

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JULY 9, 2019**

CALL TO ORDER

At 7:02 p.m. Mayor Devanney called the meeting to order.

The Township Clerk stated that 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:

Mr. Bavoso
Mr. Couto
Mrs. Kingsley
Mrs. Poage (via SKYPE)
Mr. Medeiros
Mr. Yellin
Mayor Devanney

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

1. Attorney Client Privilege/Contract Negotiations – Mast Construction*
*Should have read Attorney Client Privilege/Contract Negotiations – EPIC Management
2. Attorney Client Privilege/ Contract Negotiations – Warren Affordable Housing Fairness Hearing

Move to go into Executive Session

(7:08 p.m.)

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

Move to come out of Executive Session

(8:17 p.m.)

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

CONFERENCE SESSION

Warren Township Update

Mr. Jessup provided an update on the Warren Township Redevelopment project. He provided a brief history on the project and then gave an update to each of the 8 concerns/action items raised by Berkeley Heights residents and administration. Mr. Jessup closed noting that their Compliance Hearing is scheduled for this coming Friday and is open to the public.

Mayor's Recycling Taskforce Presentation

Mayor Devanney announced that this presentation has been postponed until the next meeting.

TOWNSHIP COUNCIL REPORTS

Mr. Bavoso reported on the following topics:

- Communication Committee

Mr. Couto reported on the following topics:

- Speed Sign on Emerson Lane
- Berkeley Heights Clean Communities Cleanup
- Fencing around the Movie Theater Redevelopment Project
- Littel-Lord Pond

Mrs. Kingsley reported on the following topics:

- Downtown Beautification Committee

Mrs. Kingsley asked about the LOSAP presentation from the last meeting. A brief discussion followed.

Mr. Medeiros reported on the following topics:

- Mayor's Recycling Task Force
- Environmental Commission
- Mayor's Wellness Campaign

Mrs. Poage reported on the following topics:

- No Knock Ordinance
- Grants Committee

Mr. Yellin reported on the following topics:

- Trash Collection Ordinance
- Communication Committee

ADMINISTRATION REPORTS

Mayor Devanney discussed the following topics:

- NJ Transit
- Library Bond Act
- Capital Bond Ordinance Projects

Ms. Viana provided updates from the following departments:

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

Ms. Viana also spoke about the food drive challenge with Scotch Plains.

Approval of Township Council and Administration Reports

Mover: Mr. Bavoso

Seconder: Mr. Yellin

Ayes: Mr. Bavoso, 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 – April 2, 2019**

Mover: Mr. Couto

Seconder: Mr. Medeiros

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

Nays: None

Abstain: None

Absent: None

Result: Approved

Approval of Minutes - **Public Meeting – April 23, 2019**

Mover: Mr. Couto

Seconder: Mr. Medeiros

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

Nays: None

Abstain: None

Absent: None

Result: Approved

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

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

Mr. Foregger of 14 Dorset Road referenced Consent Agenda item #6a and asked for clarification on the amount of the performance bond to be released. Ms. Minkoff confirmed the amount.

Mr. Foregger asked about the members in attendance for tonight's Executive Session. Council responded. There was a brief discussion and Mrs. Kingsley and Mr. Dowd clarified that the Exec Session should have read Attorney Client Privilege/Contract Negotiations – EPIC Management.

Mr. Foregger asked about the Capital Bond Ordinance, questioning specific line items including those related to fire, police and DPW vehicles as well as other police items. Ms. Viana and Chief DiPasquale responded to his questions.

Mr. Mondelli of 243 Washington Street asked if the disposal of the donated car referenced in Agenda item #4 would have to follow the new scrap metal policy. Mr. Dowd responded.

Closing of the Hearing on Agenda Items Only

Mover: Mrs. Kingsley
Second: Mr. Yellin
Ayes: Mr. Bavoso, 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 July 9, 2019 in the amount of \$453,041.72.

Approval of Resolution

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

Result: Approved

2. Resolution authorizing the Application for the New Jersey Department of Transportation Municipal Aid Grant.

Mayor Devanney asked which projects were included. Ms. Viana responded.

Approval of Resolution

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

Result: Approved

3. Resolution authorizing the Application for the New Jersey Department of Transportation Safe Streets to Transit Grant.

Mayor Devanney asked about the grant. Mrs. Kingsley explained.

Approval of Resolution

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

Result: Approved

4. Resolution accepting a used 2002 Toyota Tundra from Mr. Henry H. Park for the Township's Volunteer Fire Department in extrication training.

Approval of Resolution

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

Result: Approved

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

Mrs. Kingsley explained the change. There was a brief discussion.

Approval of Resolution

Mover: Mrs. Kingsley
Seconder: Mr. Yellin
Ayes: Mr. Bavoso, 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.

6. Consent Agenda Resolutions (a-d)

- a. Resolution authorizing a release of a performance bond in the amount of \$2,000.00 in connection with work performed at 40 Old Farm Road.
- b. Resolution authorizing Chris Schaumberg to become an active member of the volunteer Fire Department.

Approval of Consent Agenda Resolutions #6 a-b

Mover: Mr. Yellin
Secunder: Mrs. Kingsley
Ayes: Mr. Bavoso, 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 July 23, 2019.

The Clerk presented and read:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS,
IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$3,788,425
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,530,254 BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

That the Ordinance as read by the Township Clerk be offered on first reading, that July 23, 2019 be set as the date for public hearing and that the Township Clerk is directed to advertise same in the Courier News

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

Result: Approved

CITIZENS HEARING

Opening of the Citizens Hearing

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

Mr. Foregger asked for an update on the progress of Vito Mondelli Park. Mayor Devanney and Ms. Viana responded. There was a brief discussion on the topic.

Mr. Mondelli stated that the company he works for has reached out to both the DPW Director and the Administrator in an effort to bid on scrap metal but has not gotten a response. Mayor Devanney responded.

Ms. Varnerin of 20 Wardle Avenue asked about the grant applied for in Resolution #2. Mrs. Kingsley and Mayor Devanney responded.

Ms. Lloyd of 52 Deep Dale Drive noted that when the granite curbing was installed on Plainfield Avenue they did not put cement between the curbing by Veteran's Park. She also asked whether the project is complete or if the curbing will be extended all the way up Plainfield. Mayor Devanney responded. There was a brief discussion on the project with Ms. Lloyd, Mayor Devanney and Ms. Viana.

Ms. Lloyd asked about whether or not Warren will be using the Berkeley Heights sewer system for their redevelopment project. Mr. Jessup responded.

Mr. D'Aquila of 85 Whitney Drive noted to Mr. Yellin that when looking into the trash collection he may also want to look into the non-curbside pickup for consistency. Mr. Yellin responded.

Mr. D'Aquila suggested that when reviewing the street cleaning schedule, Council should consult the storm water management plan requirements. Mayor Devanney responded.

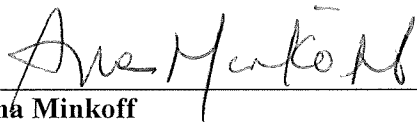
Closing of the Citizens Hearing

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

ADJOURNMENT

Moved by Mr. Couto to adjourn and all were in favor.
(9:25 p.m.)

Approved: August 20, 2019

A handwritten signature in cursive script, appearing to read "Ana Minkoff", written over a horizontal line.

Ana Minkoff
Township Clerk