



- E. Jeanne Kingsley
- F. Kevin Hall

## **VIII. ADMINISTRATION REPORTS**

**Mayor Woodruff**  
**Township Administrator – John Bussiculo**

## **IX. APPROVAL OF MINUTES – Public Meeting – January 1, 2015** **January 6, 2015**

### **X. 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.

## **XI. PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE INTRODUCED ON MARCH 10, 2015.**

- (1) **“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING CHAPTER 10.36 ENTITLED “PARKING RESTRICTIONS” OF TITLE 10 ENTITLED “VEHICLES AND TRAFFIC” OF THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO ESTABLISH AND AMEND THE PARKING REGULATIONS ON A PORTION OF VARIOUS ROADWAYS.”**(Explanation: This ordinance establishes and amends the parking regulations on portions of various roadways near the Governor Livingston High School.)

## **XII .NEW BUSINESS- RESOLUTIONS**

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

### **A. RESOLUTIONS**

1. Resolution approving Bill List dated March 24, 2015 in the amount of \$476,414.67.
2. Resolution authorizing the First Amendment to Memorandum of Understanding with the Church of the Little Flower extending the term of same to November 30, 2015, with all other terms of the MOU to remain the same.
3. Resolution authorizing an Amendment to the Shared Services Agreement with the Borough of New Providence for the provision of municipal court administrator services.

4. Resolution removing Jo-Ann Musorofiti from the position of Municipal Court Administrator from the Township of Berkeley Heights for the shared municipal court of Berkeley Heights and New Providence.
5. Resolution authorizing the Township Tax Attorney to file an appeal of the 2015 property tax assessment of the Connell Property to seek an increased assessment to reflect the true value of the property.
6. Resolution authorizing transfers within the 2014 Municipal Budget and Reserves.

**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 appointing Robert Doney, 44 Apple Tree Row, Berkeley Heights to the active roster of the Berkeley Heights Volunteer Fire Co.
- b. Resolution appointing Justin Giannone, 1341 Stony Brook Lane, Mountainside, NJ to the Junior Fire Division of the Berkeley Heights Volunteer Fire Dept.
- c. Resolution removing Joe Imbimbo, 18 Deep Dale Drive, Berkeley Heights from the active duty roster of the Berkeley Heights Volunteer Fire Dept.
- d. Resolution removing Charles Mccluskey, 651 Plainfield Avenue, Berkeley Heights from the active duty roster of the Berkeley Heights Volunteer Fire Dept.
- e. Resolution removing Kevin Camngelo, 307 Chaucer Drive, Berkeley Heights from the active duty roster of the Berkeley Heights Volunteer Fire Dept.
- f. Resolution removing Matt Monaco, 28 Canterbury Lane, Berkeley Heights from the active duty roster of the Berkeley Heights Volunteer Fire Dept.
- g. Resolution endorsing the blue light permit application for Joseph F. Savino, who is a member of the Berkeley Heights Rescue Squad.
- h. Resolution authorizing the Tax Collector to refund the following 2015 tax overpayments:
 

Fong Joe Hou, L.L.C.	311 Park Avenue	\$1,942.18
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### **XIII. ORDINANCES**

#### **INTRODUCTION OF ORDINANCES**

**Public Hearing and Final Adoption scheduled for April 7, 2015.**

**“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 ANDESTABLISH AN ADVISORY COMMITTEE TO ASSIST THE TOWNSHIP WITH THE RENEWAL, RESTORATION AND MAINTENANCE OF THE TOWNSHIP’S MEMORIAL PARK”**

**XIV. CITIZENS HEARING - 3 minutes per resident**

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

**XV. ADJOURNMENT**

**Ana Minkoff  
Township Clerk**

**Mayor's Correspondence**  
**March 2015**

1. **Suburban Chamber of Commerce** – invitation to Annual awards dinner
2. **UCEDC** – informing you that they provided financial assistance to a business in our community
3. **Alman Group** – information about a Pharma-care program
4. **UC Transportation Advisory Board** – monthly meeting agenda
5. **Asian Indian Christian Church** – letter requesting waiver of tax assessed on the church building for 2014
6. **Enright Melanoma Foundation** – invitation to reception to learn about New Enright Sun Safety Certification Programs
7. **Antoinette Lockhart** – letter from elderly resident requesting that snow plows aren't left in front of their driveway
8. **NJ Forestry Services** – information about tree recovery campaign
9. **NJLM** – invitation to William Dressel's retirement banquet
10. **NJLM** – Feb 2015 legislative update
11. **Community Access Unlimited** – invitation to Annual Awards night
12. **NJEIT** – invitation to NJ Environmental infrastructure trust seminar
13. **UC Civil War Sesquicentennial Committee** – invitation to closing ceremony of the Civil War Exhibition
14. **Lackawanna Coalition** – report to communities regarding rail systems
15. **Ras Baraka** – invitation to inaugural NJ Statewide Mayoral Summit
16. **NJCM** – Invitation to Mayors 2015 Spring Atlantic Golf Classic
17. **UC Human Relations Commission** – invitation to 14<sup>th</sup> annual awards presentation

EXPLANATORY STATEMENT: This Ordinance establishes and amends the parking regulations on portions of various roadways near the Governor Livingston High School.

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

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

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing Chapter 10.36 entitled "Parking Restrictions" of Title 10 entitled "Vehicles and Traffic" of *The Code of the Township of Berkeley Heights* to Establish and Amend the Parking Regulations on a Portion of Various Roadways.

