

**Township of Berkeley Heights
Union County, New Jersey**

**Township Council Public Meeting
April 21, 2026
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.

COUNCIL MEMBERS:

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

AGENDA FOR PUBLIC MEETING

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. FLAG SALUTE**
- IV. PROCLAMATION**
 - National Library Week
- V. CONFERENCE SESSION**
 1. Eagle Scout Project – Logan Melendes
 2. Eagle Scout Project – Jimmy Barter
- VI. REGULAR AGENDA**
- VII. APPROVAL OF MINUTES**

Public Meetings: April 7, 2026
- VIII. ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

Ordinances Introduced on April 7, 2026

Ordinance 2026-06

ADOPTING AN ORDINANCE TO PRO-RATE RETAIL FOOD ESTABLISHMENT LICENSE FEES FOR NEW BUSINESS OWNERS AND ESTABLISH A FEE FOR EXPIRED LICENSES

IX. 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 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.

X. 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. 2026-

157. Resolution approving Bill List dated April 21, 2026, in the amount of \$467,332.80.
158. Resolution proclaiming April 24, 2026 as Arbor Day in the Township of Berkeley Heights.
159. Resolution authorizing the application of the World Cup Community Initiative, LED by the New Jersey Economic Development Authority (NJEDA) in partnership with the FIFA World Cup 26 New York New Jersey Host Committee.
160. Resolution further amending Resolution 229-2024 which authorized a contract with Sovereign Consulting for the provision of Micro C and Magnesium Hydroxide Chemical Feed Systems at the Wastewater Treatment Plant, to extend the anticipated completion date.
161. Resolution authorizing the execution of a contract with Quikteks Business Technology Solutions, for the purchase of adobe subscription software for the Construction Department on behalf of the Township.

XI. ORDINANCES FOR INTRODUCTION

Public Hearing and Final Adoption scheduled for May 5, 2026.

Ordinance 2026-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,310,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

XII. TOWNSHIP COUNCIL REPORTS

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

ADMINISTRATION REPORTS

Mayor Devanney
Liza Viana

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

Angela Lazzari, Township Clerk

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

ORDINANCE NO. 2026-06

**ADOPTING AN ORDINANCE TO PRO-RATE RETAIL FOOD ESTABLISHMENT
LICENSE FEES FOR NEW BUSINESS OWNERS AND ESTABLISH A FEE FOR
EXPIRED LICENSES**

WHEREAS, it is the desire of the Board of Health, the Mayor, and Township Council for the Township of Berkeley Heights to pro-rate retail food establishment license fees for new owners in their first year in business; and

WHEREAS, it is the desire of the Board of Health, the Mayor, and the Township Council for the Township of Berkeley Heights to establish a fee for retail food establishment license applications for any change in business location or change of ownership not submitted to the health department within thirty (30) days thereof; and

WHEREAS, it is the desire of the Board of Health, the Mayor, and the Township Council for the Township of Berkeley Heights to establish a fee for the review of retail food businesses seeking to change their food service operation not submitted to the health department for review within thirty (30) days thereof;

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

SECTION I. Section 8.68.200, "Expiration of Licenses," of Chapter 8.68, "Sanitary Code," of Title 8, "Health and Safety," of the Township Code shall be amended as follows:

Licenses shall expire upon change of business location, change of ownership, or upon cessation of active operations. Changes in the food service operation are allowed but must be reported to the health department for review. Changes in operation may require a change in the class of the license required. Licenses are not transferable. New owners, private or corporate, require a new license.

- A. Any business seeking a change of business location or change of ownership must submit their application for a new license thirty (30) days prior to any change of business location or change of ownership. If the application is not submitted thirty (30) days prior to the change of business location or change of ownership, then the applicant shall be fined \$100 in addition to any application fee.**
- B. Any business seeking a change in the food service operation must submit notice to the health department thirty (30) days prior to change in the food service operation for review and determination as to whether a new license is required. If notice is not submitted thirty (30) days prior to the change in the food service operation, then the applicant shall be fined \$100 in addition to any application fee. If the health department determines that a new license is required, then the business shall apply for a new license.**

SECTION II. Section 8.68.210, "Fee, duration," of Chapter 8.68, "Sanitary Code," of Title 8, "Health and Safety," of the Township Code shall be amended as follows:

- A.** A license for all commercial services or enterprises other than retail food establishments shall be issued by the board upon payment of a fee of one hundred dollars (\$100.00).

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

- B. Retail food establishments shall apply and obtain a license according to the following Class Schedule:

Class 1 - fifty dollars (\$50.00).

Prepackaged foods and/or candy and/or ice only. Agricultural Markets. No food preparation or equipment required.

Class 2 - one hundred dollars (\$100.00).

Prepackaged and fresh foods and/or ice. Minimal food preparation and minimal food service equipment required.

Class 3 - three hundred dollars (\$300.00).

Prepackaged and fresh foods and/or ice. Food preparation that requires mechanical and fire suppression equipment. Preparation of hazardous foods but in a limited and repetitive menu.

