

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD OCTOBER 18, 2016**

CALL TO ORDER

At 7:03 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 John Visconi, Township Administrator John Bussicula and Township Clerk Ana Minkoff.

FLAG SALUTE

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

The Mayor announced that we would go a little bit out of order and move to the Conference Session

CONFERENCE SESSION –

- **Best Practices Presentation**
- **Presentation regarding Peppertown Park**
- **Beautification Committee – Future fund raising**

The Mayor asked the Peppertown Park representatives to come forward.

Mrs. Kingsley noted that 1) we have purchased equipment and 2) for the first time, we are attempting to live stream the Council Meetings.

Ms. Gay Hollowell acknowledged her colleagues, Ms. Midge Vicendese and Mr. Donovan Hall, and stated that they were here to present ideas and plans for the renovation of Peppertown Park. Ms. Hollowell spoke about the committee's beginnings, goal of the area, formation of a 501c3 Non-Profit organization, a recent IRS-issued non-profit status number, recent grant awards, and the School District's interest in partnering with the Committee. Ms. Hollowell stated that tonight's main purpose was to seek a Council Ordinance to create a Parks Renovation and Restoration Committee and elaborated.

Ms. Midge Vicendese noted Peppertown Park's rich tradition and legacy, its potential as a vibrant, cultural hub, and the nature of the community of volunteers as being both varied and committed. Mr. Donovan Hall noted that he was asked to prepare a new design and concept for Peppertown Park. He elaborated on the proposed plan and uses. Mr. Hall presented Peppertown Park renderings. Mrs. Kingsley asked Mr. Hall to speak about his background. Mr. Hall stated that he was a third generation owner of the Halls Garden Center in town and spoke about his educational credentials and professional experience. Mr. Hall described Phase 1 and what it entailed. He noted that he broke the work into about 5 phases.

The Mayor asked Mr. Hall if the "ball park" square footage of the current lawn had been measured. Mr. Hall responded. The Mayor asked if there would be more lawn if everything was removed, consistent with this plan. Mr. Hall responded. The Mayor asked Mr. Hall whether clearing the land would be his recommendation for the first thing to be done. Mr. Hall responded. The Mayor asked Ms. Hollowell

**Township Council Minutes
Public Meeting – October 18, 2016**

whether a survey was one of the group's early undertakings. Ms. Hollowell responded. She noted that the first phase of the project would be preparation. Ms. Hollowell thanked Mr. Hall and noted the hours which have gone into this. Ms. Hollowell spoke about the goal of Phase 1. She also noted that their goal will be to have a lot of in kind services, similar to what was done at Veterans (Memorial Park.) Ms. Hollowell spoke about Phase 2. She noted the Redevelopment of Sherman Avenue. Ms. Hollowell stated that this was a possible partnership project from the municipal level, the private level, the County, the State and New Jersey Transit. She spoke about the current state of the park. Ms. Hollowell elaborated on private foundation funding.

Mr. Faecher thanked the volunteers and noted that this was a great looking project. Mr. Faecher spoke about the components of the Affordable Housing projects and expected Sherman Avenue changes with the Committee work (i.e., planning and integration.) Mr. Hall responded. Discussion ensued (Mr. Hall, Mr. Faecher, Ms. Hollowell, Mr. Pastore, the Mayor, Mr. Bussiculo and Mrs. Kingsley.) The Mayor asked about the recent award of \$5,200. Ms. Hollowell responded. Ms. Hollowell then spoke about what made their Committee unique and why they were asking their group to be formed in this manner, i.e., they would focus specifically on Parks in town, as opposed to focusing on play grounds and playing fields. Mr. Hollowell spoke about initial funding plans for this year and next year. The Mayor asked about the Mondelli property and possible integration. Ms. Hollowell responded.

The Mayor asked for a straw vote as to whether we should present an Ordinance regarding what Ms. Hollowell, Ms. Vicendese and Mr. Hall presented. Each member of the Council stated Aye.

PROCLAMATION- Charlie Pratt

When he is asked, the Mayor noted that Mr. Pratt "steps up" any and all times. The Mayor spoke about Mr. Pratt's work with the Township website. The Mayor read aloud the Proclamation commemorating Mr. Pratt's many years of volunteerism, dedication and service for the Township. Mr. Pratt stated that he appreciated the recognition.