**WHEREAS**, pursuant to N.J.S.A. 39:4-197(1)(f), the Township of Berkeley Heights is authorized to enact ordinances which regulate the parking of vehicles on streets and portions thereof; and

**WHEREAS**, it has been brought to the Township's attention that there is an issue of students parking on various roadways near the Governor Livingston High School; and

**WHEREAS, it has also been brought to the Township's attention that during significant sporting and other events there is an issue of parking on various roadways near the Governor Livingston High School which prevents the proper flow of traffic as well as the safe ingress and egress of emergency vehicles to and from the school; and**

**WHEREAS**, with the assistance of the Township Police Department, the Township investigated the vehicular parking **and traffic** issues on the roadways near the High School and potential resolutions for same; and

**WHEREAS**, the Township had a traffic study conducted by Dynamic Traffic, LLC, to evaluate the traffic and parking issues on the roadways near the High School, which yielded a report dated June 23, 2014; and

**WHEREAS**, the Dynamic Traffic report was reviewed by the Township Planner and the Township Police Department; and

**WHEREAS**, at the August 12, 2014 Township Council meeting, the Township Planner and Township Police Department made a presentation to the Mayor and Township Council summarizing the Dynamic Traffic report and identifying the recommend parking regulations resulting therefrom; and

**WHEREAS**, the Mayor and Township Council further discussed the recommended parking regulations at the August 26, 2014 Township Council meeting; and

**WHEREAS**, based on the recommendations from the Township Police Department, the Township Planner, the Dynamic Traffic report, as well as consideration of the comments from the public, the Township finds it to be in the best interests of the Township and its citizens to establish and amend the parking regulations on portions of Burlington Road, ~~Chestnut Hill Drive~~, Crest Drive, ~~Ford Place~~, Gallinson Drive, Hunterdon Boulevard, Mercer Road, Murray Hills Boulevard, Somerset Place, Summit Road, Sussex Road, and Watchung Boulevard.

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

**Section 1.** Paragraph A entitled “No Parking, Standing or Stopping” of Section 10.36.010 entitled “Parking Restrictions” of Chapter 10.36 entitled “Parking Restrictions” of Title 10 entitled “Vehicles and Traffic” of *The Code of the Township of Berkeley Heights* is hereby supplemented and amended to read as follows: [New language **bold and underlined**; deleted language ~~double strikethrough~~]

**10.36.010 – Parking restrictions.**

- A. No Parking, Standing or Stopping.
  - 1. Berkeley Avenue.

- a. North Side from Plainfield Avenue to Harwood Avenue;
  - b. Both sides, from its intersection with Park Avenue for a distance of two hundred (200) feet south.
  - c. Both sides, from its intersection with Park Avenue north to its terminus at the Berkeley Heights Public Works Department parking lot, during the time period from eight a.m. to ten a.m., weekdays only.
  - d. Both sides from its intersection with Sherman Avenue north to its intersection with Springfield Avenue.
2. Bolton Boulevard.
- a. Both sides, from Park Avenue to Plainfield Avenue.
3. Briarwood Drive West.
- a. Both sides, between Fay Place and a point five hundred (500) feet north of the same, on school days between seven a.m. and six p.m. prevailing time.
4. **Burlington Road.**
- a. **North side, from the intersection with Murray Hill Boulevard to a point 200 feet south.**
54. Columbia Avenue.
- a. North side from the intersection of LaGrande Avenue westerly to the terminus of Columbia Avenue between the hours of four p.m. and eight p.m. weekdays and between the hours of one p.m. and eight p.m. Saturday and Sunday;
  - b. Southerly side from the westerly terminus of Columbia Avenue in an easterly direction along the property of the Board of Education (Block 1204 Lot 17) to the end of such property (approximately three hundred twenty-five (325) feet) no parking at any time.
  - c. Southerly side from the intersection with LaGrande Avenue westerly along the residential lots (approximately three hundred forty-five (345) feet) to the beginning of the property owned by the Board of Education (Block 1204 Lot 17) between the hours of four p.m. and eight p.m. weekdays and between the hours of one p.m. and eight p.m. Saturday and Sunday.
65. Cottage Street.
- a. South side from the intersection with Plainfield Avenue to the commencement of the cul-de-sac, no parking at any time.

**7. Crest Circle.**

- a. **West side from Crest Drive through and including the cul-de-sac to the point of tangency with, but not including the east side of Crest Circle.**

**8. Crest Drive.**

- a. **North side, from Sussex Road to Gallinson Drive;**  
b. **South side, from Crest Circle East through and including the cul-de-sac at the easterly end of Crest Drive, and extending on the north side after the cul-de-sac for a distance of 50 feet west.**  
c. **South side, from Sussex Road to Crest Circle West, from eight a.m. to nine a.m. and two-thirty p.m. to four p.m., school days.**

**96. Diamond Hill Road.**

- a. Both sides, from the Somerset County line to a point five hundred (500) feet north of the north side of Valley Road;  
b. West side, for a distance of one hundred (100) feet from both sides of Twin Falls Road;  
c. East side, for a distance of one hundred (100) feet from both sides of South View Drive;  
d. East side, for a distance of one hundred (100) feet from both sides of McMane Avenue;  
e. West side, from a point fifty (50) feet north of the extension of the centerline of McMane Avenue to the south property line of the Diamond Hill Community Church premises;  
f. West side, from the southerly side line of Mountain Avenue for a distance of one hundred fifty (150) feet south.

