



## **VII. ADMINISTRATION REPORTS**

**Mayor Woodruff**

**Township Administrator – John Bussiculo**

## **VIII. APPROVAL OF MINUTES –**

**Public Meeting – September 1, 2015**

**Executive Session – April 23, 2013, May 8, 2013, June 11, 2013, June 25, 2013**

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

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

## **X. PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE INTRODUCED ON SEPTEMBER 1, 2015.**

**“An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing Section 2.100.100 to be entitled “Outside Employment of Off-Duty Police Officers” of Chapter 2.100 entitled “Police Division” of Title 2 entitled “Administration and Personnel” of *The Code of the Township of Berkeley Heights* to revise same.”** Explanation: (This ordinance further amends and revises the requirements and procedures to retain the services of off-duty police officers of the Township of Berkeley Heights.”)

## **XI .NEW BUSINESS- RESOLUTIONS**

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

### **A. RESOLUTIONS**

1. Resolution approving Bill List dated September 15, 2015 in the amount of \$204,609.33.
2. Resolution authorizing the Addendum No. 2 to Lease Agreement with Verizon Wireless to renew and amend the existing Lease Agreement.
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 a block party on Berkshire Drive, on September 26, 2015 from 3:00 p.m.–7:00 p.m.

- b. Resolution authorizing the Tax Collector to refund the following 2015 tax overpayments:
 

1.Mahmoud Abdalla & Jennifer Muhs	331 Diamond Hill Road	\$1,934.89
2.Yuri & Anna Krapivin	23 Daisy Road	\$63.72
3.Frank & Suzanne Sabatino	15 Fawn Circle	\$356.05
4.Joseph & Kristen Denahan	278 Timber Drive	\$125.59
5.Anthony & Karen Simonelli	283 McMane Ave.	\$62.67
  
- c. Resolution authorizing the Tax Collector to refund the duplicate third quarter 2015 tax payments:
 

1.Louise Fabo	78 Baker Avenue	\$1,992.60
2.Glenn Matthew Chaleff	6 Brook Street	\$2,677.05
3.Christopher & Tina Heintz	28 Baldwin Drive	\$6,482.02
4.Michael & Mara Cruwys	416 Emerson Lane	\$2,550.49
5.Michael & Elise Ornstein	15 Pinnel Court	\$4,797.23
  
- d. Resolution authorizing the refund of tax appeal for the years 2012, 2013, 2014 and 2015, in the amount of \$53,041.53, for the property located at 714, 735 & 730 Springfield Avenue, to Law Office of Nathan P. Wolf, LLC and James-Dale Enterprises, Inc.
  
- e. Resolution authorizing a road closure on Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue on October 11, 2015 from 8:00 a.m. to 4:00 p.m., with a rain date of October 18, 2015, for the Berkeley Heights Fire Department Hot Rods on Hamilton.
  
- f. Resolution approving a block party on September 26, 2015 from 2:00 p.m. – 8:00 p.m. on the corner of Countryside Drive & Crest Drive.

**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 –**

**XV. ADJOURNMENT**

**Ana Minkoff, Township Clerk**

**TOWNSHIP COUNCIL CORRESPONDENCE**  
**August 2015**

1. Correspondence from New Jersey American Water, received on August 3, 2015, regarding a petition for authorization to implement a Tariff Supplement establishing a Distribution System Improvement Charge.
2. Correspondence from the Township of Union, received on August 3, 2015, regarding a resolution supporting Senate Bill No. 2677, which amends the provisions of the current stream cleaning law.
3. Correspondence from Applied Service Corp., received on July 31, 2015, regarding Public Notice for Intent to Establish Ground Water Classification Exception Areas.
4. Grant Application information, received on August 7, 2015, from the State of New Jersey Department of Transportation, regarding the FY 2016 State Aid Programs.
5. Notice of Boy Scouts of America Service Award Evening, received on August 14, 2015. Dinner will be held on Friday, September 25, 2015 at the Portuguese Interactive Social Club in Elizabeth, NJ.
6. Notice of Boy Scouts of America Good Scout Award Dinner, received on August 17, 2015. Dinner will be held on Wednesday, October 7, 2015 at The Primavera Regency in Stirling, NJ.
7. Township of Cranford correspondence, received on August 21, 2015, regarding approval of Resolution No. 2015-299 (supporting Senate Bill No. 2677 which would amend the provisions of the current stream cleaning law.)
8. Correspondence from Freeholder Alexander Mirabella, received on August 26, 2015, regarding an invitation to the POW/MIA Remembrance Day Ceremony (September 18, 2015 in Elizabeth.)
9. Notice of Ongoing Environmental Activities from Alcatel Lucent, at the Murray Hill Facility, received August 31, 2015.
10. Invitation to "Stronger Together: Essex and Union Counties" Event (Tuesday, September 29th,) from Housing and Community Development Network of New Jersey, received August 31, 2015.
11. Notice from Long Hill Township regarding Adoption of Downtown Valley Commercial District Element of the Master Plan, received August 31, 2015.
12. Notice from Envirotrac regarding Public Notification and Outreach for Getty Service Station, received August 31, 2015.

