

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JUNE 12, 2019**

CALL TO ORDER

At 7:04 p.m. Mayor Devanney called the meeting to order.

The Township Clerk stated that adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

The following Council members were present:

Mr. Bavoso
Mr. Couto
Mrs. Kingsley
Mr. Medeiros
Mrs. Poage
Mr. Yellin
Mayor Devanney

Also present were:

Township Attorney: Kraig Dowd
Township Administrator: Liza Viana
Township Clerk: Ana Minkoff

FLAG SALUTE

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

PROCLAMATION

Proclamation against gun violence

The Mayor read a Proclamation which publically declared June 7, 2019 to be National Gun Violence Awareness Day and encouraged all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Ms. Vezza accepted the Proclamation and expressed her thanks.

Metastatic breast cancer awareness – METAvivors of NJ

Mayor Devanney read a proclamation that METAvivors of NJ began here in April 2019 and encouraged citizens to join the national effort towards awareness of metastatic breast cancer during May's National Women's Health Week and National Cancer Research Month.

Ms. O'Brien accepted the Proclamation and expressed her thanks.

TOWNSHIP COUNCIL REPORTS

Mr. Bavoso reported on the following topics:

- Communications Committee

Mr. Couto reported on the following topics:

- YMCA Celebrate Pride Picnic
- Relay for Life
- Vacant Property Ordinance

Mrs. Kingsley reported on the following topics:

- Berkeley Heights Block Party
- Downtown Beautification Committee
- Clean Communities Dinner

Mr. Medeiros reported on the following topics:

- Berkeley Heights Block Party
- Rubber Ducky Festival
- Environmental Commission
- Recycling Task Force Survey

Mrs. Poage reported on the following topics:

- Planning Board
- Summit YMCA Annual Celebration
- Race Amity Day
- Berkeley Heights Block Party

Mr. Yellin reported on the following topics:

- Mount Carmel Wine Tasting Event

ADMINISTRATION REPORTS

Mayor Devanney discussed the following topics:

- Union County Mayor's Event
- Family Public Safety Day

Mayor Devanney also highlighted the events she recently attended.

Ms. Viana provided updates from the following departments:

- Public Works
- Construction
- Engineering
- Wastewater Treatment
- Recreation
- Zoning

Ms. Viana also provided an update on the multiple redevelopment projects.

Approval of Township Council and Administration Reports

**Township Council Minutes
Public Meeting – June 12, 2019**

Mover: Mr. Medeiros
Second: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

APPROVAL OF MINUTES

Approval of Minutes - Public Meeting – February 5, 2019

Mover: Mr. Yellin
Second: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

Approval of Minutes - Public Meeting – February 19, 2019

Mover: Mr. Yellin
Second: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

Mover: Mr. Couto
Second: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Ms. Illis of 102 Twin Falls Road asked about the redevelopment status of Lone Pine. Council responded.

Closing of the Hearing on Agenda Items Only

Mover: Mr. Couto
Second: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None

Absent: None

APPROVAL OF RESOLUTIONS

1. Resolution approving Bill List dated June 12, 2019 in the amount of \$481,945.03.

Approval of Resolution

Mover: Mrs. Kingsley
Seconder: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

2. Resolution authorizing membership in the Somerset Cooperating Pricing System #2-SOCCP.

Mr. Bavoso clarified the resolution.

Approval of Resolution

Mover: Mr. Bavoso
Seconder: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

3. Resolution requesting approval of special item of revenue and appropriation, Municipal Court Alcohol Education, Rehabilitation and Enforcement fund in the amount of \$562.62.

Approval of Resolution

Mover: Mr. Couto
Seconder: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

4. Resolution authorizing the insertion of an item of revenue in the budget of the year 2019 in the sum of \$28,211.39 under the title of Clean Communities Fund.

Approval of Resolution

Mover: Mr. Yellin
Seconder: Mr. Medeiros
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin

Nays: None
Abstain: None
Absent: None

Result: Approved

5. Resolution authorizing the renewal applications for 2019-2020 Alcoholic Beverage Licenses.

Approval of Resolution

Mover: Mrs. Poage
Seconder: Mr. Medeiros
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
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 block party on Stewart Lane on Saturday, July 27, 2019 from 12:00 p.m. – 8:00 p.m.

Approval of Consent Agenda Resolutions #6 a

Mover: Mrs. Kingsley
Seconder: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

INTRODUCTION OF ORDINANCES:

Public Hearing and Final Adoption scheduled for June 25, 2019.

The Clerk presented and read:

**BOND ORDINANCE AMENDING BOND ORDINANCE #13-07, AS
SUPPLEMENTED BY BOND ORDINANCE #22-08, OF THE TOWNSHIP OF
BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY,**

**FINALLY ADOPTED AUGUST 7, 2007, AS SUPPLEMENTED NOVEMBER 5,
2018, IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.**

Council clarified the ordinance.

That the Ordinance as read by the Township Clerk be offered on first reading, that June 25, 2019 be set as the date for public hearing and that the Township Clerk is directed to advertise same in the Courier News

Mover: Mr. Medeiros
Seconder: Mr. Couto
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mr. Bavoso
Seconder: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Ms. Shapiro of 106 Burlington Road raised a concern over the Governor Livingston students parking on Burlington Road. She spoke at length and read from a letter previously submitted as correspondence to Council which detailed specific issues. She asked Council to listen to Mr. Adams proposed solution and for their assistance in solving this issue before the start of school in the fall.

