

AGENDA CHANGES

SEPTEMBER 8, 2020

The following items have been amended/added to the September 8, 2020 agenda:

Pulled:

14. Resolution modifying the membership of the Mayor's Advisory Committee for Truth, Racial Healing and Transformation of Berkeley Heights.

ORDINANCES:

Amended:

2. AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.

Addition:

**5. AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR BLOCK 702, LOTS 17 AND 18 ON THE TAX MAPS OF THE TOWNSHIP, ALONG WITH PORTIONS OF THE SHERMAN AVENUE RIGHT-OF-WAY
(Former Kings Site - 428-434 Springfield Avenue)**

Explanation: This Ordinance amends the Township's existing Salary Ordinance to update and/or add salary ranges for the various positions set forth herein.

AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS

BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, consistent with the Township Code and N.J.S.A. 40A:9-165 and N.J.S.A. 40A:9-165.1, that the Township's Salary Ordinance be amended as follows:

SECTION 1.

Commencing as of January 1, 2020, unless otherwise specified herein below, the annual salaries and wages of the elected and appointed officials of the Township and certain non-union Township employees in the various municipal departments of the Township of Berkeley Heights shall be fixed from time to time by the Township Council and, except as provided herein, such salaries and wages shall not be less than the minimum amounts nor more than the maximum amounts hereinafter set forth for each position.

<u>DEPARTMENT/POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>ADMINISTRATIVE & EXECUTIVE</u>		
Mayor	1.00	4,000.00
Council Members	1.00	3,500.00
Township Administrator	60,000.00	147,000.00
Executive Assistant	25,000.00	72,000.00
Administrative Assistant	25,000.00	48,700.00
Township Clerk	50,000.00	100,000.00
Acting Township Clerk	35,000.00	63,600.00
Deputy Township Clerk	25,000.00	71,000.00
<u>FINANCE DEPARTMENT</u>		
Treasurer/Chief Financial Officer	60,000.00	136,000.00
Assistant Finance Officer	40,000.00	65,000.00
Tax Assessor	20,000.00	54,000.00
Tax Collector	20,000.00	81,000.00
<u>MUNICIPAL COURT</u>		
Municipal Judge	10,000.00	35,700.00
Municipal Prosecutor	10,000.00	20,400.00

Public Defender	3,000.00	10,200.00
Board of Adjustment Attorney	2,000.00	5,100.00

PUBLIC WORKS/ENGINEERING

Township Engineer/ Director of Public Works	45,000.000	121,000.00
Director of Public Works	45,000.00	98,000.00
Asst. Dir. Of Public Works	45,000.00	93,000.00

Zoning Official (Tree Inspector & Code Review Officer)	30,000.00	83,000.00
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Construction Official	60,000.00	102,000.00
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FIRE

Fire Official	1.00	15,500.00
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SEWER PLANT

Director of Wastewater Management	85,000.00	137,000.00
Acting Director of Wastewater Management	50,000.00	85,000.00

RECREATION

Director of Recreation	60,000.00	110,000.00
Associate Recreation Director	50,000.00	80,000.00

POLICE DEPARTMENT

Chief	90,000.00	192,000.00
Police Secretary	28,000.00	65,000.00
Confidential Secretary	28,000.00	71,000.00
Special Police (per hour)	11.00	35.00
Special Police Matrons (per hour)	11.00	30.00
Crossing Guards (per hour)	11.00	30.00

EMERGENCY MANAGEMENT

Emergency Management Coordinator	500.00	10,000.00
Assistant Emergency Management Coordinator	500.00	7,500.00

HOURLY EMPLOYEES

Level 1 – Seasonal (per hour)	11.00	18.00
Level 2 – Casual	11.00	30.00
Level 3 – Casual w/License**	20.00	55.00
Level 4 – Part Time w/License**	20.00	45.00

(* * This includes all subcode officials)

SECTION 2.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3.

All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4.

The provisions of this Ordinance shall be effective according to law.

