

Township of Berkeley Heights Union County, New Jersey

Township Council Public Meeting November 5, 2025 6:30 P.M.

Adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting will not substantially go past 9:30 p.m.

COUNCIL MEMBERS:

Manuel Couto
John Foster - President
Margaret Illis
Bill Machado
Andrew Moran
Susan Poage – Vice President
Angie Devanney- Mayor

AGENDA FOR PUBLIC MEETING

I. CALL TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. CONFERENCE SESSION

- Best Practices Inventory

V. REGULAR AGENDA

VI. APPROVAL OF MINUTES

Public Meetings: 10/7/25

I. ORDINANCE(S) FOR PUBLIC HEARING AND FINAL ADOPTION:

Ordinance(s) Introduced on October 21, 2025.

Ordinance 2025-32

ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 702, LOTS 4 AND 6 AND A PORTION OF BLOCK 702, LOT 17.01 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP

II. CITIZENS HEARING - (3) minutes per resident

Comments are welcome during the public comment period during this meeting on any matter over which the Township has jurisdiction. To make your comment, the speaker must

come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The Mayor and/or Council President will keep time. Please promptly yield the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

III. NEW BUSINESS – RESOLUTIONS OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:

RESOLUTIONS

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.

Resolution No. 2025-

328. Resolution approving Bill List dated November 5, 2025, in the amount of \$1,109,531.59.

329. Resolution authorizing budget transfers for the calendar year 2025.

330. Resolution authorizing the refund of tax overpayments.

331. Resolution of the Township of Berkeley Heights, County of Union, New Jersey approving the transfer of the membership interests in Berkeley Heights Developers Urban Renewal, LLC to AH Property Investment, LLC or its designee.

332. Resolution authorizing an increase in the not to exceed amount for 2025 for the contract awarded to Dawson Mechanical Contracting, LLC for backflow preventer repair and calibration.

333. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for the Recreational Improvements 2025 Grant.

334. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for the Preserve Union County Grant.

335. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for the Greening Union County Grant.

336. Resolution authorizing an agreement with the County of Union to permit various improvements to the Springfield Avenue corridor.

337. Resolution authorizing a one (1) year extension to the contract with USALCO, LLC for aluminum sulfate solution for the wastewater treatment plant.

- 338. Resolution awarding a professional services contract to Collier Engineering & Design, INC. (dba Maser Consulting) for professional planning services related to the preparation of a Community Energy Master Plan.
- 339. Resolution awarding and confirming emergency contract under New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-6 resulting from emergent conditions and awarded to Rapid Pump and Meter Service Co.
- 340. Resolution awarding a contract to Cifelli & Son General Contractors, Inc., in an amount not to exceed \$1,936,607.50 for the Safer Sidewalks for Springfield Avenue Transit Access project.
- 341. Resolution authorizing the execution of a contract with Quikteks Business Technology Solutions, for the term from January 1, 2026 through December 31, 2026, for IT Services for the Township, including the Police Department.
- 342. Resolution authorizing a contract award to Pumping Services, Inc., for the replacement of the grinder for the main operating plant influent wet well at the Wastewater Treatment Plant through the North Jersey Wastewater Cooperative Pricing System Contract B 454-8, in an amount not to exceed \$110,973.70.
- 343. Resolution awarding a contract to Rapid Pump & Meter Company, Inc., for the replacement of the grinder extension shaft and motor at the Hampton Drive Pump Station, in an amount not to exceed \$8,940.00.
- 344. Resolution authorizing a fireworks display during the Berkeley Heights Tree Lighting event on Saturday, December 6, 2025, in Santore Field at Veterans Park, between 6:00 p.m. and 7:00 p.m.
- 345. Resolution appointing Brian Guiles, Adam Miksis, and Jacob Liptak to the active roster of the Berkeley Heights Volunteer Fire Department.
- 346. Resolution appointing Brandon Figuora to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department.
- 347. Resolution appointing Matthew Plocinski to the inactive list of the Berkeley Heights Volunteer Fire Department.

IV. TOWNSHIP COUNCIL REPORTS

- A. Manuel Couto
- B. John Foster - President
- C. Margaret Illis
- D. Bill Machado
- E. Andrew Moran
- F. Susan Poage – Vice President