EXPLANATORY STATEMENT: This Ordinance further amends and revises the requirements and procedures to retain the services of off-duty police officers of the Township of Berkeley Heights.

TOWNSHIP OF BERKELEY HEIGHTS, UNION COUNTY

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

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing Section 2.100.100 to be entitled "Outside Employment of Off-Duty Police Officers" of Chapter 2.100 entitled "Police Division" of Title 2 entitled "Administration and Personnel" of *The Code of the Township of Berkeley Heights* to revise same.

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

**Section 1.** Section 2.100.100 to be entitled "Outside Employment of Off-Duty Police Officers" of Chapter 2.100 entitled "Police Division" of Title 2 entitled "Administration and Personnel" 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~~]

**2.100.100 – Outside Employment of Off-Duty Police Officers.**

- A. Police officers may work for outside private persons or entities on their off-duty hours provided that the Chief of Police determines, in his discretion, that there are sufficient police personnel available, that the outside employment assignment will not interfere with the needs of the Township, and that sufficient funds have been deposited in an escrow account with the Township Chief Financial Officer to cover the anticipated costs of such off-duty assignments.
- B. Establishment of an Escrow Account; Application and Advance Payment.
  1. The Township shall establish an escrow account dedicated to the payment of off-duty police officers for outside employment by private persons or entities.
  2. Any prospective person or entity shall apply to the Chief of Police, requesting off-duty police services. The application shall include the following:

- i. The date(s) that the off-duty police services and police vehicle will be needed.
  - ii. An estimate of the number of hours the person or entity anticipates using the off-duty police officer(s), and, if appropriate, a police vehicle(s).
  - iii. An executed services agreement in a form satisfactory to the Township Attorney.
  - iv. A check or cash to cover the cost of off-duty police services and use of any Township vehicle, based on the estimated number of hours set forth in the application, which shall be submitted to the Township prior to the start of the off-duty employment.
3. Prospective contractors who continuously request off-duty police service, or anticipate a need for periodic or long-term off-duty police services, may request to deposit monies with the Township on an ongoing basis to be depleted as such work is performed. Funds on deposit shall not earn interest.
4. In the event that the person's or entity's needs exceed the estimated sum in the escrow account, the Chief of Police or his designee shall immediately notify the person or entity that the funds in the escrow account are insufficient to pay for continued off-duty police services. In such event, the person or entity shall either replenish the escrow account with a check or cash sufficient to pay for continued services, or the Chief of Police shall immediately terminate the off-duty police services.
5. If the person's or entity's estimated costs exceed the actual costs incurred, then the Township shall promptly refund the remainder of the escrow account that was not used.
6. Upon written request with support therefor, the Township Council may waive the escrow deposit requirement at the Council's sole discretion.

#### C. Rates for Off-Duty Police Services.

1. Police officer - The hourly rate of pay for the provision of off-duty police services shall be \$85.00 per hour per officer, plus an administrative fee of \$5.00 per hour per officer. For large scale events (events involving 4 or more officers), shall require a supervisor, whose hourly rate shall be \$90.00 per hour. There shall be a minimum of four (4) hours charged for all off-duty police services provided.
2. For all off-duty police services provided that require services over a period of eight (8) hours per day, the hourly rate of pay for each hour exceeding 8 hours shall be \$100.00 per hour per officer (including supervisors).
3. Use of Borough Police Vehicle - \$50.00 per day.

