

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY  
COUNCIL MEETING HELD MARCH 24, 2020**

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**PLEASE NOTE:**

Due to the public health emergency occasioned by the COVID-19 virus, this meeting was conducted electronically and/or by telephonic means. Public viewing of the meeting was available via a streaming/video service. A link to such service was also posted prior to the start of the meeting on the Township website [www.berkeleyheights.gov](http://www.berkeleyheights.gov) along with information for participating in the public comment portion of the meeting.

**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  
Alvaro Medeiros  
Susan Poage  
Stephen Yellin  
Angie D. Devanney, Mayor

Also present were:

Township Attorney: Guido Weber (on behalf of Kraig Dowd)  
Township Administrator: Liza Viana  
Township Clerk: Ana Minkoff

**FLAG SALUTE**

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

**TOWNSHIP COUNCIL AND ADMINISTRATION REPORTS**

Mayor Devanney read a statement in lieu of Council and Administration Reports. (A copy of this statement is attached to the permanent minutes.)

Approval of Township Council and Administration Reports

Mover: Mr. Medeiros  
Second: Mr. Yellin  
Ayes: Mrs. Brahimaj, 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 – December 18, 2019

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

*Result: Approved*

**Public Hearing and Final Adoption of Ordinance Introduced on March 10, 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").**

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

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

*Result: Adopted*

## HEARING ON AGENDA ITEMS AND CITIZENS HEARING

### Opening of the Hearing on Agenda Items and Citizens Hearing

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

Mr. Martinez of 6 Archer Lane asked about an appeal process for timely payment of taxes and the process to provide an extension. Mayor Devanney responded that she is waiting on guidance from the state.

Mr. Sincaglia of 22 Robbins Avenue asked about the interest rate for residents that are late with the taxes. Ms. Poulos responded.

Mr. Najarian of 30 Camptown Drive asked where the information is regarding the number of COVID cases in the Township.

### Closing of the Hearing on Agenda Items and Citizens Hearing

Mover: Mr. Medeiros  
Seconder: Mr. Yellin  
Ayes: Mrs. Brahimaj, 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 March 24, 2020, in the amount of \$203,832.57.

### Approval of Resolution

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

*Result: Approved*

2. Resolution authorizing changes to the scope of the Municipal Complex Redevelopment Project.

### Approval of Resolution

Mover: Mr. Medeiros

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

***Result: Approved***

3. Resolution authorizing an MOU with the County of Union to use the County grant portal for the purpose of researching available grant opportunities at no cost to the Township.

Approval of Resolution

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

***Result: Approved***

4. Resolution authorizing the Township Administrator, in consultation with the Township's Chief of Police, to permit the periodic use of the building located at 110 Roosevelt Avenue, for law enforcement training purposes through December 31, 2020.

Approval of Resolution

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

***Result: Approved***

5. Resolution authorizing a contract with Reginal Industries, LLC for the Residential Clean – Up, In the amount not to exceed \$139,000.00.  
**(PULLED)**
6. Resolution authorizing the Planning Board to undertake an investigation to determine whether all or a portion of the property identified as Block 502, Lot 3 constitutes a non-condemnation area in need of Redevelopment. (123 Passaic Avenue- Elite Properties)

Approval of Resolution

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

Absent: None

***Result: Approved***

7. Resolution authorizing amending the 2020 Temporary appropriations.

Approval of Resolution

Mover: Mr. Medeiros

Seconder: Mr. Yellin

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

Nays: None

Abstain: None

Absent: None

***Result: Approved***

8. Resolution authorizing the submission of the 2020 New Jersey Historic Preservation Trust Grant in the amount of \$232,115.00 matching grant, to assist in the rehabilitating and restoring of the Littel- Lord Farmhouse.

Approval of Resolution

Mover: Mr. Medeiros

Seconder: Mrs. Poage

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

Nays: None

Abstain: None

Absent: None

***Result: Approved***

9. Resolution authorizing the payments made via credit card, debit card, ACH and similar electronic funds transfers and electronic fund transfers for the payment of property taxes, permit, license, registration and inspection fees, and related obligations payable to the Township, and authorizes the charge of a transaction fee.

Approval of Resolution

Mover: Mr. Medeiros

Seconder: Mrs. Kingsley

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

Nays: None

Abstain: None

Absent: None

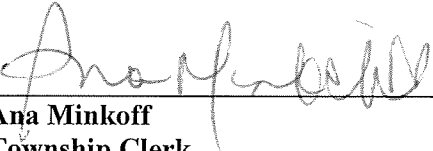
***Result: Approved***

ADJOURNMENT

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Moved by Mr. Medeiros to adjourn and all were in favor.  
(7:38 p.m.)

**Approved: May 26, 2020**

  
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**Ana Minkoff  
Township Clerk**

Mayor's Report  
State of the State of Affairs- Covid-19 Pandemic  
March 24, 2020

Good evening, tonight we are suspending all Township Council reports and I will make a joint statement on behalf of the Township Council.

These are very trying times, and these are extraordinary times. County, State and Federal guidance is changing hourly. On March 9<sup>th</sup>, Berkeley Heights was advised of the first presumptive positive case for COVID-19. Luckily, that patient is getting stronger and recovering. There are 14 total cases in Berkeley Heights. No one else has been hospitalized since the first case. Our thoughts and prayers go out to every family who is struggling with this disease.