ADMINISTRATION REPORTS

Mayor Devanney
Liza Viana

V. EXECUTIVE SESSION

VI. ADJOURNMENT

Angela Lazzari, Township Clerk

**TOWNSHIP OF BEKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

ORDINANCE NO. 2025-32

**ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE
COUNTY OF UNION, NEW JERSEY, ADOPTING A
REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS
BLOCK 702, LOTS 4 AND 6 AND A PORTION OF BLOCK 702, LOT 17.01
ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, on November 21, 2023, the Township Council (the “**Township Council**”) of the Township of Berkeley Heights, in the County of Union, New Jersey (the “**Township**”), adopted Resolution No. 287-2023, authorizing and directing the Township Planning Board (the “**Planning Board**”) to conduct an investigation pursuant to the Redevelopment Law to determine whether all or a portion of the property identified as Block 702, Lots 4, 6 and 16 on the official tax maps of the Township, along with all streets and rights of way appurtenant thereto (the “**Study Area**”), meets one or more criteria set forth in the Redevelopment Law and should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, Harbor Consultants (the “**Planning Consultant**”) conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated an area in need of redevelopment, and prepared a preliminary investigation report of the Study Area in accordance with the Redevelopment Law, entitled, “Preliminary Investigation Report for 414-424, 458 Springfield Avenue & 230 Sherman Avenue (Block 702, Lots 4, 6 & 16) as an ‘Area in Need of Redevelopment’ without Condemnation” (the “**Study**”); and

WHEREAS, the Study set forth the basis for the investigation of the Study Area and a map depicting the Study Area, and concluded that the Study Area qualified as an area in need of redevelopment pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on May 1, 2024, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined, by resolution, that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

ORDINANCE NO. 2025-32

WHEREAS, on May 21, 2024, in accordance with the Redevelopment Law, the Township Council duly adopted Resolution No. 135-2024 designating the Study Area as a non-condemnation area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, on behalf of the Township and pursuant to the Redevelopment Law, the Planning Consultant has prepared a redevelopment plan for a portion of the Redevelopment Area consisting of Block 702, Lots 4 and 6, as well as a portion of Block 702, Lot 17.01 (which was then known as Lot 17 and declared an “area in need of redevelopment” by the Township Council by adoption of Resolution No. 274-2016, and subsequently subdivided into Lot 17.01 per the minor subdivision application approved by the Planning Board on January 13, 2021 and recorded by subdivision deed dated December 10, 2021) (collectively, the “**Redevelopment Plan Area**”), entitled “Terrace II Redevelopment Plan” dated September 10, 2025 (in the form on file in the office of the Township Clerk and available for public inspection) (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Redevelopment Law, specifically *N.J.S.A. 40A:12A-7(e)*, prior to the adoption of a redevelopment plan, the municipality’s planning board shall provide to the governing body of the municipality a report containing the planning board’s recommendation concerning the redevelopment plan pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on September 16, 2025, pursuant to *N.J.S.A. 40A:12A-7(e)*, the Township Council duly adopted Resolution No. 2025-266, authorizing and directing the Planning Board to review the proposed Redevelopment Plan and provide a report to the Township Council containing its recommendation concerning the Redevelopment Plan, including the identification of any provisions of the Redevelopment Plan which are inconsistent with the Township Master Plan; and

WHEREAS, on October 8, 2025, the Planning Board reviewed the Redevelopment Plan, heard testimony from the Planning Consultant and adopted a resolution finding that the Redevelopment Plan is consistent with the Township Master Plan and recommending that the Township Council adopt the Redevelopment Plan (the “**Planning Board Resolution**”); and

WHEREAS, the Planning Board has provided such Planning Board Resolution to the Township Council as the Planning Board’s “report” pursuant to *N.J.S.A. 40A:12A-7(e)*; and

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Berkeley Heights, in the County of Union, New Jersey, as follows (not less than a majority of all members thereof affirmatively concurring):

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The Redevelopment Plan on file with the Township Clerk is incorporated herein by reference and is hereby approved and adopted pursuant to *N.J.S.A. 40A:12A-7*.

ORDINANCE NO. 2025-32

3. The sections of the zoning map and zoning ordinance of the Township that relate to the Redevelopment Plan Area are hereby amended to incorporate the provisions of the Redevelopment Plan.
4. 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.
5. This Ordinance shall take effect in accordance with applicable law.

Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				Manuel Couto						
		✓				John Foster						
		✓				Margaret Illis						
		✓				Bill Machado						
	✓	✓				Andrew Moran						
✓		✓				Susan Poage						
Introduced: October 21, 2025				I hereby certify the above ordinance was adopted by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey on the aforementioned date.								
Final Adoption: November 5, 2025												
				_____ Angela Lazzari, Township Clerk								

LEGAL NOTICE

ORDINANCE 2025-32

“ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 702, LOTS 4 AND 6 AND A PORTION OF BLOCK 702, LOT 17.01 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP”

NOTICE OF PENDING ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed upon first reading at a meeting of the Township Council of the Township of Berkeley Heights, in the County of Union, New Jersey, held on October 21, 2025. The ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the Township Council of the Township of Berkeley Heights to be held in-person at the Berkeley Heights Municipal Building in the Berkeley Room-Council Chambers, and livestreamed on YouTube, on November 5, 2025 at 6:30 P.M. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Township Clerk’s office for members of the general public who request the same.

