



- E. Jeanne Kingsley
- F. Kevin Hall

**IX. ADMINISTRATION REPORTS**

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

**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 NOVEMBER 10, 2015:**

**“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”** Explanation: This Ordinance amends the Township’s current Salary Ordinance (Ordinance #5-2015) to update and add the salary ranges for the various positions.

**XII .NEW BUSINESS- RESOLUTIONS**  
**OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:**

**A. RESOLUTIONS**

1. Resolution approving Bill List dated November 24, 2015 in the amount of \$173,142.26.
2. Resolution authorizing the Township to enter into the Second Amendment to the Memorandum of Understanding with Little Flower Church extending the term of the MOU to February 28, 2016.
3. Resolution authorizing transfers within the 2015 Municipal Budget and Reserves.
4. Resolution voiding Resolution #145-2015, Sadal Wines, liquor license #2001-44-001-003.
5. Resolution authorizing the 2015/2016 Sadal Wines Liquor license for a period ending June 30, 2016.

6. Resolution voiding Resolution #210-2015, Place-to Place Transfer for Sadal Wines, Inc.
7. Resolution authorizing the Place-to-Place transfer of Plenary Retail Distribution License #2001-44-001-003, Sadal Wines Inc., at 440 Springfield Avenue.
8. **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 2015 tax overpayment:
 

1. Robert & Irene McQuillan	159 Emerson Lane	\$3,164.16
2. Matthew & Melissa Redente	6 Lackawanna Blvd.	\$6,386.25
  - b. Resolution authorizing fireworks display on December 5, 2015 at the annual tree lighting ceremony at Memorial Field.
  - c. Resolution authorizing the release of a Performance Surety Bond and Cash Performance bond for Alcatel-Lucent, USA, Inc.  
**AMENDING RESOLUTION #239-2015**

**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. ADJOURNMENT**

**Ana Minkoff, Township Clerk**

*Proclamation*  
*Township of Berkeley Heights*

WHEREAS, **Helen Kirsch** is a lifelong resident of Berkeley Heights and along with her late husband Mike, she raised her three children, Michael, Michele and Stephen in Berkeley Heights; and

WHEREAS, three generations of the **Kirsch** family graduated from or currently attend Berkeley Heights Public Schools; and

WHEREAS, **Helen Kirsch** began her long tenure as a member of the Berkeley Heights Board of Education in 1983; and

WHEREAS, over the course of her thirty-two years of service on the Board of Education, **Helen** has served on the Negotiations, Long Range Planning, Athletics/Co-Curricular, Legislative, Personnel and Curriculum committees; and

WHEREAS, **Mrs. Kirsch** served as Board President from April 1989 to January 2007 and was chosen again to be President in January 2013, a position she currently holds; and

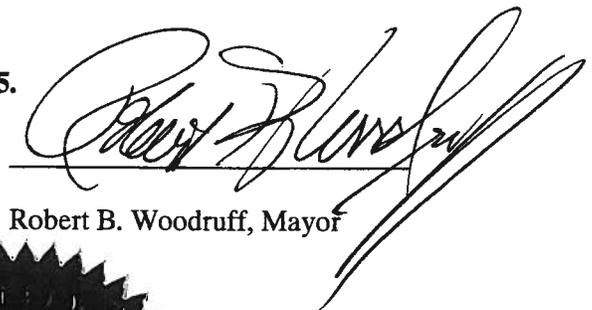
WHEREAS, **Helen Kirsch** was instrumental in the establishment of the Early Childhood Center and in the dissolution of a Union County regional high school in favor of the addition of GLHS to the Berkeley Height's Public Schools; and

WHEREAS, the New Jersey School Board Association gave special recognition to **Helen Kirsch** by naming her New Jersey's 2015 School Board Member of the Year; and

WHEREAS, through her thirty –two years of dedication to the Board of Education, **Helen Kirsch** has won the respect and affection of fellow board members and the Community;

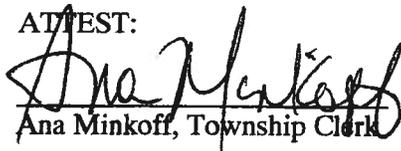
**NOW, THEREFORE**, be it resolved, by the Mayor and Township Council of the Township of Berkeley Heights that **Helen Kirsch** be thanked for her strong commitment to the children of Berkeley Heights and be congratulated on receiving the 2015 School Board Member of the Year award.

