CALL TO ORDER
At 7:05 p.m. the Mayor called the meeting to order and the 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
- Township Clerk: Ana Minkoff

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

PROCLAMATION

Charlie’s First Hair Cut – Chaz and Natalia Hazlitt
The Mayor read a Proclamation which congratulated Chaz and Natalia Hazlitt for collaborating on their first book and wished them success in their future endeavors.

Chaz and Natalia were present to accept the Proclamation and thanked everyone.

Robin Greenwald - Retirement
The Mayor read a Proclamation which expressed thanks for Robin Greenwald’s service and wished her much health and happiness during her retirement.

CONFERENCE SESSION

Bias Incident Protocol - POSTPONED

2022 Budget Presentation
Ms. Viana and Ms. Poulos presented the 2022 Municipal Budget. Mayor and Council provided feedback and asked questions. A discussion followed.

Mayor Devanney opened the discussion on this topic to the public.
Mr. Hovland of 147 Countryside Drive provided some feedback and suggestions regarding the process. He also asked several questions about specific line items in the budget. Ms. Poulos responded and a discussion followed.

APPROVAL OF MINUTES – PUBLIC MEETING – April 11, 2022 and April 19, 2022

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

*Mrs. Kingsley abstained from the vote on the Minutes from April 11, 2022

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES INTRODUCED ON APRIL 5, 2022.

The Clerk presented and read:

“CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).”

Opening of the Public Hearing on Ordinance as read by the Township Clerk
Mover: Mrs. Kingsley
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

No voices were heard.

Closing of the Public Hearing on Ordinance as read by the Township Clerk
Mover: Mrs. Kingsley
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Adoption on final passage of Ordinance as read by the Township Clerk and hearing held hereon and direction of the Township Clerk to advertise same in the Courier News
Mover: Mrs. Kingsley
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES INTRODUCED ON APRIL 19, 2022.

The Clerk presented and read:

1. "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,830,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,349,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF."

Opening of the Public Hearing on Ordinance as read by the Township Clerk
Mover: Mr. Couto
Second: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

No voices were heard.

Closing of the Public Hearing on Ordinance as read by the Township Clerk
Mover: Mr. Couto
Second: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Adoption on final passage of Ordinance as read by the Township Clerk and hearing held hereon and direction of the Township Clerk to advertise same in the Courier News
Mover: Mr. Couto
Second: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

Result: Adopted

The Clerk presented and read:

2. "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,262,690 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,136,421 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF."
Opening of the Public Hearing on Ordinance as read by the Township Clerk
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

No voices were heard.

Closing of the Public Hearing on Ordinance as read by the Township Clerk
Mover: Mr. Varnerin  
Seconder: Mr. Couto  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin  
Nays: None  
Abstain: None  
Absent: None

Adoption on final passage of Ordinance as read by the Township Clerk and hearing held hereon and direction of the Township Clerk to advertise same in the Courier News
Mover: Mr. Varnerin  
Seconder: Mr. Couto  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin  
Nays: None  
Abstain: None  
Absent: None  
Result: Adopted

2022 MUNICIPAL BUDGET ADOPTION – Introduced on April 5, 2022

a. Public Hearing and Final Adoption on 2022 Municipal Budget as Advertised.

Adoption of the 2022 Municipal Budget as Advertised
Mover: Mayor Devanney  
Seconder: Mr. Couto  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin  
Nays: None  
Abstain: None  
Absent: None

b. Resolution adopting the 2022 budget.
Mayor Devanney read a statement regarding the budget.

Mayor Devanney read the Resolution to Adopt the 2022 Municipal Budget in full.

Approval of Resolution to Adopt 2022 Municipal Budget
Mover: Mayor Devanney  
Seconder: Mr. Couto  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin  
Nays: None
HEARING ON AGENDA ITEMS ONLY
Opening of the Hearing on Agenda Items Only
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

Mayor Devanney read a statement regarding the procedures for public comment.

No voices were heard.

Closing of the Hearing on Agenda Items Only
Mover: Mrs. Brahimaj
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 May 3, 2022, in the amount of $576,872.48.

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
Absent: None
Result: Approved

2. Resolution appointing Joe Popolo to serve as Acting Construction Official.

Approval of Resolution
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

3. Resolution appointing Liza Viana as Acting Treasurer/Chief Financial Officer.
Approval of Resolution
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
Result: Approved

4. Resolution awarding a contract to Neglia Engineering Associates for surveying and engineering services for Kline Place and Fickler Place, in an amount not to exceed $36,850.00.

