTROL” TITLE 8 ENTITLED “HEALTH AND SAFETY” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO INCLUDE AN EXEMPTION FOR THE TOWNSHIP AND TOWNSHIP-SPONSORED EVENTS.”**(Explanation: This Ordinance amends the

Township's Noise Control regulations to exempt the Township and Township sponsored events.)

**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**

**Mayor's Correspondence**  
**September 2014**

1. **The Rotarian** – June 2014 edition
2. **NJCM** – registration for 22<sup>nd</sup> annual fall summit
3. **UC Dept of Human Services Division on Aging & Disability** – September 2014 newsletter
4. **VFW Post 6259** – July 2014 newsletter
5. **NJLM** – registration for 23<sup>rd</sup> annual Mayor's Box Luncheon at league conference
6. **Jason & Alyssa Massimino** – thank you for baby welcome flowers
7. **Helen Kirsch** – letter informing you that Mrs. Rattner and board members met with residents regarding parking in the vicinity of GL.
8. **Scott McKinney** – letter informing neighbors of the Sept. 12 GLHS football game under the lights
9. **Joseph LaSala** – letter of recommendation for an administrator applicant
10. **Senator Tom Kean, Jr.** – acknowledgement of your letter related to NJ property taxes and copy of legislation he introduced to review effectiveness of county government
11. **Terry Lozowski** – acknowledgment of your support on the passing of her husband
12. **Contact We Care, Inc.** – invitation to 2014 Call of Hope Gala
13. **NJCM** – 22<sup>nd</sup> annual fall summit registration
14. **Pipeline Awareness Viewer** – flyer with pipeline safety message for community
15. **Hope Danzis** – letter of resignation from library board
16. **Casa of Union County** – invitation to Foster the Dream gala
17. **NCADD** – August 2014 newsletter

**TOWNSHIP COUNCIL CORRESPONDENCE**  
**SEPTEMBER - 2014**

1. Copy of letter received on August 25, 2014 from Union County Freeholder Alexander Mirabella inviting the Township Council to attend the Union County POW/MIA Remembrance Day Ceremony on Friday, September 19, 2014 along with a copy of the resolution passed in honor of this event.
2. Copy of invitation received on August 28, 2014 from Michael Guarino, Founder of the Columbus Parade Association of Union County inviting the Township Council to attend the Columbus Day celebration on Sunday, October 12, 2014.
3. Copy of letter received on August 28, 2014 from the State of NJDEP to Bob Thomas, Vice President of the Connell Company regarding the treatment works approval for the Embassy Suites Hotel.
4. Copy of resolution #181-14 adopted on September 4, 2014 and received on September 11, 2014 from The Borough of Roselle Park - supporting legislation proclaiming September 19, 2014 as POW/MIA Remembrance Day.
5. Copy of Ordinance #759-2014 received on September 12, 2014 and adopted on September 11, 2014 from the County of Union Board of Chosen Freeholders – Bond ordinance authorizing various public improvements and the acquisition of new additional or replacement equipment and machinery.

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) members, which may include Township employees and prior elected officials. 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) 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 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**

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

**NOTICE OF FINAL ADOPTION**

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE  
INTRODUCED ON SEPTEMBER 9, 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.)

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 23, 2014.

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

**Agenda Item**

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**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 9/23/14, in the amount of \$217,171.69 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 23<sup>rd</sup> day of September, 2014.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

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

**RESOLUTION**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40:651 et seq.) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

**WHEREAS**, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made to certain urban counties for use therein through the Community Development Block Grant ("CDBG") Entitlement Program, HOME investment Partnerships ("HOME") Program and Emergency Solutions Grants ("ESG") Program; and

**WHEREAS**, a Cooperative Agreement between the County of Union and the Township of Berkeley Heights was authorized previously this year by resolution #144-2014 on June 10, 2014 to establish a legal mechanism through which the County government may apply for, receive and disburse federal funds from federal fiscal year 2015, 2016 and 2017 appropriations; and