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

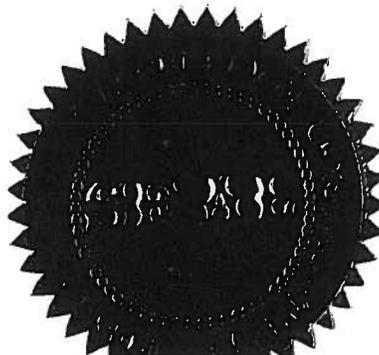


Robert B. Woodruff, Mayor

ATTEST:



Ana Minkoff, Township Clerk



Explanation: This Ordinance amends the Township's current Salary Ordinance (Ordinance #5-2015) to update and add the salary ranges for the various positions.

**AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS**

**BE IT ORDAINED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, pursuant to N.J.S.A. 40A:5-19 and N.J.S.A. 40A:9-10, that the Township's Salary Ordinance (Ordinance #4-2013 as amended by Ordinance No. 8-2013) as follows: [New language **bold and underlined**, and deleted language in ~~double strikethrough~~.]

**SECTION 1.**

The annual salaries and wages of the elected and appointed officials of the Township and certain non-union Township employees in the various municipal departments of the Township of Berkeley Heights shall be fixed from time to time by the Township Council by Resolution and, except as provided herein shall not be less than the minimum amounts nor more than the maximum amounts hereinafter set forth for each position.

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<b>Administration &amp; Executive</b>	Mayor	1.00	4,000.00
	Council Members	1.00	3,500.00
	Township Administrator	60,000.00	135,150.00
	Executive Assistant	25,000.00	<del>54,060.00</del> <b><u>59,466.00</u></b>
	Administrative Assistant	25,000.00	48,654.00
	Township Clerk	50,000.00	95,145.00
	Acting Township Clerk	35,000.00	63,600.00
	Deputy Township Clerk	25,000.00	54,060.00

<b>Finance Department</b>	Treasurer/Chief Financial Officer	60,000.00	108,120.00
	Assistant Finance Officer	40,000.00	60,000.00
	Tax Assessor	20,000.00	54,060.00
	Tax Collector	20,000.00	65,090.00
<b>Municipal Court</b>	Municipal Judge	10,000.00	35,700.00
	Municipal Prosecutor	10,000.00	20,400.00
	Public Defender	3,000.00	10,200.00
	Board of Adjustment Attorney	2,000.00	5,100.00
<b>Public Works - Engineering Division</b>	Township Engineer_ / Director of Public Works	45,000.00	108,970.00
	Asst. Dir. of Public Works	45,000.00	82,712.00
	Zoning Official <u>(Tree Inspector &amp; Code Review Officer)</u>	30,000.00	65,508.00
	Construction Official Dispatcher/Asst Terminal Agency Coordinator	60,000.00 1.00	86,496.00 2,500.00
<b>Stipends</b>	Board of Health Secretary	1.00	4,000.00
	Fire Official	1.00	13,000.00
<b>Fire</b>	Fire Official	1.00	13,000.00
	Superintendent of Wastewater Management	85,000.00	127,200.00
<b>Sewer Plant</b>	Acting Superintendent of Wastewater Management	50,000.00	79,500.00
<b>Police Dept</b>	Chief	90,000.00	156,060.00

	Police Secretary	28,000.00	54,060.00
	Confidential Secretary	28,000.00	59,466.00
	Special Police (per hr)	8.38	30.00
	Special Police Matrons (per hr)	8.38	30.00
	Crossing Guards (per hr)	8.38	30.00
<b>Emergency Management</b>	Emergency Management Coordinator	500.00	5,500.00
	Assistant Emergency Management Coordinator	500.00	1,500.00
 <b>Part Time Hourly Employees</b>			
	Level 1 -, Seasonal	8.38 Hr	18.00/Hr
	Level 2 - Casual	10.00/Hr	30.00/Hr
	Level 3 - Casual w/ License *	20.00/Hr	45.00/Hr
	Level 4 - Part Time w/ License*	20.00/Hr	45.00/Hr.

\* This includes all Sub code officials.

## **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.**

The provisions of this Ordinance shall be effective according to law.

**Introduced:**

**Adopted:**

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Robert Woodruff  
Mayor

**ATTEST:**

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Ana Minkoff  
Township Clerk

**NOTICE OF  
INTRODUCTION**

**Ordinance -2015**

**“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”**

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 **November 10, 2015** and that said Ordinance shall be submitted for consideration and final passage at the Public Hearing to be held on **November 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 NOVEMBER 10, 2015:**

**“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF  
SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP  
OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL  
DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”**

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 November 24, 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 11/24/15, in the amount of \$173,142.26 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 24th day of November, 2015.

