

VII. ADMINISTRATION REPORTS

Mayor Woodruff

Township Administrator – John Bussicolo

VIII. APPROVAL OF MINUTES – Public Meeting – February 10, 2015

IX. HEARING ON AGENDA ITEMS ONLY – 3 minutes per resident

Comments are welcome during the public comment period during this meeting on any agenda item. However, if an ordinance is listed for its own public hearing on the agenda, please hold your comments for that particular public hearing. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The (Mayor/Council President) will keep time. Please promptly yield on the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

X .NEW BUSINESS- RESOLUTIONS

OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

A. RESOLUTIONS

1. Resolution approving Bill List dated April 21, 2015 in the amount of \$172,458.25.
2. Resolution authorizing the Township Planning Board to undertake a preliminary investigation of the Local Redevelopment and Housing Law, in order to recommend to the Council whether the properties identified as Block 1301, Lots 19, and 26 and all of a portion of Block 208, Lots 38, 39, 40, in the Township of Berkeley Heights, or any portion thereof, are areas in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

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

a. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:

- | | | |
|-----------------------------|-----------------------|----------|
| 1. Terence T. & He-Won Kim | 13 Whispering Way E. | \$553.42 |
| 2. Anthony & Palma Rispoli | 77 Springfield Avenue | \$543.36 |
| 3. Stephen & Marcia M. Falk | 509 Plainfield Avenue | \$598.25 |

b. Resolution authorizing the release of a cash bond to Mr. & Mrs. Delatour, 151 Timber Drive, for a street opening permit, in the amount of \$700.00.

c. Resolution proclaiming April 24, 2015 as Arbor Day in the Township of Berkeley Heights.

d. Resolution authorizing Summit Medical Group to hold the 2nd Annual “Run for Your Life 5k Run and 1.5 Mile Walk” on Sunday, October 25, 2015

XI. INTRODUCTION OF ORDINANCES:

Public Hearing and Final Adoption scheduled for May 5, 2015:

“AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, FOR THE CALENDAR YEAR 2014, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45,14)”

XII. INTRODUCTION OF 2015 MUNICIPAL BUDGET

Approval of 2015 Municipal Budget for introduction and establishing June 9, 2015 as date of public hearing and final adoption.

XIII. CITIZENS HEARING - 3 minutes per resident

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

XIV. EXECUTIVE SESSION –

Contract Negotiations/Land Acquisition-Little Flower Church

XV. ADJOURNMENT

**Ana Minkoff
Township Clerk**

Agenda Item # |

**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 4/21/15, in the amount of \$172,458.25 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 21st day of April, 2015.

ATTEST:

Ana Minkoff
Township Clerk

Agenda Item No.: 2

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

RESOLUTION

WHEREAS, in connection with the Township of Berkeley Heights investigation of a potential land transaction with the Little Flower Church for the relocation of the Township's municipal complex and public library, the Township finds it appropriate to commence the process to determine if the Township owned property identified as Block 1301, Lot 26, 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, consisting of approximately 15.6± acres, located along Hamilton Avenue, and all or a portion of Township owned properties located along Snyder Avenue, identified as Block 208, Lot 38, Lot 39 and Lot 40, consisting of approximately 12.176 +/- acres, (collectively the "Study Area"), are in need of redevelopment, and to develop a redevelopment plan for same; and

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to P.L. 2003, Chapter 159, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a 'Non-Condensation Redevelopment Area') or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a 'Condensation Redevelopment Area'); and

WHEREAS, the Township Council of the Township of Berkeley Heights finds it to be in the best interest of the Township and its residents to authorize the Township Planning Board to undertake such preliminary investigation of the Study Area as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights, in the County of Union, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Harbor Consultants, Inc., pursuant to the notice, hearing and other requirements of the Local Redevelopment and Housing

Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended, in order to recommend to the Township Council whether the properties identified as Block 1301, Lots 19, and 26 and all of a portion of Block 208, Lots 38, 39, 40, in the Township of Berkeley Heights, or any portion thereof, are areas in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

BE IT FURTHER RESOLVED that, pursuant to New Jersey P.L.2013, c.159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, also know as a "Non-Condemnation Redevelopment Area."

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Township Planning Board.