Introduced: _____

Adopted: _____

Angie Devanney
Mayor

ATTEST:

Ana Minkoff
Township Clerk

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR BLOCK 702, LOTS 17 AND 18 ON THE TAX MAPS OF THE TOWNSHIP, ALONG WITH PORTIONS OF THE SHERMAN AVENUE RIGHT-OF-WAY

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "**Redevelopment Law**"), the Township Council (the "**Township Council**") of the Township of Berkeley Heights, in the County of Union, New Jersey (the "**Township**"), designated the property known as Block 702, Lots 17 and 18 on the Tax Maps of the Township, along with portions of the Sherman Avenue right-of-way, as an area in need of redevelopment pursuant to the Redevelopment Law (the "**Redevelopment Area**"); and

WHEREAS, Phillips Preiss Grygiel Leheny Hughes LLC (the "**Township Planner**") prepared a redevelopment plan for the Redevelopment Area entitled "Stratton House Redevelopment Plan", dated July 2020 (the "**Redevelopment Plan**"); and

WHEREAS, the Township Council referred the Redevelopment Plan to the Township Planning Board (the "**Board**") for comments and recommendations; and

WHEREAS, on August 10, 2020, the Board held a public hearing and provided findings with respect to the proposed Redevelopment Plan; and

WHEREAS, after extensive discussions and testimony, the Board adopted a resolution memorializing its determinations and delivered same to the Township Council (the "**Board Resolution**"); and

WHEREAS, such Board Resolution did not identify any provisions of the proposed Redevelopment Plan that are inconsistent with the Township's Master Plan and recommended adoption of the Redevelopment Plan; and

WHEREAS, on September 8, 2020, the Township Council adopted an ordinance, entitled, "An Ordinance of the Township of Berkeley Heights, in the County of Union, New Jersey Adopting a Redevelopment Plan for Block 702, Lots 17 and 18 on the Tax Maps of the Township, Along with Portions of the Sherman Avenue Right-of-Way" approving the Redevelopment Plan for the Redevelopment Area; and

WHEREAS, pursuant to Section 3.4.3 of the Redevelopment Plan, the minimum side setback from the property line along Lone Pine Drive shall be 30 feet; and

WHEREAS, such setback requirement was determined based on the proposed building plans prepared by the redeveloper of the Redevelopment Area, which erroneously indicated that the proposed building was set back 30 feet from the property line along Lone Pine Drive, when in fact the building is illustrated and is proposed to be set back 20 feet from the property line along Lone Pine Drive; and

WHEREAS, the Township Council now desires to amend the Redevelopment Plan to, among other things, provide for a minimum side setback from the property line along Lone Pine Drive of 20 feet in order to be consistent with the original building plans of the redeveloper, and to make other amendments as set forth herein; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-7(e), prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan; and

WHEREAS, the Township Council desires to refer the Redevelopment Plan amendments as set forth in Exhibit A attached hereto (the "**Amendments**") to the Board for consideration in accordance with *N.J.S.A.* 40A:12A-7(e); and

WHEREAS, subject to receipt of the Board's recommendations concerning the Amendments, the Township Council believes that the adoption of said Amendments is in the best interests of the Township and the redevelopment of the Redevelopment Area; and

WHEREAS, the Township Council now desires to adopt the Amendments,

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, in the County of Union, New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. Pursuant to *N.J.S.A.* 40A:12A-7(e), upon adoption of this ordinance on first reading, the Township Council hereby refers the Amendments to the Board for review and recommendation. The Board shall prepare a report regarding its recommendations and submit same to the Township Council within 45 days after referral, as required by the Redevelopment Law.
3. Contingent upon the receipt of the Board's recommendations, the Township Council hereby adopts the Amendments pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law, which shall amend the Redevelopment Plan. The Township Planner is hereby authorized and directed to prepare a restated Redevelopment Plan inclusive of the Amendments, and to deliver same to the Township Clerk to be placed on file with the Township Clerk.
4. The sections of the Zoning Map of the Township that relate to the Redevelopment Area are hereby amended to incorporate the provisions of the Redevelopment Plan as amended by the Amendments.
5. If any part of this Ordinance shall be deemed invalid, such part shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

6. This Ordinance shall take effect in accordance with applicable law.

INTRODUCED the _____ day of _____, 2020.

ADOPTED the _____ day of _____, 2020

By: _____
Angie Devanney, Mayor

ATTEST:

Ana Minkoff, Township Clerk

Exhibit A

Amendments

3.4 YIELD AND BULK STANDARDS

3.4.1 Residential Yield

The maximum number of permitted residential dwelling units is 212 units. Pursuant to the 2016 settlement agreement between the Township of Berkeley Heights and Fair Share Housing Center, a minimum of 32 of the total residential dwelling units shall be set aside as affordable to low- and moderate-income households in accordance with the Township's Amended Master Plan Housing Element and Fair Share Housing Plan and all applicable affordable housing rules and regulations.