**WHEREAS**, it is the desire of the Township of Berkeley Heights to enter into a Cooperative Agreement with the County of Union to reflect the following changes:

- Page 2, Section E – Add the following language to the very end of the last paragraph, “and that such failure to comply will void the automatic renewal for such qualification period.”
- Page 3, Section G – Add the following language in a new item, numbered 4 – “The County and the Municipality are obligated to comply with all other applicable laws.”
- Page 3, Section I – In the first paragraph in sentence three, change the word “Subsection (d) to read Section (d):”

**NOW THEREFORE BE IT RESOLVED** that the Township of Berkeley Heights hereby authorizes the above amendments to the Cooperative Agreement previously authorized and executed between the Township of Berkeley Heights and the County of Union; and

**BE IT FURTHER RESOLVED** that a copy of the Resolution shall be forwarded to the County of Union.

**APPROVED** this 23<sup>rd</sup> day of September, 2014.

**ATTEST:**

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Ana Minkoff  
Township Clerk

Agenda Item No.: 3

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

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights owns and operates a sanitary sewer system throughout the Township; and

**WHEREAS**, the Township has entered into a Sewer Use Agreement with the Warren Township Sewer Authority (“WTSA”) entered into a Sewer User Agreement which allowed the WTSA to connect to the Township’s wastewater system for the treatment of the wastewater generated by specified properties in Warren Township listed in the Agreement; and

**WHEREAS**, there is an eighteen (18) residential lot development being proposed on Hillcrest Road in the Township of Warren; and

**WHEREAS**, the proposed development requires the construction of a 2,130 LF HDEP SDR 11 low pressure force main along Hillcrest Road for the future connection of the 18 residential lots by individual grinder pumps into the common low pressure force main, which will connect into an existing WTSA manhole at the intersection of Hillcrest Road and Mountain Avenue, and thereafter flow into the Township’s sewerage system; and

**WHEREAS**, the property owner must therefore apply for a Treatment Works Approval (“TWA”) from the New Jersey Department of Environmental Protection (“NJDEP”) for approval of the proposed sewerage improvements; and

**WHEREAS**, consent to the TWA application is required from the Township in order for the NJDEP to process and approve the application; and

**WHEREAS**, the Township Engineer has reviewed the TWA application and recommends the Township’s consent to same; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights find it to be in the best interest of the Township and its citizens to authorize the Township’s consent to the proposed TWA Application for approval of the proposed sewerage improvements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey that the Township hereby consents to the TWA application in connection with the proposed sewerage improvements for the approved residential development located along Hillcrest Road, subject to the property owner’s and/or applicant’s compliance with the Township’s Ordinances, and obtaining any and all required permits from the State, County and Township prior to commencing the work, if approved by the NJDEP.

**BE IT FURTHER RESOLVED** that the Township Engineer, is hereby authorized to execute the NJDEP’s form Statements of Consent, a copy of which is attached hereto, to be filed with the TWA application herein referenced.

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

**APPROVED** this 23<sup>rd</sup> day of September, 2014.

**ATTEST:**

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Ana Minkoff  
Township Clerk

# 4

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

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights adopted a Salary Ordinance on September 9, 2014, which established the salary ranges for certain non-union Township officials, employees, and members of the various municipal departments of the Township of Berkeley Heights, County of Union, State of New Jersey; and

**WHEREAS**, Township Council finds it to be in the best interests of the Township to provide for increases to the salaries of those non-union Township employees, and members of the various municipal departments of the Township, which increases will remain within the salary ranges established within the Salary Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorizes and approves the increase in salaries for the non-union Township officials, employees, and members of the various municipal departments of the Township as follows:

1. That the proper Township officials be and they are hereby authorized and directed to draw the necessary checks and pay the same to the employees of the Township on a bi-weekly basis for 26 pay periods, based upon salary rate adjustments effective January 1, 2014.

