

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

**Township Council Public Meeting
May 19, 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. **CONFERENCE SESSION**
- V. **REGULAR AGENDA**
- VI. **APPROVAL OF MINUTES**
Public Meetings: April 7, 2026 & May 5, 2026
- VII. **ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

Ordinances Introduced on May 5, 2026

Ordinance 2026-08

AN ORDINANCE ON THE SAFE USE OF LOW-SPEED ELECTRIC BICYCLES, LOW-SPEED ELECTRIC SCOOTERS, AND MOTORIZED BICYCLES

Ordinance 2026-09

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

Ordinance 2026-10

ADOPTING AN ORDINANCE TO CLARIFY PLACING YARD WASTE INTO WATERWAYS IS PROHIBITED

VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Amended on May 5, 2026:

- Public Hearing and Final Adoption of the Amended 2026 Municipal Budget as advertised.
- Resolution adopting the Amended 2026 Municipal Budget. (2026-176)

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-

177. Resolution approving Bill List dated May 19, 2026, in the amount of \$1,376,926.76.
178. Resolution to award payment of 2025 LOSAP benefits to eligible members of the Township of Berkeley Heights Volunteer Rescue Squad.
179. 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 increase the contract award amount.
180. Resolution further amending Resolution 2025-318 which authorized a contract with Sovereign Consulting for the provision of H.J. Cannon Group, Inc., for the licensed design professional services for the Berkeley heights Municipal Complex project, to reduce the contract award amount and amend the certification of funds.
181. Resolution authorizing a contract award to Pumping Services, Inc., for the replacement of the Hampton Drive Pump Station grinder through the North Jersey Wastewater Cooperative Pricing System Contracts B445-19 and B454-8, in an amount not to exceed \$42,436.52.
182. Amending resolution 2026-174 which amends the adopted budget for additional item of revenue and offsetting appropriation for Lower Columbia Project – Connell.

183. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for the No Accidents Today program.
184. Resolution appointing Timothy Pappas, Jr. to the active roster of the Berkeley Heights Volunteer Fire Department.
185. Resolution authorizing a neighborhood block party on Lorraine Drive, from 251 Lorraine Drive (heading northwest) to the intersection with Lenape Lane, on Friday, June 5, 2026, from 5:00 – 8:00 p.m., with a rain date of June 19th.
186. Resolution authorizing the solicitation and acceptance of donations in exchange for promotional items for the restoration of Littell-Lord Farmstead.
187. Resolution authorizing the refund of tax overpayments for various properties within the Township
188. Resolution amending the Shared Service Agreement with the County of Union for Public Health Services.
189. Resolution amending the service agreement with Empower Retirement, LLC for the Township's Deferred Compensation Plan.

XI. ORDINANCES FOR INTRODUCTION

Public Hearing and Final Adoption scheduled for June 9, 2026.

Ordinance 2026-11

AN ORDINANCE AMENDING THE FIRE PREVENTION FEES

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 2026-08

**AN ORDINANCE ON THE SAFE USE OF LOW-SPEED ELECTRIC BICYCLES,
LOW-SPEED ELECTRIC SCOOTERS, AND MOTORIZED BICYCLES**

WHEREAS, the Township of Berkeley Heights recognizes the growing use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles for transportation, recreation, and commuting; and

WHEREAS, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles provide environmental, health, and mobility benefits through active transportation, but require regulation to ensure the safety of pedestrians, riders, and motorists; and

WHEREAS, in January 2026, Governor Murphy signed into law new regulations for electric bikes in New Jersey; and

WHEREAS, the Township seeks to promote compliance, education, and mutual respect among all roadway users; and

WHEREAS, the safe, courteous, and responsible interaction between pedestrians, motor vehicles, and low-speed electric bicycles, low-speed electric scooters, and motorized bicycles operators is essential to the wellbeing of all residents; and

WHEREAS, the New Jersey Department of Transportation embraces the Complete Streets' goals, under which streets are planned, designed, built, and operated to safely support all users, and shared-use principles are fundamental to that mission; and

WHEREAS, New Jersey state law now classifies "electric motorized bicycles" that have two-wheels with fully operable pedals and an electric motor capable of greater than 750 watts that is capable of reaching a speed greater than 28 miles per hour as motorcycles; and

WHEREAS, electric-motorized bicycles must follow all applicable New Jersey laws and are not considered electric bicycles under this ordinance; and

WHEREAS, "Motorcycle," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered an electric bicycle under this ordinance; and

WHEREAS, "Motorized scooter," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered a low-speed electric scooter under this ordinance. "Motorized scooter" is a miniature motor vehicle that includes, but is not limited to, pocket bikes, super pocket bikes, scooters, mini-scooters, sport scooters, pit bikes, mini choppers, mini motorcycles, motorized skateboards, and other vehicles with motors not manufactured in compliance with Federal Motor Vehicle Safety Standards and which have no permanent Federal Safety Certification stickers affixed to the vehicle by the original manufacturer; and

WHEREAS, low-speed electric bicycles, low-speed electric scooters, motorized bicycles, and motorized scooters are primarily regulated under New Jersey state law under Title 39, and

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municipal ordinances must be consistent therewith, including any/all age and registration requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berkeley as follows:

SECTION I. Chapter 10.28, "Bicycles," of Title 10, "Vehicles and Traffic" of the Township Code is hereby amended as follows:

10.28.010. Definitions.

A. The words defined shall have the meaning indicated for the purpose of this chapter:

"Bicycle" means vehicles with two wheels, propelled solely by human power and having pedals, handle bars and a saddle-like seat.

"Nighttime" means hours between dusk and dawn.

"Parent" or "guardian" means any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

"Public place" means any place to which the public has access and shall include any street, road, alley or sidewalk; the exterior of or the neighborhood of any store, shop, restaurant or tavern or other place of business or commercial establishment, or public grounds, areas or parks; and in or about any public building, schoolhouse, community house, theater or place of amusement or on parking lots or other vacant property not owned or under the control of the person charged with violating this provision.

SECTION II. Chapter 10.29, "Low-Speed Electric Bicycles, Low-Speed Electric Scooters and Motorized Bicycles," of Title 10, "Vehicles and Traffic" be hereby added to the Berkeley Heights Township Code as follows:

10.29.010. Purpose.

The purpose of this chapter is to establish reasonable standards for the safe operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles, while establishing how these devices will interact with other roadway users including but not limited to motorists and pedestrians consistent with New Jersey State law. Nothing in this Chapter is intended to limit or restrict the use of electric personal assistive mobility devices, as defined by N.J.S.A. 39:4-14.10.

The purpose of this chapter is also to:

1. Promote safe, predictable, and courteous use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles within the Township of Berkeley Heights.
2. Reduce potential conflict among pedestrians and operators of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.

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3. Establish clear safety expectations.
4. Encourage compliance and shared safety responsibilities.

10.29.030 - Application of Motor Vehicle Laws.

Low-speed electric bicycles, low-speed electric scooters, and motorized bicycles may be operated on the streets, highways, roadways, and bicycle paths of Berkeley Heights where bicycles are permitted as set forth in N.J.S.A. 39:4-14.16 and any other applicable laws, except as otherwise provided in N.J.S.A. 39:4-14.16, N.J.S.A. 39:4-14.3, and any other applicable laws.

All persons operating such vehicles shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Every operator of a low-speed electric scooter or low-speed electric bicycle is encouraged to:

1. Provide an audible signal when approaching or passing a pedestrian.
2. Pass pedestrians carefully and predictably on the left when conditions permit.
3. When there is insufficient room to pass a pedestrian safely on a sidewalk, operators shall dismount and walk their electric bike or scooter.
4. Use designated bicycle paths or bike lanes as permitted under New Jersey law.

