

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
RE-ORGANIZATION MEETING – JANUARY 1, 2015**

CALL TO ORDER

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

Administration of Oath of Office and Presentation of Certificate of Election to Robert Woodruff

The Honorable Alan G. Lesnewich, J.S.C., administered the Oath of Office to Robert Woodruff and presented him with a Certificate of Election certified by the County Clerk.

FLAG SALUTE

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

INVOCATION

Invocation was given by Reverend Murdoch MacPherson.

ROLL CALL

Mr. Delia, Mr. Faecher, Mr. Hall, Mrs. Kingsley, Mr. Pastore, Mr. Pirone, and Mayor Woodruff answered present. Also present were Township Attorney Joseph Sordillo, Township Administrator John Bussiculo and Township Clerk Ana Minkoff.

Administration of Oath of Office and Presentation of Certificate of Election to Jeanne Kingsley

Mayor Robert Woodruff administered the Oath of Office to Jeanne Kingsley and presented her with a Certificate of Election certified by the County Clerk.

Administration of Oath of Office and Presentation of Certificate of Election to Marc Faecher

Mayor Robert Woodruff administered the Oath of Office to Marc Faecher and presented him with a Certificate of Election certified by the County Clerk.

Mayor Woodruff asked for nominations for Council President

Mr. Hall nominated Jeanne Kingsley for Council President.

Mr. Delia nominated Craig Pastore for Council President. Mr. Pastore said he appreciated the nomination but respectfully declined.

Mr. Pirone seconded the nomination for Mrs. Kingsley for Council President.

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Upon roll call vote:

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

Mrs. Kingsley accepted the nomination for Council President.

Mayor Woodruff asked for nominations for Council Vice President

Mr. Pirone nominated Craig Pastore for Council Vice President, seconded by Mrs. Kingsley.

Upon roll call vote:

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

Mr. Pastore accepted the nomination for Council Vice President.

Oath of Office and Presentation – Police Patrolmen – Donald L. Maxwell and Christopher M. Affinito

Acting Chief Pasquale stated that it was his privilege to recommend two individuals to be sworn in by the Mayor as Probationary Patrolmen.

The Acting Chief spoke about Donald Maxwell's academic, sports, and community service, and employment and law enforcement experience. Acting Chief Pasquale spoke about Christopher Affinito's academic, sports, community service, and employment and law enforcement experience.

Acting Chief Pasquale formally recommended that Donald Maxwell be formally sworn in as Probationary Patrolman. The Mayor administered the Oath of Office of Police Patrolman to Donald Maxwell.

Acting Chief Pasquale then formally recommended that Christopher Affinito be formally sworn in as Probationary Patrolman. The Mayor administered the Oath of Office of Police Patrolman to Christopher Affinito.

Acting Chief Pasquale congratulated Patrolmen Don Maxwell and Patrolmen Chris Affinito and expressed his confidence in them both. He then commented on how important family support and understanding is with this job (there are sacrifices, i.e., they will working nights, weekends and holidays, and during weather events and states of emergency.) He noted that both the Community and the Governing Body support the Berkeley Heights Police Department.

Congressman Leonard Lance

Mayor Woodruff welcomed Congressman Leonard Lance and thanked him for attending the re-organization meeting. Congressman Lance congratulated the Mayor and the members of the governing body. He congratulated Berkeley Heights on receiving Federal grants. He stated that his wish for 2015 is prosperity for the American people and peace across the globe. He spoke about the combat mission in

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Afghanistan ending at midnight but noted that there are still American men and women in harm's way in support of American freedom. He urged us to remember veterans and those who currently serve us in the military as well as their families. Congressman Lance thanked the volunteers in Berkeley Heights, including firefighters, as well as the men and women in "blue." He closed stating that his wish for the United States is that God bless this county (as He has always done) and wished a Happy New Year to all.

1ST PUBLIC PARTICIPATION SESSION

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

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

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

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

RESOLUTIONS FOR 2015 REORGANIZATION:

RESOLUTIONS

Mr. Delia introduced the following resolution:

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

Moved by Mr. Delia to approve resolution #1, and was seconded by Mrs. Kingsley.

Councilman Faecher noted that for purposes of transparency and full disclosure, he used this firm at his place of employment, for collection matters. He currently doesn't use them, but has in the past.

