

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JULY 12, 2016**

The Council Recording System Malfunctioned and Did Not Record the Meeting

CALL TO ORDER

At 7:05 p.m. Mayor Woodruff called the meeting to order and stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

Mr. D'Aquila, Mr. Delia, Mr. Faecher, Mrs. Kingsley, Mr. Pastore, Mr. Pirone and Mayor Woodruff answered present. Also present were Township Attorney Joseph Sordillo, Township Administrator John Bussiculo and Township Clerk Ana Minkoff.

FLAG SALUTE

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

CONFERENCE SESSION –

Mr. Faecher – Mr. Faecher presented an Affordable Housing update and specifically spoke about the Appellate Division's July 11th decision concerning the "Gap Period" of 2000 to 2015.

The Mayor referenced a recent TAPinto Berkeley Heights Affordable Housing article and stressed that this information did not come from the Council and was not an authorized letter from the Council.

TOWNSHIP COUNCIL AND ADMINISTRATION REPORTS

Mr. Faecher – In regards to the Redevelopment of the Municipal Building, Mr. Faecher reported that the architect had reviewed the conceptual plan to address concerns made by the Seniors and municipal administrative staff concerning the location of certain meeting and office space. He reported on the modified architectural plans and elaborated. Mr. Faecher stated that Ms. Joan Luciano was enthusiastic about the proposed building revisions as were the municipal administrative departments. He asked for a Council recommendation. All agreed to move forward with the plans as revised.

**Township Council Minutes
Public Meeting – July 12, 2016**

Mrs. Kingsley – Mrs. Kingsley provided an update on the new Township website: 1) she met with the Administration; 2) the website is “on track” to go live by October 1st; 3) she believes the Public will be happy with it; 4) it is expected to meet most of the concerns which have been raised.

Mayor Woodruff – Mr. Woodruff spoke about recent graffiti which appeared on Township property and thanked the municipal staff for cleaning it up. Mr. Bussiculo stated that we decided to quickly cover it up and therefore, painted it right away.

Mr. Bussiculo – During the Administrator’s report, Mr. McAndrew spoke about the State position on the alternate disinfection process at the Waste Water Treatment Plant. He stated that we are currently awaiting State approvals and a NJDEP site inspection is scheduled for Wednesday, July 20th. Mr. McAndrew stated that the product we have proposed to use does have EPA and FDA approvals. If State authorization is received, Mr. McAndrew noted that Berkeley Heights would be the first treatment plant in the state to receive such approval. Mr. McAndrew noted that this alternate process would replace the previously proposed ultraviolet disinfection process, which had an estimated installation cost of \$900,000.

Mr. Marceau spoke about the refunding of bonds. Because the Township’s rating is now AA1, we were 1) able to save \$260,000 in our recent bond refunding, and 2) were able to receive the lowest bond rate in almost 100 years.

Mr. Bussiculo presented updates from the following Township Departments: Recreation and Public Works.

He also reported on school flasher replacements, the New Jersey American Water road project, the Carp permit application, the Governor’s recent shutdown of state-funded work and its effect on Snyder Avenue, street signs, the new welcome signs and collaborating with the Board of Education.

The Mayor suggested that we look at pages 52 and 53 of the recent Judicial ruling regarding the Appellate Division’s earlier decision discussing the Gap Period of 2000 to 2015;

Moved by Mr. D’Aquila to approve the Township Council and Administration Reports, seconded by Mr. Pastore and upon roll call vote:

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

APPROVAL OF MINUTES

Moved by Mr. Pirone to approve the following minutes, seconded by Mrs. Kingsley and upon roll call vote:

Public Meeting – June 28, 2016

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

Moved by Mr. Pirone to approve the following minutes, seconded by Mrs. Kingsley and upon roll call vote:

Executive Session – January 6, 2015, January 20, 2015, February 10, 2015

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

HEARING ON AGENDA ITEMS ONLY

Moved by Mrs. Kingsley to open the Hearing on Agenda Items Only, seconded by Mr. D'Aquila and upon roll call vote:

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

In regards to the Bill List, Mr. Foregger of 14 Dorsett Road asked questions about items associated with these vendors 1) Elefante Music; Mr. Foregger also asked what the Municipal Alliance accomplishes, and 2) Harbor Consultants. Discussion ensued regarding the Escrow Account for Locust Avenue (Mr. Foregger and Mr. Sordillo.)

Hearing no voices, moved by Mrs. Kingsley to close the Hearing on Agenda Items Only, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Delia, Mr. Faecher, Mrs. Kingsley, Mr. Pastore, Mr. Pirone
Nays: None
Abstain: None
Absent: None

RESOLUTIONS

Mr. Delia introduced the following resolution:

1. Resolution approving Bill List dated July 12, 2016 in the amount of \$498,539.78.

Moved by Mr. Delia to approve resolution #1, seconded by Mrs. Kingsley and upon roll call vote:

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

Mr. Pastore introduced the following resolution:

2. Resolution approving the Corrective Action Plan and authorizing the Chief Financial Officer to implement such a plan.

Moved by Mr. Pastore to approve resolution #2, seconded by Mr. Pirone and upon roll call vote:

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

Mr. Faecher introduced the following resolution:

3. Resolution certifying that the Township Council has personally reviewed as a minimum the Annual Report of Audit and specifically the section of the Annual Audit entitled "Comments and Recommendations.

Moved by Mr. Faecher to approve resolution #3, seconded by Mr. D'Aquila and upon roll call vote:

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

CITIZENS HEARING

Moved by Mr. Delia to open the Citizens Hearing, seconded by Mrs. Kingsley and upon roll call vote:

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

Mr. John Sincaglia of 22 Robbins Avenue asked a question regarding the Mayor's Correspondence.

Ms. Stephanie Bakos spoke about their collaboration with the County on how to help seniors.

Hearing no voices, moved by Mr. Delia to close the Citizens Hearing, seconded by Mr. D'Aquila and upon roll call vote:

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

EXECUTIVE SESSION –

- 1. Attorney-Client Privilege- Litigation- Connell Tax Appeal**
- 2. Attorney/Client Privilege-Litigation-Affordable Housing**
- 3. Attorney/Client Privilege-Contract Negotiations-Free Acres Association**
- 4. Attorney/Client Privilege–Contract Negotiations–Little Flower Church**
- 5. Attorney/Client Privilege-Contract Negotiations-Professional Architect**

Moved by Mrs. Kingsley to go into Executive Session, seconded by Mr. Pastore and upon roll call vote:
(7:57 p.m.)

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

The Mayor reminded all that they would be coming out of Executive Session, only to adjourn.

Moved by Mrs. Kingsley to go out of Executive Session, seconded by Mr. Pastore and upon roll call vote:
(9:03 p.m.)

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

ADJOURNMENT

Moved by Mr. Pirone to adjourn, seconded by Mr. Delia, and upon roll call vote:
(9:04 p.m.)

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

Approved: July 26, 2016