

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JANUARY 20, 2015**

CALL TO ORDER

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

ROLL CALL

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

OATH OF OFFICE AND PRESENTATION for LIEUTENANT ROBERT DEITCH

Acting Chief Pasquale stated that it was his privilege to appoint Acting Lieutenant Robert Deitch to the position of Lieutenant of the Police Department.

The Mayor administered the Oath of Office of Police Lieutenant to Robert Deitch.

**EXECUTIVE SESSION - 1) Contract Negotiations – Superior Officers Association
2) Attorney/Client Privilege – Mondelli v. Berkeley Heights Police Dept.
3) Personnel – John DiPasquale**

Moved by Mrs. Kingsley to go into Executive Session, seconded by Mr. Pastore and upon roll call vote:

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

Meeting CD did not start recording until 8:00 p.m.

FLAG SALUTE

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

CONFERENCE SESSION – Memorial Park Committee Presentation

The Mayor introduced Former Mayor Leon Ceferni. Mr. Ceferni stated that Mr. Romankow had prepared his talking points as Mr. Romankow couldn't attend the Council meeting. Discussion then ensued about the progress of the Committee, specifically with their request for Council approval so they can move forward with a donation drive, the official name of the Committee (Berkeley Heights Memorial Renewal Committee,) plans for the walkway surrounding the Memorial (and contributing donors for both the pavers and the installation.) Mr. Ceferni stated that renderings were present (to view.) He also spoke about the Committee's website, bhmemorialpark.com (created by a volunteer,) PayPal donation capabilities, the establishment of a 501c-3 for the Committee, the creation of Poster and Power Point

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decks for presentations, and the Committee's outreach efforts to the Chamber of Commerce, the Boys Scouts, Girl Scouts, the Commander of the VFW, the Rotary, a High School Club, the New Jersey National Guard, the Board of Education, Township residents and the media. Mr. Ceferni noted that members of the VFW were in attendance this evening.

Mr. Ceferni discussed replacing the tree at Memorial Park, proposed lighting and benches (i.e., both in accordance with the Township's Master Plan.) He discussed the proposed budget and time line for the Park and requested the Council's approval. Further discussion regarding the paver and benches improvements ensued.

Mr. Hall asked whether the Committee had reached out to Mr. Tom Bocko and the Environmental Commission regarding the Tree issue. Mr. Bussicula noted that there have been a number of phone calls from residents about the Tree. Further discussion ensued about cutting down the 40 foot tree and replacing it with a 20 to 30 foot tree as well as the Arborist's report. Mrs. Kingsley asked about the infrastructure in place to sustain Park improvements. More discussion ensued regarding the Committee's awareness of the need to provide infrastructure for improvements. There is a proposed trust to help with maintenance costs as well as a proposal to have rotating contractors cover the park maintenance for one year "turns." Councilman Pirone asked if there was something specific that the Council would be voting on that evening. Discussion ensued about granting conditional approval or whether to wait for a Council vote until after more discussion on appropriate funding and a maintenance plan is developed. Discussion continued regarding the Committee's inability to raise funds without Council approval. The Mayor asked for a written opinion from Mr. Hall regarding the Tree as well as how quickly the Committee could meet with Mr. Bocko and/or the environmental group. The Mayor asked the Town and Council to decide whether the memorial space should be for the sole use to honor those who have served and those who have given their life and whether there are other options in town to serve the Township's other needs. He asked whether this "corner" should be a place of honor for one official day as well as a center for town activities.

Mr. Steve Faulk from the VFW recommended keeping the Park's focus as a Memorial, and not using the Park, per se, for other uses and things. He served in Viet Nam and suffers from PTSD. Each day, Mr. Faulk reflects about the "brothers" who didn't come home (from serving overseas) and asked that the Township honor these brothers with a space that lasts more than Memorial Day and Veterans Day. Mayor Woodruff asked to move forward with accommodating particular concerns, i.e., the Tree with Mr. Bocko, the Arborist opinion on the Tree, and the Environmental Commission.

Mr. Faecher asked for landscaping clarification. Discussion initiated by Mr. Pirone then ensued regarding the history of the Tree Lighting (since the sixties.) Discussion ensued regarding further Christmas Tree lightings, Firework displays, and the Santa visit, as well as monies spent two years ago for the Christmas lighting. Mr. Bussicula stated that there is some discussion now with the person who installed the Christmas tree lights as he thinks he owns the lights. That dispute is currently under review with Mr. Sordillo.