Pursuant to *N.J.S.A. 40:49-2*, as amended, further notice is hereby given that the purpose of the foregoing ordinance is to adopt a redevelopment plan for Block 702, Lots 4 and 6 and a portion of Block 702, Lot 17.01 on the official tax maps of the Township.

Angela Lazzari, Township Clerk
Township of Berkeley Heights

LEGAL NOTICE

ORDINANCE 2025-32

“ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES IDENTIFIED AS BLOCK 702, LOTS 4 AND 6 AND A PORTION OF BLOCK 702, LOT 17.01 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP”

NOTICE OF FINAL ADOPTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was finally adopted at a meeting of the Township Council of the Township of Berkeley Heights, in the County of Union, New Jersey, held on November 5, 2025 at 6:30 P.M. Any action or proceeding of any kind or nature in any court questioning the validity or proper authorization of the ordinance or the actions authorized to be taken as set forth in the ordinance shall be commenced within 20 days after the date of publication of this notice.

Pursuant to *N.J.S.A. 40:49-2*, as amended, further notice is hereby given that the purpose of the foregoing ordinance is to adopt a redevelopment plan for Block 702, Lots 4 and 6 and a portion of Block 702, Lot 17.01 on the official tax maps of the Township.

Copies of the full ordinance are available at no cost at the Township Clerk's office during regular business hours for members of the public who request the same.

Angela Lazzari, Township Clerk
Township of Berkeley Heights

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated **11/5/2025**, in the amount of **\$1,109,531.59** such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

Approved this 5th day of November, 2025.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

A RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR THE CALENDAR YEAR 2025

WHEREAS, N.J.S.A. 40A:4-58 provides that the Governing Body of a municipality may upon the concurrence of two-thirds of the full membership thereof in the last two months of the calendar year make transfers between appropriations in which funds are deemed to be in excess of the anticipated; and

NOW BE IT FURTHER RESOLVED, by the Township Council of the Township of Berkeley Heights in the County of Union, State of New Jersey, two thirds of the full membership thereof concurring that the following transfers be made in the CY 2025 appropriations for the Current Fund in accordance with N.J.S.A. 40A:4-58:

<u>Inside Cap</u>	<u>From</u>	<u>To</u>
General Administration S&W	\$10,000.00	
Municipal Clerk S&W	3,000.00	
Financial Administration S&W	5,000.00	
Financial Administration O/E	50,000.00	
Tax Collection O/E	1,000.00	
Planning Board O/E	5,000.00	
UCC S&W	40,700.00	
Sewer S&W	10,000.00	
Vehicle Maintenance S&W	10,000.00	
Salary and Wage Adjustment	10,000.00	
DCRP	10,000.00	
Clerk O/E		\$4,000.00
Mayor S&W		1,500.00
Council S&W		1,500.00
Tax Collection S&W		5,900.00
Police O/E		12,000.00
Fire Hydrant Services		2,000.00
Sewer O/E		40,200.00
Liability Insurance		10,200.00
Telephone		66,000.00
Water		4,400.00
Social Security		7,000.00

\$154,700.00	\$154,700.00
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**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

<u>Out of Cap</u>	<u>From</u>	<u>To</u>
Shared Service - New Providence Court	\$10,000.00	
NJEIT LOAN - Principal & Interest		\$10,000.00
	<u>\$10,000.00</u>	<u>\$10,000.00</u>

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berkeley Heights, after proper notation on the tax account records by the Tax Collector, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Reduced Assessment |
| | 11. Other |

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
2505/17	41 DEBBIE PLACE	JAMES K & GIANNA LITTON	\$2,460.16	2025	11

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BERKELEY
HEIGHTS, COUNTY OF UNION, NEW JERSEY
APPROVING THE TRANSFER OF THE MEMBERSHIP
INTERESTS IN BERKELEY HEIGHTS DEVELOPERS
URBAN RENEWAL, LLC TO AH PROPERTY
INVESTMENT, LLC OR ITS DESIGNEE

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as in need of rehabilitation and/or in need of redevelopment; and

WHEREAS, on December 20, 2016 pursuant to Resolution 274-2016, the Township of Berkeley Heights (the “**Township**”) Township Council (the “**Township Council**”), in accordance with provisions of the Redevelopment Law and based upon the report and recommendation of the Township Planning Board (the “**Planning Board**”) designated that certain property identified as Block 702, Lots 13, 17, and 18 on the official Tax Maps of the Township, together with the Sherman Avenue Easement/Right-of-Way located on a portion of Block 702, Lots 13, 14, 15 and 17, the Lone Pine Drive Right-of-Way and the Sherman Avenue South Right-of-Way as a non-condemnation “area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the Redevelopment Law; and