10.29.040 - Operation of Low-Speed E-Scooters, Low-Speed E-Bicycles and Motorized Bicycles

All low-speed electric bicycles, low-speed electric scooters, and motorized bicycles shall be operated in a manner consistent with New Jersey law.

- A. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Scooter**” means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour. The operator of a low-speed electric scooter shall not be required to register the low-speed electric scooter or have a driver’s license. The operator must follow all laws applicable to bicycles, except where by their very nature may have no application to low-speed electric scooters or pursuant to any other applicable laws. Helmets are required for those under the age of 17.
- B. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Bicycle**” means a two-wheeled vehicle with fully operable pedals and an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. No person who is under 15 years of age shall be permitted to operate a low-speed electric bicycle. Operators are required to register their low-speed electric bicycle, have insurance, and have a driver’s license or permit to operate it pursuant to N.J.S.A. 39:4-14.3 and any other applicable laws. The operator must follow

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all laws applicable to bicycles. Helmets are required for those under the age of 17. Pursuant to N.J.S.A. 39:4-14.16(b), on and after January 1, 2019, manufacturers and distributors of low-speed electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each low-speed electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the low-speed electric bicycle and shall be printed in Arial font in at least 9-point type.

- C. As set forth in N.J.S.A. 39:1-1, “**Motorized Bicycle**” means a pedal bicycle that is equipped with: (1) a helper motor characterized in that either the maximum piston displacement is less than 50 cubic centimeters or the helper motor is rated at no more than 1.5 brake horsepower; (2) an electric motor that can provide assistance when the rider is pedaling or that, through the use of a throttle, can be used to exclusively propel the bicycle to a speed of not more than 15 miles per hour; (3) a helper motor that is powered by an electric drive motor that provides assistance when the rider is pedaling and has a maximum speed between 21 miles per hour and 28 miles per hour on a flat surface; or (4) an electric motor that is capable of propelling the bicycle in excess of 15 miles per hour through the use of a throttle with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. It does not include a low-speed electric bicycle or low-speed electric scooter, as defined by law. No person who is under 15 years of age shall be permitted to operate a motorized bicycle. Operators are required to register the motorized bicycle, obtain insurance, and have a driver’s license or permit to operate the device. Helmets are required for all operators of motorized bicycles.
- D. Carrying Articles. No person operating a low-speed electric scooter, low-speed electric bicycle or motorized bicycle shall carry any package, bundle, or article that prevents the user from riding and operating the low-speed electric bicycle or low-speed electric scooter in a safe manner.
- E. Parking/Placement.
1. Low-speed electric scooters, low-speed electric bicycles, and motorized bicycles may be attached or secured to a bicycle rack or in other designated parking areas if they are available and advertised as such by signage.
 2. No person or owner shall leave an electric bicycle or electric scooter lying on or standing upon any portion of the Township right-of-way so as to hinder or impede pedestrian access or handicapped accessibility.
- F. Riding on Sidewalks. Low-speed electric scooters and low-speed electric bicycles are permitted on sidewalks provided the operator follows the requirements of Section 10.29.040 herein. Motorized bicycles are strictly prohibited from riding on any sidewalk.
- G. Riding on Paths or Trails. Low-speed electric scooters and low-speed electric bicycles may be operated on trails and walking paths in wooded areas or otherwise separate from roadways, but only in a pedestrian-safe manner, unless otherwise posted. For purposes of

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this section, "pedestrian-safe manner" means operating at a speed and in a manner that does not endanger or unreasonably interfere with pedestrians.

- H. Lamps and Equipment on low-speed Electric Scooters, low-speed Electric Bicycles, or Motorized Bicycles. Every electric bicycle, electric scooter, or motorized bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the State Motor Vehicle Commission, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.
- I. Manner of Riding.
 - 1. No low-speed electric bicycle, low-speed electric scooter, or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
 - 2. Riders must obey all traffic lights, signs, and signals.
- J. Restrictions on Modifications. No person will modify their low-speed electric bicycle to operate at speeds greater than is certified by the manufacturer.
- K. Township Parks, Playgrounds and Public Recreation Spaces.
 - 1. No person shall ride a low-speed electric scooter, low-speed electric bicycle, or motorized bicycle in any Township parks or playgrounds unless utilizing a designated bicycle pathway and exercising due caution for other individuals present.
 - 2. When traveling on any public roadway within the Township, these vehicles should not be operated in a manner that is disruptive, disorderly, contrary to the normal flow of traffic, or in any other manner deemed tumultuous or deliberately obstructive to pedestrians or vehicles.

10.29.050. Operation on Private Property Open to the Public.

Any private property owner or authorized property manager may elect to restrict the operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles on privately-owned property that is open to the public. That includes, but is not limited to, prohibiting such devices from being operated or stored on their property. If the private property owner or authorized property manager elects to comply with the following requirements, the Township Police Department shall enforce, to the best of their ability, these restrictions as described herein.

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- (A) Registration. The property owner or authorized property manager shall file a written notice of restriction with the Township Police Department, identifying the property by block and lot, the nature of the restriction, and the name and contact information of the property owner or authorized representative. The Police Department shall maintain a registry of all such properties. Registration shall be renewed annually.
- (B) Signage. The property owner or authorized property manager shall post signage at all public entrances to the property that is clearly visible, legible, and compliant with specifications established by the Township. Signage shall state that operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles is prohibited on the property except as otherwise required by law.
- (C) Disability Exemption. Nothing in this section shall be construed to restrict the use of any device by a person with a mobility-related disability as authorized under N.J.S.A. 39:4-14.15 or any other applicable law, or as required by the Americans with Disabilities Act or the New Jersey Law Against Discrimination.
- (D) Effect of Registration. Upon completion of registration and posting of compliant signage, operation of a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle on such property in violation of posted restrictions shall constitute a violation of this chapter, subject to the penalties set forth in Section 10.29.070.
- (E) Enforcement. Enforcement of this section on private property shall occur only upon the request or standing consent of the property owner or authorized representative on file with the Township Police Department. Nothing in this section authorizes warrantless entry onto private property by law enforcement absent consent or exigent circumstances as otherwise provided by law.
- (F) Limitation. Nothing in this section grants the Township authority to compel any private property owner to register or post signage, or to regulate the use of private property beyond the voluntary framework established herein.

10.29.060 - Coordination with Established Safety Education Programs.

The Township and Berkeley Heights Police Department may coordinate with established State of New Jersey or Union County approved safety education programs to expand electric bike safety education within the Township of Berkeley Heights.

10.29.070 - Violations and Penalties; Impounding.

- A. No person shall operate a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle in a reckless or dangerous manner.
- B. The Police Department for the Township of Berkeley Heights may seize and impound the low-speed electric bicycle, low-speed electric scooter, and/or motorized bicycle of an offender at the time the police officer charges an offender with a violation. Seizure and impoundment shall be at the discretion of the police officer at the scene. Whenever any

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of these devices are impounded, it shall be surrendered at the earliest opportunity to the owner, or in the case of persons under 17 years of age to their parents or guardian, upon payment of an impoundment fee not to exceed fifty dollars (\$50.00).

- C. Any person who is found to be in violation of the provisions of this article shall be subject to the penalties provided in Chapter 1.08, General Penalty of the Code of the Township of Berkeley Heights.