**107. Fairfax Drive.**

- a. North side beginning at a point representing the extension of the southerly sideline of Windsor Way intersecting with the northerly sideline of Fairfax Drive and running in a westerly direction along Fairfax Drive a distance of one hundred fifty (150) feet between the hours of seven a.m. and six p.m. school days only;  
b. South side, beginning at the intersection of Windsor Way and Fairfax Drive and running in a westerly direction two hundred fifty (250) feet between the hours of seven a.m. and six p.m. school days only.

**118. Fay Place.**

- a. North side, for its entire length, from eight a.m. to four p.m., on school days.

**12 Gallinson Drive.**

- a. West side, from Crest Drive to Summit Road.**

**139. Grandview Avenue.**

- a. Both sides from Park Avenue to Plainfield Avenue.

**1410. Harwood Avenue.**

- a. West side from Berkeley Avenue to La Grande Avenue.

**1544. Hunterdon Boulevard.**

- a. South side, from Glenside Road to Murray Hill Boulevard; ~~North side, from Glenside Road to a point one hundred (100) feet east thereof;~~
- ~~b. South side, from Glenside Road to Murray Hill Boulevard~~
- b. North side from Murray Hill Boulevard to a point 100 feet West.**

**1642. Industrial Road.**

- a. Both sides, entire length, no parking at any time.

**1743. LaGrand Avenue.**

- a. Both sides, from the intersection of Grandview Avenue southerly to the terminus of LaGrand Avenue at Harwood Avenue, between the hours of four p.m. and eight p.m. weekdays, and between one p.m. and eight p.m. on Saturdays and Sundays.

**1814. Locust Avenue.**

- a. Both sides, from Dreier Avenue to Timber Drive, and on the southerly side of Locust Avenue, from Dreier Avenue to a point three hundred twenty-five (325) feet west of Dreier Avenue.

**1945. Lone Pine Drive.**

- a. Both sides, for its entire length.

**2046. Maple Avenue.**

- a. West side, from the southerly curblineline of Springfield Avenue to a point four hundred thirty-eight (438) feet southerly therefrom.

2147. Mercer Road.

- a. Northeast side ~~Both sides~~, between Hunterdon Boulevard and Watchung Boulevard, from eight a.m. to nine a.m. and two-thirty p.m. to four p.m., school days; and
- b. Southwest side.

2248. Mountain Avenue.

- a. Either side, from the Borough of New Providence to the Somerset County line, at any time.

2349. Murray Hill Boulevard.

- a. West side, from Mountain Avenue to Watchung Boulevard, any time, for a distance of one hundred (100) feet in a southerly direction from its intersection with Mountain Avenue; and
- b. East side, from Summit Road to the intersection of the southern right-of-way of Hunterdon Boulevard; between Hunterdon Boulevard and Watchung Boulevard, eight a.m. to nine a.m. and two-thirty p.m. to four p.m., school days; and
- ~~c. West side, between Burlington Road and Watchung Boulevard, at any time.~~
- c. Northerly/Easterly side between twenty five feet north of Watchung Boulevard and the intersection with the southern right of way of Hunterdon Boulevard, from eight a.m. to nine a.m. and two-thirty p.m. to four p.m. school days.

2420. Park Avenue.

- a. North side, for a distance of one thousand five hundred forty (1,540) feet west from the center line of Plainfield Avenue, except that area in front of the municipal building, between the police department entrance of the parking lot and the easterly side of the municipal driveway opposite Bolton Boulevard;
- b. Both sides, for a distance of one hundred (100) feet from the north side of Mountain Avenue;
- c. South side, from a point twenty-five (25) feet east of the east side of Bolton Boulevard to a point seventy-five (75) feet west of the west side of the exit from the municipal driveway opposite Bolton Boulevard;
- d. North side, for a distance of sixty-six (66) feet east of a point ten (10) feet east of the east side of the entrance walkway to the

township municipal building, except for periods of fifteen (15) minutes or less;

- e. South side, from the center line of Bolton Boulevard to the center line of Berkeley Avenue.

2521. Park Property.

- a. Township-owned property abutting Plainfield Avenue, Park Avenue and Bolton Boulevard.

2622. Passaic Avenue.

- a. East side from the intersection with Springfield Avenue south ninety-eight (98) feet to the intersection of the private driveway, no parking at any time.

2723. Plainfield Avenue.

- a. East side, from the southerly side line of Springfield Avenue to a point ninety (90) feet south thereof;
- b. East side between Bolton Boulevard and Hamilton Avenue. No standing or stopping between eight a.m. and nine a.m. and between two-thirty p.m. and three-thirty p.m., prevailing time, on school days between Roosevelt Avenue and Washington Avenue;
- c. West side, from a point fifty (50) feet north of the northerly property line of the Columbia School grounds south to Hamilton Avenue;
- d. Both sides, for a distance of three hundred (300) feet from both sides of Mountain Avenue;
- e. West side, from the southerly side line of Springfield Avenue to the northerly side line of Sherman Avenue;
- f. Both sides, for a distance of one hundred (100) feet from both sides of Emerson Lane intersection;
- g. Both sides, from April 15th to October 1st, annually, between four p.m. and eight p.m., prevailing time, Monday through Friday, and from one p.m. to eight p.m., prevailing time, Saturday and Sunday, from the tracks of the Delaware, Lackawanna and Western Railroad to a point two hundred (200) feet south of Cottage Street;
- h. Both sides, between the hours of eight a.m. and nine p.m., prevailing time, daily except Sunday, from the southerly side line of Sherman Avenue to a point fifty (50) feet north or the nearest rail of the tracks of the Delaware, Lackawanna and Western Railroad tracks, except parallel parking for periods of not more than one hour;
- i. East side, beginning at a point ninety (90) feet from the southerly side line of Springfield Avenue to the northerly side line of Sherman Avenue, between the hours of seven a.m. and nine p.m.,

prevailing time, except for periods of not more than fifteen (15) minutes;