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

5. Resolution awarding a contract to H.J. Cannon Group, Inc. for investigation and analysis of the on-going and current building issues related to the construction of the new municipal building, in an amount not to exceed $43,360.00.

Mayor Devanney thanked Mr. Varnerin for finding this firm and read a statement regarding the purpose of this resolution.

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

6. Resolution awarding a contract to Neglia Engineering Associates for surveying, engineering and construction management services for miscellaneous drainage improvements — various streets, in an amount not to exceed $35,360.00.

Approval of Resolution
Mover: Mr. Foster
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None
Result: Approved
7. Resolution authorizing the application of the 2022 First Responder grant from the Gary Sinise Foundation, in the amount of $35,153.50, for radios for the Berkeley Heights Volunteer Rescue Squad.

Approval of Resolution
Mover: Mrs. Kingsley
Seconder: 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.

8. Consent Agenda Resolutions (a-c)

a. Resolution authorizing a tax overpayment in the amount of $903.70, for the property located at 15 La Secla Place.

b. Amending resolution No. 133-2022, tax overpayment in the amount of $1,738.26, for the property located at 11 Park Edge.

c. Resolution authorizing the application of a Blue light permit to Austin Amiano, a member of the Berkeley Heights Volunteer Fire Department.

Approval of Consent Agenda Resolutions # 8 a-c
Mover: Mr. Couto
Seconder: 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 June 8, 2022.
The Clerk presented and read:

1. “AN ORDINANCE ESTABLISHING REQUIREMENTS AND REGULATIONS FOR OUTDOOR DINING.”

Mrs. Kingsley thanked Mr. Carrellas for his constructive feedback on this Ordinance.
That the Ordinance as read by the Township Clerk be offered on first reading and that June 8, 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
Seconded: Mrs. Brahimaj
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: Mrs. Brahimaj
Seconded: 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: Mr. Varnerin
Seconded: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin
Nays: None
Abstain: None
Absent: None

The sound was not working properly and not recorded from the podium.

Mr. Hovland asked about Teacher Appreciation Week. Mr. Foster responded.

Mr. Carrellas of 35 Sycamore Avenue asked about the Bulk pickup. Mayor Devanney and Ms. Minkoff responded and a discussion followed.

A resident asked a question. Mayor Devanney and Mrs. Kingsley responded regarding the Passaic River and flooding. A discussion followed.

A resident asked a question. Mayor Devanney and Mr. Couto responded regarding the Attorney General’s recent policy change regarding car chases. A discussion followed.
Closing of the Citizens Hearing
Mover: Mr. Varnerin
Seconder: 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.
(8:41 p.m.)

Approved: June 8, 2022

Ana Minkoff
Township Clerk
May 3, 2022 Town Council Reports

**Council President Jeanne Kingsley**

**Planning Board:**
Met on April 20th and heard an application for a proposed minor subdivision at 162 Kline Blvd, Block 1902 lot 1. The existing parcel would be subdivided to create two new lots. Several residents from the surrounding neighborhood participated in the meeting and voiced their concerns with this proposed project and the application was voted down unanimously by the Board.

The Planning Board will hold a hearing and vote on the Master Plan tomorrow evening at 7:30 pm with their first in person meeting in the Berkeley Room at the Municipal Building. The meeting will be available on livestream but only to listen. This document has been in the works for several years, as members of the planning board and various committee and commission members worked with our planners from Phillips Preiss on this comprehensive land use policy document that will guide the physical development of the community for the next 10-15 years. The Master Plan outlines the community’s vision of its future and provides a roadmap to achieve it. At its core, the Master Plan provides the policy foundation to inform the Planning and Zoning Boards, Mayor and Township Council’s decision-making on land use and development matters. It also serves as a guide for business owners, community groups, potential investors, residents and other stakeholders to understand how land use, transportation, natural resources and other factors will shape the build environment and quality of life of the community.

The Master Plan is available for review on the home page of the township website and I encourage residents to review the plan and to attend the meeting tomorrow night.