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				Bill Machado						
		X				Alvaro Medeiros						
X		X				Andrew Moran						
		X				Susan Poage						
Introduced: 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.						
Final Adoption: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-08**

PUBLIC NOTICE is hereby given that the Ordinance entitled

AN ORDINANCE ON THE SAFE USE OF LOW-SPEED ELECTRIC BICYCLES, LOW-SPEED ELECTRIC SCOOTERS, AND MOTORIZED BICYCLES

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 **May 5, 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 **May 19, 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**

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NOTICE OF FINAL ADOPTION

ORDINANCE 2026-08

AN ORDINANCE ON THE SAFE USE OF LOW-SPEED ELECTRIC BICYCLES, LOW-SPEED ELECTRIC SCOOTERS, AND MOTORIZED BICYCLES

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 May 19, 2026.

**Angela Lazzari, RMC
Township Clerk**

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ORDINANCE NO. 2026-09

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

WHEREAS, the Mayor, and Township Council for the Township of Berkeley Heights desires to revise and update the Township Code regarding commercial and movie filming and fees.

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. Chapter 5.01, "Film Making," of Title 5, "Business Licenses and Regulations," of the Township Code shall be amended as follows:

5.01.010 - Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

"Filming" means the taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality. The provisions of this chapter also shall not be deemed to include the "filming" of videos done by the Township, by Township employees or volunteers, or Berkeley Heights students for resident, educational or business outreach purposes.

"Major motion picture" means any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: **NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; any film for which the budget is at least \$20,000,000; or any recurrent weekly television series programming.**

A. Universal Pictures.

~~B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.~~

~~C. Paramount, including MTV Films and Nickelodeon Movie.~~

~~D. 20th Century Fox, including Fox Searchlight.~~

~~E. Sony/Columbia.~~

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~~F. Disney/Miramax.~~

~~G. MGM/United Artists.~~

~~H. Dreamworks.~~

~~I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.~~

~~J. Any film for which the budget is at least five million dollars (\$5,000,000.00).~~

~~K. Recurrent weekly television series programming.~~

"Private lands and residential zones" shall mean any and every piece of property that is not within the jurisdiction and control of the Township of Berkeley Heights and of the Board of Education properties. Use of Board of Education property shall first need approval from the respective Board and thereafter the provisions of this section shall apply.

"Public lands" means any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality. Use of any county property shall require separate approval from Union County.

5.01.030 - Issuance of permits.

A. No permits will be issued by the Municipal Clerk unless applied for **at least four (4) business days prior to ten (10)** days before the requested shooting date; provided, however, that the Municipal Clerk may waive the **four ten**-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

~~B. All applications will be reviewed and responded to by the Township within five business days.~~

~~B C.~~ No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

1. Proof of insurance coverage as follows:

- a. For bodily injury to any one person in the amount of five hundred thousand dollars (\$500,000.00) and any occurrence in the aggregate amount of one million dollars (\$1,000,000.00).
- b. For property damage for each occurrence in the aggregate amount of three hundred thousand dollars (\$300,000.00).

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages

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resulting from the use of public lands. This agreement will be provided by the Township for signature.

3. The hiring of off-duty police officer(s) and/or firefighter(s) for the times indicated on the permit, **if required by the Chief of Police and as per the agreed upon Public Safety Plan**. The number of police officers and/or firefighters required on the set will be determined by the appropriate municipal authority (Berkeley Heights Police Department, Berkeley Heights Fire Department, etc.). The Applicant shall be responsible for the full cost of hiring the off-duty police officer(s) and/or firefighter(s).

- C D.** The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

5.01.040 - Interference with public activity; notice of filming; times permitted.

- A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. Roadways shall be accessible for emergency vehicles at all times. If vehicles associated with filming are to remain parked overnight or in any manner inconsistent with Ordinance 10.48.030, the Applicant shall first obtain permission from the Berkeley Heights Police Department. Applicant shall arrange for any off-set parking for crew and storage of set design in accordance with directives from the Berkeley Heights Police Department.
- B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three business days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two business days of the requested shooting date.
- C. Filming shall be permitted Monday through ~~Sunday~~ **Friday** between the hours of ~~seven~~ **7:00 a.m. and nine 9:00 p.m. (camera wrap) and 10:00 p.m. (crew wrap)**, provided that all requests for night scenes shall be approved in the permit to be granted in accordance with Section 5.01.070 hereof. The set-up, production and breakdown required by all filming shall be included in the hours as set forth herein. If **exterior** filming is required outside of these hours, permission may be granted by the Municipal Clerk's office, after discussion with the Zoning Officer and relevant municipal departments, **as per 5.01.070 below**.

5.01.080 - Copies of permit; inspections.

Copies of the approved permit will be sent to the Berkeley Heights Police Department and Berkeley Heights Fire Prevention Bureau, Berkeley Heights Construction Office and Code Enforcement Officer, and the Health Inspector before filming takes place and to the New Jersey Film Commission at njfilm@njeda.gov. The applicant shall permit the Berkeley Heights Fire Prevention Bureau or other township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other township inspectors.

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5.01.100 - Fees.

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Basic filming permit: one hundred dollars (\$100.00). Where an applicant requests a waiver of the provision of subsection 5.01.030.A. requiring expedited processing of a permit application within **3 or less business days advance notice** ~~twenty-four (24) hours~~ of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be ~~one hundred and fifty dollars (\$150.00)~~ **\$250.00**.
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: ~~two hundred and fifty dollars (\$250.00)~~ **150.00** per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: ~~one thousand five hundred dollars (\$1,500.00)~~ **500.00** per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): twenty-five dollars (\$25.00).
- E. **Street closure fee of up to five thousand dollars (\$5,000) per day (more than 10,000 residents).**
- ~~E-F.~~ Filming on private property: no daily filming fee will be imposed.
- ~~F~~ G. Posts a cash bond of five hundred dollars (\$500.00) or a maintenance bond of one thousand dollars (\$1,000.00) in favor of the Township for protecting and ensuring that the site of the filming is in a satisfactory condition (free of debris, rubbish and equipment) and that all Township laws and regulations are followed. Within seven days of the completion of the filming, the Township shall return the bond if there is no damage to public or private property or public expense caused by the filming.

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

Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				John Foster						
		X				Margaret Illis						
		X				Bill Machado						
		X				Alvaro Medeiros						
		X				Andrew Moran						
X		X				Susan Poage						
Introduced: 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.						
Final Adoption: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-09**

PUBLIC NOTICE is hereby given that the Ordinance entitled

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

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 **May 5, 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 **May 19, 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 2026-09

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

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 May 19, 2026.

**Angela Lazzari, RMC
Township Clerk**

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

ORDINANCE NO. 2026-10

**ADOPTING AN ORDINANCE TO CLARIFY PLACING YARD WASTE INTO WATERWAYS IS
PROHIBITED**

WHEREAS, to ensure clean waterways within the Township, it is the desire of the Township Council for the Township of Berkeley Heights to clarify that placing yard waste, including leaves, into waterways within the Township of Berkeley Heights is prohibited.

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 13.17.020, "Prohibited Conduct," of Article I, "Yard Waste Collection," of Chapter 13.17, "Stormwater Control," of Title 13, "Public Services," of the Township Code shall be amended as follows:

13.17.020 - Prohibited conduct.

~~The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of the yard waste must remove the yard waste from the street or such party shall be deemed in violation of the article in this chapter.~~

- A. Yard Waste in the Street. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, dump, or otherwise place any leaves, grass clippings, debris, or yard waste into the street unless the yard waste is containerized and for a scheduled collection.
- B. Yard Waste Prohibited in Waterways. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, or dump leaves, grass clippings, debris, or other yard waste into any stream, brook, or into any drainage area or along the banks of waterways bordering any property or anywhere else not explicitly allowed by law.
- C. Removal of Yard Waste. Any person who places yard waste, including leaves, into any stream, brook, drainage area, or along the banks of waterways bordering any property must remove the yard waste or such party shall be deemed in violation of the article in this chapter.