4. Township events – The hourly rate of pay for the provision of off-duty police services for Township sponsored events shall be \$60.00 per hour per officer; and, for large scale events involving 4 or more officers the supervisor's hourly rate shall be \$65.00 per hour. There shall be no four (4) hour minimum for Township sponsored events.
5. Emergency Rates. For the provision of off-duty police services in an emergency situation (as set forth in Section 2.100.100D below), as well as all off-duty police services required between the hours of ~~6~~8:00 p.m. and 6:00 a.m., or where less than 24-hour notice was provided, or on State and Federal holidays, the hourly rate of pay shall be \$100.00 per hour per officer (including supervisors).
6. Upon written request with support therefor, the Township Council may waive, at the Councils' sole discretion, any applicable administrative and vehicle fee set forth herein.

D. Cancellation. The Police Department must be notified at least two (2) hours prior to the set start time for the off-duty police services. If the services are cancelled with less than 2-hour notice, but prior to the set start time, then a minimum of two (2) hours will be charged to the escrow account pursuant to the rates set forth in Section 2.100.100(C). If the services are cancelled at or after the set start time, then a minimum of four (4) hours will be charged to the escrow account pursuant to the rates set forth in Section 2.100.100(C).

E. Emergency Situation. In event of an emergency situation, where the written application and payment for off-duty police services cannot be made prior to the date such service is required, the application and payment for such service must be made by the responsible person or entity to the Township by the end of the following business day after the emergency situation has been resolved or concluded. If payment is not received by the Township by the end of the following business day, the responsible person or entity shall be charged a late fee of fifteen (15%) percent of the total amount due, which late fee will be assessed for every day such payment is late. For the purposes of this Section, "emergency situation" shall mean any situation, including any construction, maintenance or repair required to be performed as a result of an unforeseen event or act of God, whereby the private person or entity had no prior notice of the condition, and off-duty police services are required for the public safety and welfare, which determination is left in the sole discretion of the Chief of Police.

**Section 2.** The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that the portion of the Ordinance

actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

**Section 3.** All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

**Section 5.** This Ordinance shall not take effect until after final passage, approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7, and publication in accordance with all applicable laws and statutes.

INTRODUCED the \_\_\_\_\_ day of \_\_\_\_\_, 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 Section 2.100.100 to be entitled “Outside Employment of Off-Duty Police Officers” of Chapter 2.100 entitled “Police Division” of Title 2 entitled “Administration and Personnel” of *The Code of the Township of Berkeley Heights* to revise same.**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights , do hereby certify that the foregoing Ordinance was introduced on First Reading at a meeting of the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, on September 1, 2015 and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on September 15, 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**

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

**NOTICE OF FINAL ADOPTION**

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE  
INTRODUCED ON SEPTEMBER 1, 2015:**

**An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending, Revising and Supplementing Section 2.100.100 to be entitled “Outside Employment of Off-Duty Police Officers” of Chapter 2.100 entitled “Police Division” of Title 2 entitled “Administration and Personnel” of *The Code of the Township of Berkeley Heights* to revise same.**

I, Ana Minkoff, Township Clerk of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby certify that the above entitled Ordinance was adopted on final Passage by the Township Council of the Township of Berkeley Heights at its meeting held on September 15, 2015.

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

Agenda Item # 1

**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 09/15/15, in the amount of \$204,609.33 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 15th day of September, 2015.

**ATTEST:**

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Ana Minkoff  
Township Clerk

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

**RESOLUTION**

**WHEREAS**, as a result of a public bid, the Township of Berkeley Heights entered into a Lease Agreement with the New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”) dated September 1, 1998, for the construction and operation of a wireless communication facility and related appurtenances on a portion of the property identified as Block 4501, Lot 1, located along Diamond Hill Road, and commonly known as the Diamond Hill Road Pumping Station (the “Leased Premises”); and

**WHEREAS**, the Lease Agreement was later modified by the parties by Amendment No. 1 to Lease Agreement, dated November 6, 2006; and

**WHEREAS**, the Lease Agreement, as amended, is to expire on December 31, 2015; and

**WHEREAS**, pursuant to Paragraph 3 of said Lease Agreement, the term of the Lease would be renewed for an additional five year term, if at the end of said initial lease term or renewal thereof, Verizon Wireless provides six month notice of its intention to renew; and