**Downtown Beautification Committee:**
The committee is looking for residents help make Berkeley Heights bloom this spring and summer with their Adopt-a-Sign program. Residents, Neighborhoods, businesses, Scout Troops and other organizations can “adopt “one of 20 Welcome and Park signs in town. That means cleaning the signs and planting flowers and maintaining the beds from May through early fall. It’s a fun and flexible program that allows people to volunteer on a schedule that suits them best. Interested? Email us at DBC@bhtwp.com

BHWalks returns on Saturday, May 21, after a two-year pandemic hiatus! BHWalks brings together community members of all ages to walk in Downtown Berkeley Heights. As we walk
together, we pick up litter and look for any issues that could impact pedestrian and student safety. Berkeley Heights becomes cleaner, prettier, and safer as a result. We will meet at Veterans Memorial Park at 9 am. All participants will be given a garbage bag and gloves to collect litter along the route. The event will conclude by 11 am. Representatives of the DBC will be present to organize and supervise the event. (Children under 11 must be accompanied by a parent.) Email us at DBC@bhtwp.com and we’ll send you the link to the event sign-up. Capacity limit is 50 people. Come help clean up our downtown so that is sparkles for the Memorial Day Parade!

Their next meeting is Tuesday May 10th.

**Memorial Day Parade:**
Gentle reminder that the Memorial Day Parade is back and will take place on Monday May 30th – it kicks off at 9:30 am at the VFW and ends with a ceremony at the Veterans Memorial Park. Mark your calendars and plan to come out and celebrate those that served from our community.

---

**Council Vice President Manny Couto**

**Economic Development Committee**
The committee met on April 29th and discussed the following:
- Continuing work on the BH video, with Heather O’Roarke's voice over, distribution and uses to be discussed as the video progresses.
- Update on the Building Department with Robin's retirement
- Cherri on the DBC Fill-A-Basket program on how it is now open to businesses and citizens
- Discussion on the County purchasing the old Berkeley Plaza and that soil testing was taking place so that the county can hopefully complete the purchase with the Green Acres funding
- Pepper Town park is on hold awaiting the updated drainage study and the completion of the master plan to match Sherman Avenue vision.
- The master plan has Sherman Avenue changes with proposals for creating a walkable-bike path, and neighborhood friendly street that can be cross utilized for neighborhood events.

**Councilwoman Gentiana Brahimaj**
No official committee report.

**Councilman Paul Donnelly**
No official committee report.

**Councilman John Foster**

**Historic Preservation Committee**
Next committee meeting is Thursday May 5th at 7:30 in town hall. Liza Viana will be our special guest to help committee move towards its next goal and to help answer some questions from the committee. Fundraiser at Lavender and Sage in New Providence went well and more details will be forthcoming at meeting.
Truth, Community Healing & Inclusion Committee

The committee met on April 25th:

- **Pride month** was discussed and banner as well as flag raising to be on 6/1/22 at 5:30 at town hall. SAGA club from GL and Columbia schools invited to take part. Pride event also taking place at YMCA on 6/16/22.

- June 5th is the town block party and a drop off point for food is going to be the Asian Indian Christian Church on Springfield Ave. Pastor Kamalesh will be handling it for church.

- Discussion on a food and security event for residents who may need services and looking into county services to help families in town.

- Rob Nixon, principal of GL and Tara Oliveira, Assistant principal at GL will be attending the next meeting. GL had a multicultural walk at the school on April 21st and they will come to talk about this and see how they can work to help with the multicultural street fair which is being planned now.

May is Military Appreciation month and GL is collecting items for Operation Shoebox. Collection runs from May 2-June 3. Operation Shoebox helps active personal as well as veterans here at home. Operation Shoebox embraces a practical mission of providing hands-on support for our troops deployed overseas and returning home. It is the mission of Operation Shoebox to meet the needs of every hero with dignity and appreciation.

https://www.operationshoebox.com/

Bins for dropoff are in main lobby of GL but items can also be dropped off at Town hall and will be brought to GL to be sent. Thank you all in advance for your help with this. Our troops greatly appreciate it.

Councilman Jeff Varnerin

Board of Health:
The Board is still looking for an addition member. If interested, please see the Township website for a committee/board application. The next meeting will be in person May 18th at 7:30pm at the municipal building.

Truth, Community Healing & Inclusion Committee

This Friday May 6th we will celebrate Asian American and Pacific Islander Heritage Month at the Municipal building at 6pm. Please take a few moments to come be an ally to our AAPI neighbors and share in the celebration.