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

Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
X		X				John Foster						
		X				Margaret Illis						
		X				Bill Machado						
		X				Alvaro Medeiros						
		X				Andrew Moran						
	X	X				Susan Poage						
Introduced: 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.						
Final Adoption: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-10**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**ADOPTING AN ORDINANCE TO CLARIFY PLACING YARD WASTE INTO WATERWAYS IS
PROHIBITED**

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 **May 5, 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 **May 19, 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 2026-10

**ADOPTING AN ORDINANCE TO CLARIFY PLACING YARD WASTE INTO WATERWAYS IS
PROHIBITED**

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 May 19, 2026.

**Angela Lazzari, RMC
Township Clerk**

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

RESOLUTION

ADOPTING THE 2026 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey (hereinafter, the "Governing Body") that the budget set forth and heard publicly at their Regular Meeting of **May 19, 2026** is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

EXCERPT FROM BUDGET SHEET 41

1. General Revenues				SUMMARY OF REVENUES	
Surplus Anticipated		08-100	\$	4,659,998.00	
Miscellaneous Revenues Anticipated		13-099	\$	12,240,113.73	
Receipts from Delinquent Taxes		16-499	\$	305,491.00	
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)		07-190	\$	15,828,495.21	
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:					
Item 6, Sheet 42		07-195	\$	-	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$	-	
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY					\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:					
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191			
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX		07-192	\$	1,737,267.48	
Total Revenues		13-299	\$	34,771,365.42	

EXCERPT FROM BUDGET SHEET 42

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$	19,483,694.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$	2,379,890.00
(g) Cash Deficit	46-885	\$	-
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$	4,446,951.42
(c) Capital Improvements	44-999	\$	880,000.00
(d) Municipal Debt Service	45-999	\$	6,085,830.00
(e) Deferred Charges - Municipal	46-999	\$	575,000.00
(f) Judgments	37-480	\$	-
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$	-
(g) Cash Deficit	46-885	\$	-
(k) For Local District School Purposes	29-410	\$	-
(m) Reserve for Uncollected Taxes	50-899	\$	920,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)		07-195	
Total Appropriations	34-499	\$	34,771,365.42

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to certify a true copy or copies of the Budget finally adopted by the forgoing Resolution of the Governing Body on the 19th, day of May 2026; and,

BE IT FURTHER RESOLVED that the Township Clerk is hereby further directed to certify that each item of revenue and appropriation is set forth in the same amount and by the same title

as appeared in the 2026 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Approved this 19th day of May, 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

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 **5/19/2026**, in the amount of **\$1,376,926.76** 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 19th day of May, 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

A RESOLUTION TO AWARD PAYMENT OF 2025 LOSAP BENEFITS TO ELIGIBLE MEMBERS OF THE TOWNSHIP OF BERKELEY HEIGHTS VOLUNTEER RESCUE SQUAD

WHEREAS, the Council of the Township of Berkeley Heights, Union County, New Jersey, adopted Ordinance num. 10-2019 establishing and implementing a Length of Service Awards Program (LOSAP), pursuant to N.J.S.A. 40A:14-183, and

WHEREAS, in accordance with the LOSAP program, a list of eligible members and corresponding award has been presented to the Chief Financial Officer; and

WHEREAS, a list of eligible members and proposed award has been reviewed by the Chief Financial Officer and funds have been certified accordingly; and

WHEREAS, the fifteen (15) members below qualify for the Length of Service Awards Program (LOSAP); and

- | | |
|----------------------|---------------------|
| Birnbaum, Dave | Minguet, Benoit |
| Delwart, Virginie | Poulos, Monica |
| Gestone, Toni | Rubenstein, Sharon |
| Kirsch, Steve | Ryan, Dennis |
| Kleinberg, Chuck | Schickedanz, Steven |
| Lee, Sanghoon Nathan | Schnitzer, Marc |
| Leonard, Melissa | Young, Michele |
| Meyer, Howie | |

NOW, THEREFORE BE IT RESOLVED, the Council of the Township of Berkeley Heights, hereby approve of fifteen (15) eligible members to receive full benefits in the amount of two-thousand one hundred fifty-nine dollars (\$2,159.00) per eligible member, for a proposed total award of thirty-two thousand three hundred eighty-five dollars (\$32,385.00) of 2025 LOSAP benefits, for eligible members of the Township Volunteer Rescue Squad as annexed hereto; therefore, authorize payment accordingly.

Approved this 19th day of May, 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, on April 21, 2026, the Township adopted Resolution 2026-160, which further amended Resolution 229-2024 to extend the contract through August 31, 2026; and

WHEREAS, the Township wishes to further amend Resolution 229-2024 to reflect an increase of \$4,279.66 in the contract not to exceed amount, bringing the amended total amount not to exceed \$983,779.66.

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 total cost, not to exceed \$983,779.66.
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.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient uncommitted funds will be available in an amount **not to exceed \$4,279.66**, with the account number to be charged: **C-04-24-017-100, Ord 17-24 Wastewater Plant Improvements.**

Approved this 19th day of May, 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 AMENDING RESOLUTION 2025-318 WHICH AUTHORIZED A PROFESSIONAL SERVICES CONTRACT WITH H.J. CANNON GROUP, INC. FOR LICENSED DESIGN PROFESSIONAL SERVICES RELATED TO THE BERKELEY HEIGHTS MUNICIPAL COMPLEX PROJECT

WHEREAS, on October 21, 2025, the Township of Berkeley Heights adopted Resolution 2025-318, authorizing a professional services contract with H.J. Cannon Group, Inc., for the licensed design professional services for the Berkeley heights Municipal Complex project, in an amount not to exceed \$30,000.00; and

WHEREAS, the Township wishes to amend Resolution 2025-318 to amend the contract not to exceed amount to reflect a decrease of \$17,806.25, bringing the amended total amount not to exceed \$12,193.75, and to amend the account information in the certification of funds.

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 H.J. Cannon Group, Inc., for the provision of the licensed design professional services to reflect the amended total cost, not to exceed \$12,193.75.
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.

BE IT FURTHER RESOLVED, that the Certification of Funds shall be amended to read as follows; the Chief Financial Officer has certified that sufficient uncommitted funds will be available in an amount not to exceed \$3,793.75, from account # C-04-20-011-202, Ord 11-2020 Redevelopment Muni Complex, and not to exceed \$8,400.00 from account # 5-01-20-165-028, Engineering Services, for a total not to exceed \$12,193.75.

Approved this 19th day of May, 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, 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 Hampton Drive Pump Station grinder for the Wastewater Treatment Plant; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the replacement of the grinder for the Hampton Drive Pump Station 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, as part of NJWWCPS, Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846, has been awarded Contract # B454-8 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 Contract # B445-19 for the provision of Various Manufacturers Equipment and Spare Parts, for the term August 1, 2025 through July 31, 2027; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the NJWWCPS Contract B454-8, for the labor, and Contract B445-19 for the equipment, the Township wishes to enter into an agreement with Pumping Services, Inc. for the replacement of the Hampton Drive Pump Station grinder, pursuant to their proposal dated January 12, 2026.

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 Hampton Drive Pump Station grinder for the Wastewater Treatment Plant, in an amount not to exceed **\$42,436.52**, pursuant to their proposal dated January 12, 2026.

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 **\$42,436.52** from account # **C-04-25-019-E03, Ord 25-19 Sewer Chemical Feed System**.

