

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD APRIL 28, 2020**

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

FLAG SALUTE

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

EXECUTIVE SESSION –

Personnel / Attorney Client Privilege/Contract Negotiations – Wastewater treatment Plant

Move to go into Executive Session

(7:05 p.m.)

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

Move to come out of Executive Session

(7:52 p.m.)

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

CONFERENCE SESSION

Suplee, Clooney (Auditor) presentation on Sewer Service Ordinance

Mr. Swisher, Auditor for the Township, presented on the Sewer Service Ordinance being introduced.

Discussion on the No Knock Ordinance

Mrs. Poage shared a presentation on the “No Knock” Ordinance which was previously introduced. Council asked questions and provided feedback. A detailed conversation followed.

TOWNSHIP COUNCIL REPORTS

Mrs. Brahimaj reported on the following topics:

- Covid-19 Situation
- Communications Committee

Mr. Couto reported on the following topics:

- Covid-19 Situation

Mrs. Kingsley reported on the following topics:

- Covid-19 Situation
- Downtown Beautification Committee
- Commuter Task Force

Mr. Medeiros reported on the following topics:

- Covid-19 Situation

Mrs. Poage reported on the following topics:

- Grants Committee
- Planning Board
- Covid-19 Situation

Mr. Yellin reported on the following topics:

- Communications Committee
- Covid-19 Situation

ADMINISTRATION REPORTS

Mayor Devanney reported on the following:

- Covid-19 Situation

- Sewer Connection
- CARES Act for Small Towns
- Covid-19 Testing Center at Kean
- Economic Development Committee

Mayor Devanney also specifically thanked several people for their efforts recently.

Ms. Viana reported on the individual Township Departments. These departments include Public Works, Construction, Engineering, Wastewater Treatment, Recreation and Zoning.

Approval of Township Council and Administration Reports

Mover: Mrs. Poage
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

APPROVAL OF MINUTES

Approval of Minutes:

Public Meeting – January 2, 2020

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

Result: Approved

HEARING ON AGENDA ITEMS AND CITIZENS HEARING

Mayor Devanney read a statement regarding the procedures for public comment given the virtual (ZOOM) meeting.

Opening of the Hearing on Agenda Items and Citizens Hearing

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

**Township Council Minutes
Council Meeting – April 28, 2020**

Mr. Bochner of 29 Cinnamon Tree Lane spoke about the No Knock Ordinance. He raised some specific areas of concern regarding the current and proposed ordinance as it relates to non-profit organizations. Mrs. Poage responded.

Mr. Maciejewski of 40 Ralph Place asked about Governor Murphy’s Executive Order which allowed the extension of the grace period for May property taxes. Mayor Devaney responded.

Mr. Pratt of 45 Park Avenue spoke about the No Knock list and provided suggestions for maintaining and keeping the list current.

Mr. Cohen of 182 Dogwood Lane spoke about an initiative between Boxcar and Gargiulo Produce (a local produce supplier) to provide a contactless produce service in Berkeley Heights. He explained the model which is currently being used in some nearby towns. Mayor Devaney also spoke about this initiative and her discussions on the topic. Mrs. Kingsley and Mrs. Brahimaj provided some feedback.

Mr. Matula of 5 Hastings Road spoke in opposition to the No Knock Ordinance. He addressed his concerns and issues with the ordinance, specifically those pertaining to property owner rights.

Mr. Foregger of 14 Dorset Road spoke about the No Knock ordinance. He expressed his agreement with comments made by Mr. Bochner and Mr. Matula. Mr. Foregger raised some additional points against the ordinance.

Closing of the Hearing on Agenda Items and Citizens Hearing

Mover: Mrs. Poage
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 April 28, 2020, in the amount of \$477,513.69.

Approval of Resolution

Mover: Mrs. Poage
Seconder: Mr. Couto
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 a contract with Regional Industries, LLC, for the Residential Clean-Up, in the amount not to exceed \$139,000.00.

Mrs. Kingsley noted the schedule for the pickup.

Approval of Resolution

**Township Council Minutes
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Mover: Mrs. Poage
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

3. Resolution authorizing the Tax Assessor and the Tax Appeal attorney to file a counterclaim, regarding Block 4301, Lot 1.02, (100 Connell Drive), Block 4102, Lot 1 (300/400 Connell Drive), Block 4301, Lot 1011 (200 Connell Drive), Block 4501, Lot 25 (50 Connell Drive).

Approval of Resolution

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

Result: Approved

4. Resolution authorizing a contract with De Block Environmental Services, LLC., for the provision of on-call licensed operator (S-4) services for the Township's Wastewater Treatment Plant, in an amount not to exceed \$65,000.00, for a term to expire on July 20, 2020.

Ms. Viana spoke to the need for this resolution.

Approval of Resolution

Mover: Mrs. Poage
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

(PULLED)

5. Resolution authorizing the expansion of the plenary retail consumption licensed premises, located at 250 Connell Drive, Berkeley Heights.

(ADDITION READ INTO RECORD)

5. Resolution authorizing the grace period for second quarter property taxes concluding on June 1, 2020.

Mr. Medeiros, Mrs. Kingsley and Mayor Devanney spoke about the need for taxes and urged those that can pay their taxes on time to do so.

Approval of Resolution

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

Result: Approved

6. Resolution authorizing amending the 2020 temporary appropriations.

Approval of Resolution

Mover: Mrs. Poage
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

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.

7. Consent Agenda Resolutions (a-d)

- a. Resolution appointing Christopher Clark, to the Active roster of the Berkeley Heights Volunteer Fire Department.
- b. Resolution appointing Patrick Smith, to the Active roster of the Berkeley Heights Volunteer Fire Department.
- c. Resolution appointing Victor Guidetti, to the Active roster of the Berkeley Heights Volunteer Fire Department.
- d. Resolution appointing Michael Caprio, to the Active roster of the Berkeley Heights Volunteer Fire Department.

Approval of Consent Agenda Resolutions # 7 a-d

Mover: Mrs. Poage
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, 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 May 12, 2020.

The Clerk presented and read:

“An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending Title 13 (“Public Services”) at Chapter 13.12 (“Sewer Service System”).”

That the Ordinance as read by the Township Clerk be offered on first reading and that May 12, 2020 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

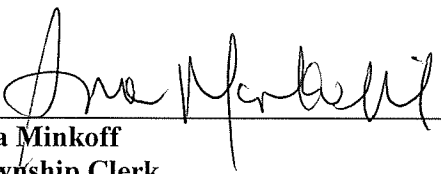
Mover: Mrs. Poage
Seconder: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mrs. Poage and Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

ADJOURNMENT

Moved by Mrs. Kingsley to adjourn and all were in favor.
(9:18 pm)

Approved: June 9, 2020



Ana Minkoff
Township Clerk