CONFERENCE SESSION – (continued)

- **Best Practices Presentation**
- **Presentation regarding Peppertown Park**
- **Beautification Committee – Future fund raising**

Ms. Julie Lloyd stated that the Beautification Committee proposed to design, order and sell Berkeley Heights-branded ornaments and car magnets. She noted that the ornaments and magnets would feature the new Train Station logo. Ms. Lloyd described details of the fundraiser. Citing the public's benefit, Mr. Faecher summarized the financials of the fundraiser. Mr. Bussiculo asked if residents could pre-order an ornament. Ms. Lloyd and Mrs. Kingsley responded. The Mayor asked for a straw vote as to all those in favor (of the fundraiser.) Each member of the Council stated Aye.

Mr. Marceau gave a presentation regarding Best Practices and the Township's Finances. He spoke about the State's Best Practices questionnaire, how the questionnaire relates to State Aid, and Berkeley Heights' score. In regards to the four questions which we didn't "have," the Mayor asked Mr. Marceau to review them. Mr. Marceau responded. Discussion ensued (the Mayor, Mr. Marceau, Mr. Faecher, and Mr. D'Aquila.) Mr. Pirone noted that the Engineer was working on the first question. He asked whether it would be fixed by next year. Mr. Marceau and Mr. Bussiculo responded.

TOWNSHIP COUNCIL REPORTS

Mr. D’Aquila- Mr. D’Aquila stated that he attended the Governor’s Town Hall meeting which was held in New Providence. Mr. D’Aquila spoke about the Transformers issue which was discussed at the meeting. Mr. D’Aquila also spoke about a Freeholder question which the Governor answered at the meeting, specifically about open election versus district representation. The Mayor responded.

Mr. Pirone – Mr. Pirone stated that he had nothing to report.

Mr. Delia – Mr. Delia commented on the County discussion. Mr. Delia noted that the Governor is one of the best speakers “out there” and elaborated. Mr. Delia asked if Gov Deals finished. Mr. Bussiculo responded. Mr. Delia noted that two huge logs were left on the boat launch during the recent river clearing. Mr. Bussiculo responded. Mr. Delia asked how to put branches out this year. Mr. Bussiculo responded.

Mr. Faecher – Mr. Faecher stated that yesterday was the Township’s Court Hearing on the Affordable Housing Settlement. He gave background and an overview on Phases I and II. Mr. Faecher summarized the Court Hearing’s ruling. Mr. Faecher spoke about next steps including implementation dates and deadlines. He noted that the developers need to pay for the professional fees of the planner, engineers and associated studies. Mr. Faecher stated this was a watershed event for the municipality and elaborated, including noting that the Court commended the Township. Mr. Faecher spoke about protection until 2025. The Mayor thanked certain individuals: Mr. Faecher, Mr. Mistretta, Mr. Bussiculo and the Council. The Mayor spoke about the Fair Share Housing Center and the developers in this process.

Mr. Faecher spoke about Summit’s use of Uber to deal with parking. He suggested that we should monitor this as well as reach out to Summit’s Business Administrator and Mayor. Discussion ensued (the Mayor and Mr. Faecher.)

Mrs. Kingsley – Mrs. Kingsley stated that she had a Communications update, and spoke specifically about Streaming. Mrs. Kingsley thanked Mr. Raaymakers for his assistance. She encouraged people to use the website feature which allows one to report a problem or an issue.

The Mayor stated that there would be a ceremony across the street on Veteran’s Day at 8 a.m. Discussion ensued as to whether the Veterans would be having an event.

Mr. Pastore – Mr. Pastore stated that he had nothing to report.

Mr. Bussiculo –Mr. Bussiculo presented updates on 1) the Transportation Fund and 2) Snyder Avenue paving. Mr. Bussiculo provided information about these Township Departments and issues: Construction, Building, Engineering, Public Works, Lord Littell Museum, Fire Department, Sewer, the solar stop sign on Locust and Snyder, Zoning, the Culvert, Heritage Square Street Lights, County Road Leaf Pickup and COAH updates in neighboring communities.

Mr. Delia noted that certain roads’ pavements are textured on the hill. Mr. Bussiculo responded.