WHEREAS, on March 7, 2017, by the adoption of Ordinance No. 8-2017, the Township Council duly adopted a redevelopment plan for a portion of the Redevelopment Area, entitled, “Redevelopment Plan for the Former Kings Site (Block 702, Lot 17)” (as the same may be amended and supplemented from time to time, the “**Kings Site Redevelopment Plan**”); and

WHEREAS, on September 8, 2017, pursuant to Resolution 159-2017, the Township and Berkeley Heights Developers Urban Renewal, LLC (the “**Entity**”) entered into that certain redevelopment agreement to effectuate the Kings Site Redevelopment Plan (the “**Kings Redevelopment Agreement**”); and

WHEREAS, on September 8, 2017, the Entity and the Township entered into a financial agreement providing for payments in lieu of taxes in accordance with the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*, as amended and supplemented (the “**Exemption Law**”), in connection with the redevelopment of a portion of the Redevelopment Area in accordance with the Kings Redevelopment Agreement (the “**Kings Financial Agreement**”); and

WHEREAS, on September 8, 2020, the Township Council adopted Ordinance No. 15-2020 adopting a new redevelopment plan for a portion of the Redevelopment Area identified as Block 702, Lots 17 (portion) and 18, and portions of the Sherman Avenue right-of-way, dated July 2020 and entitled “Stratton House Redevelopment Plan”, which was amended by the Township Council via the adoption of Ordinance No. 22-2020 on September 22, 2020

(collectively, and as may be further amended and supplemented, the “**Redevelopment Plan**”); and

WHEREAS, the Redevelopment Plan supersedes the Kings Site Redevelopment Plan in its entirety; and

WHEREAS, on November 23, 2020, the Township Council adopted Resolution 318-2020, approving a redevelopment agreement between the Township and the Entity for the redevelopment of a portion of the Redevelopment Area identified as Block 702, Lot 17, qualifier C00A, and Lot 18 (the “**Property**”) in accordance with the Redevelopment Plan, which supersedes the Kings Redevelopment Agreement in its entirety (as amended by that First Amendment to Redevelopment Agreement dated April 30, 2024, the “**Redevelopment Agreement**”) in order to implement the development, design, financing, and construction of a multifamily residential rental building containing no more than 212 rental housing units, of which fifteen percent (15%) of the units (32 units) shall be affordable to very low-, low-, and moderate-income households, a parking garage, and other amenities and associated site improvements (the “**Project**”); and

WHEREAS, on February 10, 2021, the Township and the Entity entered into a financial agreement (the “**Financial Agreement**”), providing for a long term tax exemption for the Project in accordance with the terms of the Financial Agreement and the Exemption Law; and

WHEREAS, 100% of the membership interests in the Entity is owned in the aggregate by JMF Berkeley Heights LLC, Gladstone At Berkeley Heights LLC, and Empire Holdings 959 LLC (collectively, the “**Original Entity Owners**”); and

WHEREAS, the Original Entity Owners have entered into an agreement to sell 100% of the membership interests in the Entity to AH Property Investment, LLC, or its affiliated designee (“**AH Property**”); and

WHEREAS, pursuant to Section 8.1 of the Financial Agreement, the Entity shall not transfer all or any portion of the Project without the prior written approval of the Township, which transfer includes a transfer of a majority of the membership interests in the Entity; and

WHEREAS, the Original Entity Owners have requested that the Township approve the transfer of 100% of the membership interests in the Entity from the Original Entity Owners to AH Property; and

WHEREAS, pursuant to Section 8.1 of the Financial Agreement, the Entity has represented to the Township that (i) the Entity does not own or lease any other project subject to a long-term tax exemption; (ii) the Entity is formed and is eligible to operate under the Exemption Law; (iii) the Entity is not in default of the Redevelopment Agreement, the Financial Agreement or the Exemption Law, (iv) the Entity will continue to assume and be bound by all of the Entity’s obligations under the Financial Agreement; (v) the Entity will agree to abide by all of the terms and conditions of the Financial Agreement; and (vi) the principals of AH Property possess an

outstanding business reputation and the same or better financial qualifications/credit worthiness as to the Original Entity Owners and are otherwise reputable; and

WHEREAS, the Township wishes to approve the transfer of 100% of the membership interests in the Entity from the Original Entity Owners to AH Property.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if set forth in full.

Section 2. The Township hereby approves of the transfer of 100% of the membership interests in the Entity from the Original Entity Owners to AH Property. Such approval will be effective upon the execution of the hereinafter defined Consent to Transfer.

Section 3. The Mayor in consultation with counsel to the Township, is hereby authorized to execute any and all documents, certificates or instruments required to effectuate the transfer contemplated and approved by this resolution, including but not limited to a consent to transfer in the form approved by counsel to the Township (the "Consent to Transfer"), and an estoppel certificate in the form approved by counsel to the Township.