**WHEREAS**, during the existing term of the Lease Agreement, it was found that a portion of the Leased Premises was being utilized by another telecommunications company pursuant to separate lease with the Township; and

**WHEREAS**, the parties negotiated an amendment to the Agreement to renew the Lease Agreement (waiving the six month notice requirement), and amending the Lease Premises to remove the portion thereof being utilized by the other telecommunications company; and

**WHEREAS**, the attached Addendum No. 2 to Lease Agreement memorializes the agreement reached between the Township and Verizon Wireless, and has been reviewed by the Township Attorney and legal counsel for Verizon Wireless; and

**WHEREAS**, the Mayor and Township Council of the Township of Berkeley Heights find it in the best interest of the Township to authorize the Addendum No. 2 to Lease Agreement with Verizon Wireless.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Addendum No. 2 to Lease Agreement with Verizon Wireless to renew and amend the existing Lease Agreement for the use of the Leased Premises as a wireless communication facility and related appurtenances is hereby authorized and approved.

**BE IT FURTHER RESOLVED** that the Mayor, Township Clerk, and other appropriate Township officials are hereby authorized to execute the Addendum No. 2 to Lease Agreement pursuant to the terms herein.

**BE IT FURTHER RESOLVED** that the Township Clerk shall forward a copy of this Resolution to Verizon Wireless.

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

**APPROVED this 15th day of September, 2015.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

Verizon Wireless Site: Mountainside 2 Lease Extension  
Attorney: Richard L. Schneider, Esq.  
Date: August 13, 2015

## **AMENDMENT NO. 2 TO LEASE AGREEMENT**

THIS AGREEMENT is entered into \_\_\_\_\_ day of \_\_\_\_\_, 2015 between New York SMSA Limited Partnership d/b/a Verizon Wireless, with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920-1097 (“Lessee”), and the Township of Berkeley Heights, a municipal corporation of the State of New Jersey, having municipal offices at 29 Park Avenue, Berkeley Heights, New Jersey 07922 (“Lessor”).

### **WITNESSETH**

**WHEREAS**, on or about September 1, 1998, and November 6, 2006, Lessor and Lessee entered respectively into a Lease Agreement and Amendment No. 1 to Lease Agreement respectively (collectively “Lease Agreement”) pursuant to which Lessor leased to Lessee certain premises as defined therein in conjunction with Lessee’s right to utilize the premises for the operation of a wireless communication facility and uses incidental thereto; and

**WHEREAS**, the term of said Lease is scheduled to expire on December 31, 2015; and

**WHEREAS**, pursuant to Paragraph 3 of said Lease Agreement, the term of the Lease would be renewed for an additional five year term, if at the end of said initial lease term or renewal thereof, Lessee provides six months notice of its intention to renew; and

**WHEREAS**, the Lessor and Lessee have mutually agreed to waive the six month notice for exercising the right to renew; and

**WHEREAS**, Lessor and Lessee are mutually desirous of extending the term of the Lease and amending the description of the premises, upon the following terms and conditions.

**NOW THEREFORE**, in consideration of the mutual covenants herein set forth, and other good and valuable consideration, it is agreed by and between the parties as follows:

1. The premises being leased by Lessor to Lessee is hereby amended to reduce the leased premises from 1,550 square feet to 420 square feet as more particularly set forth on Exhibit A-1. Exhibit A-1 attached hereto and made a part hereof hereby replaces Exhibit A to the Lease Agreement.

2. In partial consideration for the amendment to the Premises, Lessor and Lessee mutually waive the provisions of Paragraph 3 of the Lease providing for the six month notice of intent to renew, and the Lease Agreement is hereby therefore extended effective January 1, 2016 for a term of five years (“Initial Extension Term”). The Lease Agreement shall automatically be extended for one additional five year term (“Second Extension Term”) unless Lessee terminates

Verizon Wireless Site: Mountainside 2 Lease Extension  
Attorney: Richard L. Schneider, Esq.  
Date: August 13, 2015

it at the end of the Initial Extension Term by giving Lessor written notice of the intent to terminate at least three months prior to the end of the Initial Extension Term.

3. Effective January 1, 2016, the annual rent shall increase to the sum of \$34,603.34. Commencing on the anniversary date of January 1, 2017, and for each year thereafter, the annual rent shall increase by the greater of the sum of 3.0% of the rent paid for the preceding year, or the percentage equal to the percentage increase in the Consumer Price Index for Urban Wage Earners New York-Northeastern New Jersey during the preceding calendar year.