- j. Both sides, for longer than one hour, between its intersection with Springfield Avenue and its intersection with Washington Street, from eight a.m. to ten a.m., Monday through Friday.
- k. West side, between a point two hundred seventy (270) feet north of the north side line of Berkeley Avenue and a point one hundred ten (110) feet south of the south side line of Berkeley Avenue, except during funeral and wedding processions for those vehicles attending;
- l. East side, between a point one hundred forty (140) feet south of the promulgation of the southerly side line of Berkeley Avenue and a point one hundred fifty (150) feet north of the promulgation of the northerly side line of Berkeley Avenue, except during funeral and wedding processions for those vehicles attending.

2824. River Road.

- a. Both sides from the intersection with Springfield Avenue north one hundred twenty-five (125) feet, no parking at any time.

2925. Rogers Place.

- a. Both sides, for its entire length.

3026. Roosevelt Avenue.

- a. South side, within one hundred (100) feet of the intersection of Plainfield Avenue;
- b. South side, from the intersection of Hamilton Avenue to a point six hundred (600) feet west of the same;
- c. North side, for its entire length.

3127. Scott Avenue.

- a. Both sides, from April 15th to October 1st, annually, between four p.m. and eight p.m., prevailing time, Monday through Friday, and from one p.m. to eight p.m., prevailing time, Saturday and Sunday.

3228. Sherman Avenue.

- a. North side, from Plainfield Avenue to Station Street except for two designated parallel parking spaces beginning thirty (30) feet west of the westerly sideline of Plainfield Avenue and two designated parallel parking spaces beginning one hundred twenty-eight (128) feet east of the easterly sideline of Station Street which spaces shall be restricted to one hour parking;

- b. South side in any area not designated as a space within the municipal parking lot;
- c. North side, from the westerly sideline of Station Street to the easterly sideline of Berkeley Avenue except for parallel parking spaces as designated in the areas beginning a distance of forty (40) feet west of the westerly sideline of Station Street extending to a point one hundred sixty (160) feet west of the westerly sideline of Station Street and from a point two hundred sixty (260) feet west of the westerly sideline of Station Street to a point three hundred fifty (350) feet west of the westerly sideline of Station Street all of which spaces shall be restricted to two hour parking, daily except Sunday.
- d. North side from Plainfield Avenue easterly to terminus no parking any time.

**3329.** Snyder Avenue.

- a. Both sides, for a distance of three hundred (300) feet from both sides of Springfield Avenue, and three hundred (300) feet north of Mountain Avenue;
- b. Both sides, including no standing or stopping on school days from **eight a.m. to three p.m., prevailing time, for a distance of two hundred (200) feet from both sides of the entrance driveway to Hughes School;**
- c. Both sides between Ferndale Drive and the New Jersey Transit Railroad;
- d. Westerly side, southerly from the intersection of Snyder Avenue and the New Jersey Transit Corporation Railroad (Lot 9 in Block 703) to the northerly side of Hamilton Avenue;
- e. Southbound, from the south-west corner of the intersection of Springfield Avenue to Industrial Avenue;
- f. Northbound, from north-east corner of Locust Avenue to north-east corner of Ferndale Drive.

**3430.** Somerset Place.

- ~~a. East side no parking Both sides, between Hunterdon Boulevard and Watchung Boulevard, eight a.m. to nine a.m. and two thirty p.m. to four p.m., school days.~~
- b. West side no parking from eight a.m. to nine a.m. and two thirty p.m to four p.m. school days.**

**3534.** Springfield Avenue.

- a. North side, for a distance of seventy-five (75) feet from both side of Delmore Avenue;
- b. Both sides, for a distance of one hundred (100) feet from both sides of Snyder Avenue;

