

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY  
COUNCIL MEETING HELD JUNE 8, 2022**

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**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. This meeting was contained on a list of meetings set by resolution dated January 4, 2022.

**ROLL CALL**

The following Council members were present:

Gentiana Brahimaj  
Manuel Couto  
Paul Donnelly  
John Foster  
Jeanne Kingsley  
Jeff Varnerin  
Angie D. Devanney, Mayor

Also present were:

Township Attorney: Kaitlyn Mitchko  
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 on Political Divisiveness. (A copy of this statement is attached to the permanent minutes.)

**CONFERENCE SESSION**

**Joe Popolo, Acting Construction Official**

Mr. Popolo, Acting Construction Official, presented an update on the changes to the Building/Construction department. Mayor and Council provided feedback and asked questions. A discussion followed.

Mayor Devanney opened the discussion on this topic to the public.

Ms. Lloyd of 52 Deep Dale Drive asked if Mr. Popolo is fully up to speed on the details of the projects in town and raised concern that the builders will fail to meet all of their obligations. Mr. Popolo responded.

**Arterial - Plans for Sherman Avenue**

Mr. Hughes, Township Planner, and Mr. Lustberg of Arterial, presented on the plans for Sherman Avenue. Mayor and Council provided feedback and asked questions. A discussion followed.

Mayor Devanney opened the discussion on this topic to the public.

Mr. Sincaglia of 22 Robbins Avenue asked what Stratton House's obligations are for Sherman Avenue and how do they fit into these plans. Mr. Hughes responded.

**APPROVAL OF MINUTES – PUBLIC MEETING – May 3, 2022**

Approval of Minutes

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

**HEARING ON AGENDA ITEMS ONLY**

Opening of the Hearing on Agenda Items Only

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

*No voices were heard.*

Closing of the Hearing on Agenda Items Only

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

**APPROVAL OF RESOLUTIONS**

1. Resolution approving Bill List dated June 8, 2022, in the amount of \$1,343,427.02.

Approval of Resolution

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

2. Resolution adopting Juneteenth as a recognized holiday for International Brotherhood of Teamsters, Local 469, and United Public Service Employees Union.

Approval of Resolution

Mover: Mr. Varnerin  
Second: Mr. Foster  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin

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Abstain: None  
Absent: None  
***Result: Approved***

3. Resolution consenting to the approval of Alcoholic Beverage Licenses for a period of one year, expiring on June 30, 2023.

Approval of Resolution

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

4. Resolution authorizing purchase of certain goods and services through the use of Regional Cooperative Purchasing, for Tilcon New York, Inc. for the estimated amount of \$300,000.

Approval of Resolution

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

5. Resolution authorizing submission of a Treatment Works Approval Application to the NJDEP, for 235 Snyder Avenue.

Approval of Resolution

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

6. Resolution awarding a professional services contract to Neglia Engineering associates for road paving construction management services.

Approval of Resolution

Mover: Mr. Foster  
Seconder: Mrs. Kingsley  
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Donnelly, Mr. Foster, Mrs. Kingsley, Mr. Varnerin  
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-e)**

- a. Resolution authorizing a tax refund in the amount of \$3,762.58, for the property located at 588 Springfield and Sherman.
- b. Resolution appointing Mike Tomich to the active roster of the Berkeley Heights Volunteer Fire Department.
- c. Resolution removing Jonathan Wong and Alyssa Hammer from the active roster of the Berkeley Heights Volunteer Fire Department.
- d. Resolution appointing Michael Szeman, to the active roster of the Berkeley Heights Volunteer Fire Department.
- e. Resolution consenting to the approval of Garden State Fireworks to hold several fireworks displays.

Approval of Consent Agenda Resolutions # 7 a-e

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

- 8. Resolution authorizing the Application of the 2022 New Jersey Department of Transportation Local Aid Infrastructure fund, in the amount of up to \$703,335.40.