Waste Water Treatment Plant(WWTP):

Reviewed the RFQ responses from 4 service providers for WWTP consulting engineer and have conducted interviews with the Mayor, Administrator, Council President Kingsley of two. Rest of council will be meeting with finalist. Hope to make an appointment at the next council meeting.
Municipal Complex:

Resolution this evening is to authorize the township to work with the Cannon Group. This service provider is a building envelope expert that we are bringing in to help advise us on all aspects of water intrusion issues. In just a short period of time they have already been able to give us answers that nobody else has been able to do. We hope to move with speed to meaningful solutions.
BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS IN AND BY THE
TOWNSHIP OF BERKELEY HEIGHTS, IN THE
COUNTY OF UNION, NEW JERSEY,
APPROPRIATING $1,830,000 THEREFOR AND
AUTHORIZED THE ISSUANCE OF $1,349,000
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE
PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than
two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond
ordinance are hereby respectively authorized to be undertaken by the Township of
Berkeley Heights, in the County of Union, New Jersey (the "Township") as general
improvements. For the several improvements or purposes described in Section 3,
there are hereby appropriated the respective sums of money therein stated as the
appropriation made for each improvement or purpose, such sums amounting in the
aggregate to $1,830,000, including a grant in the amount of $410,000 from the
State of New Jersey Department of Transportation for the purpose described in
Section 3(c)(1) (the "State Grant") and further including the aggregate sum of
$71,000 as the several down payments for the improvements or purposes required
by the Local Bond Law. The down payments have been made available by virtue of
provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of $1,349,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) <strong>Sewer:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) The replacement of equipment, including, but not limited to, pump station pumps and nitrification basin mixers and further including all related costs and expenditures incidental thereto.</td>
<td>$145,000</td>
<td>$137,750</td>
<td>15 years</td>
</tr>
<tr>
<td>b) <strong>Department of Public Works:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) Various renovation projects, including, but not</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
limited to, the installation of an automatic gate at the Department of Public Works yard and renovations to the break/lunchroom area including an additional bathroom and further including all work and materials necessary therefor and incidental thereto.

2) Road segment reconstruction to various streets, including, but not limited to, Cedar Green Lane and Station Street and further including all work and materials necessary therefor and incidental thereto.

3) Path improvements, including all work and materials necessary therefor and incidental thereto.

4) Various paving projects, including, but not limited to, paving of the Rescue Squad lot and further including all work and materials necessary therefor and incidental thereto.

c) **Engineer:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost 1</th>
<th>Cost 2</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Improvements to Kline Place and Fickler Place, including, but not limited to, paving, milling and reconstruction and further including all work and materials necessary.</td>
<td>$825,000</td>
<td>$394,250</td>
<td>10 years</td>
</tr>
</tbody>
</table>

(includes a grant from the State of)
therefor and incidental thereto.

New Jersey Department of Transportation in the amount of $410,000

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Interest</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2) Milling, paving, reconstruction, drainage and other improvements to various roads, including, but not limited to, Orchard Lane, Mercier Place and Old Farm Road and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$150,000</td>
<td>$142,500</td>
<td>10 years</td>
</tr>
<tr>
<td>3) Various drainage projects and improvements to various roads, including, but not limited to, Lenape Lane, Ken Drive and Martin Lane and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$60,000</td>
<td>$57,000</td>
<td>10 years</td>
</tr>
<tr>
<td>4) Milling, paving, reconstruction, drainage improvements and other road projects to various roads, including, but not limited to, Forest Avenue and Eaton Court and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$450,000</td>
<td>$427,500</td>
<td>10 years</td>
</tr>
</tbody>
</table>
d) **Fire Department:**

1) Various repairs, including, but not limited to, repairs to the front apron and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Amount</th>
<th>$20,000</th>
<th>$19,000</th>
<th>10 years</th>
</tr>
</thead>
</table>

2) Various paving projects, including, but not limited to, paving of the Firehouse parking lot and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Amount</th>
<th>$15,000</th>
<th>$14,250</th>
<th>10 years</th>
</tr>
</thead>
</table>

**Total:**

<table>
<thead>
<tr>
<th>Amount</th>
<th>$1,830,000</th>
<th>$1,349,000</th>
</tr>
</thead>
</table>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose and the State Grant, as applicable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The
chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:
(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.51 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,349,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $366,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance.
ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.
Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED the 19th day of April, 2022.
ADOPTED the 25th day of May, 2022.