- c. Both sides, from the east end of the bridge over the Passaic River to the Morris County line;
- d. North side, for a distance of one hundred eight (108) feet east from the easterly side of Plainfield Avenue.
- e. North side, for a distance of one hundred fifty (150) feet west from the westerly side line of Plainfield Avenue;
- f. South side, from the easterly curbline of Plainfield Avenue to a point one hundred fifty-five (155) feet east therefrom;
- g. South side, for a distance of one hundred fifty (150) feet west from the westerly side line of Plainfield Avenue;
- h. North side, from the easterly side line of Station Street to a point one hundred fifty (150) feet west of the westerly side line of Plainfield Avenue and from a point one hundred eight (108) feet east of the easterly side line of Plainfield Avenue to the westerly side line of Summit Avenue, between the hours of eight a.m. and nine p.m. Fridays, and between the hours of eight a.m. and six p.m. other days, prevailing time, except for periods of not more than one hour;
- i. South side, from a point one hundred fifty (150) feet west of the westerly side line of Plainfield Avenue to a point two hundred (200) feet west of the westerly side line of Plainfield Avenue and from a point one hundred fifty (150) feet east of the easterly side line of Plainfield Avenue to the westerly side line of Summit Avenue, between the hours of eight a.m. and nine p.m. Fridays, and between the hours of eight a.m. and six p.m. other days prevailing time, except for periods of not more than one hour and from a point two hundred (200) feet west of the westerly side line of Plainfield Avenue to the easterly side line of Station Avenue during the same times except for periods of not more than two hours.
- j. North side, two hundred fifty (250) feet east of Passaic Avenue to a point three hundred seventy-five (375) feet east of Passaic Avenue;
- k. North side, from a point four hundred sixty (460) feet east of the easterly side line of Kuntz Avenue to a point two hundred sixty (260) feet east of the easterly curbline of Summit Avenue;
- l. South side, from a point two hundred eighty (280) feet east of the easterly curbline of Summit Avenue to a point four hundred sixty (460) feet east of the easterly side line of Kuntz Avenue extended;
- m. South side, from a point one hundred thirty (130) feet west of the westerly curbline of Summit Avenue to a point eighty (80) feet westerly therefrom.

**3632**. Station Street.

- a. West side from Springfield Avenue to Sherman Avenue;
- b. East side from Springfield Avenue to Sherman Avenue except for multi-passenger vehicles operated by governmental authorities,

nonprofit organizations or under contract to same (e.g. SAGE, Red Cross, Union County Paratransit), or vehicles with handicapped plates, in the designated loading zone, for periods not to exceed ten (10) minutes for the purpose of picking up or discharging passengers only;

- c. Both sides from its intersection with Springfield Avenue north to its terminus at Grant Street.

**3733.** Summit Avenue.

- a. Both sides, from Sherman Avenue to the Passaic River.

**38.** **Summit Road.**

- a. **South side, between Murray Hill Boulevard and Gallinson Drive.**

**39.** **Sussex Road.**

- a. **South side, from the northerly terminus of the roadway to the terminus of the cul-de-sac on the easterly side of the roadway; and**
- b. **Northeast side beginning at the terminus of the cul-de-sac to the terminus of the roadway, from eight a.m. to nine a.m. and two-thirty p.m. to four p.m. school days.**

**4034.** Valley Road.

- a. Both sides, from the Somerset County line easterly to a point five hundred (500) feet east of the east side of Diamond Hill Road.

**4135.** Watchung Boulevard.

- a. **North side, the entire length of the roadway, including the cul-de-sac between Murray Hill Boulevard and Somerset Place;**
- b. **South side Both sides, from Somerset Place to the westerly terminus, eight a.m. to nine a.m. and two-thirty p.m. to four p.m., school days. Murray Hill Boulevard.**  
**From the Western most entrance of the Governor Livingston High School parking lot to the terminus of the cul-de-sac from eight a.m. to nine a.m. and two-thirty p.m. to four p.m. school days.**

**4236** Windsor Way.

- a. Northerly side, for a distance of one hundred (100) feet in an easterly direction from its intersection with Park Avenue.

**4337.** Old Farm Road.

- a. Both sides, from its intersection with Mercier Place to its terminus at Emerson Lane.

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

**Section 3.** The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

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

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

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

INTRODUCED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Robert Woodruff, Mayor

ATTEST:

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

**NOTICE OF  
INTRODUCTION**

**Ordinance -2015**

**“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS,  
COUNTY OF UNION, STATE OF NEW JERSEY, AMMENDING, REVISING  
AND SUPPLEMENING CHAPTER 10.36 ENTITLED “PARKING  
RESTRICTIONS” OF TITLE 10 ENTITLED “VEHICLES AND TRAFFIC” OF  
THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO ESTABLISH  
AND AMEND THE PARKING REGULATIONS ON A PORTION OF  
VARIOUS ROADWAYS.”**

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 **March 10, 2015** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **March 24, 2015** at **7:00** p.m. or as soon thereafter, as practical, same can be considered, at the Municipal Building, 29 Park Avenue, Berkeley Heights, NJ, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same. During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available in the Municipal Clerk’s office in said Municipal Building, to the members of the general public who shall request the same.

**Ana Minkoff  
Township Clerk**

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

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

**NOTICE OF FINAL ADOPTION**

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE  
INTRODUCED ON MARCH 10, 2015:**

**“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY  
HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY,  
AMMENDING, REVISING AND SUPPLEMENING CHAPTER  
10.36 ENTITLED “PARKING RESTRICTIONS” OF TITLE 10  
ENTITLED “VEHICLES AND TRAFFIC” OF THE CODE OF  
THE TOWNSHIP OF BERKELEY HEIGHTS TO ESTABLISH  
AND AMEND THE PARKING REGULATIONS ON A PORTION  
OF VARIOUS ROADWAYS.”**

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 March 24, 2015.

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

**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 3/24/15, in the amount of \$476,414.67 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 24<sup>th</sup> day of March, 2015.