Approval of Resolution

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

**INTRODUCTION OF ORDINANCES**

**Public Hearing and Final Adoption Scheduled for June 21, 2022.**

The Clerk presented and read:

- 1. AN ORDINANCE AUTHORIZING THE AWARD OF A CONTRACT JUCILENE ARAUJO FOR LEASE OF REAL PROPERTY OWNED BY THE TOWNSHIP OF BERKELEY HEIGHTS (TRAIN STATION) LOCATED AT 161 SHERMAN AVENUE IN THE TOWNSHIP OF BERKELEY HEIGHTS, ALSO KNOWN AS BLOCK 68, LOT 3 ON THE TOWNSHIP TAX MAP**

That the Ordinance as read by the Township Clerk be offered on first reading and that June 21, 2022 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

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

The Clerk presented and read:

- 2. AN ORDINANCE PROVIDING A 25% DISCOUNT ON RECREATION FEES AND SERVICE CHARGES FOR MILITARY VETERANS**

That the Ordinance as read by the Township Clerk be offered on first reading and that June 21, 2022 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

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

## **TOWNSHIP COUNCIL REPORTS**

Councilmembers provided Council Reports and Committee updates.

## **ADMINISTRATION REPORTS**

Mayor Devanney provided the Mayor's Report.

Ms. Viana provided the Administrator's Report

Approval of Township Council and Administration Reports

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

**CITIZENS HEARING**

Opening of the Citizens Hearing

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

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

Mr. Sincaglia asked about the sidewalks which were recently paved by the County at Passaic River Park. Mrs. Kingsley and Mayor Devanney responded.

Mr. Sincaglia asked about the status of the Berkeley Caterers Site. Mayor Devanney responded.

Mrs. Poage of 12 Eaton Court spoke about the No Knock List and Solicitors knocking on doors. Mrs. Minkoff responded.

Mrs. Poage spoke about the Grants Committee and also commented on clogged drains in town.

Ms. Kasturi of 86 Cromwell Court spoke about a recent incident at the Block Party.

Mr. Maciejewski of 40 Ralph Place asked Mayor Devanney about the statement she read at the opening of the meeting and asked why it didn't reference another incident. Mayor Devanney responded.

Mr. Maciejewski asked if the \$10 Million payment from Toll Brothers was used to pay down the debt. Mrs. Kingsley and Mayor Devanney responded and a discussion followed.

Mr. Maciejewski spoke about PILOT money.

Ms. Minkoff read a statement submitted by Chris Krug of 20 Springholm Drive.

“Dear Township Council,  
I am requesting that strong consideration be given to the implementation of a local ordinance for all multiunit dwellings that they be 100% smoke-free, where smoking indoors is prohibited.

The health and well-being of my family is being negatively impacted as a result of second-hand smoke due to shared walls. I have begun the process of legal avenues, however this should be unnecessary. The wellbeing of my family should not be imposed upon regarding our health due to the actions of others. I plead to the Council that they take appropriate action. These issues should not be left to management companies and volunteers who serve on the Boards of these Communities. If so, no actions will be taken.

Thank you”

Closing of the Citizens Hearing

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

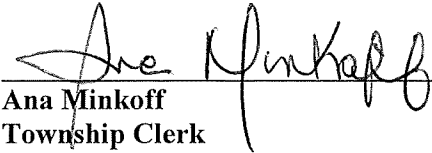
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Absent: None

**ADJOURNMENT**

Moved by Mr. Foster to adjourn and all were in favor.  
(8:30 p.m.)

Approved: June 21, 2022

  
\_\_\_\_\_  
Ana Minkoff  
Township Clerk

## Block Party Statement

June 8, 2022

We are appealing to residents of our wonderful town to stop and take a breath. The fighting and attacking that have plagued our Board of Education for the past 2 years is taking its toll on this community, and people are hurting because of it.