Mr. Adams of 101 Burlington Road discussed the student parking on Burlington Road. He proposed that a sign be posted on both sides of Burlington Road which would restrict parking between 7:30 a.m. and 9:00 a.m. during school days only. Mayor Devanney responded and asked Mr. Adams to schedule a meeting with Detective Affinito tonight to discuss this.

Ms. McLean of 48 Kline Lane South asked about recycling thin film plastics at the schools. She asked if it wasn't so successful because the staff wasn't aware about the effort. A discussion followed with Mrs. Poage and Mr. Medeiros on the topic of recycling thin film plastics at the schools.

Mayor Devanney left the meeting (7:58 p.m.).

Mr. Mustacchi of 174 Princeton Avenue spoke about performance measures and the lack of the ability for residents to file formal complaints about an employee of the Township. He encouraged Council and Administration to come up with a solution. Mr. Bavoso asked for clarification on his request. A longer discussion followed with Mr. Mustacchi, Council and the Ms. Viana.

**Township Council Minutes
Public Meeting – June 12, 2019**

Mr. Sincaglia of 22 Robbins Avenue raised an issue with the timing of the traffic light at the corner of Springfield and Snyder. He spoke about the traffic created because of this light. He asked that Council reach out to the County to have the timing of the light changed. Mr. Bavoso and Mrs. Kingsley responded.

Ms. Brahimaj of 22 Greenbriar Drive questioned the scheduling of so many town-wide events on the same weekend. Ms. Viana responded. There was a longer discussion about coordinating events both within Berkeley Heights and among surrounding towns.

Ms. Illis stated that she coordinates the Relay for Life event and noted that she would also appreciate better coordination among town-wide events.

Ms. Illis addressed the issue with recycling and the concern about putting paper out for recycling in the rain which will cause it to be thrown out. She spoke about Summit which has a place for residents to bring their recycling. She questioned whether we could have a similar set-up in the new municipal complex or could we reach out to see if our residents could pay to use their facility.

Mr. Scorzafava of 356 Timber Drive spoke in depth about a safety concern over the LED sign truck which was advertising for the Democratic Party. He noted the truck was driving through Columbia Park and spoke to specific safety concerns about that. Council responded and there was a brief discussion.

Mr. Scorzafava shared some specific suggestions which were raised including having the 55 and over development on Locust put the traffic light in as the start of the project.

Mr. Mustacchi commented on the concern over the LED truck noting that there was a similar issue raised last year on Halloween when the truck was driving through neighborhoods. He noted that as a member of the Zoning Board he had been questioned by businesses about the ability to use mobile lit advertising.

Mr. Maciejewski of 40 Ralph Place asked whether or not a senior center will be built in the new municipal building. Ms. Viana responded and there was a brief discussion to clarify what is being provided.

Mr. Maciejewski asked if the senior space will be dedicated or shared. Ms. Viana responded.

Mr. Maciejewski asked Mr. Couto and Mrs. Kingsley why they voted against the municipal complex change order at the last meeting. Mrs. Kingsley responded.

Mr. Maciejewski asked Mr. Medeiros what would have been the consequence if the change order was not approved at the last meeting. Mr. Medeiros responded.

Mr. Maciejewski noted that this meeting is being filmed via Livestream and stored in mp4 format. He asked if everyone agreed that the file is a public document. Mr. Dowd responded. There was a discussion among Mr. Maciejewski, Council and Mr. Dowd on the topic about the ability of requesting this document via OPRA.

Mr. Maciejewski asked how much legal time was spent on determining whether this is accessible via OPRA request. Mr. Dowd responded.

Mr. Scorzafava came back to the podium and continued to review the list of suggestions and nice to haves which were compiled by residents at the block party. Mr. Yellin responded and there was a brief discussion which started with how the list was compiled.

Ms. Illis expressed her views on the issue with parking on Burlington Road. She raised questions about how to address the issue with the Board of Ed to create additional parking. Mrs. Kingsley and Mr. Bavoso responded.

Mr. Sincaglia noted that as a former member of the Board of Ed he had tried to address this in the past. He spoke about the lack of space to allow for additional parking at the high school. Council responded and there was a brief discussion.

Mr. Mc Donald of 216 Timber Drive addressed the parking issue at the high school and suggested carpooling as a way to assist in the solution.

Closing of the Citizens Hearing

Mover: Mr. Bavoso
Seconder: Mrs. Kingsley
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

EXECUTIVE SESSION

1. Attorney Client Privilege/Contract Negotiations – Connell
2. Attorney Client Privilege/Litigation – Tax Appeals
3. Attorney Client Privilege/Contract Negotiations – Little Flower Church
4. Attorney Client Privilege/Potential Litigation – Aptive Environmental

Move to go into Executive Session

(8:48 p.m.)

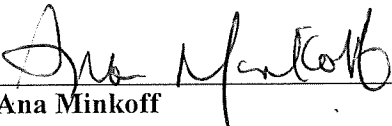
Mover: Mr. Medeiros
Seconder: Mr. Yellin
Ayes: Mr. Bavoso, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

ADJOURNMENT

Moved by Mrs. Poage to adjourn and all were in favor.

(9:39 p.m.)

Approved: July 23, 2019



Ana Minkoff
Township Clerk