2. Unless otherwise provided in a collective bargaining agreement covering such employees, there shall be provided by the Township, as additional compensation for all permanent full-time employees working regularly scheduled hours of thirty five (35) or more per week and who have commenced their employment in their current position prior to July 1, 2013, those benefits provided in the applicable sections of the Township Code.

3. The following increases will take effect for the above-referenced employees:

2.0% increase in salary shall take effect as of January 1, 2014

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

**APPROVED** this 23<sup>rd</sup> day of September, 2014.

**ATTEST:**

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Ana Minkoff  
Township Clerk

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

**RESOLUTION**

**WHEREAS**, now that the tax clearance certificate has been received, and a renewal application for 2014/2015 Alcoholic Beverage License in proper form, together with the appropriate license fees, was already received from Nickolas T. Agathis for Plenary Retail Distribution License #2001-44-003-009; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, that the aforementioned Alcoholic Beverage License is hereby renewed for a period of one (1) year expiring June 30, 2015.

Copies of this Resolution are to be forwarded to the Alcoholic Beverage Control Commission, Nickolas T. Agathis, Board of Health, Construction Code Official, Police Department, and Fire Department.

APPROVED this 23<sup>rd</sup> day of September, 2014.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

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

**RESOLUTION**

**WHEREAS**, Westfield Gospel Hall was required to post a Performance Bond in the amount of \$23,805.60 and the bond was subsequently reduced to \$7,141.68 in March 2012, in connection with work at 94 Sherman Avenue and the Township Engineer, having inspected the work, has recommended by letter dated September 17, 2014 that such bond be released.

**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 Performance Bond in the amount of \$7,141.68 together with any applicable interest.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to Westfield Gospel Hall, Township Treasurer, and Township Engineer.

**APPROVED this 23<sup>rd</sup> day of September, 2014.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

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

**RESOLUTION**

**WHEREAS**, a request was made by Capt. Jan Chwiedousiuk of the Berkeley Heights Fire Department requesting permission from the Township Council to close the length of Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue for the Berkeley Heights Volunteer Fire Department Annual Car Show on October 12, 2014 from 9:00 am – 4:00 pm, with a rain date of October 19, 2014, which would involve erecting barricades on a public street; and

**WHEREAS**, the Township Council wishes to support the request for the BHFD Annual Car Show 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 the closure of Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue for the parking of the show cars starting at 8:00 a.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 Capt. Jan Chwiedousiuk, Chief of Police, Fire Chief, and the Director of Public Works.

**APPROVED this 23<sup>rd</sup> day of September, 2014.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

Agenda Item

# 7 (b1)

**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 #1106 Lot #11.01 also known as Bruns Avenue which requires a refund in the amount of \$23.90; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2014 taxes in the amount of \$23.90 to Berkeley Swim Club, P.O. Box 24, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Berkeley Swim Club, Treasurer and Tax Collector.

**APPROVED** this 23<sup>rd</sup> day of September, 2014.

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

#

7(b2)

**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 #3205 Lot #10 also known as 87 Hampton Drive which requires a refund in the amount of \$2,702.19; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2014 taxes in the amount of \$2,702.19 to Ocwen Loan Servicing, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Ocwen Loan Servicing, Treasurer and Tax Collector.

**APPROVED** this 23<sup>rd</sup> day of September, 2014.

**Attest:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

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

Agenda Item

# 7C

**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;

**Chris Schulze, 1133 Plainfield Avenue, Berkeley Heights, NJ 07922**

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Chris Schulze and the Fire Chief.

**APPROVED this 23<sup>rd</sup> day of September, 2014.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

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

Agenda Item

# 7d

**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;

**Ricardo Montalvan, 27 Bolton Boulevard, Berkeley Heights, NJ 07922**

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Ricardo Montalvan and the Fire Chief.