**ATTEST:**

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

Agenda Item No.: 2

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

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights (the "Township") and the Church of the Little Flower ("Little Flower") are in continued negotiations regarding the potential exchange of land in the Township of Berkeley Heights; and

**WHEREAS**, the Township owns the property identified as Block 1301, Lot 21, located at 290 Plainfield Avenue, consisting of approximately 1.33± acres, upon which the Berkeley Heights Public Library (the "Library") is currently situated (the "Library Property"); and

**WHEREAS**, Little Flower owns the property identified as Block 1301, Lot 19, located at 110 Roosevelt Avenue, consisting of approximately 15.60± acres (the "Little Flower Property"); and

**WHEREAS**, the Township and Little Flower are negotiating the potential exchange of the Library Property and the Little Flower Property, along with all improvements thereon; and

**WHEREAS**, the Township intends on utilizing the Little Flower Property as a new municipal complex and site for the Berkeley Heights Public Library; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-13 and N.J.S.A. 40A:12-16, the Township is authorized to exchange any lands or any rights or interests therein owned by the Township, for other lands or rights or interests therein desired for public use; and

**WHEREAS**, the Township and Little Flower entered into a Memorandum of Understanding ("MOU") setting forth the general terms and contingencies relating to the potential land exchange; and

**WHEREAS**, the MOU is set to expire on April 1, 2015; and

**WHEREAS**, the Township and Little Flower wish to enter into a First Amendment to Memorandum of Understanding extending the term of the MOU to November 30, 2015; and

**WHEREAS**, the First Amendment to Memorandum of Understanding, in the form attached hereto, has been reviewed and approved by the Township Attorney, along with the attorney for Little Flower Church; and

**WHEREAS**, the Township Council finds it to be in the best interest of the Township to enter into the First Amendment to Memorandum of Understanding with Little Flower Church extending the term of the MOU to November 30, 2015, with all other terms of the MOU to remain the same.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached First Amendment to Memorandum of Understanding extending the term of same to November 30, 2015, with all other terms of the MOU to remain the same.
2. If the Township determines to proceed with the land exchange with Little Flower Church, the Township and Little Flower Church shall negotiated and enter into a binding Contract for Sale of Real Property that shall set forth all the terms and conditions of the land exchange. No funds shall be expended or appropriated for this land exchange until such Contract is negotiated, executed and the sale is authorized by appropriate resolution and ordinance.

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

**APPROVED** this 24th day of March, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk

**FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING**

BY AND BETWEEN

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

AND

**THE CHURCH OF THE LITTLE FLOWER**

REGARDING

**LAND EXCHANGE**

**IN**

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

The Memorandum of Understanding between the parties setting forth the general terms shall apply to the future exchange of the Township-owned property identified as Block 1301, Lot 21, located at 290 Plainfield Avenue, consisting of approximately 1.33± acres, upon which the Berkeley Heights Public Library (the “Library”) is currently situated (the “Library Property”) and the property owned by the Little Flower Church identified as Block 1301, Lot 19, located at 110 Roosevelt Avenue, consisting of approximately 15.60± acres (the “Little Flower Property”) is hereby supplemented and amended as follows:

1. The final sentence of the last “IT IS” paragraph is hereby amended to state as follows: “This Memorandum of Understanding shall expire on November 30, 2015, unless the parties enter into a binding contract for sale for the Library Property and the Little Flower Property, which includes the terms set forth herein, or otherwise extended by agreement of the parties in writing.”
2. The remainder of the Memorandum of Understanding shall remain in full force and effect.
3. This Amendment may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

I hereby approve of the terms of this addendum and specifically incorporate same in the Memorandum of Understanding.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties have executed this First Amendment to Memorandum of Understanding on the dates set forth herein below.

TOWNSHIP OF BERKELEY HEIGHTS

THE CHURCH OF THE LITTLE  
FLOWER

By: \_\_\_\_\_  
Name: Robert Woodruff  
Title: Mayor

By: \_\_\_\_\_  
Name: Reverend Andrew M. Prachar  
Title:

Dated: \_\_\_\_\_, 2015

Dated: \_\_\_\_\_, 2015

Agenda Item No.: 3

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

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights (“Township”) and the Borough of New Providence (“Borough”) have agreed to the operation of a shared municipal court pursuant to N.J.S.A. 2B:12-1(c); and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-1(c), the Township and the Borough may share facilities and staff for their municipal courts; and

**WHEREAS**, the Township has negotiated an Amendment to the Shared Services Agreement with the Borough wherein the New Providence Court Administrator shall provide the municipal court administrator services on behalf of the Township; and

**WHEREAS**, the Township and the Borough wish to enter into an amendment to the existing Shared Services Agreement to set forth the terms and conditions of the New Providence Court Administrator’s provision of municipal court administrator services on behalf of the Township for the consideration of \$66,000.00 per year, with an annual increase of two (2%) percent or the Annual Consumer Price Index; and

**WHEREAS**, the Township is authorized to enter into this agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*, and N.J.S.A. 2B:12-1(c); and

**WHEREAS**, the Township and the Borough have negotiated a written Amendment, which is attached hereto, and has been reviewed on behalf of the Township and Borough; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights find it to be in the best interest of the Township and its residents to enter into this Amendment to the Shared Services Agreement with the Borough of New Providence for the provision of municipal court administrator services.

**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 Amendment to the Shared Services Agreement with the Borough of New Providence for the provision of municipal court administrator services be and hereby is approved; and that the Mayor and Township Clerk are authorized and directed to executed the attached agreement.

**BE IT FURTHER RESOLVED** that the appropriate Township officials are hereby authorized to take any and all action required to complete this agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law, and the adoption of the appropriate mechanism approving the agreement adopted by the Borough of New Providence.

**APPROVED** this 24<sup>th</sup> day of March, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk

## AMENDMENT TO AGREEMENT

This Amendment is to an Agreement between the Borough of New Providence and the Township of Berkeley Heights dated June 30, 2010.

