Township of Berkeley Heights
Union County, New Jersey
February 1, 2022

Adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting was contained on a list of meetings set by resolution dated January 4, 2022. This meeting will not substantially go past 10:30 p.m.

COUNCIL MEMBERS:
Gentiana Brahimaj
Manuel Couto – Vice President
Paul Donnelly
John Foster
Jeanne Kingsley - President
Jeff Varnerin
Angie Devanney- Mayor

AGENDA FOR PUBLIC MEETING

I. CALL TO ORDER – 7:00 p.m.

II. ROLL CALL

III. FLAG SALUTE

IV. REGULAR AGENDA

V. Public Hearing and Final Adoption of Ordinances Introduced on January 18, 2022:

Comments on ordinances up for final adoption are welcome during public hearing for each particular ordinance via Zoom: http://zoom.us/s/3575747364; if you need to enter a meeting ID it is: 357-574-7364. Before making a comment, all speakers must identify their name and address. Each speaker shall be limited to 3 minutes. Written comments may also be submitted in lieu of verbal comments via the zoom chat function prior to the end of the public hearing for the particular ordinance. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

Alternatively, you may submit written comments in advance of the meeting either via electronic mail (to: aminhoff@bhtwp.com) or by written letter (to: Township Clerk, 29 Park Avenue, Berkeley Heights, NJ 07922), including commenter’s full name and address, which must be received by the Township Clerk by 4:00 P.M. on the date of the Zoom meeting.
VI. HEARING ON AGENDA ITEMS ONLY:

Comments are welcome during this portion of the meeting via Zoom: http://zoom.us/s/3575747364; if you need to enter a meeting ID it is: 357-574-7364. Before making a comment, all speakers must identify their name and address. Each speaker is limited to 3 minutes. Written comments may also be submitted in lieu of verbal comments via the zoom chat function prior to the end of the hearing. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

Alternatively, you may submit written comments in advance of the meeting either via electronic mail (to: aminkoff@bhtwp.com) or by written letter (to: Township Clerk, 29 Park Avenue, Berkeley Heights, NJ 07922), including commenter’s full name and address, which must be received by the Township Clerk by 4:00 P.M. on the date of the Zoom meeting.

VII. NEW BUSINESS – RESOLUTIONS OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

1. Resolution approving Bill List dated February 1, 2022, in the amount of $497,642.06.

   PULLED:

2. Resolution authorizing an amendment to the contract with Mast Construction Services, in Connection with the Municipal Complex Redevelopment Project.

3. Resolution authorizing an agreement between the Township and the City of Elizabeth to provide Sexually Transmitted Disease Services.

4. Resolution appointing Lauren Crane to the Communications Committee for a term to Expire on December 31, 2023.

5. Resolution appointing various members to the Truth, Community Healing, and Inclusion Committee.

6. Resolution authorizing the 2022 Berkeley Heights Downtown Summer Block Party, on Sunday, June 5, 2022, from 1:00 – 4:00 pm.

7. Resolution appointing Fire Inspectors to the Berkeley Heights Volunteer Fire Department.

VIII. TOWNSHIP COUNCIL REPORTS

A. Gentiana Brahimaj
B. Manuel Couto – Vice President
C. Paul Donnelly
D. John Foster
E. Jeanne Kingsley - President
F. Jeff Varnerin

ADMINISTRATION REPORTS
Mayor Devanney
Township Administrator – Liza Viana

IX. CITIZENS HEARING:
Comments are welcome during this portion of the meeting via Zoom: http://zoom.us/s/3575747364; if you need to enter a meeting ID it is: 357-574-7364. Before making a comment, all speakers must identify their name and address. Each speaker is limited to 3 minutes. Written comments may also be submitted in lieu of verbal comments via the zoom chat function prior to the end of the hearing. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

Alternatively, you may submit written comments in advance of the meeting either via electronic mail (to: aminkoff@bhtwp.com) or by written letter (to: Township Clerk, 29 Park Avenue, Berkeley Heights, NJ 07922), including commenter’s full name and address, which must be received by the Township Clerk by 4:00 P.M. on the date of the Zoom meeting.