**ATTEST:**

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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 has declared the Library Property and the Little Flower Property as areas in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

**WHEREAS**, pursuant to the Redevelopment Law, as well as 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 setting forth the general terms and contingencies relating to the potential land exchange, which was subsequently amended by First Amendment to Memorandum of Understanding (the "MOU"); and

**WHEREAS**, the MOU is set to expire on November 30, 2015; and

**WHEREAS**, the Township and Little Flower wish to enter into a Second Amendment to Memorandum of Understanding extending the term of the MOU to February 28, 2016; and

**WHEREAS**, the Second 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 Second Amendment to Memorandum of Understanding with Little Flower Church

extending the term of the MOU to February 28, 2016, 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 February 28, 2016, with all other terms of the MOU to remain the same.
2. If the Township determines to proceed with the land transaction 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 transaction 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 November, 2016.

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**

**SECOND 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, as previously amended by First Amendment to Memorandum of Understanding, setting forth the general terms to 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 Church of the Little Flower 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 February 28, 2016, 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.

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

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

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

Name: Reverend Andrew M. Prachar

Title:

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

#3

**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 2015 Municipal Budget and Reserves are hereby authorized:

<u>Account Description</u>	<u>To:</u>	<u>From:</u>
Tax Assessment O/E	\$ 17,500.00	
Affordable Housing O/E	45,000.00	
Fire Dept O/E	3,350.00	
Sewer Plant O/E	20,000.00	
Legal O/E		\$ 62,500.00
Other Sewer Expense O/E		3,350.00
Solid Waste Collection O/E		20,000.00
<b>TOTALS</b>	<b>\$ 85,850.00</b>	<b>\$ 85,850.00</b>

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

**ATTEST:**

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

TOWNSHIP OF BERKELEY HEIGHTS  
APPROPRIATION TRANSFER RESOLUTION  
NOVEMBER 24, 2015  
EXPLANATORY STATEMENTS

Account Description / Number		Amount	
To:	From:	To:	From:
Tax Assessment O/E	Legal O/E	\$ 17,500.00	
		<u>\$ 17,500.00</u>	<u>\$ 17,500.00</u>
<u>Explanatory Statement:</u> Several large settlements in 2015 caused an increase in usage of professional services.			
Affordable Housing O/E	Legal O/E	\$ 45,000.00	
		<u>\$ 45,000.00</u>	<u>\$ 45,000.00</u>
<u>Explanatory Statement:</u> Legal decision regarding COAH caused uncontrollable spending for legal defense of Township.			
Fire Department O/E	Other Sewer Expense O/E	\$ 3,350.00	
		<u>\$ 3,350.00</u>	<u>\$ 3,350.00</u>
<u>Explanatory Statement:</u> Aging equipment caused increased maintenance activity.			
Sewer Plant O/E	Solid Waste Collection O/E	\$ 20,000.00	
		<u>\$ 20,000.00</u>	<u>\$ 20,000.00</u>
<u>Explanatory Statement:</u> Aging infrastructure caused increased maintenance to facilities and equipment.			
		<u>\$ 85,850.00</u>	<u>\$ 85,850.00</u>

#4

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

**VOIDING RESOLUTION 145-2015  
LIQUOR LICENSE NO. 2001-44-001-003**

**RESOLUTION**

**WHEREAS**, Resolution 145-2015, dated June 23, 2015, approved the 2015/2016 Alcoholic Beverage Licenses, and Sadal Wines, Inc. (INACTIVE) license was approved in error; and

**WHEREAS**, Sadal Wines, License No. 2001-44-001-003, has received a Special Ruling to permit consideration of a renewal application pursuant to N.J.S.A. 33:1—12.39 .

**BE IT FURTHER RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that Resolution #145-2015 is hereby null and void.

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

**ATTEST:**

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

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

**RESOLUTION**

**WHEREAS**, renewal applications for 2015/2016 Alcoholic Beverage Licenses in proper form, together with the appropriate license fees, have been received from the following:

**PLENARY RETAIL DISTRIBUTION LICENSE**

**Sadal Wines, Inc. – (INACTIVE)**  
t/a Kings Fine Wines & Spirits  
434 Springfield Avenue

#2001-44-001-003

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, that the aforementioned Alcoholic Beverage License is hereby renewed for a period of one (1) year expiring June 30, 2016.