By: Angie Devanney, Mayor

ATTEST:  
Ana Minkoff, Township Clerk
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on April 19, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at 29 Park Avenue, Berkeley Heights, on May 3, 2022 at 7:00 o’clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost at www.berkeleyheights.gov, or by contacting the Clerk at aminkoff@bhtwp.com, for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,830,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,349,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Sewer:</td>
<td>$145,000</td>
<td>$137,750</td>
<td>15 years</td>
</tr>
<tr>
<td>The replacement of equipment, including, but not limited to, pump station pumps and nitrification basin mixers and further including all related costs and expenditures incidental thereto.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Department of Public Works:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1) Various renovation projects, including, but not limited to, the installation of an automatic gate at the Department of Public Works yard and renovations to the break/lunchroom area</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
including an additional bathroom and further including all work and materials necessary therefor and incidental thereto.

2) Road segment reconstruction to various streets, including, but not limited to, Cedar Green Lane and Station Street and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost 1</th>
<th>Cost 2</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2) Road segment reconstruction to various streets</td>
<td>$25,000</td>
<td>$23,750</td>
<td>10 years</td>
</tr>
<tr>
<td>2) Road segment reconstruction to various streets</td>
<td>$70,000</td>
<td>$66,500</td>
<td>10 years</td>
</tr>
<tr>
<td>3) Path improvements, including all work and materials necessary therefor and incidental thereto.</td>
<td>$20,000</td>
<td>$19,000</td>
<td>10 years</td>
</tr>
<tr>
<td>4) Various paving projects, including, but not limited to, paving of the Rescue Squad lot and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$50,000</td>
<td>$47,500</td>
<td>10 years</td>
</tr>
</tbody>
</table>

**c) Engineer:**

1) Improvements to Kline Place and Fickler Place, including, but not limited to, paving, milling and reconstruction and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost 1</th>
<th>Cost 2</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Improvements to Kline Place and Fickler Place</td>
<td>$825,000</td>
<td>$394,250</td>
<td>10 years</td>
</tr>
<tr>
<td>1) Improvements to Kline Place and Fickler Place</td>
<td>(includes a grant from the State of New Jersey Department of Transportation in the amount of $410,000)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2) Milling, paving, reconstruction, drainage and other improvements to various roads, including, but not limited to, Orchard Lane, Mercier Place and Old Farm Road and further including all work and materials necessary therefor and incidental thereto.  

3) Various drainage projects and improvements to various roads, including, but not limited to, Lenape Lane, Ken Drive and Martin Lane and further including all work and materials necessary therefor and incidental thereto.  

4) Milling, paving, reconstruction, drainage improvements and other road projects to various roads, including, but not limited to, Forest Avenue and Eaton Court and further including all work and materials necessary therefor and incidental thereto.  

d) Fire Department:  
1) Various repairs, including, but not limited to, repairs to the front apron and further including  

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<th>Description</th>
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<tr>
<td>2) Milling, paving, reconstruction, drainage and other improvements to various roads, including, but not limited to, Orchard Lane, Mercier Place and Old Farm Road and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$150,000</td>
<td>$142,500</td>
<td>10 years</td>
</tr>
<tr>
<td>3) Various drainage projects and improvements to various roads, including, but not limited to, Lenape Lane, Ken Drive and Martin Lane and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$60,000</td>
<td>$57,000</td>
<td>10 years</td>
</tr>
<tr>
<td>4) Milling, paving, reconstruction, drainage improvements and other road projects to various roads, including, but not limited to, Forest Avenue and Eaton Court and further including all work and materials necessary therefor and incidental thereto.</td>
<td>$450,000</td>
<td>$427,500</td>
<td>10 years</td>
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</table>
| d) Fire Department:  
1) Various repairs, including, but not limited to, repairs to the front apron and further including | $20,000 | $19,000 | 10 years |
all work and materials necessary therefor and incidental thereto.

