

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD MARCH 10, 2020**

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 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:

Gentiana Brahimaj
Manuel Couto
Jeanne Kingsley
Susan Poage
Stephen Yellin
Angie D. Devanney, Mayor

The following Council members were absent:

Alvaro Medeiros

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.

Mayor Devanney read a statement in lieu of her Administration Report. The statement was regarding the current COVID-19 (Coronavirus) situation.

CONFERENCE SESSION – COVID-19 (Coronavirus)

Ms. McNair, Union County and Berkeley Heights Health Officer, provided general information about the COVID-19 and outlined some protocols that will be put into place.

Council asked questions and a discussion followed.

TOWNSHIP COUNCIL REPORTS

Mrs. Brahimaj reported on the following topics:

- YMCA Opening
- Communications Committee

Mr. Couto reported on the following topics:

- Census

Mrs. Kingsley reported on the following topics:

- YMCA Opening
- Downtown Beautification Committee
- Commuter Task Force
- Safe Routes to School
- School Safety

Mrs. Poage reported on the following topics:

- Rescue Squad
- Grants Committee
- Planning Board

Mr. Yellin reported on the following topics:

- Communications Committee

ADMINISTRATION REPORTS

Ms. Viana reported on the following departments:

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

Approval of Township Council and Administration Reports

Mover: Mrs. Brahimaj

Seconder: Mr. Couto

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mrs. Poage and Mr. Yellin

Nays: None

Abstain: None

Absent: Mr. Medeiros

Result: Approved

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE INTRODUCED ON FEBRUARY 18, 2020.

The Clerk presented and read:

“An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending and Supplementing Title 2 of The Code of the Township of Berkeley Heights ("Administration and Personnel") at Chapter 2.90 (“Historic Preservation Committee”).
Explanation: This Ordinance amends certain Township Code provisions regarding the Historic Preservation Committee within the Township of Berkeley Heights.

Opening of the Public Hearing on Ordinance as read by the Township Clerk

Mover: Mr. Yellin

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

No voices were heard.

Closing of the Public Hearing on Ordinance as read by the Township Clerk

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

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

Result: Adopted

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

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

No voices were heard.

Closing of the Hearing on Agenda Items Only

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

APPROVAL OF RESOLUTIONS

1. Resolution approving Bill List dated March 10, 2020, in the amount of \$2,165,036.76.

Approval of Resolution

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

Result: Approved

2. Resolution authorizing amending the 2020 Temporary Appropriations.

Approval of Resolution

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

Result: Approved

3. Resolution authorizing the execution of an Agreement with the Morris County Cooperative Pricing Council to become a member for the period of October 1, 2016 through September 30, 2021.

Approval of Resolution

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

Result: Approved

4. Resolution approving the Collective Bargaining Agreement with the Waste Water Plant workers for the period from January 1, 2019 through December 31, 2022.

Approval of Resolution

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

Result: Approved

5. Resolution authorizing the grant application for a LEAP Challenge Grant in the amount of \$72,000 to go toward road paving projects in Berkeley Heights under the Township's DPW Shared Service Agreement with Union County.

Approval of Resolution

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

Result: Approved

6. Resolution authorizing the purchase of furnishings for the new Municipal Complex facility, including workstations, tables, chairs, shelves, cabinets, and other related and necessary office furniture and fixtures for an amount not to exceed \$431,500.00.

Approval of Resolution

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

Result: Approved

7. Resolution amending the Senior Advisory Board.

Mayor Devanney provided a brief explanation of the amendment.

Approval of Resolution

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

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-d)

- a. Resolution authorizing a release of a Performance bond in the amount of \$700.00 for work performed at 5 Riverbend Road, to Ms. Leisa Suchan.
- b. Resolution authorizing a tax overpayment to Milton & Margaret Gonzales, 31 Shady Grove Lane, in the amount of \$79.37.
- c. Resolution authorizing a tax overpayment to John & Carol Ann Memminger, 280 Mountain Avenue, in the amount of \$372.04.
- d. Resolution approving the “2020 BH Downtown Summer Block Party”, on June 14, 2020 from 1:00 – 4:00 p.m.

Approval of Consent Agenda Resolutions # 8 a-d

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

Result: Approved

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption Scheduled for March 24, 2020.

The Clerk presented and read:

An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending and Supplementing Title 2 of The Code of the Township of Berkeley Heights (“Administration and Personnel”), Section 2.128 (“Personnel System”) at Subsection 2.128.120 (“Absence with pay”).

Ms. Viana provided a brief explanation.

That the Ordinance as read by the Township Clerk be offered on first reading and that March 24, 2020 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

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

Result: Approved

CITIZENS HEARING

Opening of the Citizens Hearing

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

Mr. Pratt of 45 Park Avenue commented on the lack of certain supplies at this time due to the Coronavirus.

Mr. Pratt also spoke about a resident and friend that recently passed away. He highlighted this man's time in the armed forces and asked that we remember and appreciate those that serve our Country.

Mr. Sincaglia of 22 Robbins Avenue asked about the Budget discussion. Mayor Devanney responded.

Closing of the Citizens Hearing

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

DISCUSSION ON THE 2020 MUNICIPAL BUDGET

Mrs. Kingsley explained that this is a discussion on the Budget with the public. It is not the Introduction of the Budget.

Mayor and Council walked through the Budget line items, discussing the proposed amounts and the changes and the current status.

Mayor Devanney opened the discussion for public comment.

Mr. Sincaglia of 22 Robbins Avenue asked questions about specific line items in the budget comparing budgeted amounts to actual amounts in previous years. The Mayor, Council and Administration responded to each question.

EXECUTIVE SESSION –

1. Attorney-Client Privilege – Contract Negotiations-Mill Creek
2. Attorney-Client Privilege – Contract Negotiations- Berkeley Florist
3. Attorney-Client Privilege – Contract Negotiations- Stratton House
4. Attorney-Client Privilege – Contract Negotiations- Connell
5. Attorney-Client Privilege – Contract Negotiations- Mondelli

Move to go into Executive Session
(8:28 pm)

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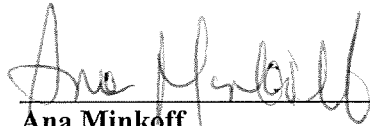
Mover: Mrs. Poage
Seconder: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: Mr. Medeiros

Mayor Devanney reminded all that they will be coming out of Executive Session only to adjourn.

ADJOURNMENT

Moved by Mrs. Poage to adjourn and all were in favor.
(9:23 p.m.)

Approved: May 26, 2020



Ana Minkoff
Township Clerk