Class 4 - four hundred fifty dollars (\$450.00).

Prepackaged and fresh foods and/or ice. Food preparation that requires mechanical and fire suppression equipment. Preparation of a full service menu including hazardous foods. Multiple types of food preparation occur simultaneously.

Class 5 - six hundred dollars (\$600.00).

Prepackaged and fresh foods and/or ice. Food preparation that requires mechanical and fire suppression equipment. Preparation of a full service menu including hazardous foods. Multiple types of food preparation occur simultaneously.

Advanced food preparation and mass production is common. The registered environmental health specialist shall determine the class of each retail food establishment.

- C. All of the aforesaid licenses shall be valid for one year and expire on December 31st. A renewal license must be purchased by December 31st of the year prior to which it is valid. A fee of twenty-five dollars (\$25.00) shall be imposed on renewal licenses for each month or part thereof after December 31st, which has expired prior to renewal.
- D. All owners or vendors who own or operate any food or beverage vending machine shall pay an operating fee of twenty dollars (\$20.00) regardless of the number of vending machines located in the township. The operating fee shall cover the period of one year and shall be paid on January 1st. In addition, all owners or vendors who own or operate any food or beverage vending machine shall pay a fee of ten dollars (\$10.00) for each machine located in the township. The fee for each machine shall cover the period of one year and shall be paid on January 1st.
- E. Seasonal food events, e.g. summer pool concessions and the like shall obtain a license for one hundred dollars (\$100.00) per year.
- F. Food vendors at temporary events such as carnivals, street fairs, etc., shall apply for and obtain licenses for fifty dollars (\$50.00) per day of the event, not to exceed five days.

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

- G. Applicants applying to construct or alter a retail food establishment must submit sealed plans, including construction, plumbing, electrical, and equipment specifications to the health department for review. Such submittal shall be accompanied by a plan review fee of one hundred fifty dollars (\$150.00). No retail food establishment shall be constructed, renovated or converted except in accordance with the plans and specifications submitted to and approved by the registered environmental health specialist.
- H. Any food retail establishment applying for a license as a new owner, either private or corporate, in their first year of business shall have their license fees pro-rated based on the following:
1. Applications Submitted Prior to July 1st shall pay the entire annual fee.
 2. Applications Submitted on or After July 1st shall pay half the annual fee.

Any food retail establishments applying for a license after having an expired license due to change of business location, change of ownership, change of food service operation, or upon cessation of active operations, as described in Sec. 8.68.200, shall not have their license fees pro-rated.

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION IV. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION V. This Ordinance shall take effect after passage and publication in the manner provided by law.

Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				John Foster						
					X	Margaret Illis						
X		X				Bill Machado						
					X	Alvaro Medeiros						
		X				Andrew Moran						
		X				Susan Poage						
Introduced: April 7, 2026						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: April 21, 2026												
						_____ Angela Lazzari, Township Clerk						

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-06**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**ADOPTING AN ORDINANCE TO PRO-RATE RETAIL FOOD ESTABLISHMENT LICENSE FEES FOR
NEW BUSINESS OWNERS AND ESTABLISH A FEE FOR EXPIRED LICENSES**

was introduced and passed on First Reading at the Regular Meeting of the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, held on **April 7, 2026 at 6:30 p.m.** The within Ordinance will be further considered for Final Passage, after public hearing thereon, at the Regular Meeting of the Township Council to be held in the Council Chamber at the Berkeley Heights Municipal Complex, 29 Park Avenue, Berkeley Heights, NJ, on **April 21, 2026 at 6:30 p.m.**, or as soon thereafter, as said matter can be reached. At which time and place, all persons who are interested therein will be given an opportunity to be heard and ask questions concerning the same.

During the week prior to and up to the time of Public Hearing, copies of said Ordinance will be available at no cost in the Municipal Clerk's office in said Municipal Complex, 29 Park Avenue, Berkeley Heights, NJ 07974, and to the members of the general public who shall request the same.

**Angela Lazzari
Township Clerk**

TOWNSHIP OF BERKELEY HEIGHTS

NOTICE OF FINAL ADOPTION

ORDINANCE 2026-06

**ADOPTING AN ORDINANCE TO PRO-RATE RETAIL FOOD ESTABLISHMENT LICENSE FEES FOR
NEW BUSINESS OWNERS AND ESTABLISH A FEE FOR EXPIRED LICENSES**

I, Angela Lazzari, Township Clerk of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby certify that the above titled Ordinance was adopted on Final Passage by the Township Council of the Township of Berkeley Heights at its meeting held on April 21, 2026.