**WHEREAS**, pursuant to an Agreement entered June 30, 2010, the parties agreed to a partnership to advance a shared service concerning the sharing of municipal courts; and

**WHEREAS**, the parties have agreed to certain amendments to the contract as more particularly set forth herein:

**NOW, THEREFORE**, the parties hereby agree to amend and modify their agreement as follows:

1. The New Providence Court Administrator shall provide the services as the Berkeley Heights Court Administrator, and shall provide for adequate staff to deliver services associated with the Berkeley Heights Municipal Court functions. The offices for the Shared Court shall remain in the New Providence Municipal Center, 360 Elkwood Avenue, New Providence, New Jersey 07974 for the duration of this Agreement.

2. As consideration for the services specified herein, the Township of Berkeley Heights shall pay the Borough of New Providence \$66,000.00 annually in 12 equal installments of \$5,500.00 per month, which annual fee shall be increased on the first day of each year by the lower of two percent (2%) or the Annual Consumer Price Index.

3. The Borough of New Providence shall provide a monthly invoice to the Township of Berkeley Heights for the services provided, as well as the costs specific to the operation of the Berkeley Heights Courts as identified in Section 7 of the original Agreement.

4. Sections 10, 10A and 11 of the original Agreement are hereby deleted.

5. This Amendment shall become effective April 1, 2015, and shall expire on December 31 of each year. The Agreement shall automatically renew each January 1 for a period of one year, unless written notice is served by one party on the other party, 60 days in advance of the expiration that sets forth a desire to renegotiate the terms herein. This Agreement may be cancelled at any time upon 90 days' written notice to either party to the other.

6. All provisions of the original Agreement shall remain in full force and effect, except where modified herein.

IN WITNESS WHEREOF, the parties hereby execute and deliver this Amendment to their Agreement as of this \_\_\_\_\_ day of March 2015.

WITNESS:

Borough of New Providence

\_\_\_\_\_

By: \_\_\_\_\_  
Allen Morgan, Mayor

Dated: \_\_\_\_\_

Township of Berkeley Heights

\_\_\_\_\_

By: \_\_\_\_\_  
Robert Woodruff, Mayor

Dated: \_\_\_\_\_

Agenda Item No.: 4

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

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights (“Township”) and the Borough of New Providence (“Borough”) have agreed to the operation of a shared municipal court pursuant to N.J.S.A. 2B:12-1(c); and

**WHEREAS**, pursuant to N.J.S.A. 2B:12-1(c), the Township and the Borough may share facilities and staff for their municipal courts; and

**WHEREAS**, as of March 12, 2012, the Township appointed Jo-Ann Musorofiti as the Township court administrator for the shared municipal court; and

**WHEREAS**, by Resolution No. 198-2012, adopted June 26, 2012, and pursuant to Section 2.128.060 of the Township Code, and Article X, Section A of the White Collar Collective Bargaining Agreement, the Township Council granted Ms. Musorofiti “permanent” status in the position of court administrator; and

**WHEREAS**, for economic reasons, the Township has negotiated an Amendment to the Shared Services Agreement with the Borough wherein the New Providence Court Administrator shall provide the municipal court administrator services on behalf of the Township; and

**WHEREAS**, based on the foregoing, the Township no longer has a need to fill the position of municipal court administrator for the Township; and

**WHEREAS**, the Township Council finds it to be in the best interest of the Township to remove Jo-Ann Musorofiti from the position of Township Court Administrator effective May 1, 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berkeley Heights that Jo-Ann Musorofiti is hereby removed from the position of Municipal Court Administrator for the Township of Berkeley Heights for the shared municipal court of Berkeley Heights and New Providence.

**APPROVED** this 24<sup>th</sup> day of March, 2015.

**ATTEST:**

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**Ana Minkoff, Township Clerk**

Agenda Item No.: 5

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

**RESOLUTION**

**WHEREAS**, The Connell Company owns real property identified as Block 4301, Lot 1.02, Block 4102, Lot 1, Block 4301, Lot 1.011 and Block 4301, Lot 1.012 in the Township of Berkeley Heights, commonly known as 100 Connell Drive, 200 Connell Drive, 300 Connell Drive and 400 Connell Drive (the "Connell Property"); and

**WHEREAS**, the Township authorized Value Research Group, LLC to perform an investigation and analysis of the property tax assessment for the Connell Property; and

**WHEREAS**, Value Research Group, LLC has recommended that the Township file an appeal of the 2015 property tax assessment for the Connell Property. (See Tax Appeal Memo annexed hereto); and

**WHEREAS**, accordingly, the Township finds it to be the best interest of the Township to authorize the Township Tax Attorney to file an appeal of the 2015 property tax assessment of the Connell Property to seek an increased assessment to reflect the true value of the property.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey that the Township Tax Attorney, Martin Allen, Esq., of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C., to file a tax appeal of the 2015 property tax assessment of the Connell Property for an increased assessment to reflect the true value of the property.