I am also pleased to report that Union County opened the **first** county testing facility yesterday at Kean University. Patients who are symptomatic for the coronavirus will be seen by appointment only, and must have a doctor's prescription.

Many have voiced concerns about this public health crisis and ways to keep your families safe and healthy. Others have concerns about their jobs and what the economic future holds. Many of our businesses have expressed concerns about staying financially afloat, and fear for their employees' jobs. *But we will get through this together.*

Daily, the staff and I-- along with our first responders and emergency management team—grapple with tough issues and difficult decisions. But what is not difficult is making the decisions that ensure the health and welfare of our residents, businesses and employees.

In the Township, we are working hard to ensure that local government business and services proceed as usual, to the best of our ability, while balancing social distancing policies. The Township Council and I are doing a deep and thorough review of the municipal budget and will hold a

budget hearing in the near future. The governing body is acutely aware of the concerns of our residents and business owners, as well as the economic times we are now living in. We are awaiting guidance from the state Department of Community Affairs on a host of questions that take our residents into consideration while balancing the liquidity of the Township. Our CFO is hard at work making cuts while safeguarding needed services. We are closely reevaluating all planned expenditures for 2020 and looking for ways to provide some relief for residents. Most of this will depend on what policies the state and federal government set. Once the state communicates to us how any new mandates will impact us, we will make necessary changes at the municipal budget level based on what we know “now.”

This week, we quickly identified cuts that will bring this year’s tax increase to just \$9 per household for the Municipal portion of the budget only - compared to the \$69 per household number we had in our initial budget draft this year; if we were to include the Library portion of the budget, this revision would result in a \$1 for the average household. We reduced revenues by \$150,000 and reduced planned expenditures by \$497,353. And we are looking for more ways to reduce anticipated costs, yet still anticipate any potential increase in operating costs as we deal with the health crisis.

For example, we pulled the awarding of this year’s bulk pickup bid - which will cost the township \$153,000 - for at least two weeks, in hopes we have a clearer picture of what the future holds by then. We know this is a favorite resident service, but we have to be financially conservative until we know more.

There are so many unknowns with this pandemic. Financially, we are trying to prepare for the worst, while hoping for the best.

Here are the answers to some specific questions some residents have asked:



1. **What relief efforts will be given to property owners and taxpayers who are losing income due to the mandates and the economic collapse that the mandates have caused?**

Answer: As of right now, we are waiting for more details from the State. Last week we were notified by the State of the freeze on Homestead Rebates. At the Municipal level, we have instructed all of our department heads to take a hard look at their budgets, both operating and capital, for possible cuts. We are revising our budget revenues based on what we know right now.

2. **Can the township delay property tax due dates?**

Answer: No, we do not have the authority to change the due date of property taxes. The State is the only entity that can change it by law.

3. **Will payment of taxes be delayed for struggling taxpayers?**

Answer: We are waiting for the State's mandate on this area.

4. **How much is the expected revenue shortfall given the mandates?**

Answer: We have not been given any detail as to how the new mandates will impact the Municipalities

5. **How will the shortfall in revenue be made up?**

Answer: At the municipal level, it will mean cutting expenses and/or services

Our state and federal legislators have also been hard at work. Numerous conference calls with New Jersey's mayors have taken place over the last week. (And I am a Zoom master!) Bills that have an impact on our local government have been passed, or are on the floor of the respective houses. It is vital that we get help for our local businesses and, when this is over, help them get back on their feet.

While we work through this new norm, we encourage you to walk, bike, run, hike, take your dog for a walk to stay mentally and physically healthy. As per the Governor's executive order over the weekend, family members and romantic partners may engage in the above exercise. But I reiterate strongly—basketball, tennis courts and playgrounds are CLOSED. It is unsafe to engage in those recreational activities in which there may be close interaction and exchange of droplets. (let me repeat that again—those activities are UNSAFE).

But the news is not all dire. Be assured there are many positive effects of this pandemic. We hear from residents that families are having dinner, reading books, starting virtual book clubs, playing games or binging their favorite shows together – more than ever before. Children and adults are outdoors getting exercise and fresh air in unprecedented numbers. My own children **willingly** played Gin Rummy with George and I on a Saturday night. Our new normal has given us all a gift.

Large numbers of volunteers in our community are rising up and forming groups to help residents in need and one another. THESE are the moments in which our residents shine. THESE are the moments that define Berkeley Heights.

I want to take this moment to thank my colleagues of the Township Council. There has been no shortage of collaboration, rolling up the sleeves and plainly just getting it done. Jeanne, Alvaro, Susan, Manny, Stephen and Gentiana --- I am grateful.

Liza—wonder woman—you have done so much for this community in the last 15 days. You make me proud. Thank you.

To Chief Padovano, Chief DiPasquale, Chief Sternberg, Cpl. Cuocci, Liza and our Emergency Management Team—***well done!*** We remain ***ahead*** of our neighboring and statewide communities in public health and safety. That is a remarkable feat. The hours and hours dedicated have yielded an effective community wide approach to COVID-19.

To the staff—words cannot describe how incredibly grateful everyone on this Township Council is for your hard work. You dug your heels in to make sure local government continues at the excellent level of services that is always given to our citizens.

Some days will be difficult as we navigate our new normal, but it is because of these moments and the people who make Berkeley Heights the wonderful town that it is-- that I know we are truly *in this TOGETHER!*

Thank you.

