

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Township Council of the Township of Berkeley Heights has scheduled a **SPECIAL PUBLIC MEETING to take place on Monday, April 11, 2022 @1:00 P.M.**

This meeting will be conducted electronically and/or by telephonic means using the Zoom online meeting platform. Public participation in and viewing of the public portions of the meeting will be available via Zoom: <http://zoom.us/s/3575747364>, if you need to enter a meeting ID, enter: **357-574-7364**. A link for access to the public portions of the meeting will be also be posted prior to the start of the meeting on the Township website <https://www.berkeleyheights.gov>.

Formal action will be taken.

Ana Minkoff
Township Clerk

**Township of Berkeley Heights
Union County, New Jersey
SPECIAL MEETINGS
April 11, 2022**

Adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting will not substantially go past 2:00 p.m.

COUNCIL MEMBERS:

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

AGENDA FOR SPECIAL PUBLIC MEETING

- I. CALL TO ORDER – 1:00 p.m.**
- II. ROLL CALL**
- III. FLAG SALUTE**
- IV. REGULAR AGENDA**
- V. HEARING ON AGENDA ITEMS ONLY:**

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

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

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

1. Resolution authorizing an emergency contract with PS&S, LLC, to provide engineering services as may be necessary to resolve the emergent flare project at the Wastewater Treatment facility in an amount not to exceed \$31,500.00.

VII. CITIZENS HEARING:

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VIII. EXECUTIVE SESSION –

IX. ADJOURNMENT

Ana Minkoff, Township Clerk

Agenda Item No.:

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, an emergency has arisen in the Township of Berkeley Heights with regard to the digester gas system located in the Township Wastewater Treatment Facility; and

WHEREAS, the digester gas system is leaking flammable and hazardous digester gas from numerous locations including a failed waste gas burner, corroded piping, and leaking vent valves; and

WHEREAS, the waste gas flare is not able to maintain a flame thereby allowing un-combusted digester gas to be vented to atmosphere at the roof surface of the digester facility, and

WHEREAS, there is unsafe manual lighting of the waste gas flare system by plant operations, uncontrolled discharge of digester gas through the waste gas flare system, piping system, and pressure relief valves located on the digesters' covers leading to an environment which is unsafe for the plant workers, and digester gas safety equipment (flame arresters) not installed in the piping system leading to a potential unsafe "flame back" condition if not installed; and

WHEREAS, these conditions could cause a localized combustion, odorous, and hazardous environment in the digester building and surrounding areas, which could disable the ability to maintain plant operations, which is integral to the public health, safety and welfare; and

WHEREAS, this emergency requires the immediate delivery of goods and performance of services, specifically the retention of an engineering firm with specific expertise in wastewater treatment facilities, and the purchase and installation of equipment, including securing the services of a contractor to perform the work, as may be necessary to resolve the emergency situation; and

WHEREAS, the Local Public Contracts Law, in particular N.J.S.A. 41A:11-6, permits any contract to be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey as follows

1. Richard Crane, P.E. BCEE of PS&S, LLC is hereby designated as the engineer in charge of the emergent flare project at the Berkeley Heights Wastewater Treatment Facility; and
2. Pursuant to N.J.S.A. 41A:11-6, the Mayor and Clerk are hereby permitted to enter into an emergency contract with PS&S, LLC to provide engineering services as may be necessary to resolve the aforementioned emergency, in an amount not to exceed \$31,500.00.
3. The Mayor and Clerk are hereby permitted to enter into any emergency contract for the emergency procurement of goods and/or labor necessary to effectuate the emergency repairs.
4. The Township Clerk is directed to forward a certified copy of this Resolution to the Qualified Purchasing Agent, Chief Financial Officer, Township Engineer, Township Attorney, and PS&S, LLC.

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

APPROVED this 11th day of April 2022.

ATTEST:

Ana Minkoff
Township Clerk