Section 4. Except as set forth herein, no other terms of the Financial Agreement (including the term of the tax exemption) are amended by this resolution.

Section 5. This resolution shall take effect immediately.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**RESOLUTION AUTHORIZING AN INCREASE IN THE NOT TO EXCEED AMOUNT FOR 2025 FOR
THE CONTRACT AWARDED TO DAWSON MECHANICAL CONTRACTING, LLC FOR BACKFLOW
PREVENTER REPAIR AND CALIBRATION**

WHEREAS, the Township accepted bids on December 28, 2022, for the provision of Backflow Preventer Repair and Calibration for the Waste Water Treatment Plant; and

WHEREAS, Resolution 53-2023 authorized the award of a (3)-year contract with Dawson Mechanical Contracting, LLC., 149 Hickory Tavern Road, Gillette, NJ 07933, for the provision of Backflow Preventer Repair and Calibration services for the Waste Water Treatment Plant in an amount not to exceed \$7,938.00 for three (3) years, which is \$2,646.00 per year; and

WHEREAS, the Township needs to rebuild two (2) backflow preventers which failed during the most recent quarterly inspection; and

WHEREAS, the Township wishes to authorize an increase in the not to exceed amount for the contract with Dawson Mechanical Contracting, LLC for the year 2025.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Berkeley Heights, County of Union, New Jersey, does hereby authorize an increase of **\$4,500.00** in the not to exceed amount for the contract with Dawson Mechanical Contracting, LLC., raising the total amount not to exceed **\$7,146.00** for 2025 and increasing the total contract amount to **\$12,438.00**.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$4,500.00** from account # **5-01-26-295-029 – Sewer-Other Contractual Items**.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**A RESOLUTION AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEM OF REVENUE
AND OFFSETTING APPROPRIATION FOR THE RECREATIONAL IMPROVEMENTS 2025 GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township of Berkeley Heights hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget for the year 2025 in the sum \$35,000.00 of which items are now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of the Division of Local Government Services: State and Federal
Revenues Off-set with Appropriations:

Kids Recreation Trust Grant

BE IT FURTHER RESOLVED, that a like sum of \$35,000.00 is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues

Kids Recreation Trust Grant

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall file an electronic copy of this resolution with the Division of Local Government Services for approval.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**A RESOLUTION AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEM OF REVENUE
AND OFFSETTING APPROPRIATION FOR THE PRESERVE UNION COUNTY GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township of Berkeley Heights hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget for the year 2025 in the sum \$20,000.00 of which items are now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of the Division of Local Government Services: State and Federal
Revenues Off-set with Appropriations:

Preserve Union County Grant

BE IT FURTHER RESOLVED, that a like sum of \$20,000.00 is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues

Preserve Union County Grant

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall file an electronic copy of this resolution with the Division of Local Government Services for approval.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**A RESOLUTION AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEM OF REVENUE
AND OFFSETTING APPROPRIATION FOR THE GREENING UNION COUNTY GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township of Berkeley Heights hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget for the year 2025 in the sum \$3,400.00 of which items are now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of the Division of Local Government Services: State and Federal
Revenues Off-set with Appropriations:

Greening Union County Grant

BE IT FURTHER RESOLVED, that a like sum of \$3,400.00 is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS
State and Federal Programs Off-Set by Revenues

Greening Union County Grant

BE IT FURTHER RESOLVED, that the Chief Financial Officer shall file an electronic copy of this resolution with the Division of Local Government Services for approval.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**RESOLUTION AUTHORIZING AGREEMENT WITH THE COUNTY OF UNION TO PERMIT
VARIOUS IMPROVEMENTS TO THE SPRINGFIELD AVENUE CORRIDOR**

WHEREAS, the Township of Berkeley Heights ("Township") desires to install various improvements to the Springfield Avenue corridor, a Union County-operated roadway, in the Township of Berkeley Heights, County of Union, New Jersey in order to improve roadway and pedestrian safety and promote general welfare, and

WHEREAS, the County of Union ("County") controls and maintains Springfield Avenue, and

WHEREAS, the County in discharge of its public duties, pursuant to N.J.S.A. 39:4-120.1, desires to permit the Township to install the following items within the Springfield Avenue corridor:

- Streetlights, equally spaced, on either side of Springfield Avenue
- Decorative brick paver sidewalk on either side of Springfield Avenue
- Decorative bike racks (5 total within project limits)
- Decorative pedestrian benches (5 total within project limits)

WHEREAS, the Township agrees to install these items at said locations and to be responsible for any and all costs or expenses associated with the same, and

WHEREAS, because these locations are along a County Road, an agreement is required with the County of Union to permit the installation of each of the above-listed items.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Berkeley Heights, County of Union, New Jersey does hereby authorize the Mayor and Clerk to enter into an agreement with the County of Union on behalf of the Township of Berkeley Heights in which the Township agrees to install the various improvements to the Springfield Avenue corridor as listed above in the Township of Berkeley Heights, County of Union, New Jersey and to be responsible for any and all costs of expenses associated with same.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