X. EXECUTIVE SESSION –
1. Attorney – Client Privilege – Municipal Complex
2. Attorney – Client Privilege – DPW Contract Negotiations
3. Attorney - Client Privilege - Sick time

XI. ADJOURNMENT

Ana Minkoff, Township Clerk
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 02/01/2022, in the amount of $497,642.06 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 1st day of February, 2022.

ATTEST:

__________
Ana Minkoff
Township Clerk
RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, AUTHORIZING AN AMENDMENT TO A CONTRACT WITH MAST CONSTRUCTION SERVICES, INC. IN CONNECTION WITH THE MUNICIPAL COMPLEX REDEVELOPMENT PROJECT

WHEREAS, on April 22, 2014, the Township Council of the Township of Berkeley Heights (the "Township Council") designated Block 608, Lots 1 and 4, and Block 504, Lots 5 and 6, as shown on the Tax Maps of the Township, including that portion of the Columbus Avenue right-of-way extending from the western limit of Block 504, Lot 6 to the New Jersey Transit property line to the north, and that portion of the Berkeley Avenue right-of-way extending from the New Jersey Transit boundary line to the north to the Park Avenue right-of-way to the south, all within the Township of Berkeley Heights (the "Redevelopment Area"), as a non-condemnation area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, on June 14, 2016 via the adoption of Ordinance 10-2016, the Township Council duly adopted a redevelopment plan for the Redevelopment Area entitled, “Municipal Complex Redevelopment Plan for the Township of Berkeley Heights”, dated May 19, 2016 (as the same may be amended and supplemented from time to time, the "Redevelopment Plan"); and

WHEREAS, pursuant to the Redevelopment Plan, the Township has undertaken the planning, design and construction of a municipal complex (as described in detail in the Redevelopment Plan, the "Redevelopment Project")

WHEREAS, by resolution 161-2017, adopted on August 15, 2017, the Township awarded a contract pursuant to N.J.S.A. 40A:12A-8 to MAST Construction Services, Inc. ("MAST") for the provision of general construction/project management services for the Redevelopment Project for a fee not-to-exceed $325,000, as amended by resolution of the Township Council; and

WHEREAS, pursuant to such resolution, the Township entered into a contract with MAST dated as of August 15, 2017 for the provision of general construction/project management services for the Redevelopment Project; and

WHEREAS, due to, among other things, unforeseen conditions within the Redevelopment Area, the Township desires to modify the contract with MAST to ensure that MAST can provide the aforementioned general construction, project management and project close-out services through December 31, 2022, and project close-out services thereafter until such project close-out work is complete; and
WHEREAS, pursuant to N.J.S.A. 40A:12A-8(e) and N.J.S.A. 40A:12A-22(l), the Township may retain any consultant, planner, engineer, architect, manager or other agent or consultant necessary for carrying out the Redevelopment Project.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights, in the County of Union, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Mayor of the Township is hereby authorized and directed to execute a sixth amendment to the contract with MAST for the provision of general construction, project management and project close-out services for the Redevelopment Project for a fee of not-to-exceed $50,000.00 for a term through to December 31, 2022, and for the provision of project close-out services for the Redevelopment Project until such project close-out work is complete.

Section 5. The Clerk of the Township is hereby authorized and directed to attest to the signature of the Mayor on the Contract Extension authorized hereby, and thereafter to deliver a complete, execution copy of said Contract Extension to MAST.

Section 6. Any work performed by MAST pursuant to the Contract Extension prior to the date hereof, is hereby ratified, approved and confirmed.

Section 7. The Mayor, Clerk and Chief Financial Officer of the Township are each hereby authorized and directed to execute any agreement, document or certificate deemed necessary by such officer to effectuate the transactions contemplated by this resolution.

Section 8. This resolution shall take effect immediately.

Approved this 1st day of February, 2022.

Attest:

Ana Minkoff
Township Clerk
CHIEF FINANCIAL OFFICER CERTIFICATION

I certify there are sufficient legally appropriated funds for the amounts set forth in this resolution in Account #C-04-20-110-201, and that these funds have not been certified as available for another pending contract.