Approved this 19th day of May, 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

AMENDING RESOLUTION 2026-174

**A RESOLUTION AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEM OF REVENUE
AND OFFSETTING APPROPRIATION FOR LOWER COLUMBIA FIELD AND PARK
REVITALIZATION PROJECT**

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 2026 in the sum \$250,000.00 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:

Lower Columbia Project - Connell

BE IT FURTHER RESOLVED, that a like sum of \$250,000.00 is hereby appropriated under the caption of:

General Appropriations:

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

Lower Columbia Project – Connell

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.

BE IT FURTHER RESOLVED, that this Resolution shall be effective after the adoption of the Amended 2026 Municipal Budget.

Approved this 19th day of May, 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

**A RESOLUTION AMENDING THE ADOPTED BUDGET FOR ADDITIONAL ITEM OF REVENUE
AND OFFSETTING APPROPRIATION FOR THE NO ACCIDENTS TODAY PROGRAM**

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 2026 in the sum \$10,000.00 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:

No Accidents Today

BE IT FURTHER RESOLVED, that a like sum of \$10,000.00 is hereby appropriated under the caption of:

General Appropriations:

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

No Accidents Today

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 19th day of May, 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

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 April 30, 2026.

<u>Name</u>	<u>Appointment</u>	<u>Roster</u>
Timothy Pappas, Jr.	Volunteer Fire Department	Active

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

Approved this 19th day of May, 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, a request was made requesting permission from the Township Council to hold a neighborhood block party on Lorraine Drive, from 251 Lorrain Drive (heading northwest) to the intersection with Lenape Lane, on Friday, June 5, 2026, from 5:00 – 8:00 p.m., with a rain date of June 19th from 5:00 – 8:00 p.m. which would involve erecting barricades on a public street; and

WHEREAS, the Township Council wishes to support the request for a neighborhood block party subject, however, to the special requirements of the appropriate local Township Officials.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that it does hereby approve of a neighborhood block party on Lorraine Drive, on Friday, June 5, 2026, with a rain date of June 19th.

BE IT FURTHER RESOLVED that a copy of this Resolution is to be forwarded to the Department of Public Works.

Approved this 19th day of May, 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

A RESOLUTION AUTHORIZING THE SOLICITATION AND ACCEPTANCE OF DONATIONS IN EXCHANGE FOR PROMOTIONAL ITEMS FOR THE RESTORATION OF LITTELL-LORD FARMSTEAD

WHEREAS, the Township of Berkeley Heights (the "Municipality") desires to support and restore the historic Littell-Lord Farmstead; and

WHEREAS, N.J.S.A. 40:5-29 authorizes a local unit to accept gifts, bequests, and donations for public purposes; and

WHEREAS, the Municipality intends to conduct fundraising events in 2026 to solicit donations from the public; and

WHEREAS, as part of this fundraising effort, the Municipality will offer certain promotional items as premiums or tokens of appreciation for specified donation amounts; and

WHEREAS, all proceeds from this activity shall be deposited into the Littell-Lord Farmstead Green Acres Fund and utilized solely for the restoration of the Littell-Lord Farmstead stated above.

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

1. **Authorization:** The Municipality is hereby authorized to conduct fundraising activities beginning June 1, 2026, and running through October 31, 2026, for the benefit of the restoration of the Littell-Lord Farmstead.
2. **Solicitation of Donations:** Municipal officials and designated volunteers are authorized to solicit donations and provide commemorative premiums as described above.
3. **Financial Oversight:** The Chief Financial Officer (CFO) is directed to ensure all funds collected are properly accounted for, deposited within 48 hours pursuant to N.J.S.A. 40A:5-15.
4. **No Commercial Profit:** It is affirmed that this activity is for public purpose and not for commercial profit or competition with private business.

APPROVED on this 19th day of May, 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, 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
503/1C.2/CONDO	649 SPRINGFIELD AVE	GINA ROSE ENTERPRISES LLC	\$4,209.56	2026	2
503/1C.1/CONDO	649 SPRINGFIELD AVE	GINE ROSE ENTERPRISES LLC	\$2,208.20	2026	2
3805/16	6 CHESTNUT HILL DR	COTALITY	\$4,085.23	2026	1

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

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, the Board of Health of the Township of Berkeley Heights entered into a Shared Services Agreement with the County of Union dated February 6, 2020, for provision of Public Health Services to the Board of Health, for the period of February 1, 2020 through December 31, 2029, and

WHEREAS, the County and the Board of Health hereby desire to amend the Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey, that the Board of Health of the Township of Berkeley Heights are hereby authorized to execute the Amendment to the Shared Services Agreement between the Township of Berkeley Heights and the County of Union for Public Health Services in substantially the form attached hereto for a term to expire on December 31, 2029.

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 **\$77,569.00** from account # **6-01-42-116-000, Health Services - Union County** for Year 7, January 1, 2026 to December 31, 2026, and for Years 8 through 10, sufficient uncommitted funds will be available in an amount not to exceed the terms of the amended agreement, subject to the availability of funds for those budget years.

BE IT FURTHER RESOLVED that, pursuant to the Shared Services Act, N.J.S.A. 40A:65-1, et seq., such Agreement shall be filed with and open to the public for inspection at the offices of the Municipal Clerk, and such Agreement shall take effect upon the adoption of appropriate resolutions by all parties thereto; and

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:65-4(b), a copy of the Shared Services Agreement shall be filed with the Division of Local Government Services in the Department of Community Affairs for informational purposes.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Approved this 19th day of May, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

**AMENDMENT TO
TO SHARED SERVICES AGREEMENT
FOR PUBLIC HEALTH SERVICES BETWEEN
THE COUNTY OF UNION AND
THE TOWNSHIP OF BERKELEY HEIGHTS, BOARD OF HEALTH**

This **AMENDMENT TO AGREEMENT** (the "Amendment") is entered into this _____, by and between the **COUNTY OF UNION**, a body politic of the State of New Jersey, having its principal place of business located at Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey, 07207 (the "County"), and the **TOWNSHIP OF BERKELEY HEIGHTS, BOARD OF HEALTH**, a municipal corporation of the State of New Jersey, having its principal office at 29 Park Avenue, Berkeley Heights, NJ 07922 (the "Board of Health").

WHEREAS, the County entered into a Shared Services Agreement dated February 6, 2020, for provision of public health services to the Board of Health, for the period of February 1, 2020 through December 31, 2029 (the "Agreement"), and

WHEREAS, the County and the Board of Health hereby desire to amend the Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do agree to amend the Agreement as follows:

1. Paragraph 15 is deleted and replaced by the following, effective January 1, 2026:

The Board of Health shall pay the County an annual amount not to exceed \$77,569.00, for year 7 from January 1, 2026 to December 31, 2026 and \$110,000.00, for year 8 from January 1, 2027 to December 31, 2027; thereafter, on January 1 of each additional year, the base cost shall increase three percent (3%) from the prior year, said sum to be paid in equal monthly installments by the 15th of each month.

2. The following Paragraph shall be added to the Agreement:

32. The County, upon ninety (90) days' notice to the Board of Health, may effectuate an additional increase to the base cost for the period until December 31, of that year, increasing the base cost by a total of five percent (5%) from the prior year, said sum to be paid in equal monthly installments by the 15th of each month. The new amount shall be the base cost to be used to calculate the increase for the following year.

3. Paragraph 19 is deleted and replaced by the following:

The County will be responsible to provide environmental services related to lead poisoning inspections in the home of a child with elevated blood lead levels.

4. A copy of this Amendment shall be filed with the Division of Local Government Services in the New Jersey Department of Community Affairs pursuant to N.J.S.A. 40A:65-4(b).

