

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD MARCH 15, 2022**

CALL TO ORDER

At 7:01 p.m. the Mayor called the meeting to order and the Deputy Township Clerk 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. This meeting was contained on a list of meetings set by resolution dated January 4, 2022.

ROLL CALL

The following Council members were present:

Gentiana Brahimaj
Manuel Couto
Paul Donnelly
John Foster
Jeanne Kingsley
Jeff Varnerin
Angie D. Devanney, Mayor

Also present were:

Township Attorney: Alex Fisher
Township Administrator: Liza Viana
Deputy Township Clerk: Angela Lazzari

FLAG SALUTE

Mayor Devanney asked everyone present to stand for the Flag Salute.

PROCLAMATION

Court Appointed Special Advocates (CASA)

The Mayor read a Proclamation publicly proclaiming April 1, 2022 as Court Appointed Special Advocates of Union County Day within the Township of Berkeley Heights.

CONFERENCE SESSION

Permanent Outdoor Dining

Mr. Hughes, Township Planner, presented on a proposed Permanent Outdoor Dining Ordinance. Mayor and Council provided feedback and asked questions. A discussion followed.

Mayor Devanney opened the discussion on this topic to the public. Mayor Devanney read a statement regarding the procedures for public comment.

Mr. Sincaglia of 22 Robbins Avenue spoke in support of the ordinance and asked about the table size limitation. Mr. Hughes and Mrs. Kingsley responded.

Ms. Illis of 102 Twin Falls Road suggested changes to the ordinance related to the table size limitation.

GLHS Woodworking Department

Mr. Maresca, a teacher at Governor Livingston High School and a Berkeley Heights resident, presented a proposal to coordinate the public display of butterfly sculptures designed and built by high school students. Mayor and Council provided feedback and support for the proposal.

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

Mover: Mr. Couto
Seconder: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Mr. Carrellas of 35 Sycamore Avenue asked about the wording used for the start date of the outdoor dining ordinance. Mayor Devanney and Mr. Fisher responded.

Mr. Carrellas asked about the time frame around new ordinances being updated on the website. Mayor Devanney responded.

Mr. Medeiros of 21 Twin Falls Road asked about the Salary Ordinance. Ms. Viana responded.

Ms. Illis asked for clarification on the proposed changes to the Salary Ordinance. Mrs. Kingsley and Mayor Devanney responded and a discussion followed.

Closing of the Hearing on Agenda Items Only

Mover: Mr. Couto
Seconder: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

APPROVAL OF RESOLUTIONS

1. Resolution approving Bill List dated March 15, 2022, in the amount of \$992,154.07.

Approval of Resolution

Mover: Mr. Donnelly
Seconder: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Result: Approved

2. Resolution authorizing the application of the 2022 Transportation Electrification program, for an electric garbage and leaf truck, in the amount of approximately \$584,922.50.

Approval of Resolution

Mover: Mr. Foster
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None

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Absent: None
Result: Approved

3. Resolution authorizing a contract with Regional Industries, LLC, for the provision of Residential Clean-Up in the amount not to exceed \$142,000.00.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

4. Resolution authorizing the application of the 2022 Union County Infrastructure and Municipal Aid Grant.

Approval of Resolution

Mover: Mr. Varnerin
Second: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

5. Resolution authorizing an amendment to a contract with MAST Construction Services, Inc. in connection with the municipal complex redevelopment project.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

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.

6. Consent Agenda Resolutions (a)

- a. Resolution authorizing a tax overpayment for the property located at 455 Park Avenue, in the amount of \$4,693.31.

Approval of Consent Agenda Resolutions # 6 a

Mover: Mr. Couto

Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption Scheduled for April 5, 2022.

The Clerk presented and read:

- 1. An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending Chapter 2.128 entitled “Personnel System” of Title 2 entitled “Administration and Personnel” of The Code of the Township of Berkeley Heights to Amend the Township’s Holidays. (EXPLANATORY STATEMENT: This Ordinance amends the Township Code on holidays to make Juneteenth a holiday).**

That the Ordinance as read by the Township Clerk be offered on first reading and that April 5, 2022 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

Mover: Mr. Donnelly
Second: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

The Clerk presented and read:

- 2. An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, extending the effective period of Ordinance 4-2021, which authorizes restaurants to establish and operate approved temporary dining areas during the COVID-19 pandemic.**

That the Ordinance with the Clerical Amendment be offered on first reading and that April 5, 2022 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

Mover: Mr. Foster
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved as Amended

The Clerk presented and read:

- 3. 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.**

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That the Ordinance as read by the Township Clerk be offered on first reading and that April 5, 2022 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

Mover: Mrs. Kingsley
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

TOWNSHIP COUNCIL REPORTS

Councilmembers provided Council Reports and Committee updates.