**APPROVED this 23<sup>rd</sup> day of September, 2014.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

(1)

**ORDINANCE REAPPROPRIATING \$30,494.89 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE MUNICIPAL FACILITIES STUDY IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**Section 1.** Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$30,494.89 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
46-99	Construction and improvements to parking area, finally adopted September 7, 2009.	\$7,740.06
16-00	Various capital improvements, finally adopted August 22, 2000.	\$2,260.43
35-01	Various general improvements, finally adopted September 4, 2001.	\$11,935.57
20-02	Improvements to WPCP and the acquisition of equipment, finally adopted October 8, 2002.	\$52.36

27-04/32-05	Various general improvements, finally adopted November 23, 2004, as supplemented October 11, 2005.	\$925.00
11-06/15-07	Road and parking improvements, finally adopted May 9, 2006, as amended September 4, 2007.	\$3,434.47
17-11	Train station improvements, finally adopted July 26, 2011.	\$4,147
Total:		\$30,494.89

**Section 2.** The \$30,494.89 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for the Municipal Facilities Study, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

**Section 3.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 4.** This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED the \_\_\_\_\_ day of \_\_\_\_\_, 2014

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2014

ATTEST:

\_\_\_\_\_  
Joseph G. Bruno, Mayor

\_\_\_\_\_  
Ana Minkoff, Township Clerk

## NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on **September 23, 2014**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at 29 Park Avenue, Berkeley Heights, NJ on **October 7, 2014**, at 7:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

**Title: ORDINANCE REAPPROPRIATING \$30,494.89 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE MUNICIPAL FACILITIES STUDY IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY.**

**Purpose: \$30,494.89 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Township of Berkeley Heights, in the County of Union, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized and are reappropriated to provide for the Municipal Facilities Study, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto:**

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
46-99	Construction and improvements to parking area, finally adopted September 7, 2009.	\$7,740.06
16-00	Various capital improvements, finally adopted August 22, 2000.	\$2,260.43
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11-06/15-07	Road and parking improvements, finally adopted May 9, 2006, as amended September 4, 2007.	\$3,434.47
17-11	Train station improvements, finally adopted July 26, 2011.	\$4,147
Total:		\$30,494.89

Re-Appropriation: \$30,494.89

Bonds/Notes Authorized: N/A

Grants Appropriated: N/A

Section 20 Costs: N/A

Useful Life: N/A

Ana Minkoff, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

(21)

**EXPLANATORY STATEMENT:** This ordinance authorizes the lease agreement with Our Lady of Mount Carmel Society for the use of its Hall by the Senior Citizens Organization of Berkeley Heights for the 2014-2015 term.

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

ORDINANCE No. \_\_\_\_\_

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Authorizing the Lease with Our Lady of Mount Carmel Society for the 2014-2015 Term.

**WHEREAS**, the Township of Berkeley Heights desires to lease from the Our Lady of Mount Carmel Society (“Mount Carmel”), a portion of the property known as Mount Carmel Hall located at 56 River Road in Berkeley Heights, New Jersey (“Property”) from 9:30 a.m. to 3:00 p.m. on Tuesdays and Wednesdays from September 1, 2014, to August 31, 2015; and

**WHEREAS**, the Township intends to use the Property for meetings of the Senior Citizens Organization of Berkeley Heights (the “Senior Citizens Organization”); and

**WHEREAS**, the Township and the Society have negotiated the terms of the lease attached hereto, which terms are acceptable to the Township, for the lease rental amount of \$1,457.00 per month for the period of September 1, 2014 through August 31, 2015, except for the month of July 2015; and

**WHEREAS**, the above rental amount is expressly conditioned upon the Mount Carmel’s payment of monies owed to the Township in connection with the Township Police Department’s services during the annual Mt. Carmel Festival; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-4 and -5 of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., the Township is authorized to acquire real estate or an interest in land, such as a lease, by ordinance; and

**WHEREAS**, the Lease Agreement, in the form attached hereto, has been reviewed and approved by the Township Attorney, along with representatives of Mount Carmel; and

**WHEREAS**, the Mayor and Township Council of the Township of Berkeley Heights find it in the best interest of the Township to authorize the Lease Agreement with Mount Carmel for the use of the Property by the Senior Citizens Organization.