4. Except to the extent modified herein, all of the terms and conditions of the Lease Agreement shall otherwise remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have affixed their hands and seals on the date first written above.

**LESSOR:**

**Township of Berkeley Heights**

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

Name:

Title:

Date:

\_\_\_\_\_  
Witness

**LESSEE:**

**New York SMSA Limited Partnership  
d/b/a Verizon Wireless  
by Cellco Partnership, its General Partner**

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

Name: David R. Heverling

Title: Area Vice President Network

Date:

\_\_\_\_\_  
Witness

Verizon Wireless Site: Mountainside 2 Lease Extension  
Attorney: Richard L. Schneider, Esq.  
Date: August 13, 2015

**EXHIBIT A-1**

(See Attached)

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

**RESOLUTION**

**WHEREAS**, by letter dated September 1, 2015 a request was made by Janet Graham, requesting permission from the Township Council to hold a neighborhood block party from 33 to 67 Berkshire Drive which would involve erecting barricades on a public street; and

**WHEREAS**, the Township Council wishes to support the request for a neighborhood block party subject, however, to the special requirements of the appropriate local Township Officials.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that it does hereby approve of a neighborhood block party for 33 to 67 Berkshire Drive on Saturday, September 26, 2015, from 3:00 – 7:00 p.m.

**BE IT FURTHER RESOLVED** that said approval is subject and contingent upon the approval of the Berkeley Heights Police Department, Fire Department and other appropriate officials; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to Janet Graham, Chief of Police, Fire Chief, and the Director of Public Works.

**APPROVED this 15th day of September, 2015.**

**ATTEST:**

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

Agenda Item  
# 3(b1)

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2015 property taxes for property known as Block #4502, Lot #10 also known as 331 Diamond Hill Road, which requires a refund in the amount of \$1,934.89; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$1,934.89 to Mahmoud Abdalla and Jennifer Muhs, 331 Diamond Hill Road, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Mahmoud Abdalla and Jennifer Muhs, Treasurer and Tax Collector.

**APPROVED** this 15<sup>th</sup> day of September, 2015.

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

#

3(62)

**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 #301.02 Lot #5 also known as 23 Daisy Rd, which requires a refund in the amount of \$63.72; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$63.72 to Yury and Anna Krapivin, 23 Daisy Rd, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Yury and Anna Krapivin, Treasurer and Tax Collector.

**APPROVED this 15<sup>th</sup> day of September, 2015**

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item  
# 3 (b3)

**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 #1401 Lot #42 also known as 15 Fawn Circle, which requires a refund in the amount of \$356.06; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$356.05 to Frank and Suzanne Sabatino, 15 Fawn Circle, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Frank and Suzanne Sabatino, Treasurer and Tax Collector.

**APPROVED this 15<sup>th</sup> day of September, 2015**

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3 (b4)

**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 #2401 Lot #5 also known as 278 Timber Drive which requires a refund in the amount of \$125.59 and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$125.59 to Joseph and Kristen Denahan, 278 Timber Drive, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Joseph and Kristen Denahan, Treasurer and Tax Collector.

**APPROVED** this 15<sup>th</sup> day of September, 2015

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3 (bs)

**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 #4601 Lot #14 also known as 283 McMane Avenue which requires a refund in the amount of \$62.67 and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$62.67 to Anthony and Karen Simonelli, 283 McMane Avenue, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Anthony and Karen Simonelli, Treasurer and Tax Collector.

**APPROVED** this 15<sup>th</sup> day of September, 2015

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3 (1)

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was a duplicate tax payment of 2015 property taxes for property known as Block #903 Lot #8 also known as 78 Baker Avenue, which requires a refund in the amount of \$1,992.60; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$1,992.60 to Louise Fabio, 78 Baker Avenue, Berkeley Heights, NJ 07922.

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

**APPROVED** this 15<sup>th</sup> day of September, 2015

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item  
# 3(c2)

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was a duplicate tax payment of 2015 property taxes for property known as Block #1602 Lot #17 also known as 6 Brook St, which requires a refund in the amount of \$2,677.05; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$2,677.05 to Glenn Matthew Chaleff, 6 Brook St, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Glenn Matthew Chaleff, Treasurer and Tax Collector.