Upon roll call vote:

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

Mr. Faecher introduced the following resolution:

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

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

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

Mr. Hall introduced the following resolution:

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

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

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

Mrs. Kingsley introduced the following resolution:

4. Resolution consenting to the appointment of Anthony Padovano, Jr., as Chief of the Berkeley Heights Volunteer Fire Department.

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

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

Mr. Pastore introduced the following resolution:

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

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

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

Mr. Pirone introduced the following resolution:

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

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

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

Mr. Delia introduced the following resolution:

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

Moved by Mr. Delia to approve resolution #7, seconded by Mr. Pastore and upon roll call vote:

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

Mr. Faecher introduced the following resolution:

8. Resolution consenting to the appointment of Jeffrey R. Surenian & Associates, LLC, as Township COAH Attorney.

Moved by Mr. Faecher to approve resolution #8, seconded by Mrs. Kingsley and upon roll call vote:

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

Mr. Hall introduced the following resolution:

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

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

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

Mrs. Kingsley introduced the following resolution:

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

Moved by Mrs. Kingsley to approve resolution #10, seconded by Mr. Hall and upon roll call vote:

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

Mr. Pastore introduced the following resolution:

- 11.** Resolution consenting to the appointment of Van Cleef Engineering Associates to Engineering Services related to Waste Water Treatment.

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

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

Mr. Pirone introduced the following resolution:

- 12.** Resolution consenting to the appointment of Harbor Consultants as Township Planner.

Moved by Mr. Pirone to approve resolution #12, seconded by Mrs. Kingsley and upon roll call vote:

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

Mr. Delia introduced the following resolution:

- 13.** Resolution appointing Barbara Russo and Ana Minkoff as the Berkeley Heights representative for CDBG and John Bussiculo and Tom Barton as the alternate representatives for CDBG and authorizing them to make Grant Applications for the Year XXXX Union County Community Development Block Grant Program.

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

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

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Mr. Faecher introduced the following resolution:

- 14.** Resolution authorizing appropriations to provide for period of January 1, 2015 until budget adoption, not to exceed 26.25% of the 2014 budget.

Moved by Mr. Faecher to approve resolution #14, seconded by Mr. Hall and upon roll call vote:

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

Mr. Hall introduced the following resolution:

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

Moved by Mr. Hall to approve resolution #15, seconded by Mrs. Kingsley and upon roll call vote:

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

Mrs. Kingsley introduced the following resolution:

- 16.** Resolution authorizing Barbara Russo as Fund Commissioner and John Bussiculo as Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund.

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

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

Mr. Pastore introduced the following resolution:

- 17.** Resolution appointing Thomas Pirone, Council Representative, to the Planning Board.

Moved by Mr. Pastore to approve resolution #17, seconded by Mrs. Kingsley and upon roll call vote:

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

CONSENT AGENDA

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

Mr. Pastore introduced the following resolutions:

(18)

- a. Resolution Establishing Council Meeting Schedule for 2015.
- b. Resolution designating Courier and Star Ledger as the legal newspapers for the Township.
- c. Resolution authorizing Mayor, Clerk and Township Treasurer to sign checks, legal documents, etc.
- d. Resolution designating Institutions as depositories of Township funds and naming officials who may issue or sign checks.
- e. Resolution authorizing Township Treasurer to maintain a payroll account with TD Bank and draw there from.
- f. Resolution establishing interest rate on delinquent taxes and sewer charges up to \$1,500.00 and interest rate on delinquent taxes and sewer charges in excess of \$10,000.00 and allowing for a ten (10) calendar day grace period on both.
- g. Resolution authorizing establishment of Petty Cash Funds.
- h. Resolution authorizing the Tax Collector to conduct an annual tax sale of the prior year delinquencies.
- i. Resolution authorizing all library fines, moneys received from photocopy machines and gifts/donations received by the library to be re-appropriated to them to be used for library purposes.