5. Except as modified by this Amendment, all the covenants, agreements, terms, provisions and conditions of the Agreement shall remain in full force and effect. In the event of any conflict between the terms contained in this Amendment and the Agreement, the terms herein contained shall supersede and control the obligations and liabilities of the parties.

IN WITNESS WHEREOF, the parties hereto have, either individually or by their duly authorized representative, set their hands and seals the day and year first above written.

ATTEST:

COUNTY OF UNION

JAMES E. PELLETTIERE
Clerk, Board of County Commissioners

EDWARD T. OATMAN
County Manager

APPROVED AS TO FORM:

BRUCE H. BERGEN, ESQ.
County Counsel

ATTEST:

**TOWNSHIP OF BERKELEY HEIGHTS
BOARD OF HEALTH**

Secretary, Board of Health

President, Board of Health

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

RESOLUTION

**RESOLUTION AMENDING THE SERVICE AGREEMENT WITH EMPOWER RETIREMENT. LLC FOR THE
TOWNSHIP'S DEFERRED COMPENSATION PLAN**

WHEREAS, the Township of Berkeley Heights previously adopted a Deferred Compensation Plan and Service Agreement provided by Empower Annuity Insurance Company of America (f/k/a Great-West Life & Annuity Insurance Company); and

WHEREAS, Empower Annuity Insurance Company of America has assigned the provision of services to its wholly owned subsidiary, Empower Retirement, LLC; and

WHEREAS, on December 16, 2025, the Township of Berkeley Heights adopted Resolution 2025-377, authorizing the execution of a Service Agreement with Empower Retirement, LLC; and

WHEREAS, Empower Retirement, LLC has amended their Recordkeeping Services Agreement; and

WHEREAS, the Township Local Plan Administrator, Township Chief Financial Officer, has recommended the Township execute the amended Recordkeeping Services Agreement.

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 service agreement with Empower Retirement, LLC, for the Township's Deferred Compensation Plan.
3. The Township Local Plan Administrator 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 19th day of May, 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. 2026-11
AN ORDINANCE AMENDING THE FIRE PREVENTION FEES**

WHEREAS, the Township Code for the Township of Berkeley Heights currently sets forth certain fees for fire prevention; and

WHEREAS, the Mayor and Council for the Township of Berkeley Heights desire to update certain fees for fire prevention; and

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 8.20.080, "Fees for registration of nonlife hazard uses," of Chapter 8.20, " FIRE PREVENTION CODE," of Title 8, "HEALTH AND SAFETY," of the Township Code shall be amended as follows: [New language **bold and underlined**; deletions ~~stricken through~~.]

8.20.080 Fees for registration of non-life hazard uses.

In addition to the registrations required by the New Jersey Uniform Fire Code, the following nonlife hazard uses shall register with the bureau. These uses shall be inspected once per year and pay an annual fee as set forth below: (uses defined in N.J.A.C. 5:70-2.4 to 70-2.4D shall be governed by fees set forth in the New Jersey Administrative Code)

A.	Assembly.	
	A-1 Eating establishments under 50 seats	\$25.00 <u>\$75.00</u>
	A-2 Take-out food service (no seating)	\$25.00 <u>\$75.00</u>
	A-3 Church or synagogue <u>House of worship</u>	\$25.00 <u>\$75.00</u>
	A-4 Recreation centers, multi-purpose rooms, etc. fewer than 50 <u>people</u>	\$50.00 <u>\$100.00</u>
	A-5 Court rooms, libraries, fraternal organizations condominium centers fewer than 50 <u>people</u>	\$50.00 <u>\$100.00</u>
	A-6 Senior Citizen centers fewer than 50 <u>people</u>	\$50.00 <u>\$100.00</u>
B.	Business/Professional.	
	B-1 <u>Business/Professional</u> use 1 & 2 <u>1 to 5</u> story less than 5,000 square feet per floor	\$25.00 <u>\$100.00</u>
	B-2 <u>Business/Professional</u> use 1 & 2 <u>1 to 5</u> story more than 5,000 sq. feet but less than 10,000 <u>5,001 to 7,500 square</u> feet per floor	\$50.00 <u>\$150.00</u>

**TOWNSHIP OF BERKELEY HEIGHTS
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	B-3 Business/Professional 1 & 2 1 to 5 story more than 10,000 sq. 7,501 to 10,000 square feet per floor	\$75.00 \$200.00
	B-4 Business/Professional 3 to 5 1 to 5 story 10,001 to 12,000 less than 5,000 sq. square feet per floor	\$100.00 \$250.00
	B-5 3 to 5 story more than 5,000 sq. feet but less than 10,000 sq. feet per floor	\$150.00
	B-6 3 to 5 story over 10,000 sq. feet per floor	\$200.00
C.	Retail (mercantile).	
	M-1 1 & 2 1 to 5 story less than 5,000 sq. feet per floor	\$125.00
	M-2 1 & 2 1 to 5 story more than 5,000 sq. 5,001 to 10,000 square feet but less than 10,000 sq. feet per floor	\$150.00
	M-3 1 & 2 1 to 5 story more than 10,000 sq. 10,001 to 12,000 square feet per floor	\$175.00
D.	Manufacturing.	
	F-1 1 & 2 1 to 5 story less than 5,000 square- feet per floor	\$75.00 \$125.00
	F-2 1 & 2 1 to 5 story more than 5,000 sq. feet but less than 10,000 5,001 to 10,000 square- feet per floor	\$100.00 \$150.00
	F-3 1 & 2 1 to 5 story more than 10,000 10,001 to 12,000 square- feet per floor	\$150.00 \$200.00
E.	Storage.	
	S-1 1 & 2 1 to 5 story less than 5,000 square- feet per floor	\$50.00 \$125.00
	S-2 1 & 2 1 to 5 story more than 5,000 sq. feet but less than 10,000 5,001 to 10,000 square- feet per floor	\$100.00 \$150.00
	S-3 1 & 2 1 to 5 story more than 10,000 10,001 to 12,000 square- feet per floor	\$150.00 \$200.00
F.	Residential (excluding 1 and 2 family owner occupied homes).	
	R-1 1 to 6 units	\$25.00 \$75.00
	R-2 7 to 12 units	\$50.00 \$100.00

**TOWNSHIP OF BERKELEY HEIGHTS
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	R-3 13 to 20 units	\$75.00 \$125.00
	R-4 21 to 50 units	\$100.00 \$150.00
	R-5 For each additional unit <u>over 50</u>	\$2.00 \$50.00 \$5.00
G.	Other as defined in the New Jersey Fire Code.	
	M-4, M-5, M-6, F-4, F-5, F-6, S-4, S-5, S-6	\$200.00

Any use listed above that is registered as a Life Hazard Use shall not be subject to these fees.

SECTION II. Chapter 8.20, " FIRE PREVENTION CODE" of Title 8, "HEALTH AND SAFETY" of the Township Code shall be amended to include the newly created the Sections as follows:

8.20.110 Residential Change of Ownership/Tenancy Certificate

A. Prior to any change of ownership or tenancy an inspection shall be conducted by the Township. It shall consist of the following items;

- a. Smoke alarms and Carbon Monoxide detectors shall be installed and maintained in accordance with the NJ Uniform Fire Code and NJ Uniform Construction Code at time of original occupancy
- b. Secondary Power Source Identification Labels as required under the NJ Uniform Fire Code
- c. Street numeric shall be permanently attached to all residential buildings with a minimum of 3-inch numbers contrasting color to building. Numbers shall be to the immediate right, left, or above the front door.
- d. Sidewalks shall be clear of obstructions or hazards and shall not be raised more than one half inch
- e. Sump pumps or gutters shall not be tied directly into sanitary system
- f. Building permits shall be obtained for any work done and be closed
- g. Zoning permits shall be obtained and verified
- h. Rental units built prior to 1978 shall show compliance with NJ Lead Law

The change of tenancy shall apply to all residential units, resale or rental.