3.4.2 Building Height

Residential Building

The new residential building shall have a flat roof. Maximum building height for new construction shall be four (4) stories, but certain areas shall not exceed three (3) stories, as follows. The apartment wing closest to Lone Pine Drive and the apartment wings at the rear of the building is permitted to be up to four stories tall. In order to create a stepping of height, the portions of the building west of the parking garage shall not exceed three stories in height; these include the front facade, facing northwest toward the shopping center parking lot, and the side facade facing southwest toward the railroad tracks. The illustrative site plan in Figure 5 depicts the 3- and 4-story portions of the building.

In addition to the story-height limit, four-story residential areas of the building shall not exceed 46 feet in height from the finished floor elevation of the first floor to the fourth-floor roof deck. Three-story residential areas of the building shall not exceed 35 feet in height from the finished floor elevation of the first floor to the third-floor roof deck.

The finished floor elevation of the first floor shall not exceed ~~three~~five (5) feet above the average finished grade as calculated within the area located within 20 feet of the structure.

Parking Garage

The roof deck of the parking garage shall be the same or lower in height than the fourth-floor roof deck of the adjacent residential building. The highest datum line of any parapet on the parking garage roofline shall not extend more than three (3) feet above the height of the fourth-floor residential roof deck.

Stairwells and Elevator Penthouses

Stairwells and elevator penthouses are permitted to extend above the maximum building height by up to fifteen (15) feet.

3.4.3 Building Setbacks

The *minimum* setbacks for new buildings from property boundaries or other features shall be as follows: For the portion of the building behind the shopping center, including the new parking garage, minimum front setback shall be 30 feet as measured from the northwestern-most property line of Lot 18. In addition, a minimum separation of at least 10 feet shall be provided between all portions of the new building and the rear of the existing shopping center building.

For the portion of the building that is not behind the existing shopping center building, the minimum rear setback from the new vehicular emergency access lane to be created south of the existing Sherman Avenue South alignment is 53 feet. For the portion of the building behind the shopping center, including the new parking garage, minimum rear setback from the rear, southeastern-most property line along Snyder Avenue Brook shall be 150 feet.

Minimum side setback from the property line along Lone Pine Drive shall be 3020 feet, and the parking garage mass shall be set back further than the residential wing in this location.

Minimum side setback from the southwest property line of Lot 17 is 50 feet.

3.4.4 Building and Lot Coverage

Maximum permitted building coverage is 70 percent for the entirety of new Lot 18.

Maximum permitted lot coverage is 85 percent for the entirety of new Lot 18.

3.5 ACCESS AND PARKING

3.5.1 Sherman Avenue South Vacation

The existing terminus of Sherman Avenue South lies at the rear of the planned apartment building and has been vacated to facilitate the redevelopment project (as illustrated on Figure 4). Measuring from the southwest property line, the vacated area comprises roughly 300 feet along a right-of-way that is 36 feet wide. The total area to be vacated is approximately 11,203 square feet.

3.5.2 Vehicular Access

All regular vehicular access to the site shall be from a single curb cut on Lone Pine Drive or from the existing surface parking area along the southwesterly boundary of the Redevelopment Area. As shown in Figures 4 and 5, a grass-paver emergency access lane shall be provided at the south (rear) of the building, generally south of the alignment of the vacated portion of Sherman Avenue South.

3.5.3 Pedestrian Entries and Circulation

The primary pedestrian entry to the building shall be in the middle of the side facade closest to and facing Lone Pine Drive. Pedestrian walkways shall be provided to connect this entry to the new front (northwest) parking lot and to all emergency exits in this portion of the building.

A secondary, prominent pedestrian entry to the building shall be provided at the western-most corner of the building. Pedestrian walkways shall be provided from this entry to all building emergency exits that are not already linked to the primary pedestrian entry. These walkways should also extend to the rear lot line of the property and the reconfigured Sherman Avenue South to provide safe and convenient walking access to the Berkeley Heights train station.

3.5.4 Minimum Parking Ratios

The parking supply shall provide at least 1.7 spaces per apartment unit within the structured garage. With the maximum amount of development of 212 units, a total of 360 spaces would be required.

In addition, 20 public parking spaces for commuters shall be provided.