Moved by Mr. Pastore to approve Consent Agenda Resolutions #18a-i, seconded by Mr. Hall and upon roll call vote:

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

MAYOR’S STATEMENT

The Mayor thanked everyone for joining us today and wished a Happy New Year to all. He thanked Judge Lesnewich as he is an old, dear friend. He thanked Pastor Macpherson for

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representing the clergy. Marc, Jean and the Mayor ran for election this past fall under the banner of “Together Moving Berkeley Heights Forward.” The Mayor stated that is the obligation and responsibility of this Council and him, as Mayor. The Mayor asked the entire Town to work with the Mayor and Council. He noted this is an exciting time in town with a lot of initiatives and a lot of things which we believe are going to be in the best long term interests of this town. He acknowledged that there would be different opinions, which doesn’t mean they differ in their principles. The Mayor assured that everyone “up here” is seeking, on a daily basis, the best interests of the people in this town. The Mayor said that they have, and they will re-dedicate themselves, to respect those in this town, and asked for the same respect to come back as that is how we get things done. The Mayor looks forward to Mr. Faecher (“new on board.”) He believes Mr. Faecher will be a great addition and will advocate for the citizens of this Town. He noted that Mrs. Kingsley returns as Council President and Mr. Pastore returns as Vice President and stated that we have made a commitment to work together for the people of this town. He ended his statement by wishing everyone a Happy New Year and a nice day.

TOWNSHIP COUNCIL - STATEMENTS

Mrs. Kingsley – Mrs. Kingsley would like to thank the members of the public for their continued support. She also thanked her family as serving on the Council is a lot of work. She agreed with Mayor Woodruff that communication, commitment and working together are what we ran “on” the fall and what we will continue to focus on in 2015. She stated that as everybody knows there is a lot going on in this town: we continually have budget dollar issues, downtown development is going on, and the development of the municipal complex. Mrs. Kingsley continued that teamwork, support from the public and a commitment to work together collectively would be needed to ultimately do what’s best for the town. Mrs. Kingsley stated that she looks forward to working with the Council and the residents in 2015.

Mr. Pastore – Mr. Pastore congratulated and welcome the newly elected members: Mayor Woodruff, Councilman Faecher, and Councilwoman Kingsley. As Vice President of the Council, his goal is to foster idea sharing and opening of communications. Mr. Pastore stated that it is important to remember that every Council member is an equal and that we need to work together as a team to move forward. Mr. Pastore stated that he was proud to say that the Council is made up of a strong team of dedicated and experienced individuals who will make a positive difference in our community. Mr. Pastore said he is eager to serve with them to make a positive impact on Berkeley Heights and its residents.

Mr. Pirone- Mr. Pirone wished John Bussiculo the best on the start of his first full year and continuation of three strategic multi-year projects: 1) the 15 year pavement improvement plan; 2) the two year stream cleaning plan, and 3) Berkeley Heights’ participation in the Union County/Passaic River de-snagging effort. Mr. Pirone wishes Mayor Woodruff well in his assembly and maintenance of teams and looks forward to his leadership in all matters of land use, appropriate authority, our interface to higher bodies of government, and all executive matters. He welcomed back Mrs. Kingsley and welcomed Mr. Faecher.

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Mr. Faecher – Mr. Faecher wished everyone a Happy New Year and thanked the residents for their support. He thanked his family for allowing the sharing of his time. He congratulated the new two officers and other appointees. Mr. Faecher stated that he looks forward to working with the members of the Council and with Mayor Woodruff. Mr. Faecher is excited about the opportunity to serve. He stated that it's a great time for Berkeley Heights. While there are challenges, Mr. Faecher looks forward to working together with all to continue to make Berkeley Heights the best place in New Jersey to live.

Mr. Delia – Mr. Delia normally takes this time to thank volunteers or the military. Mr. Delia noted that he would like to thank a non-Berkeley Heights volunteer: Lezlie Maret of New Providence, who recently put together a police support rally. Mr. Delia would like to thank all the police officers because they deserve our respect.

Mr. Hall – Mr. Hall wished everyone a Happy New Year and Happy Holidays. He congratulated the Mayor, Mrs. Kingsley and Mr. Faecher for their election. He wished the Mayor luck, and welcomed Marc to the dais. Mr. Hall stated that as Mrs. Kingsley mentioned, there are many threshold events taking place in town: flooding, infrastructure, and all in the face of a tight budget environment. Thus, teamwork and commitment are needed to accomplish goals. Mr. Hall welcomed the two new police officers to Berkeley Heights. He looks forward to a positive 2015.

Mayor Woodruff – The Mayor wanted to add one individual to his remarks: his wife. The Mayor thanked his wife Pat.

2ND PUBLIC PARTICIPATION SESSION

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

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

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

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

BENEDICTION

The Benediction was given by Reverend Murdoch MacPherson

ADJOURNMENT

Moved by Mr. Hall to adjourn, seconded by Mr. Pastore, and upon roll call vote:
(1:48 p.m.)

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

Approved: March 24, 2015