Mr. Hall stated that the Council applauds the work of the Committee and just wants to make sure that all plans are thought "through." Mr. Ciferni believes that enough money will be raised to maintain the Memorial for a period of time.

A resident named John spoke about his experience with the Memorial both in 1987 and today.

TOWNSHIP COUNCIL REPORTS

Mr. Delia – Mr. Delia had nothing to report

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Mr. Faecher – Mr. Faecher spoke about the parking near the high school. He looked at the report, read the study and visited the area (local streets and the parking lot behind the high school.) He is looking forward to this matter getting on the Agenda and working on this issue in a fair and safe way.

Mr. Hall – Mr. Hall had nothing to report.

Mr. Pirone – Mr. Pirone had nothing to report.

Mr. Pastore – Mr. Pastore had nothing to report.

Mrs. Kingsley – Mrs. Kingsley had nothing to report.

ADMINISTRATION REPORTS

Mr. Bussiculo – Mr. Bussiculo reported on the following: 1) Chase has a new dimmer on the blue lighting; 2) The Finance Office move will cost about \$5,500 which will include a new door and CAT 1 lines; 3) Bids are coming in for Jorge's new module office (\$16,500.) The Electric in that office area needs to be addressed. The fixing of this situation will cost about \$3,000; 4) The Building Department issued 83 permits last month and 25 updates on existing permits; 4) Mr. Bussiculo spoke to the County on the de-snag program. A full river snag map will be available at the end of this week; 5) The RFP went out for the Lord Littell Rehab; 6) The Hot Box is overheating but it is under warranty. In the meantime, 56 potholes were repaired; 7) Wreaths and Flags have been taken down and packed away; 8) Mr. Bussiculo invited the Mayor and Council to sit down with Robin and Bob to review the fees which haven't changed since 2007; 9) Mr. Bussiculo read a letter from the Union County Administrator thanking Township's assistance for the cooperation received with the transfer of Runnells Specialized Hospital (with special mention to Connie Valenti and Robin Greenwald.)

There was a question from Mr. Hall regarding how many municipalities were involved with the snags.

Mayor Woodruff – The Mayor reported that he, Mrs. Kingsley and former Mayor Bruno, attended the First Aid Squad Dinner about 10 days ago and said it was a tremendous event. He stated that we hear so much about the younger generation (being different) and you come away proud after attending this event which honored kids who give so much to this town. The Mayor's Roundtable began last week. It will be shown on Comcast, Channels 34 and 47, will be streamed on the Township website, and in a video article in In Tap, and accessible via DVD in Public Library. The Roundtable will include an Ask the Mayor segment.

Moved by Mr. Pirone to accept and approve the Township Council and Administration Reports, seconded by Mr. Pastore and upon roll call vote.

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

HEARING ON AGENDA ITEMS ONLY

Moved by Mr. Faecher to open the Hearing on Agenda Items Only, 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

The Mayor announced that Mrs. Kingsley would time everyone (for 3 minutes) as “the box” wasn’t working.

Tom Foregger, 14 Dorsett Road, asked about pension payments/credits with respect to Resolution Number 2, the Mathis litigation payments. Mr. Sordillo responded that the pay was treated as regular pay including appropriate pension deductions and applications. Mr. Foregger asked if there was a corrective action for future resignations. Discussion ensued regarding this issue.

Hearing no voices, moved by Mr. Faecher to close the Hearing on Agenda Items Only, 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

NEW BUSINESS- RESOLUTIONS

OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

RESOLUTIONS

Mr. Delia introduced the following resolution:

1. Resolution approving Bill List dated January 20, 2015 in the amount of \$507,233.05.

Moved by Mr. Delia to approve resolution #1, 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:

2. Resolution authorizing the settlement of the Litigation with Michael P. Mathis.

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Moved by Mr. Kingsley to approve resolution #2, 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. Faecher introduced the following resolution:

3. Resolution awarding bid for Aluminum Sulfate to Chemtrade, 90 East Halsey Road, Parsippany, NJ 07054 in the amount not to exceed \$53,014.50.

Moved by Mr. Faecher to approve resolution #3, 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. Hall introduced the following resolution:

4. Resolution awarding a contract for Calcium Hydroxide contract to Greer Lime Company, P.O. Box 1900, Morgantown, West Virginia, 26507 in the amount not to exceed \$26,026.00.

Moved by Mr. Hall to approve resolution #4, 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:

5. Resolution awarding a (3) year contract for Laboratory Services to ASL Global, 34 Dogwood Lane, Middletown, PA 17057, in the amount of \$15,008.00 per year for a total contract amount of \$45,024.00.