B. Fees for Residential Change of Ownership/Tenancy Certificate shall be as follows;

- a. More than 10 business days prior to closing/change of tenancy \$100.00
- b. Four to ten (4 to 10) business days prior to closing/change of tenancy \$150.00
- c. Fewer than four (4) business days to closing/change of tenancy \$200.00
- d. First reinspection included in fee, additional inspections \$75.00 per inspection
- e. Use Group R-2 as defined by the NJ Uniform Construction Code \$50.00 per unit

8.20.120 Rapid Access Key Box

Key Box Requirement: All properties within the Township of Berkeley Heights, except owner-occupied buildings used exclusively for dwelling purposes and containing fewer than three

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

dwelling units, shall be equipped with a rapid entry key box.

Type of Box, Installation: The rapid entry box shall be of the type approved by the Berkeley Heights Fire Department. The rapid entry box shall be installed in a location outside of the building, structure or other improvement approved by the Fire Chief or his/her designee.

Contents of Box:

The rapid entry key box shall contain the following

1. Keys to locked points of ingress or egress, whether such points are on the interior or exterior of the building.
2. Keys to locked mechanical rooms
3. Keys to locked electrical rooms
4. Keys to elevator controls
5. Keys to Fire Alarm panels and controls
6. Keys to other areas as mandated by the Fire Chief or his/her designee.

All existing occupied buildings shall comply with this section within 18 months of the effective date of this section. All existing buildings not occupied on the effective date of this section shall comply prior to occupancy. All existing buildings at a change of occupancy shall comply prior to re-occupancy. All buildings, structures and other improvements under construction or newly constructed buildings, not yet occupied, shall comply immediately and, in all events, prior to occupancy.

8.20.130 Standby Fees

In the event a Firewatch is required and Berkeley Heights Fire Department personnel and apparatus are used, the following fees are established.

1. Personnel, including inspectors, officers or firefighters: \$50 each per hour (two hours minimum)
2. Fire engine: \$200 per hour
3. Ladder truck: \$300 per hour
4. Rescue unit: \$200 per hour

Any standbys requiring apparatus will be staffed by a minimum of one officer and three firefighters. In addition to the fees established above, the township shall add \$10 per hour per person and apparatus for administrative purposes. A written agreement between the township and the requestor shall be in place prior to any standby occurring. In the event members of Berkeley Heights Fire Department are not available, it will be offered to surrounding departments at the same rates.

8.20.140 False Alarms

Any property containing a fire sprinkler or a Fire Alarm system shall not have activated more than three false fire alarms in any calendar year. Any activations of four or more false alarms in said calendar year shall be deemed to violate this section and shall be subject to a penalty of not less than one hundred dollars (\$100.00) per occurrence.

False fire nuisance alarms; definition. An alarm which results in notification to the Fire Department for causes other than those for which the system was designated or intended to react. The alarm shall not be considered false by a power or telephone line interruption.

**TOWNSHIP OF BERKELEY HEIGHTS
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8.20.150 Fire Department Connections

All new fire department connections shall be placed within 100 feet of a public fire hydrant on the front side of the building being protected. Existing fire department connections shall be brought into conformity with this section whenever there is a change of use in the building or major work is done on the fire protection system. A red light constantly illuminated shall be provided above all fire department connections. Such lights shall not be lower than five feet above finished grade.

Fire Department Connection Signage: All fire department connections shall be provided with a two (2) foot by two (2) foot red sign with three (3) inch white reflective letters. The sign shall state "FIRE DEPARTMENT CONNECTION" and indicate the type of system covered, for example: AUTOMATIC SPRINKLERS, STANDPIPES, etc.

8.20.160 Labeling of Doors

Exterior: All commercial uses located in buildings which contain multiple exit doors shall label said rear exit door on the exterior with the name of the business in not less than three-inch letters. All exterior doors leading to service or equipment rooms shall be labeled with not less than three-inch letters.

Interior: All rooms containing Fire Alarm, Fire Sprinkler, Mechanical, Utilities and Roof Access shall be labeled as such.

8.20.170 Fire Lanes

Establishment.

The Fire Official may establish Fire Zones or Fire Lanes upon properties with the approval of the Township Council by resolution. The number, location, width, length and markings of such Fire Zone or Fire Lanes shall be included in such resolution.

Purpose.

Fire Zones or Fire Lanes shall be established to insure fire equipment and other emergency vehicles unobstructed means of ingress and egress to such properties and the buildings, persons, vehicles, fire hydrants, Fire Department connections and standpipes thereon in case of fire or other emergency.

Designation.

A description showing each Fire Zone or Fire Lane shall be filed with the Police Department and Municipal Clerk and is hereby incorporated into this section.

Markings.

The owner shall, within thirty days (30) of being given notice to do so by the Fire Official, mark the Fire Zones or Fire Lanes as follows:

Signs, with a minimum dimension of twelve (12) inches by eighteen (18) inches, constructed of metal and with red letters a minimum of two inches in size on a white background, shall be posted at a level at least seven feet above grade, indicating "NO PARKING FIRE LANE" or "NO PARKING FIRE ZONE." Spacing of signs shall be even, with a minimum of one sign every one hundred (100) feet of Fire Lane or Fire Zone or part thereof, or as ordered by the Fire Official. All signs and markings must be unobstructed and visible for a distance of at least one hundred

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

(100) feet when viewed from a position approximately five feet above grade while in the Fire Lane or Fire Zone.

The area of a Fire Lane or Fire Zone on improved areas shall be delineated along its entire length with yellow lines four inches in width extending forty-eight (48) inches from the curb. Between the yellow line and the curb shall be marked "FIRE LANE" or "FIRE ZONE" in yellow block letters twenty-four (24) inches in height. The number of times this wording is repeated shall be at the discretion of the Fire Official, with the recommended spacing to be at intervals of 100 feet, spaced so as to be between and alternate with the metal signs required above. If the designated FIRE LANE or FIRE ZONE abuts a curb, the curbing shall be yellow in color at the discretion of the Fire Official.

8.20.180 High Rise Buildings

All newly constructed high-rise buildings shall have the capability of selective evacuation upon the activation of the building fire alarm system. Such selective evacuation shall be at the discretion of the Fire Chief or their designee. Any such programming shall be in accordance with the provisions of the NJ Uniform Construction Code

8.20.190 Fire Alarm Systems

All newly constructed buildings with the exception of Use Groups R-3 & R-5 or when an existing fire alarm system is completely replaced, a remote annunciator shall be located at the main entrance whenever the Fire Alarm Control Panel is located elsewhere.

SECTION III. Chapter 15.04, "STATE UNIFORM CONSTRUCTION CODE ENFORCEMENT of Title 15, "BUILDINGS AND CONSTRUCTION" of the Township Code shall be amended as follows: [New language **bold and underlined**; deletions ~~stricken through~~.]

15.04.020 - Fees.

The basic construction permit fee shall be the sum of the parts computed on the basis of the volume of the building or, in the case of alterations, the estimated construction cost, and the number and types of plumbing, electrical and fire protection fixtures and devices as provided herein plus any special fees.

A. Plan Review Fees.

1. The fee for plan review, computed as a percentage of the fee for a construction permit, shall be paid at the time of submission of an application for a permit. The amount of this fee shall then be deducted from the amount of the fee due for a construction permit, when the permit is issued. The township, as permitted by N.J.A.C. 5:23-4.18(a), reserves the right to allow the applicant to pay plan review fees when the permit is issued. Plan review fees are not refundable. Plan review fees shall be twenty (20) percent of the fee charged for the construction permit.