RESOLUTION AUTHORIZING A ONE (1) YEAR EXTENSION TO THE CONTRACT WITH USALCO, LLC FOR ALUMINUM SULFATE SOLUTION FOR THE WASTEWATER TREATMENT PLANT

WHEREAS, the Township accepted bids on December 28, 2022, for the provision of Aluminum Sulfate (8.3% AL₂O₃) Solution for the Wastewater Treatment Plant; and

WHEREAS, Resolution 52-2023 authorized the award of a (3)-year contract with USALCO, LLC, of 2601 Cannery Avenue, Baltimore, MD, 21226, to provide Aluminum Sulfate to the Township in an amount not to exceed \$249,711 for (3) years, which is \$83,237.00 per year; and

WHEREAS, the contract amount was amended by Resolution 2025-242 increased the contract amount to \$138,237.00 for the year 2025; and

WHEREAS, USALCO, LLC provided a proposal dated October 1, 2025 to extend the aforementioned contract, which expires on December 31, 2025, for an additional year at the current contracted rate of \$272.69 per wet ton delivered; and

WHEREAS, N.J.S.A. 40A:11-5, (1) (gg) allows an exception to the Local Public Contracts Law, and without advertising for bids, a municipality can award "a contract for the designing, financing, construction, operation, or maintenance, or any combination thereof, of a wastewater treatment system as defined in subsection (19) of section 15 of P.L.1971, c. 198 (C.40A:11-15), or any component part or parts thereof, including a water filtration system as defined in subsection (16) of section 15 of P.L.1971, c. 198 (C.40A:11-15)[,]" and

WHEREAS, the Township wishes to extend the existing contract with USALCO, LLC for the term of January 1, 2026 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Berkeley Heights, County of Union, New Jersey, does hereby authorize a one-year extension to the contract with USALCO, LLC for the provision of Aluminum Sulfate (8.3% AL₂O₃) Solution for the Wastewater Treatment Plant, at a rate of \$272.69 per wet ton delivered, for an amount not to exceed **\$143,000.00** for the year 2026.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$143,000.00** from account # **5-01-26-295-029 – Sewer-Other Contractual Items**, subject to the adoption of the 2026 budget.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				



October 1, 2025

Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922

RE: Contract Extension 2026: Aluminum Sulfate

Dear Ms. Territola,

USALCO would like to extend the above-mentioned contract for an additional year for the supply of Aluminum Sulfate. This will be a one-year extension. The extension period is 1/1/2026-12/31/2026. The delivered price of \$272.69 per wet ton shall be firm for the contract period. All other terms and conditions will remain the same.

Please sign, date and return via email to bmccoy@usalco.com as acceptance of this Contract Extension agreement.

Township of Berkeley Heights

By: _____

Date: _____

USALCO, LLC

By: _____
Terry Waldo, Chief Commercial Officer

Date: _____

Thank you,

Brett McCoy
Municipal Segment Specialist

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO COLLIER ENGINEERING & DESIGN, INC. (DBA MASER CONSULTING) FOR PROFESSIONAL PLANNING SERVICES RELATED TO THE PREPARATION OF A COMMUNITY ENERGY MASTER PLAN

WHEREAS, the Township of Berkeley Heights was awarded a \$10,000.00 grant from the NJNBPU through the Community Energy Master Plan grant program; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a resolution authorizing the award of the contract for professional services without competitive bid and that the contract itself must be available for inspection; and

WHEREAS, Collier Engineering & Design, Inc. has provided proposal dated September 16, 2025, to provide professional planning services, including facilitation & initiative selection, community energy plan preparation, and public meetings; and

WHEREAS, the Township of Berkeley Heights wishes to award a contract to Collier Engineering & Design, Inc. for the Community Energy Plan Preparation (PHASE 2.0) for an amount not to exceed **\$7,000.00**, pursuant to their proposal dated September 16, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute to an agreement with Collier Engineering & Design, Inc. for the Community Energy Plan Preparation (PHASE 2.0) only, at a fee not to exceed **\$7,000.00**, pursuant to their proposal dated September 16, 2025.