ADMINISTRATION REPORTS

Mayor Devanney provided the Mayor's Report.
Ms. Viana provided the Administrator's Report

Approval of Township Council and Administration Reports

Mover: Mr. Varnerin
Seconder: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mrs. Brahimaj
Seconder: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Ms. Illis expressed her appreciation for the Mayor and Administrator's work in securing federal funding for the West Side Drainage project.

Ms. Illis asked for an update on the completion of the Municipal Complex. Mayor Devanney and Mr. Varnerin responded.

Ms. Illis raised concern about the traffic on Diamond Hill and Mountain Avenue. Mr. Foster responded and a discussion followed.

Ms. Illis expressed issues with the search functionality on the Township website. Mayor Devanney responded.

Ms. Illis asked for an update on the Affordable Housing Committee and considerations for the next round. Mayor Devanney responded.

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Mr. Birbrower of 103 Briarwood Drive expressed his appreciation for the Mayor’s work in securing federal funding for the West Side Drainage project.

Mr. Birbrower referenced the \$30 Million in Notes that are coming due in July and suggested that they be converted prior to the due date given that the Fed is expected to raise interest rates. Mayor Devanney responded.

Ms. Lazzari read a statement submitted by Terri Tauber of 48 Lancelot Drive.

“I want to congratulate Berkeley Heights on the allocation of \$500,000 in federal funding for the West Side Drainage Project. Thank you to Congressman Tom Malinowski and Mayor Angie Devanney for their work to obtain these funds for the Township.”

Ms. Lazzari read a statement submitted by Stephen Yellin.

“Good evening Mayor and Council,

I am sure everyone will join me in celebrating the good news from Washington, D.C. when it comes to the Westside Drainage project. \$500,000 sought by Mayor Devanney on behalf of the Township, and which was fought for by Congressman Tom Malinowski, was included in the House Appropriations bill for the 2022 federal budget. This is an excellent and much-needed boost of revenue in the Township's efforts to fix decades-long issues with our infrastructure on the west side of our town. I want to thank Mayor Devanney and the Township Administration for all its efforts to obtain this \$500,000, and to thank Congressman Malinowski for delivering on his promise to support our town's needs. Much, much more needs to be done in order to make all the necessary upgrades to our pipeline infrastructure but this victory brings us that much closer to making that happen. Thank you.”

Mayor Devanney responded.

Closing of the Citizens Hearing

Mover: Mrs. Brahimaj

Secunder: Mrs. Kingsley

Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin

Nays: None

Abstain: None

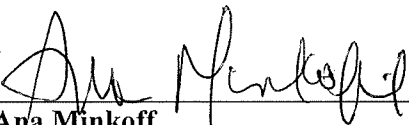
Absent: None

ADJOURNMENT

Moved by Mr. Foster to adjourn and all were in favor.

(8:31 p.m.)

Approved: April 19, 2022



Ana Minkoff
Township Clerk



March 15, 2022 Town Council Reports

Council President Jeanne Kingsley

Planning Board:

Is meeting tomorrow March 16th at 7:30 pm on Zoom. There is one application for review. The first is a proposed subdivision of two lots into three lots at 100 & 200 Connell Drive. This application does not have any site disturbances or improvements proposed as part of the application.

Downtown Beautification Committee:

The committee met on March 8th. As you know from the conference discussion, the committee has been working on a permanent outdoor dining ordinance and is excited to bring this to the council. The Spring Fill-a-Basket campaign will be launching this week – the baskets will be \$175 and we have 14 baskets that will line Springfield Ave. Any resident, neighborhood or business that is interested in sponsoring a basket should contact the Downtown Beautification Committee at dbc@bhtwp.com. The committee is also happy to announce that the BH Walks will begin on April 23rd at 9:30 am. Mark your calendars to come out and take a walk with your friends and neighbors and help to clean up our downtown. The next meeting is scheduled for April 18th.

Communication Committee:

The committee kicked off its survey seeking resident input on the township website last Thursday March 10th and to date we have 264 residents that have responded! – we really need to hear from you, the residents, on how to make the website easier to use. To access the survey, go to the township website, and look in the BH Announcements section for the link to the survey, or if you are in the municipal building you can scan the QR code – there are flyers on the lower level on the recreation bulletin board, and on the 2nd floor outside the library door and by the door to the administrative offices. It will not take more than 2 minutes to complete – so please make sure your voice is heard!