The vitriol that has seeped into other corners of our community is forcing us as a Township to take our eye off what should be the most important: ensuring our Township runs well and we get the most for our residents. As for our schools, we do not speak for the Board of Education, but as parents, we want to ensure that the focus is on our kids have the tools they need now to become lifelong learners, and that they get the education they need to succeed in life.

This town has residents with many different opinions – and they like to make those opinions heard. That is, after all, what effects change, often for the better. However, there is a constructive way to effect change and a destructive way to attempt to reach that same goal; unfortunately, we have seen too much of the latter lately. Being critical of policies and process is one thing, berating people in public for their beliefs or because of a personal dispute is simply not acceptable. **And let me be clear – again, so everyone hears it:**

We condemn any and all acts of hate, bias and divisiveness and it is not something that will be tolerated. This includes people being berated or attacked for their political beliefs, religious beliefs, who they support for local government – essentially anyone who has a different opinion other than your own. Any sort of verbal attack on a former – or current – public official is inappropriate and will not be condoned or tolerated by either myself, or, I think I can safely say, by anyone up here on this dais.

Public events such as the Berkeley Heights Block Party should be a time for our community to come together and celebrate the many positive attributes of living in our town. It should be a time to showcase what unites us, not what divides us.

Our hearts go out to the victims of this situation. There are current active investigations by the Berkeley Heights Police Department.

We all need to act in ways we would want our children to act, to speak to each other in ways we would want them to speak. We need to teach them tolerance and respect for others, even though they may not share the same viewpoints. We need



to encourage them to engage in constructive, educational dialogue about controversial issues and learn from each other, not encourage them to cut others down. We need to teach them the value of face-to-face conversation, and not let them think taking to social media to denigrate others is the preferred method of communicating.

We, as a town, should commit ourselves to reverse course, and instead foster an environment of more civility and respect of each other.



June 8, 2022 Town Council Reports

***Council President Jeanne Kingsley***

**Communication Committee**

The newsletter went out last week! Thank you to those committees and commissions that provided information. If you do not get the newsletter, you can sign up on the township website. The Website Survey was completed by 301 residents and the committee will review the results at their next meeting and incorporate the findings/recommendations into the Civic Plus Upgrade. There is a meeting with Civic Plus on June 14th to begin to discuss the needs and what can be done as a part of this upgrade so stay tuned.

**Downtown Beautification Committee**

The BH Walks on Saturday was a big success! Thank you to the 16 volunteers that came out to help make our downtown litter free. It was wonderful to see volunteers of all ages coming together for the betterment of our community. As we walked and picked up trash, several residents discussed pedestrian safety issues concerns around the downtown.

(1) It was suggested that a crosswalk be put in on Sherman Avenue at Station Street for those people that walk home from the train station up Station Street to Lincoln/Washington street.

(2) It was suggested that we put a crosswalk on Snyder Avenue where the sidewalk ends at Bank of America. Because there is no sidewalk beyond Bank of America, pedestrians cross at this juncture to pick up the sidewalk across the street. This will be helpful for walkers in town, tons of kids who cross Snyder avenue "willy-nilly" as well as those who are wheelchair bound or disabled.

We are still in need of volunteers to adopt our welcome and park signs. It does not require that much work and it really makes our community look beautiful. If you are interested please email [DBC@bhtwp.com](mailto:DBC@bhtwp.com)

The next meeting is Tuesday June 14th.

***Council Vice President Manny Couto***

**Memorial Park Committee**

Flowers are in, Mulch is in, Flags are up and the electric and water is back on! Thank you to the DPW, the Mayor, and the assorted volunteers (from the people who put up the flags, to the

volunteers that weed the beds) that work hard to keep this park special in the heart and soul of this community.

### **Peppertown Park Committee**

We are awaiting the drainage study, and word from NJ transit on the fencing along the train tracks. We have discussed the new proposal for Sherman Ave and are excited on the concept and are awaiting more information as it becomes available.

