

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD February 7, 2023**

CALL TO ORDER

At 7:00 p.m. the Mayor called the meeting to order and the Township Clerk stated adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting was contained on a list of meetings set by resolution dated January 4, 2023. This meeting will not substantially go past 10:30 p.m.

ROLL CALL

The following Council members were present:

John Foster
Jeanne Kingsley
Susan Poage
Jeff Varnerin
Angie D. Devanney, Mayor

The following Council members were absent:

Manuel Couto
Paul Donnelly

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.

CONFERENCE SESSION

PS&S - Presentation on Asset Management Study

Mr. Crane and Mr. Kennedy presented on assessment of the Wastewater Treatment Plant.

Mayor and Council asked questions. A discussion followed.

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

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

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

Mr. Buckley of 321 Garfield St spoke to Wastewater Treatment Plant issues.

Ms. Akiri of 146 Robbins Ave had questions on resolution 6. Mayor Devanney responded.

**Township Council Minutes
Council Meeting – February 7, 2023**

Mr. Weinger of 196 Wentworth Dr. spoke to resolution 10. Mayor Devanney and Ms. Viana responded.

Closing of the Hearing on Agenda Items Only

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

APPROVAL OF RESOLUTIONS

1. Resolution approving Bill List dated February 7, 2023, in the amount of \$977,858.85.

Approval of Resolution

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

2. Amending resolution #148-2022, the term of the Tax Assessor.

Approval of Resolution

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

3. Resolution appointing Anthony Amiano as a Fire Inspector for the term ending December 31, 2023

Approval of Resolution

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

4. Resolution authorizing an agreement with City of Elizabeth to provide Sexually Transmitted Disease services.

Approval of Resolution

Mover: Mr. Varnerin

**Township Council Minutes
Council Meeting – February 7, 2023**

Seconded: Mr. Foster
Ayes: Mr. Foster, Mrs. Kingsley, Mrs. Poage, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Couto, Mr. Donnelly

Result: Approved

5. Resolution authorizing the submission of a Recreation Commission grant application to the NJ Department of Community Affairs, in the amount of \$500,000, to carry out a project to make improvements to the Synthetic Athletic Turf of Lower Columbia fields.

Approval of Resolution

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

Result: Approved

6. Resolution authorizing an emergency appropriation in the amount of \$1,533,525.00.

Approval of Resolution

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

Result: Approved

7. Resolution awarding a contract to Pennetta Industrial Automation for the provision of HVAC services and repairs, at the Wastewater treatment plant, in an amount not to exceed \$125,000.

Approval of Resolution

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

Result: Approved

8. Resolution authorizing the application to the fiscal year 2022, FEMA assistance to firefighters grant program, for an amount up to \$314,363.99, with a 5% match in the amount of \$15,718.20.

Approval of Resolution

Mover: Mr. Foster
Seconded: Mr. Varnerin
Ayes: Mr. Foster, Mrs. Kingsley, Mrs. Poage, Mr. Varnerin
Nays: None

**Township Council Minutes
Council Meeting – February 7, 2023**

Abstain: None
Absent: Mr. Couto, Mr. Donnelly
Result: Approved

9. Resolution appointing Eduardo Veyan to the Peppertown Park Renewal Committee, for a term to expire on December 31, 2024.

Approval of Resolution

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

10. Resolution authorizing Connelly & Hickey Architects to prepare a bid for the prequalification of contractors for the stabilization and partial restoration of the Little-Lord farmstead

PULLED

11. Resolution authorizing a tax settlement agreement for the property located at 430 Mountain Avenue.

Approval of Resolution

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

12. Resolution appointing Liza Viana as the Township Public Agency Compliance Officer

Approval of Resolution

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

13. Consent Agenda Resolutions

**Township Council Minutes
Council Meeting – February 7, 2023**

- a. Resolution consenting to the appointment of Michael Tomich to the active roster of the Fire Department.
- b. Resolution consenting to the appointment of Robert Lavecchia, to the inactive list of the Berkeley Heights Volunteer Fire Department.
- c. Resolution authorizing the endorsement of a Blue light permit to James Rubino, from the Volunteer Fire Department.
- d. Resolution approving a tax refund in the amount of \$3,289.92, for the property located at 43 Cornell Avenue.

Approval of Consent Agenda Resolutions #13 a-d

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

TOWNSHIP COUNCIL REPORTS

Council members provided Council Reports and Committee updates.

ADMINISTRATION REPORTS

Mayor Devaney provided the Mayor's Report.

Approval of Township Council and Administration Reports

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

CITIZENS HEARING

Opening of the Citizens Hearing

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

Mr. Medeiros of 21 Twin Falls Rd. spoke to environmental commission ordinances.

Mr. Pratt of 45 Park Ave asked questions regarding the earlier presentation by PS&S. Council and Ms. Viana responded.

**Township Council Minutes
Council Meeting – February 7, 2023**

Ms. Illis of 102 Twin Falls Rd requested updates on abandoned properties, TCHI committee, historic preservation, communications committee, ramp repairs, and EMS issues. Mayor Devanney, Council, and Ms. Viana responded.

Ms. Britsch of 60 Springholm Dr spoke to affordable housing. Mayor Devanney, Ms. Viana and township attorney Mr. Fisher responded.

Mr. Medeiros of 21 Twin Falls Rd commented on one of Ms. Illis's requests for updates. Mayor Devanney, Council and Ms. Minkoff responded.

Ms. Bradford of 34 Mea Dr commented on Board of Education updates.

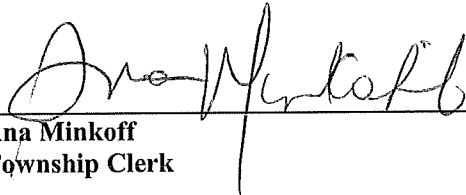
Closing of the Citizens Hearing

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

ADJOURNMENT

Moved by Mr. Varnerin to adjourn and all were in favor.
(9:00 p.m.)

Approved: February 21, 2023



Ana Minkoff
Township Clerk