BE IT FURTHER RESOLVED, that this contract is awarded without competitive bids as a "professional services contract" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law and pursuant to a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$7,000.00** from account # **G-02-31-430-000, Community Energy Plan Grant Y3**.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

**RESOLUTION AWARDING AND CONFIRMING EMERGENCY CONTRACT UNDER NEW JERSEY LOCAL
PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-6 RESULTING FROM EMERGENT CONDITIONS AND
AWARDED TO RAPID PUMP AND METER SERVICE CO.**

WHEREAS, an emergency has arisen with respect to an emergent condition requiring immediate repairs to the generator at the Township's Wastewater Treatment Plant's Twin Falls Pump Station which is leaking coolant; and

WHEREAS, the Township Wastewater Treatment Plant Director has certified the emergency and remedial action is required and the need for such could not have been foreseen; and

WHEREAS, the Chief Financial Officer/Qualified Purchasing Agent has certified the need to enter into an emergency contract to repair the generator at the Twin Falls Pum Station which is leaking coolant; and

WHEREAS, the Township may, in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-6 et seq.), negotiate or award a contract without public advertising for bids therefore, notwithstanding that the contract price will exceed the bid threshold, when such emergency affects the public health, safety or welfare; and

WHEREAS, Rapid Pump and Meter Service Co., P.O. Box AY, 285 Straight Street, Paterson, NJ 07509, is able to respond to the emergency and repair the leak in the generator for a total contract price of **\$2,000.00**.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Berkeley Heights hereby approve and confirm the contracts award for emergency services per N.J.S.A. 40A:11-6 et seq. to Rapid Pump and Meter Service Co., in the amount not to exceed **\$2,000.00**.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$2,000.00** from account # **C-04-24-017-100, Ord 17-24 Wastewater Plant Improvements**.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Township of Berkeley Heights received sealed bids on October 31, 2025, for the **Safer Sidewalks for Springfield Avenue Transit Access** project; and

WHEREAS, in a letter dated October 31, 2025, the Township's engineer, Neglia Group, has provided a summary of the bid results and has recommended that the lowest responsible bid be awarded to **Cifelli & Son General Contractors, Inc.**, 81 Franklin Avenue, Nutley, New Jersey 07110; and

WHEREAS, the Township Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **Safer Sidewalks for Springfield Avenue Transit Access** project, with the lowest responsible bidder, **Cifelli & Son General Contractors, Inc.**, in an amount not to exceed **\$1,936,607.50 for Base Bid**; and

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **Safer Sidewalks for Springfield Avenue Transit Access** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Township of Berkeley Heights, County of Union, New Jersey, that:

1. The appropriate municipal officials are hereby authorized to accept the bid submitted and execute a contract with the lowest responsible bidder, **Cifelli & Son General Contractors, Inc.**, for the **Safer Sidewalks for Springfield Avenue Transit Access** project in the amount not to exceed **\$1,936,607.50 for Base Bid**.
2. The Township Clerk shall advertise the award of this contract in accordance with law.
3. This resolution shall take effect upon publication and pursuant to law.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed \$910,330.00 from account # G-02-20-165-700 - SPRINGFIELD AVE SIDEWALK GRANT and \$1,026,307.50 from account # C-04-25-026-00A - Ord 25-26 Road Improvements, for a total not to exceed \$1,936,607.50.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Township of Berkeley Heights ("Township") currently has a Shared Service Agreement with the Borough of Madison for information technology support services ("IT Services") which is set to expire on December 31, 2025; and

WHEREAS, the Borough of Madison has informed the Township that they will not be renewing the shared service agreement for 2026; and

WHEREAS, the Township of Berkeley Heights solicited quotes from various vendors to provide IT Services; and

WHEREAS, Quikteks Business Technology Solutions, 373 US-46 Building E, Fairfield, NJ 07004, has provided a proposal dated August 20, 2025, to provide IT Services, including Township Managed Services, Police, Managed Services, Police Off-site Backup, and Police Annual Security Subscriptions.

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Berkeley Heights authorizes the execution of a contract with **Quikteks Business Technology Solutions**, for the term from January 1, 2026 through December 31, 2026, for IT Services, pursuant to their proposal dated August 20, 2025, in an amount not to exceed **\$43,775.00**, with an option to renew the contract for an additional 1-year term.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds will be available in an amount not to exceed **\$43,775.00** subject to the adoption of the 2026 budget.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Local Public Contracts Law 40A: 11-4 requires that certain contracts awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the Passaic Valley Sewage Commission (PVSC) established the North Jersey Wastewater Cooperative Pricing System (NJWWCPS) which has awarded contracts to various vendors as lowest responsible, responsive bidders for Regional Cooperative Pricing contracts; and

WHEREAS, the Township of Berkeley Heights has a need to replace the grinder for the main operating plant influent wet well at their Wastewater Treatment Plant; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the replacement of the grinder for the main operating plant influent wet well through an authorized vendor under the NJWWCPS; and

WHEREAS, the Township of Berkeley Heights is a member of PVSC, the lead agency for the NJWWCPS contract for Various Manufacturer Pumps and Motors Repair and Replacement and Installation; and

WHEREAS, Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846, has been awarded Contract # B454-8 as part of the NJWWCPS for the provision of Various Manufacturer Pumps and Motors Repair and Replacement and Installation, for the term August 1, 2025 through July 31, 2026; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the NJWWCPS Contract B454-8, the Township wishes to enter into an agreement with Pumping Services, Inc. for the replacement of the grinder for the main operating plant influent wet well, pursuant to their proposal dated October 21, 2025.