### **Downtown Beautification Committee**

Council President Jeanne Kingsley will report on that... BUT we did attend the “Berkeley Heights Walks” where over 2 dozen volunteers walked the downtown corridor from the Veterans Memorial Park, up to Springfield Avenue, down to Snyder and along Sherman Ave back to the Parking lot, picking up trash. Found were mostly cigarette butts, some wrappers, fewer plastic bags than in years prior, and a bicycle water bottle (not mine). We look forward to doing it again. I apologize for not having all the volunteers’ names to give at this meeting. For more information, please follow Experience Berkeley Heights on Facebook and Instagram.

### **Economic Development Committee**

We will be meeting at the end of the month. The video is moving along nicely with voice overs completed, and new scenes and still photos being added. The EDC is working on a list of vacant and rental commercial properties, and a list of landlords in the area to continue to be of service to new businesses looking to relocate.

### ***Councilwoman Gentiana Brahimaj***

#### **Mayor’s Youth Council**

Met on June 3<sup>rd</sup>. The committee will be transitioning to new leadership as some of the members are graduating this month. The Committee will recess over the summer, continue to recruit new members from GL and the Magnet Schools, and meet again in September.

#### **Senior Affairs Committee**

The next meeting is June 15<sup>th</sup>. I am now the secretary of the committee so stay tuned for more information of what this committee is working on.

### ***Councilman Paul Donnelly***

#### **Grants Committee**

The committee has been hard at work, I will give an updated report at the next meeting.

### ***Councilman John Foster***

#### **Historic Preservation Committee**

Met on June 2nd at 7:30 in town hall.

The committee had a table at the Block Party and provided handouts on the Little- Lord Farmstead and also a QR code was available for interested donors.

The committee is going to reach out tot Liza re: what did the architects say the next steps are?, Can we get people to volunteer their services (electricians, plumbers, painters) to help with the Littel-Lord restoration? The committee discussed possibly opening the Littel-Lord house on October 9<sup>th</sup> so people can peek inside ( put a tape across the door).

The committee is planning an October 9<sup>th</sup> picnic with lots of activities and potentially having crafters at various tables. They also are looking into the possibility of having other activities such as food trucks – more to come!

Next meeting- July 7th at 7:30 in the Dogwood Room at the Municipal Building.

### ***Councilman Jeff Varnerin***

#### **Board of Health**

We are still have an open slot on the Board of Health, any interested volunteers please reach out the Mayor for application.

#### **Truth, Community Healing & Inclusion Committee**

TCHI meeting scheduled for Monday May 23<sup>rd</sup> was cancelled.

#### **Municipal Complex Update**

The Cannon group continues to complete their assessment. They have already found and solved areas where water was penetrating the structure. The full analysis is expected soon. The 90 day wait period for the default with EPIC is coming up later this month.

#### **Waste Water Treatment Plant Update**

We have a path forward to solve the Digester Relief Valve in the July/August timeframe. The flare has a longer time horizon of late Fall but we are at least in the part fabrication phase of that plan. There will be a meeting with PS&S this Friday to get more details.

#### **Recreation Commission Update**

I would like to give a shout out to Rec for all of the upgrades and improvements that going into Lower Columbia Park including the brand new sidewalk that connects Plainfield Ave with the Tennis courts and walking & biking paths around lower Columbia. They will also be paving the bike path that runs from the tennis courts to the section of Hamilton Ave that connects to Park Ave. They also installed a new rock garden with the help of the Little Flower confirmation class. It's really looking good down there with resurfaced tennis courts, landscaping, pave walkways.

## **BH Walks**

I participated in BH Walks clean up of Sherman Ave, Springfield Ave and Snyder Avenue along with Manny, Jeanne, community members and the DBC. We cleaned up garbage ahead of the block party and had a chance to connect with neighbors along the route. Residents were curious as the viability of cross walks connecting the Railroad station with Station Street itself as well as across Snyder Ave at the Bank of America where the sidewalk ends (this is where children are often crossing). Would it be possible for our DPW director and/or police chief look into both of these suggestions?