**Angela Lazzari, RMC
Township Clerk**

**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 **4/21/2026**, in the amount of **\$467,332.80** 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 21st day of April, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

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

RESOLUTION

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our valuable topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Township Council of the Township of Berkeley Heights, do hereby proclaim **April 24, 2026**, as **Arbor Day** in the Township of Berkeley Heights, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Approved this 21st day of April, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

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

RESOLUTION

RESOLUTION AUTHORIZING THE APPLICATION OF THE WORLD CUP COMMUNITY INITIATIVE, LED BY THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NJEDA) IN PARTNERSHIP WITH THE FIFA WORLD CUP 26 NEW YORK NEW JERSEY HOST COMMITTEE

WHEREAS, the \$5 million World Cup Community Initiative was launched in 2026 to bring the excitement of the FIFA World Cup 2026™ to every corner of New Jersey; and

WHEREAS, the initiative, funded by the New Jersey Economic Development Authority (NJEDA) in partnership with the FIFA World Cup 26 New York New Jersey Host Committee, will assist communities across the state in creating extraordinary fan experiences throughout the World Cup; and

WHEREAS, the NYNJ Host Committee has selected the Choose New Jersey organization as a strategic partner to serve as administrator of the funding and manage the grant initiative to advance New Jersey’s role in the FIFA World Cup 2026; and

WHEREAS, the Township of Berkeley Heights is participating in and celebrating the 2026 FIFA World Cup as part of a community-wide initiative to promote cultural engagement, community pride, and to position Berkeley Heights as a welcoming destination during this once-in-a-generation global event; and

WHEREAS, the Mayor and Council of the Township of Berkeley Heights, desire to further public interest by obtaining a grant in the amount of \$50,000.00 from the World Cup Community Initiative to offset costs associated with the various watch parties and related World Cup community events that are scheduled for 2026, with no Township matching funds required; and

WHEREAS, the Township of Berkeley Heights agrees to conform with the terms and conditions of this important grant opportunity.

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

1. The Township Administrator, on behalf of the Township of Berkeley heights, is hereby authorized to submit an application to Choose New Jersey requesting grant funding in the amount of \$50,000.00 from the World Cup Community Initiative for booking costs, operating costs, event planning, and certain administrative costs related to watch parties and related World Cup community events.
2. Upon notification of the receipt of the grant award in connection with this application, the grant is hereby accepted.
3. Upon notification of the receipt of the grant award in connection with this application, the Township Administrator is hereby authorized to enter into and execute grant documents for the World Cup Community Initiative to receive and expend the grant award for the above-referenced purpose.

Approved this 21st day of April, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION FURTHER AMENDING RESOLUTION 229-2024 WHICH AUTHORIZED A CONTRACT WITH SOVEREIGN CONSULTING FOR THE PROVISION OF MICRO C AND MAGNESIUM HYDROXIDE CHEMICAL FEED SYSTEMS AT THE WASTEWATER TREATMENT PLANT

WHEREAS, on September 24, 2024, the Township of Berkeley Heights adopted Resolution 229-2024, authorizing a contract award to Sovereign Consulting, for the provision of Micro C and Magnesium Hydroxide Chemical Feed Systems for the Wastewater Treatment Plant, in an amount not to exceed \$986,500.00; and

WHEREAS, on October 7, 2025, the Township of Berkeley Heights adopted Resolution 2025-294, amending the contract with Sovereign Consulting to reflect a \$7,000.00 reduction in the contract award amount, bringing the amended total amount to \$979,500.00, and extending the completion date through December 31, 2025; and

WHEREAS, the Micro C and Magnesium Hydroxide Chemical Feed System project is still on-going and the Township would like to extend the completion date through August 31, 2026.

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

1. All of the above recitals are incorporated herein as if fully set forth at length.
2. The Township Council hereby authorizes the amending of the contract with Sovereign Consulting, for the provision of Micro C and Magnesium Hydroxide Chemical Feed Systems for the Wastewater Treatment Plant to reflect the amended contract term through August 31, 2026.
3. The Township Clerk is authorized to respectively execute, and attest to, all documents necessary to effectuate said agreement.
4. The Township Clerk shall publish a notice of this action pursuant to law.
5. This Resolution shall take effect immediately.

Approved this 21st day of April, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

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

ORDINANCE NO. 2026-07

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,310,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,310,000, and further including the aggregate sum of \$830,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,480,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Department of Public Works:</u>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
b) <u>Police Department:</u>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
c) <u>Sewer:</u>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
d) <u>Fire Department:</u> (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
e) Engineering: (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
g) Building Department: Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
Totals:	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond

anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,480,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by

this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

 Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						John Foster						
						Margaret Illis						
						Bill Machado						
						Alvaro Medeiros						
						Andrew Moran						
						Susan Poage						
Introduced: April 21, 2026 Final Adoption: May 5, 2026						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. _____ Angela Lazzari, Township Clerk						

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

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on **April 21, 2026**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Complex, 29 Park Avenue, Berkeley Heights, NJ on **May 5, 2026** at **6:30 p.m.** During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,310,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Department of Public Works:</u>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
b) <u>Police Department:</u>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
c) <u>Sewer:</u>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

**TOWNSHIP OF BERKELEY HEIGHTS
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<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
d) <u>Fire Department:</u> (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
e) <u>Engineering:</u>			
(i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
g) <u>Building Department:</u>			
Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
Totals:	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.