2) Various paving projects, including, but not limited to, paving of the Firehouse parking lot and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th></th>
<th>Budgeted</th>
<th>Appropriated</th>
<th>Useful Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total:</td>
<td>$1,830,000</td>
<td>$1,349,000</td>
<td>10 years</td>
</tr>
</tbody>
</table>

Appropriation: $1,830,000

Bonds/Notes Authorized: $1,349,000

Grant Appropriated: $410,000 grant from the State of New Jersey Department of Transportation

Section 20 Costs: $366,000

Useful Life: 10.51 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

<table>
<thead>
<tr>
<th>ROLL CALL</th>
<th>AYE</th>
<th>NAY</th>
<th>ABSTAIN</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>BRAHMAIJ</td>
<td>✓</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>COUTO</td>
<td>✓</td>
<td></td>
<td></td>
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<tr>
<td>DONNELLY</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>FOSTER</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>KINGSLEY</td>
<td>✓</td>
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<tr>
<td>VARNERIN</td>
<td>✓</td>
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<td>TIE:</td>
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<tr>
<td>MAYOR DEVANNEY</td>
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Ana Minkoff, Clerk
The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on **May 3, 2022** and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost by email to aminkoff@bhtwp.com, or at 29 Park Avenue, Clerk’s office, for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

**Title:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,830,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,349,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**Purposes:**

<table>
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<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
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<tbody>
<tr>
<td>a) <strong>Sewer:</strong> The replacement of equipment, including, but not limited to, pump station pumps and nitrification basin mixers and further including all related costs and expenditures incidental thereto.</td>
<td>$145,000</td>
<td>$137,750</td>
<td>15 years</td>
</tr>
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<td>b) <strong>Department of Public Works:</strong> 1) Various renovation projects, including, but not limited to, the installation of an automatic gate at the Department of Public Works yard and renovations to the break/lunchroom area</td>
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including an additional bathroom and further including all work and materials necessary therefor and incidental thereto.

2) Road segment reconstruction to various streets, including, but not limited to, Cedar Green Lane and Station Street and further including all work and materials necessary therefor and incidental thereto.

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<td>$19,000</td>
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<td></td>
<td>$50,000</td>
<td>$47,500</td>
</tr>
</tbody>
</table>

3) Path improvements, including all work and materials necessary therefor and incidental thereto.

4) Various paving projects, including, but not limited to, paving of the Rescue Squad lot and further including all work and materials necessary therefor and incidental thereto.

c) **Engineer:**

1) Improvements to Kline Place and Fickler Place, including, but not limited to, paving, milling and reconstruction and further including all work and materials necessary therefor and incidental thereto.

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</thead>
<tbody>
<tr>
<td></td>
<td>$825,000</td>
<td>$394,250</td>
</tr>
</tbody>
</table>

(include a grant from the State of New Jersey Department of Transportation)
2) Milling, paving, reconstruction, drainage and other improvements to various roads, including, but not limited to, Orchard Lane, Mercier Place and Old Farm Road and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th>Amount</th>
<th>Amount</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>$150,000</td>
<td>$142,500</td>
<td>10</td>
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3) Various drainage projects and improvements to various roads, including, but not limited to, Lenape Lane, Ken Drive and Martin Lane and further including all work and materials necessary therefor and incidental thereto.

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<tr>
<th>Amount</th>
<th>Amount</th>
<th>Years</th>
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</thead>
<tbody>
<tr>
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<td>10</td>
</tr>
</tbody>
</table>

4) Milling, paving, reconstruction, drainage improvements and other road projects to various roads, including, but not limited to, Forest Avenue and Eaton Court and further including all work and materials necessary therefor and incidental thereto.

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<tr>
<th>Amount</th>
<th>Amount</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$427,500</td>
<td>10</td>
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</tbody>
</table>

d) **Fire Department:**
1) Various repairs, including, but not limited to repairs to the front apron and further including all work and materials necessary therefor and incidental thereto.

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<th>10 years</th>
<th>$20,000</th>
<th>$19,000</th>
</tr>
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2) Various paving projects, including, but not limited to, paving of the Firehouse parking lot and further including all work and materials necessary therefor and incidental thereto.