NOW, THEREFORE BE IT RESOLVED that the Township Council, of the Township of Berkeley Heights, County of Union, State of New Jersey, does hereby authorize a contract award to Pumping Services, Inc., for the replacement of the grinder for the main operating plant influent wet well at the Wastewater Treatment Plant, in an amount not to exceed **\$110,973.70**, pursuant to their proposal dated October 21, 2025.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$110,973.70** from account # **G-02-26-295-100, Raw Sewerage Pump Grant**.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Wastewater Treatment Plant for the Township of Berkeley Heights requires the replacement of the grinder extension shaft and motor at the Hampton Drive Pump Station; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, (1) (gg) allows an exception to the Local Public Contracts Law, and without advertising for bids, a municipality can award "a contract for the designing, financing, construction, operation, or maintenance, or any combination thereof, of a wastewater treatment system as defined in subsection (19) of section 15 of P.L.1971, c. 198 (C.40A:11-15), or any component part or parts thereof, including a water filtration system as defined in subsection (16) of section 15 of P.L.1971, c. 198 (C.40A:11-15)[,]"; and

WHEREAS, the Township received a proposal dated October 30, 2025, from Rapid Pump & Meter Company, Inc. for the replacement of the grinder extension shaft and motor at the Hampton Drive Pump Station; and

WHEREAS, the Director of the Wastewater Treatment Plant, has recommended that a contract be awarded to **Rapid Pump & Meter Company, Inc.**, P.O. Box AY, 285 Straight Street, Paterson, NJ 07509, and the Township Council concurs.

NOW, THEREFORE BE IT RESOLVED by the Township Council, of the Township of Berkeley Heights, County of Union, that pursuant to N.J.S.A. 40A:11-5,(1)(gg) the appropriate municipal officials are authorized to execute an agreement with Rapid Pump & Meter Company, Inc., for the replacement of the grinder extension shaft and motor at the Hampton Drive Pump Station, in an amount not to exceed **\$8,940.00**, pursuant to the proposal dated October 30, 2025, and the Treasurer is authorized to pay properly completed vouchers up to such amount.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds will be available in an amount not to exceed **\$8,940.00** from account 5-01-26-295-026 - Sewer - Maintenance of Other Equipment upon the adoption of the transfer resolution, Resolution # 2025-329.

BE IT FURTHER RESOLVED that the Township Clerk shall advertise the award of this contract in accordance with law and this resolution shall take effect upon publication and pursuant to law.

BE IT FURTHER RESOLVED that a copy of this Resolution is to be forwarded to the Director of Wastewater Treatment Plant, Township Treasurer, and Rapid Pump & Meter Company, Inc.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, Garden State Fireworks has requested permission to hold a fireworks display during the Berkeley Heights Tree Lighting event on **Saturday, December 6, 2025**, in **Santore Field at Veterans Park**, between 6:00 p.m. and 7:00 p.m.; and

WHEREAS, the Township Council believes that it is appropriate to grant permission for such displays under the normal terms and conditions.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that permission is granted to Garden State Fireworks to hold the forementioned fireworks display as requested provided that it satisfies all comments and concerns, if any, of the Rescue Squad, Fire Department and Police Department raised prior to, or on the night of the display including any raised as a result of the weather conditions at the time of the display.

Copies of this resolution are to be forwarded to Garden State Fireworks and Fire Department.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that the following individual(s) be appointed to the Berkeley Heights Volunteer Fire Department based upon the letter(s) from the Fire Chief dated October 22, 2025.

<u>Name</u>	<u>Appointment</u>	<u>Roster</u>
Brian Guiles	Volunteer Fire Department	Active
Adam Miksis	Volunteer Fire Department	Active
Jacob Liptak	Volunteer Fire Department	Active

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Fire Chief.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that the following individual(s) be appointed to the **Junior Fire Auxiliary** of the Berkeley Heights Volunteer Fire Department based upon the letter from the Fire Chief dated October 22, 2025.

Brandon Figuora

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Fire Chief.

Approved this 5th day of November, 2025.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that **Matthew Plocinski** is hereby removed from the active duty roster and placed on the inactive list of the Berkeley Heights Volunteer Fire Department effective October 20, 2025.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Fire Chief.

Approved this 5th day of November, 2025.

ATTEST:

Angela Lazzari, RMC
Township Clerk

ROLL CALL	Aye	Nay	Abstain	Absent
COUTO				
FOSTER				
ILLIS				
MACHADO				
MORAN				
POAGE				
TIE:				
MAYOR DEVANNEY				