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

APPROVED this 21st day of April, 2015.

ATTEST:

Ana Minkoff
Township Clerk

Agenda Item

3 a(1)

**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 #1301 Lot #18.13 also known as 13 Whispering Way, which requires a refund in the amount of \$553.42; and

NOW, THEREFORE BE IT RESOLVED that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$553.42 to Terrence & Hye-Won Kim, 13 Whispering Way E. Berkeley Heights, NJ 07922.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Terrence T. & Hye-Won Kim, Treasurer and Tax Collector.

APPROVED this 21st day of April, 2015.

Attest:

**Ana Minkoff
Township Clerk**

Agenda Item
3(a2)

**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 #401 Lot #12 also known as 77 Springfield Avenue, which requires a refund in the amount of \$543.36; and

NOW, THEREFORE BE IT RESOLVED that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$543.36 to Anthony & Palma Rispoli, 77 Springfield Avenue. Berkeley Heights, NJ 07922.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to, Anthony & Palma Rispoli Treasurer and Tax Collector.

APPROVED this 21st day of April, 2015.

Attest:

**Ana Minkoff
Township Clerk**

Agenda Item
3 (Q3)

**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 #1714 Lot #19 also known as 509 Plainfield Avenue, which requires a refund in the amount of \$598.25; and

NOW, THEREFORE BE IT RESOLVED that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$598.25 to Stephen & Marcia Falk, 509 Plainfield Avenue. Berkeley Heights, NJ 07922.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to, Stephen & Marcia Falk, Treasurer and Tax Collector.

APPROVED this 21st day of April, 2015.

Attest:

**Ana Minkoff
Township Clerk**

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

RESOLUTION

WHEREAS, Mr. & Mrs. Delatour, 151 Timber Drive, Berkeley Heights, were required to post a cash bond in the amount of \$700.00 in connection with street opening at 151 Timber Drive and the Township Engineer, having inspected the work, has recommended by letter dated April 10, 2015 that such bond be released.

NOW, THEREFORE BE IT RESOLVED, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return Cash Bond posted by Mr. & Mrs. R. Delatour, together with any applicable interest.

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to Mr. & Mrs. R. Delatour, Township Treasurer and Township Engineer.

APPROVED this 21st day of April, 2015.

ATTEST:

Ana Minkoff
Township Clerk

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

RESOLUTION

WHEREAS, Arbor Day is now observed throughout the nation and the world,
and

WHEREAS, trees can reduce the erosion of our valuable topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

NOW, THEREFORE, I, Robert Woodruff, Mayor of the Township of Berkeley Heights and the Township Council, do hereby proclaim April 24, 2015 as Arbor Day in the Township of Berkeley Heights, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and I further urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

APPROVED this 21st day of April, 2015.

Robert Woodruff
MAYOR

ATTEST:

Ana Minkoff
Township Clerk

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

RESOLUTION

WHEREAS, the Summit Medical Group Foundation has requested permission to hold its second annual Run for Your Life 5K Run and 1.5 Mile Walk event on October 25, 2015; and

WHEREAS, the Township Council believes that the event is in the best interest of the community.

NOW THEREFORE BE IT RESOLVED, that permission is hereby granted to the Summit Medical Group Foundation for its annual 5K Run and 1.5 Mile Walk provided that it complies with all conditions imposed by the Township Police Department, Fire Department and Rescue Squad.

BE IT FURTHER RESOLVED that copies of this resolution are to be forwarded to the Summit Medical Group, Police Department, Fire Department and Rescue Squad.

APPROVED this 21st day of April, 2015.

ATTEST:

Ana Minkoff
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Berkeley Heights in the County of Union finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 2.0 % increase in the budget for said year, amounting to \$273,022.53 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Berkeley Heights, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Berkeley Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$477,789.41, and that the CY 2015 municipal budget for the Township of Berkeley Heights be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED the _____ day of _____, 2015

ADOPTED the _____ day of _____, 2015

Robert Woodruff
Mayor

ATTEST:

Ana Minkoff
Township Clerk

**NOTICE OF
INTRODUCTION**

Ordinance -2015

**TOWNSHIP OF BERKELEY HEIGHTS CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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 **April 21, 2015** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **May 5, 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**