<table>
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<tr>
<th>10 years</th>
<th>$15,000</th>
<th>$14,250</th>
</tr>
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</table>

Total: Appropriation: $1,830,000

Bonds/Notes Authorized: $1,349,000

Grant Appropriated: $410,000 grant from the State of New Jersey Department of Transportation

Section 20 Costs: $366,000

Useful Life: 10.51 years

Ana Minkoff, Clerk
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,262,690 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,136,421 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,262,690 and further including the aggregate sum of $126,269 as the several down payments for the improvements or purposes which exceeds the amount required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.
Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of $1,136,421 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a) Sewer:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The replacement of equipment, including, but not limited to, a grinder submersible motor and a wet well muffin monster and further including all related costs and expenditures incidental thereto.</td>
<td>$131,690</td>
<td>$119,063</td>
<td>15 years</td>
</tr>
<tr>
<td><strong>b) Engineer (Roads):</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repairs and other road improvements to various roads, including, but not limited to, portions of Kent Drive, Lenape Lane, Orchard Lane, Old Farm Road, Middle Way,</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Chestnut Hill Drive, Runnymede Road and Gallinison Drive and further including all work and materials necessary therefor and incidental thereto. $1,080,000 $972,672 10 years

c) **Engineer (Bridges):** Repairs to various head walls, including, but not limited to, the head walls at Columbia Park and 32 Liberty Avenue Bridges and further including all work and materials necessary therefor and incidental thereto. $51,000 $44,686 15 years

Total: $1,262,690 $1,136,421

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all...
such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the
cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.72 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,136,421, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $252,538 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.
Section 8. Any grant moneys received, including any grants from the Federal Emergency Management Agency or otherwise, for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited
obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCED the 19th day of April, 2022.
ADOPTED the 3rd day of May, 2022.

By
Angie Devaney, Mayor

ATTEST:

Ana Minkoff, Township Clerk
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on April 19, 2022. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at 29 Park Avenue, Berkeley Heights, on May 3, 2022, at 7:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost at www.berkeleyheights.org, or by contacting aminkoff@bhtwp.com, for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,262,690 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,136,421 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Sewer</td>
<td>$131,690</td>
<td>$119,063</td>
<td>15 years</td>
</tr>
<tr>
<td></td>
<td>The replacement of equipment,</td>
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<td></td>
<td>including, but not limited to,</td>
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<td>a grinder submersible motor and a</td>
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<td>wet well muffin monster and</td>
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<td></td>
<td>further including all related</td>
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<td></td>
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<td></td>
<td>costs and expenditures</td>
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<td></td>
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<td></td>
<td>incidental thereto.</td>
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<tr>
<td>b) Engineer (Roads)</td>
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<td></td>
<td>Repairs and other road improvements to various roads, including, but not limited to, portions of Kent Drive, Lenape Lane, Orchard Lane, Old Farm Road, Middle Way, Chestnut Hill Drive, Runnymeade Road and</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

...
Gallinson Drive and further including all work and materials necessary therefor and incidental thereto.

c) **Engineer (Bridges):**
Repairs to various head walls, including, but not limited to, the head walls at Columbia Park and 32 Liberty Avenue Bridges and further including all work and materials necessary therefor and incidental thereto.

<table>
<thead>
<tr>
<th></th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallinson Drive</td>
<td>$1,080,000</td>
<td>$972,672</td>
<td>10 years</td>
</tr>
<tr>
<td>Engineer (Bridges)</td>
<td>$51,000</td>
<td>$44,686</td>
<td>15 years</td>
</tr>
<tr>
<td>Total:</td>
<td>$1,262,690</td>
<td>$1,136,421</td>
<td></td>
</tr>
</tbody>
</table>

Appropriation: $1,262,690

Bonds/Notes Authorized: $1,136,421

Grant Appropriated: N/A

Section 20 Costs: $252,538

Useful Life: 10.72 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Ana Minkoff, Clerk
The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on May 3, 2022 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost, by emailing aminkoff@bhtwp.com, or at 29 Park Avenue, Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $1,262,890 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,136,421 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

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<thead>
<tr>
<th>Purpose</th>
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| b) Engineer (Roads): | | | | Repairs and other road improvements to various roads, including, but not limited to, portions of Kent Drive, Lenape Lane, Orchard Lane, Old Farm Road, Middle Way, Chestnut Hill Drive, Runnymead Road and Gallinson Drive and further including all work and

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**Note:** The table above has been truncated for the sake of brevity. The full summary includes more detailed information on each purpose.
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<th>$972,672</th>
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<tr>
<td></td>
<td>$51,000</td>
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<td>Total:</td>
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Appropriation: $1,262,690

Bonds/Notes Authorized: $1,136,421

Grant Appropriated: N/A

Section 20 Costs: $252,538

Useful Life: 10.72 years

Ana Minkoff, Clerk