**APPROVED this 15<sup>th</sup> day of September, 2015**

**Attest:**

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**Ana Minkoff  
Township Clerk**

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was a duplicate tax payment of 2015 property taxes for property known as Block #2506 Lot #1 also known as 28 Baldwin Drive which requires a refund in the amount of \$6,482.02 and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$6,482.02 to Christopher and Tina Heintz, 28 Baldwin Drive, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Christopher and Tina Heintz, Treasurer and Tax Collector.

**APPROVED** this 15<sup>th</sup> day of September, 2015

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3(C4)

**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 #2703 Lot #12 also known as 416 Emerson Lane which requires a refund in the amount of \$2,550.49 and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$2,550.49 to Michael and Mara Cruwys, 416 Emerson Lane, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Michael and Mara Cruwys, Treasurer and Tax Collector.

**APPROVED** this 15<sup>th</sup> day of September, 2015

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3(c5)

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was a duplicate tax payment of 2015 property taxes for property known as Block #3504 Lot #5 also known as 15 Pinnel Court which requires a refund in the amount of \$4,797.23 and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$4,797.23 to Michael and Elise Ornstein, 15 Pinnel Court, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Michael and Elise Ornstein, Treasurer and Tax Collector.

**APPROVED this 15<sup>th</sup> day of September, 2015**

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

# 3 d

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

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there is a refund due for 2012, 2013, 2014 and 2015 for tax appeal refunds of property taxes for properties located at Block 501 Lot 1, Block 504 Lots 1&2, also known as 714, 735, and 730 Springfield Avenue, which requires a refund in the amount of \$53,041.53; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the payment for 2012, 2013, 2014 and 2015 taxes in the amount of \$53,041.53 to Law Office of Nathan P. Wolf, LLC and James-Dale Enterprises, Inc., 673 Morris Avenue, Springfield, NJ 07081.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Law Office of Nathan P. Wolf, LLC and James-Dale Enterprises, Inc. Treasurer and Tax Collector.

**APPROVED this 15th day of September, 2015.**

**Attest:**

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**Ana Minkoff  
Township Clerk**

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

**RESOLUTION**

**WHEREAS**, by letter dated September 8, 2015 a request was made by Capt. Daniel Cuocci requesting permission from the Township Council to close the length of Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue for the Berkeley Heights Fire Department Hot Rod on Hamilton, for the parking of the show cars from 8:00 a.m. to 4:00 p.m. on October 11, 2015, with a rain date of October 18, 2015, which would involve erecting barricades on a public street; and

**WHEREAS**, the Township Council wishes to support the request for a Berkeley Heights Fire Department Hot Rods on Hamilton, subject, however, to the special requirements of the appropriate local Township Officials.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that it does hereby approve the closure of Hamilton Avenue between Plainfield Avenue and Roosevelt Avenue for the parking of the show cars from 8:00 a.m. to 4:00 p.m. on October 11, 2015, with a rain date of October 18, 2015.

**BE IT FURTHER RESOLVED** that said approval is subject and contingent upon the approval of the Berkeley Heights Police Department, Fire Department and other appropriate officials; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to, Chief of Police, Fire Chief, and the Director of Public Works.

**APPROVED this 15<sup>th</sup> day of September, 2015.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS<sup>1</sup>  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, by e-mail dated August 28, 2015 a request was made by Alaina Kelly requesting permission from the Township Council to hold a neighborhood block party on the corner of Countryside Drive & Crest Drive, on Saturday, September 26, 2015 from 2:00 p.m. until 8:00 p.m. which would involve erecting barricades on a public street; and

**WHEREAS**, the Township Council wishes to support the request for a neighborhood block party subject, however, to the special requirements of the appropriate local Township Officials.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that it does hereby approve of a neighborhood block party on the corner of Countryside Drive & Crest Drive, on Saturday, September 26, 2015 from 2:00 p.m. until 8:00 p.m., with a rain date of September 27, 2015.

**BE IT FURTHER RESOLVED** that said approval is subject and contingent upon the approval of the Berkeley Heights Police Department, Fire Department and other appropriate officials; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to Alaina Kelly, Chief of Police, Fire Chief, and the Director of Public Works.

**APPROVED this 15th day of September, 2015.**

**ATTEST:**

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Ana Minkoff  
Township Clerk