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

1. The Township hereby authorizes the entering into a lease with Our Lady of Mount Carmel Society ("Mount Carmel"), a portion of the property known as Mount Carmel Hall located at 56 River Road in Berkeley Heights, New Jersey ("Property") from 9:30 a.m. to 3:00 p.m. on Tuesdays and Wednesdays from September 1, 2014, to August 31, 2015, pursuant to the terms and conditions set forth in the License Agreement.
2. The Mayor and Township Clerk of the Township of Berkeley Heights are hereby authorized and directed to sign and execute the Lease Agreement in the form attached hereto, along with any other documents required to effectuate the lease.
3. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.
4. This Ordinance shall take effect immediately upon final passage and publication according to law.

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, Authorizing the Lease with Our Lady of Mount Carmel Society for the 2014-2015 Term.**

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 23, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on October 7, 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**

## LEASE AGREEMENT

This lease is made on this \_\_\_ day of \_\_\_\_\_, 2014, between the tenant, **TOWNSHIP OF BERKELEY HEIGHTS**, a Municipal Corporation of the State of New Jersey, whose address is 29 Park Avenue, Berkeley Heights, New Jersey (referred to as the "Tenant") and the landlord, **OUR LADY OF MOUNT CARMEL SOCIETY**, whose address is 56 River Road, Berkeley Heights, New Jersey (referred to as the "Landlord").

1. **PROPERTY**: The Tenant agrees to rent from the Landlord, and the Landlord agrees to lease to the Tenant the property known as Mount Carmel Hall, 56 River Road, Berkeley Heights, New Jersey (referred to as the "Property") for use by the Senior Citizens Club of Berkeley Heights.
2. **TERM**: The term of this Lease is for one (1) year commencing September 1, 2014, and ending August 31, 2015 (the "Term"). In the event the Tenant secures a substitute location for the Senior Citizen Club, the Lease may be cancelled by Tenant on thirty (30) days written notice to Landlord.
3. **RENT**: The Tenant agrees to pay Sixteen Thousand Twenty Seven Dollars (\$16,027) as rent for the Term of the Lease, to be paid as follows: One Thousand Four Hundred Fifty Seven and 00/100 (\$1,457.00) Dollars per month for the Term, except for the month of July 2015.
4. **USE OF PROPERTY**: The Tenant may use the Property only for the following purposes: a meeting place for the Senior Citizens Club of Berkeley Heights to be utilized every Tuesday and Wednesday, except during the month of July.
5. **HOURS**: The Landlord shall make the premises available between the hours of 9:30 a.m. and 3:00 p.m. every Tuesday and Wednesday except during the month of July 2015.
6. **HEATING/COOLING**: The Landlord shall turn the Heating/Cooling system on a minimum of one (1) hour before the Senior Citizens Club meeting to the temperature of 70 degrees Fahrenheit.
7. **CHAIRS/TABLES**: Landlord agrees to make available chairs, tables, or other items within Landlord's control, available to the Tenant that may be needed to conduct meetings. Landlord agrees to set up and breakdown the chairs, tables and other items in the Landlord's control prior to and at the conclusion of each Tuesday and Wednesday meeting of the Senior Citizens Organization.
8. **EMERGENT USE**: In the event that a member of Our Lady of Mount Carmel Society has an emergent need for use of the premises on a Tuesday or Wednesday, the Tenant and Landlord will cooperate in attempting to accommodate such need. In the event a meeting is cancelled for such a reason, the rent shall be abated for such day.