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

**Approved** this 24<sup>th</sup> day of March, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk



**VALUE RESEARCH GROUP, LLC**  
REAL ESTATE ANALYSTS AND CONSULTANTS

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**Tax Appeal Memo**  
**Connell Corporate Center - 2015 Tax Appeals**

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**Memo:**

**To: Martin Allen, Esq.**  
**Robert Edgar, CTA**

**From: Art Linfante, MAI, CRE**  
**Brandon Frank, MAI**

**Re: Tax Year 2015 – Tax Appeal Recommendation**  
**Connell Corporate Center 1, 2, 3 and 4**

**Bob/Marty:**

We would recommend that the municipality file an appeal on the above referenced properties for the 2015 tax year. Our recommendation is based on our review of the data we have to date, our preliminary analysis for the 2014 tax appeal and the rise in the Chapter 123 ratio from 55.90% for tax year 2014 to 56.36% for tax year 2015.

If you have any questions, please give me a call.

#6

**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, Union County, New Jersey, in the meeting assembled, that the following transfers within the 2014 Municipal Budget and Reserves are hereby authorized:

<u>Account Description</u>	<u>To:</u>	<u>From:</u>
Planning Board O/E	\$ 1,095.00	
Telephone O/E	890.00	
Electricity O/E	4,350.00	
Municipal Clerk O/E		\$ 6,335.00
TOTALS	\$ 6,335.00	\$ 6,335.00

**APPROVED** this 24th day of March, 2015.

ATTEST:

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

**TOWNSHIP OF BERKELEY HEIGHTS**  
**APPROPRIATION RESERVES TRANSFER RESOLUTION**  
**EXPLANATORY STATEMENT**

Account Description / Number		Amount	
To:	From:	To:	From:
Planning Board O/E	Municipal Clerk O/E	\$ 1,095.00	\$ 1,095.00
		\$ 1,095.00	\$ 1,095.00
<u>Explanatory Statement:</u>			
Final year end expenses.			
Telephone O/E	Municipal Clerk O/E	\$ 890.00	\$ 890.00
		\$ 890.00	\$ 890.00
<u>Explanatory Statement:</u>			
Final year end expenses.			
Electricity O/E	Municipal Clerk O/E	\$ 4,350.00	\$ 4,350.00
		\$ 4,350.00	\$ 4,350.00
<u>Explanatory Statement:</u>			
Final year end expenses.			
		\$ 6,335.00	\$ 6,335.00

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

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** that the Township Council of the Township of Berkeley Heights, Union County, New Jersey, in meeting assembled, that Robert Doney, 44 Apple Tree Row, Berkeley Heights NJ, is hereby appointed as an Active member of the Berkeley Heights Volunteer Fire Department effective March 24, 2015.

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

**APPROVED this 24th day of March, 2015.**

**ATTEST:**

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

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

**RESOLUTION**

**WHEREAS**, the Chief of the Berkeley Heights Volunteer Fire Department has recommended that Justin Giannone, 1341 Stony Brook Lane, Mountainside, N.J. be added and accepted as a member of the Berkeley Heights Fire Company's Junior Fire Division and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** that Justin Giannone be appointed to the Berkeley Heights Junior Fire Division under the control of the Fire Chief and subject to all rules and regulations of the Auxiliary and the provisions of Chapter 2.116 of the Township Code.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Justin Giannone, and the Fire Chief,

**APPROVED** this 24th day of March, 2015.

**Attest:**

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**Ana Minkoff  
Township Clerk**

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

**RESOLUTION**

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

**Joe Imbimbo, 18 Deep Dale Drive, Berkeley Heights, NJ**

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

**APPROVED this 24th day of March, 2015.**

**ATTEST:**

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

Agenda Item #

d

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

**RESOLUTION**

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

**Charles Mcluskey, 651 Plainfield Avenue, Berkeley Heights, NJ**

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

**APPROVED this 24th day of March, 2015.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

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

**RESOLUTION**

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

**Kevin Camngelo, 307 Chaucer Drive, Berkeley Heights, NJ**

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

**APPROVED this 24th day of March, 2015.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

Agenda Item#

F

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

**RESOLUTION**

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

**Matt Monaco, 28 Canterbury Lane, Berkeley Heights, NJ**

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

**APPROVED this 24th day of March, 2015.**

**ATTEST:**

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

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

**RESOLUTION**

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

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

**WHEREAS**, Joseph F. Savino, is a member of the Berkeley Heights Rescue Squad and has requested that the Township endorse the blue light permit application.

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

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

**APPROVED this 24<sup>th</sup> day of March, 2015**

ATTEST:

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

Agenda Item

# h

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2015 property taxes for property known as Block #1007 Lot #7 also known as 311 Park Avenue which requires a refund in the amount of \$1,942.18; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$1,942.18 to Fong Joe Hou, L.L.C., 100 Wood Avenue, S.Suite 118, Iselin, NJ 08830.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Fong Joe Hou, L.L.C., Treasurer and Tax Collector.

**APPROVED this 24th day of March, 2015.**

**Attest:**

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**Ana Minkoff  
Township Clerk**

EXPLANATORY STATEMENT: This ordinance amends and updates the Township's Administrative Code (Title 2 of *The Code of the Township of Berkeley Heights* to create and establish an advisory committee to assist the Township with the renewal, restoration and maintenance of the Township's Memorial Park .(Ordinance #7-2014)

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: [New language **bold and underlined**; deleted language ~~double-strikethrough~~]

**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 **nine (9)** ~~five (5)~~ members: one (1) member of the governing body, and **eight (8)** ~~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 \_\_\_\_\_, 2015.

ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Robert Woodruff, Mayor

ATTEST:

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

**NOTICE OF  
INTRODUCTION**

**Ordinance -2015**

**“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”** (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 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 March 24, 2014 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on April 7, 2015 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**