Copies of this Resolution are to be forwarded to the Alcoholic Beverage Control Commission, the above licenses, Board of Health, Construction Code Official, Police Department, and Fire Department.

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

**ATTEST:**

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

#6

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

**VOIDING RESOLUTION 210-2015  
PLACE-to-PLACE TRANSFER  
LIQUOR LICENSE NO. 2001-44-001-003**

**RESOLUTION**

**WHEREAS**, Resolution 210-2015, dated October 6, 2015, approved the Place-to-Place transfer of Plenary Retail Distribution License for Sadal Wines, Inc. Liquor license No. 2001-44-001-003, Resolution was approved in error; and

**BE IT FURTHER RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that Resolution #210-2015 is hereby null and void.

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

**ATTEST:**

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Ana Minkoff  
Township Clerk

#7

Agenda Item No.:

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

**RESOLUTION**

**WHEREAS**, an application has been filed for a Place-to-Place transfer of Plenary Retail Distribution License #2001-44-001-003, issued to Sadal Wines Inc. for premises with a mailing address of 612 River Road, Chatham, New Jersey, 07928.

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Berkeley Heights does hereby approve, effective November 24, 2015, the Place-to-Place transfer of the aforesaid Plenary Retail Distribution licensed premises, from its pocket status with a mailing address of 612 River Road, Chatham, New Jersey 07928 to its new location at 440 Springfield Avenue, Berkeley Heights, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred premises located at 440 Springfield Avenue, Berkeley Heights, New Jersey.

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

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Ana Minkoff  
Township Clerk

Agenda Item  
#

8 (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 #3003 Lot #8 also known as 159 Emerson Lane which requires a refund in the amount of \$3,164.16; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$3,164.16 to Robert & Irene McQuillan, 950 Hillside Avenue, Plainfield, NJ 07060

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Robert & Irene McQuillan, Treasurer and Tax Collector.

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

**Attest:**

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**Ana Minkoff  
Township Clerk**

Agenda Item

#

8(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 #3802 Lot #5.02 also known as 6 Lackawanna Blvd which requires a refund in the amount of \$6,386.25; and

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment for 2015 taxes in the amount of \$6,386.25 to Matthew J. and Melissa S. Redente, 6 Lackawanna Blvd, Murray Hill, NJ 07974

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Matthew J. & Melissa S. Redente, Treasurer and Tax Collector.

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

**Attest:**

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**Ana Minkoff  
Township Clerk**

# 8(b)

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

**RESOLUTION**

**WHEREAS**, Garden State Fireworks has requested permission to hold a fireworks displays for tree lighting ceremony, at Memorial Field on December 5, 2015 between 5:00 – 6:00 p.m. In the event of rain this resolution will be extended for 10 days; and

**WHEREAS**, the Township Council believes that it is appropriate to grant permission for such display under the normal terms and conditions.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that permission is granted to Garden State Fireworks to hold a fireworks display on December 5, 2015, at Veterans Memorial Field between 5:00-6:00 p.m., provided that it satisfies all comments and concerns, if any, of the Rescue Squad, Fire Department and Police Department raised prior to, or on the night of the display including any raised as a result of the weather conditions at the time of the display.

Copies of this resolution are to be forwarded to Garden State Fireworks, Police Department, Rescue Squad, and Fire Department.

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

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

# 8 (c)

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

**AMENDING RESOLUTION #239-2015**

**RESOLUTION**

**WHEREAS**, Alcatel-Lucent USA, Inc. was required to post a **Performance Surety Bond in the amount of \$671,761.41** and a cash Performance Bond in the amount of \$74,640.16, in connection with work being performed at 600 Mountain Avenue and the Township Engineer in a letter dated October 30, 2015 has recommended a full release of the **Performance Surety Bond in the amount of \$671,761.41 and** cash Performance Bond in the amount of \$74,640.16, pending the receipt of a Maintenance Bond in the amount of \$373,200.79.

**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 the cash Performance bond posted by Alcatel-Lucent USA, Inc. in the amount of \$74,640.16 and sent to Alcatel Lucent USA, Inc, 600 Mountain Avenue, Murray Hill, NJ 07974 in the amount of \$74,640.16, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to Alcatel-Lucent USA, Inc., Township Treasurer and Township Engineer.

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

**ATTEST:**

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Ana Minkoff  
Township Clerk