9. **AVAILABILITY OF FUNDS:** This lease is subject to the appropriation of funds by the Tenant, including the receipt of grant funding from the County of Union, and shall not be effective until such funds have been received and appropriated.
10. **MAINTENANCE:** The Landlord shall be responsible for all maintenance of the Property, including the removal of snow and ice to permit reasonable access to the Property and parking for use by the Senior Citizens Organization for its Tuesday and Wednesday meetings. The parties acknowledge that Tenant no longer will be responsible for the salting of the parking lot, driveways and walkways for the Property in connection with this Lease.
11. **INDEMNIFICATION:** The Landlord shall indemnify, hold harmless and defend the Tenant from and against any and all claims, demands, damages, judgments, fines, penalties, losses, costs and expenses, including reasonable attorneys' fees, incurred by the Tenant as a result of: (a) any accident occurring within the Property; (b) the negligent or willful acts or omissions of the Landlord, its agents, contractors and employees; or (c) a breach of the provisions of this Lease by the Landlord, its agents, contractors or employees. The Landlord shall obtain a commercial general liability insurance policy of not less than two million dollars (\$2,000,000) naming the Tenant as an additional insured. Within ten days of the date first stated above, the Landlord shall provide proof of such insurance to the Tenant.

ATTEST:

TOWNSHIP OF BERKELEY HEIGHTS

\_\_\_\_\_  
Ana Minkoff, Township Clerk

\_\_\_\_\_  
By: Joseph G. Bruno, Mayor

ATTEST:

OUR LADY OF MOUNT CARMEL SOCIETY

\_\_\_\_\_  
By:

(3)

EXPLANATORY STATEMENT: This Ordinance amends the Township's Noise Control regulations to exempt the Township and Township sponsored events.

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 8.44.040 entitled "Exceptions and Permits" of Chapter 8.44 entitled "Noise Control" of Title 8 entitled "Health and Safety" of *The Code of the Township of Berkeley Heights* to Include an Exemption for the Township and Township-sponsored Events.

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 8.44.040 entitled "Exceptions and Permits" of Chapter 8.44 entitled "Noise Control" of Title 8 entitled "Health and Safety" 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~~]

**8.44.40 Exceptions and Permits.**

- A. Township Exception. Noise caused by any Township official, employee or agent, within the scope of work being performed on behalf of the Township; or caused by or during any Township organized or sponsored event or activity shall not be subject to the provisions of this Chapter.
- ~~BA.~~ Emergency Exception. Noise caused in the performance of emergency work or for removal of snow or ice or by use of emergency signaling devices shall not be subject to the provisions of this chapter.
- ~~CB.~~ Permit Issuance. The police department is authorized to grant permits as required by any provision of this chapter, subject to such limitations as to area, noise levels, time limits and other terms and conditions as it determines are appropriate to protect the public health, safety and welfare from the noise emanating therefrom. This section shall in no way affect the duty to obtain any other permit or license required by law for such activities.
- ~~DC.~~ Exceptions for Time to Comply.

1. Upon good cause shown by the owner of any noise source, the township zoning officer shall have the power to grant an exemption from the operation of this chapter in order to allow sufficient time for installation of needed control equipment, facilities or modifications to achieve compliance, not to exceed fourteen (14) days, provided that such exemption may be renewed for an additional like period, but only if satisfactory progress toward compliance is shown.
2. Any person may appeal any ruling of the zoning officer or police department by filing a petition with the council. The council may cause such appeal to be investigated and shall consider the views of all persons who might be adversely affected by the grant of an exemption or permit.
3. The council, by resolution, shall then file and publish a written order, stating the facts and reasons leading to its decision.

**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 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 5.** 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 SECTION 8.44.040 ENTITLED “EXCEPTIONS AND PERMITS” OF CHAPTER 8.44 ENTITLED “NOISE CONTROL” TITLE 8 ENTITLED “HEALTH AND SAFETY” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO INCLUDE AN EXEMPTION FOR THE TOWNSHIP AND TOWNSHIP-SPONSORED EVENTS.”**(Explanation: This Ordinance amends the Township’s Noise Control regulations to exempt the Township and Township sponsored events.)

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 23, 2014** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **October 7, 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**