Moved by Mr. Pirone to approve resolution #5, 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:

6. Resolution awarding a contract for Sodium Bisulfite to Univar USA Inc., 4 Steel Road East, Morrisville, PA 19067 in the amount not to exceed \$5,250.00.

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Moved by Mr. Pastore to approve resolution #6, 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. Delia introduced the following resolution:

7. Resolution awarding a (3) year contract for Sodium Hypochlorite Supply to Miracle Chemical Com., 1151-B Highway #33, Farmingdale, NJ 07727 in the amount not to exceed \$16,887.00 per year for a total amount of \$50,661.00

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 awarding a contract for On-Call Repair Services to Rapid Pump & Meter Co., P.O. Box AY, 285 Straight Street, Paterson, NJ 07059.

Moved by Mr. Faecher to approve resolution #8, 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. Hall introduced the following resolution:

9. Resolution awarding a (3) year contract for Liquid Sludge Hauling to Accurate Waste Removal Service Inc., 226 Prospect Point Road, Lake Hopatcong, NJ 07849 in the amount of \$45,552.00 per year for a total contract amount of \$136,656.00.

Moved by Mr. Hall to approve resolution #9, 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:

10. Resolution approving the grant application for Snyder Avenue Road Improvement Project.

Moved by Mrs. Kingsley to approve resolution #10, seconded by Mr. Pirone and carried.

Mr. Delia asked about the possible total grant award amount. Mr. Bocchino responded to Mr. Delia's question.

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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 approving the submission of the Sustainable Jersey Grant Application.

Moved by Mr. Pastore to approve resolution #11, 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:

12. Resolution authorizing a contract with Middlesex Regional Educational Services Commission for participation in a Cooperative Pricing System.

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

Mrs. Faecher introduced the following resolution:

13. Resolution authorizing the Collective Bargaining Agreement with the PBA Local 144 for members of the Police Department for the period January 1, 2014 to December 31, 2017.

Mr. Pastore commented that he wanted to congratulate: the Mayor said congratulations would include former Mayor Bruno, Mr. Hall and himself.

Moved by Mr. Faecher to approve resolution #13, 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

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption scheduled for February 10, 2015.

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The Clerk presented and read:

- (1) “AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE RESIDENTIAL LEASE WITH JIM HOPKINS FOR THE PROPERTY LOCATED AT 31 SNYDER AVENUE FOR THE 2015 TERM.”**

Moved by Mrs. Kingsley that the ordinance as read by the Township Clerk be offered on the first reading, that February 10, 2015 be set as the date for public hearing and that the Township Clerk is directed to advertise same in the Courier News, 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

The Clerk presented and read:

- (2) “AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE RESIDENTIAL LEASE WITH LAURA BOTTORF FOR THE PROPERTY LOCATED 23 HORSESHOE ROAD FOR THE 2015 TERM.”**

Moved by Mr. Pastore that the ordinance as read by the Township Clerk be offered on the first reading, that February 10, 2015 be set as the date for public hearing and that the Township Clerk is directed to advertise same in the Courier News, 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

CITIZENS HEARING

Moved by Mr. Pirone to open the Citizens hearing, 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

Nelson Stauber of 125 Park Avenue stated that he lives in the last house which borders on the Municipal Complex. He met two Harbor Consultants on Monday. He questioned whether an Agreement/authorization had to be in place for redevelopment before a survey would occur. Mr. Hall responded that the Governing Body decided to conduct a survey so as to know what the Municipal Complex Footprint looked like as that information wasn't currently available (we were working off tax maps.)

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Gerald Kuzmik of 11 Eaton Court asked Mr. Pirone whether there was any resolution or feedback on the high school parking. Discussion ensued about meeting with the High School regarding the parking issues and that a first read of an ordinance would occur at the Feb. 10th meeting. Such ordinance draft will be based on Police Department and Traffic Consultants feedback.

Steven Yellen of 130 Dogwood Lane stated that the last two Council Meetings Agendas included an Executive Session without description. He asked if this was a deliberate change. Discussion ensued that the absence of description was a timing issue. Mr. Yellen pointed out that the Executive Session subjects (or lack of) affect when people come to attend the Council Meeting. His comment was noted.

Hearing no voices, moved by Mr. Pirone to close the Citizens Hearing, 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

ADJOURNMENT

Moved by Mr. Hall to adjourn, seconded by Mr. Pirone and upon roll call vote
(9:15 p.m.)

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

Approved: April 7, 2015