EUGENIA POULOS
CHIEF FINANCIAL OFFICER
TOWNSHIP OF BERKELEY HEIGHTS
COUNTY OF UNION, NEW JERSEY

RESOLUTION

RESOLUTION ENTERING INTO AN INTERLOCAL SERVICES AGREEMENT
WITH THE CITY OF ELIZABETH, DEPARTMENT OF HEALTH AND
HUMAN SERVICES, DIVISION OF HEALTH FOR SEXUALLY
TRANSMITTED DISEASE SERVICES

WHEREAS, the Township of Berkeley Heights is desirous in obtaining services from the
City of Elizabeth for Sexually Transmitted Disease (STD) Services; and

WHEREAS, said services are to include testing, reporting all cases to the Health Officer,
and treatment, disease prevention, and counseling to all patients infected
with STDs, at the Sexually Transmitted Disease Clinic; and

WHEREAS, the City of Elizabeth, Department of Health and Human Services, is ready,
willing and able to furnish said services; and

WHEREAS, the City of Elizabeth, Department of Health and Human Services fee is
$175.00 per patient for services rendered at the Sexually Transmitted Disease (STD) clinic; and

WHEREAS, the Sexually Transmitted Disease Services will be for a period of January
1, 2022 through December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Township of Berkeley Heights, County
of Union, State of New Jersey, that the Mayor and Township Clerk are hereby authorized
and directed to execute an agreement between the Township of Berkeley Heights and the
City of Elizabeth to provide Sexually Transmitted Disease Services.

Approved this 1st day of February, 2022.

ATTEST:

____________________________________
Ana Minkoff
Township of Berkeley Heights
TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

IT IS HEREBY RESOLVED by the Township Council of the
Township of Berkeley Heights, County of Union and State of New Jersey, in
meeting assembled, that the following be appointed to the Communications
Committee:

COMMUNICATIONS COMMITTEE

Lauren Crane (2) year term expires 12/31/2023

APPROVED this 1st day of February, 2022.

ATTEST:

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Ana Minkoff
Township Clerk
TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that the following be appointed to the Truth, Community Healing, and Inclusion Committee.

TRUTH, COMMUNITY HEALING, AND INCLUSION COMMITTEE

  Rev. Dr. Kamalesh Stephen  (1) year term expires 12/31/2022
  Nirit Rotenberg            (3) year term expires 12/31/2024
  Joy Young                  (1) year term expires 12/31/2022

APPROVED this 1st day of February, 2022.

ATTEST:

_________________________________________________________________
Ana Minkoff
Township Clerk
TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Berkeley Heights Business & Civic is requesting approval to organize the 2022 Berkeley Heights Downtown Summer Block Party on Sunday, June 5, 2022 from 1:00 – 4:00 pm, to be held at Springfield Avenue, running from Snyder Avenue to the intersection of Plainfield Avenue, and a request will be submitted to the County of Union for Springfield Avenue to be closed between Plainfield Avenue and Snyder Avenue from 11:30 am – 5:00 pm; and

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

NOW, THEREFORE BE IT RESOLVED that permission is hereby granted for the 2022 Berkeley Heights Downtown Summer Block Party on Sunday, June 5, 2022, from 1:00 p.m. to 4:00 p.m.

BE IT FURTHER RESOLVED that copies of this Resolution are to be forwarded to the Police Department, Fire Department, Rescue Squad, Union County, and the Public Works Department.

APPROVED this 1st day of February, 2022.

ATTEST:

____________________________________
Ana Minkoff
Township Clerk
TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that the following be appointed as Fire Inspectors for a term to expire 12/31/2022.

Berkeley Heights Volunteer Fire Department
Fire Inspectors

Christopher Schaumberg 12/31/2022
Brian Richards 12/31/2022

APPROVED this 1st day of February 2022.

ATTEST:

Ana Minkoff
Township Clerk
A RESOLUTION PURSUANT TO N.J.S.A.10:4-12 MOVING THE PUBLIC MEETING INTO EXECUTIVE SESSION

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Township Council of the Township of Berkeley Heights has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. Attorney – Client Privilege – Municipal Complex
2. Attorney – Client Privilege – DPW
3. Attorney – Client Privilege – Sick time

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified; and

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

APPROVED this 1st day of February, 2022

Attest:

Ana Minkoff
Township Clerk