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 – October 4, 2016

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

Executive Session Meeting – November 10, 2015

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

The Mayor noted that members of the Public could come forward to comment or ask questions.

HEARING ON AGENDA ITEMS ONLY

Moved by Mr. Pastore 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

The Mayor noted that Mrs. Kingsley would be the official timekeeper.

Mr. Tom Maciejewski of 40 Ralph Place asked if it would be possible for people on the two year parking wait list to get an alternative van or bus. He further elaborated on this question. Mr. Faecher and the Mayor responded.

Ms. Julie Lloyd of 52 Deepdale Drive thanked the Council and Mr. Faecher for all they do. Ms. Lloyd asked about utilities and paving work. Mr. Bussiculo responded.

Hearing no voices, moved by Mr. Pastore to close the Hearing on Agenda Items Only, 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

RESOLUTIONS

Mr. Delia introduced the following resolution:

1. Resolution approving Bill List dated October 18, 2016 in the amount of \$259,073.61.

Moved by Mr. Delia to approve resolution #1, seconded by Mr. Faecher and carried. Mr. Delia stated he reviewed the Bill list and noted there was an item about an artificial ice skating rink or a snow globe. Mr. Bussiculo responded.

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:

2. Resolution authorizing the contract with Emergency Transfer Controls, Inc., for the WPCP Electric Controls Upgrade Project in the amount not to exceed \$110,412.00.

Moved by Mr. Faecher to approve resolution #2, 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

Mrs. Kingsley introduced the following resolution:

3. Resolution authorizing a partial release of a Performance Guarantee bond, to Paone Realty Assoc. for the property located at 308-312 Springfield Avenue in the amount of \$93,741.60.

Moved by Mrs. Kingsley to approve resolution #3, seconded by Mr. Pirone and carried. Mr. Faecher asked which property this was. Mrs. Kingsley responded.

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

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.

Mr. Pastore introduced the following resolutions:

(4. a-e)

- a. Resolution removing John Joyce the active roster of the Berkeley Heights Fire Department.
- b. Resolution authorizing Garden State Fireworks to hold a fireworks display at Snyder Avenue Park on October 28, 2016 from 9:30 to 9:45 p.m.
- c. Resolution authorizing Garden State Fireworks to hold a fireworks display at Peppertown Park on December 3, 2016 from 6:30 to 7:30 p.m.
- d. Resolution Proclaiming November 13, 2016 as Band Appreciation Week.
- e. Resolution authorizing a block party at Beech Avenue, on October 31, 2016 between the hours of 3:30 p.m. and 5:30 p.m.

Moved by Mr. Pastore to approve Consent Agenda Resolution #4a through e, 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

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption scheduled for November 1, 2016:

The Clerk presented and read:

“An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Authorizing the Lease with Our Lady of Mount Carmel Society.”

Moved by Mrs. Kingsley that the ordinance as read by the Township Clerk be offered on the first reading, that November 1, 2016 be set as the date for public hearing and that the Township Clerk is directed to advertise same in the Courier News, seconded by Mr. Pirone and carried. Mr. Delia asked if it was increased. Mr. Bussiculo and Mrs. Kingsley responded.

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. D'Aquila to open the Citizens Hearing, 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

The Mayor noted that Mrs. Kingsley would be the timekeeper.

Mr. Sean Manns of 75 Burlington Road stated that he had a proposal to the Council regarding sports fields. He noted that his comments would only reflect his personal opinion and not that of the organizations which he is affiliated. He stated that the issue of the sports fields in Berkeley Heights range from excellent to very poor and elaborated. Mr. Manns felt this was due to three factors and elaborated. He offered a proposed solution. The Mayor responded.

In regards to DPW repairs, Mr. Stephen Yellin of 130 Dogwood Lane wanted to bring attention to a hole in the ground at Fawn Circle. Mr. Bussiculo responded. Mr. Yellin asked if there was anything new on a previously discussed item, specifically an incentive coupon to shop in Berkeley Heights. Mr. Bussiculo responded.

Hearing no voices, moved by Mr. D'Aquila to close the Citizens Hearing, 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

ADJOURNMENT

Moved by Mr. Pastore to adjourn, seconded by Mr. Faecher, and upon roll call vote:
(8:28 p.m.)

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

Approved: November 1, 2016