The committee met on March 9th. The website redesign which is included in our CivicPlus Contract has kicked off this week and the target date for completion is fall of 2022. We will be exploring how to take advantage of the newer capabilities civic plus has released as well as how to better structure our site based on our employee and residents feedback.

Requests for information went out to the various committees/commissions and groups for March E newsletter updates. We hope to have the newsletter distributed early next week.

The council meetings and planning board meetings should be available to view on the BHGLTV station beginning next week. In addition, we plan to post the Mayor's weekly senior call on the station as well.

The committee is working with the BDC and the EDC on a video to promote the township and highlight the qualities that make BH the perfect place to open a business and to live. More to come on this...

Council Vice President Manny Couto

No official committee report.

Councilwoman Gentiana Brahimaj

Communications Committee:

Met on March 9th some of the topics discussed were adding a QR code to the website survey to make the survey easier to access for residents. The committee also discussed adding more senior news to the e newsletter and discussed different ideas for the distribution of the newsletter to our seniors.

Mayor's Youth Council:

Next meeting is Friday March 18th.

Councilman Paul Donnelly

Grants Committee:

Outside of the Grants discussed via resolution – for the electric garbage and/or leaf truck, along with the Municipal Aid Grant for infrastructure and miscellaneous drainage projects, the Grants Committee is also working through identifying where to allocate their time.

The committee is working on:

- a grant for the community gardens through the Whole Kids Foundation and the community change grant through America Walks.
- an Emergency Management Grant and a DEP Grant, although I can't necessarily talk right now to the specifics of what each one entails, but they are minimal.

We do have access to the Millenium Strategic Portal to source new grants and see what's available, but this takes time to go through, which unfortunately is limited for most of the grant committee folks.

At the moment, there are 4 people on the Grants Committee, which is low compared to previous years where there had been up to 10 people, so we are severely short staffed.

So, I'm making an official calling out to the community request to see if there are any folks interested in participating in the Grants Committee. We need help and expertise from our community. If there are any retired folks, people with a passion to dig in and help find money to better our town, or experienced writing grants or writing in general, we need help. Please reach out to any of us on council or on the grants committee and we will be happy to have you join us.

Councilman John Foster

Historic Preservation Committee

The meeting was held via zoom on Thursday March 3rd,

- There was a presentation by Vibhav Chaturvedi about his Eagle Scout project. He was asked questions and again did a wonderful job presenting and of handling the questions. All members were on board for his proposal so he will be on to his next steps.
- One of the questions was about parking for people who will be wanting to take in the sights of the garden and farmstead. He is looking into where parking would be.
- The committee was informed about the \$60,000.00 grant.
- There was discussion on fundraising and several ideas were brought up. A picnic possibly in June was discussed and then the possibility of a "block party" took shape on a weekend when school is over before summer vacations kick in. Discussion on contacting the PD on road closures and having possible food vendors as well as sponsors for the party. There will be fun and games for all.
- There was discussion on getting information of this historic farmstead into the hands of the children in the schools by having a pamphlet in the schools and an announcement of the history and the founding of the farmstead. There was also discussion on getting the same information into the hands of the Seniors in town prior to the block party. This may peak interest.
- There was discussion on the plaque for the train station and the hanging of old photos in there. The possibility of getting a Railroad historian to give a presentation either in town hall or at the station itself before the dedication of the plaques was discussed.
- The plaques wording for the Nike missile base in the Watchung stables and the radar station at G.L. was read and approved by the committee. Now it is onto getting them completed and presented. There were also some photos that were shown of how both places looked back in the day.
- There was a discussion on the 100-year-old homes in town and there is a list being completed by Union County and the committee will get the list. A discussion was had as

to how to represent these houses and a possible sign in the front yard to display was a popular idea.

- The bylaws were also discussed and a clarification or explanation was needed for the civility pledge that was to be incorporated in the bylaws before adoption.

Discussion on the meeting going live next month when the committee meets on April 7th at 7:30pm. the whole committee thought it was a great idea.

Councilman Jeff Varnerin

Board of Health:

Next Board of Health Meeting is March 16th at 7:30pm.

Truth, Community Healing & Inclusion Committee

Next TCHI meeting is planned for March 28th at 7:00pm

Watchung Development:

Watchung Zoning Board meeting met last Thursday via zoom, to discuss redevelopment of 1375 Plainfield Ave. Currently an office building resides on this property and a 27-unit Town home community is being proposed. 21 market rate units and 6 low income. Four buildings up to 40 feet tall. Not sure if rental vs owned. Will utilize the current entrance. More testimony will occur at the next meeting.