B. Building Sub-code Fees.

1. Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of ~~six cents (\$0.06)~~ **eight cents (\$0.08)** per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the building sub-

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

code with a minimum fee of four hundred dollars (\$400.00); except that the fee shall be six cents (\$0.06) per cubic foot of volume for use groups R-3, R-4 and R-5 with a minimum fee of three hundred dollars (\$300.00); and the fee shall be two and one-half cents (\$0.025) per cubic foot for structures on farms, including commercial farm building under N.J.A.C. 5:23-3.2(d), with the maximum fee for such structures on farms not to exceed one thousand one hundred forty-five dollars (\$1,145.00).

2. Fees for renovations, alterations, re-roofing, repairs, and site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, and the external utility connections for pre-manufactured construction shall be based upon the estimated cost of work. The fee shall be in the amount of ~~thirty-five (\$35.00)~~ **thirty-seven dollars (\$37.00)** per one thousand (\$1,000.00) for the first three hundred thousand dollars (\$300,000.00). From three hundred thousand one dollar (\$300,001.00) or more the additional fee shall be in the amount of ~~twenty-eight dollars (\$28.00)~~ **thirty dollars (\$30.00)** per one thousand dollars (\$1,000.00) of the estimated cost. There shall be a minimum fee of ~~three hundred dollars (\$300.00)~~ **four hundred dollars (\$400.00)** for all use groups, except R-3, R-4 and R-5 the minimum fee shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred dollars (\$300.00)**. For the purpose of determining estimated cost, the applicant shall submit to the Construction Department such cost data as may be available produced by the architect or engineer of record, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Department shall make the final determination regarding estimated cost.
3. Fees for additions shall be computed based upon the volume of the added portion of the structure. The fee shall be in the amount of ~~six cents (\$0.06)~~ **eight cents (\$0.08)** per cubic foot of volume for buildings of structures of all uses with a minimum fee of four hundred (\$400.00) except that the fee shall be six cents (\$0.06) per cubic foot of volume for use groups R-3, R-4 and R-5 with a minimum fee of three hundred dollars (\$300.00).
4. Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance to subsections (B)(2) and (3) of this section.
5. Temporary structures and all other structures, for which volume cannot be computed, such as swimming pools and open structural towers, shall be charged as a flat fee.
 - a. The fee for an above ground swimming pool, hot tub or spa constructed as an accessory to use group R-3, R-4 and R-5 shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred dollars (\$300.00)**. The fee for an in-ground swimming pool constructed as an accessory to use group R-3, R-4 and R-5 shall be seven hundred fifty dollars (\$750.00). All other use groups revert to subsection (B)(2) of this Section.

**TOWNSHIP OF BERKELEY HEIGHTS
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- b. The fee for an open structural tower, monopole, or temporary structure shall be ~~forty dollars (\$40.00)~~ **forty-five dollars (\$45.00)** per thousand dollars of estimated cost of construction.
6. The fee for tents, in excess of 900 square feet or more than (30) feet in any dimension, shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred dollars (\$300.00)**. The fees for tents, tensioned membrane structure, or canopies that require construction permits under N.J.A.C. 5:23-2.14(b)(4)(ii) shall be calculated as subsection (B)(2) of this Section.
7. The fee for roofing and siding work completed on a structure in all use group except detached R-3, R-4 and R-5 shall revert to subsection (B)(2) of this Section. The fee for use of polypropylene siding in R-3, R-4, and R-5 uses shall be ninety dollars (\$90.00).
8. Fees for minor construction work shall be based upon the estimated cost of the work. The fee shall be computed as an alteration in subsection (B)(2) of this section.
9. Fees for fence permits issued pursuant to N.J.A.C. 5:23-2.14(b)9 (including barriers surrounding swimming pools) shall be one hundred dollars (\$100.00) for up to 400 (four hundred) lineal feet and three hundred dollars (\$300.00) for 401 (four hundred one) lineal feet or more.
10. Fees for fences over six foot high shall be calculated as subsection (B) (2) above.
11. Fees for permits for garden type utility sheds issued pursuant to N.J.A.C. 5:23-2.14(b)(8) and 5:23-9.9 shall be two hundred fifty dollars (\$250.00). For sheds containing mechanical equipment or utility connections there will be an additional fee charged as per that equipment contained in this fee ordinance.
12. Fees for retaining walls shall be as follows:
 - a. A retaining wall associated with a Class 3 residential structure shall have a flat fee of four hundred dollars (\$400.00) plus engineering costs.
 - b. A newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of construction pursuant to subsection (B)(2) of this section plus engineering costs.
13. There shall be an additional fee of ~~fifty-five dollars (\$55.00)~~ **seventy-five dollars (\$75.00)** per hour for review of any amendment or change to a plan that has already been released for permit by the Department.
14. The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy sub-code shall be two hundred seventy-four dollars (\$274.00) for one and two family dwellings (group R-3 or R-5 of the building sub-code), and for light commercial structures having indoor temperature controlled from a single point, and one thousand three hundred sixty-nine dollars (\$1,369.00) for all other structures.
15. **For photovoltaic systems, the fee shall be based on the designed kilowatt rating of the solar photovoltaic system as follows: one to fifty kilowatts (1-50),**

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the fee shall be two hundred dollars (\$200.00); fifty-one to one hundred kilowatts (51-100), the fee shall be three hundred dollars (\$300.00); greater than one hundred kilowatts (100), the fee shall be six hundred dollars (\$600.00)

- C. Plumbing Fixtures and Equipment. The fees shall be as follows:
1. The fee shall be in the amount of ~~thirty dollars (\$30.00)~~ thirty-five dollars (\$35.00) per fixture, piece of equipment, vent, stack, appliance or appurtenance connected to the plumbing system, and roof drains, including roof leaders and for each appliance connected to the gas piping or oil piping system, except as indicated below for all use groups except R-3, R-4 and R-5 where the fee shall be ~~twenty-five dollars (\$25.00)~~ thirty dollars (\$30.00) each.
 2. The fee shall be ~~one hundred fifty dollars (\$150.00)~~ two hundred dollars (\$200.00) per special device for the following: grease traps, oil separators, refrigeration units, initial installation of backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), HVAC units, active solar systems, sewer pumps and interceptors in all use groups except R-3, R-4 and R-5 where the fee shall be ~~ninety dollars (\$90.00)~~ one hundred dollars (\$100.00). There shall be no fee charged for gas service entrances.
 3. In use groups R-3 and R-5 the fee for each water heater, water conditioner, refrigeration unit, HVAC unit and backflow preventers installed in connection with an underground irrigation system or alteration thereof shall be ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00), except for Berkeley Heights residents in an owner occupied single family dwelling over 65 years of age will pay ~~forty dollars (\$40.00)~~ fifty dollars (\$50.00) for water heaters only.
 4. In all other use groups, the fee for each water heater, water conditioner, refrigeration unit, HVAC unit and backflow preventer installed in connection with an underground irrigation system or alteration thereof shall be ~~one hundred fifty dollars (\$150.00)~~ one hundred seventy-five dollars (\$175.00) each.
 5. In existing buildings of use groups R-3, R-4 and R-5, see the section following on mechanical sub-code fees for new and replacement mechanical equipment fees. New construction and additions in these use groups use the section C (Plumbing fixtures) and section E (Fire Protection) for the appropriate fees.
 6. The fee shall be ~~two hundred dollars (\$200.00)~~ two hundred fifty dollars (\$250.00) for installation, replacement or repair of domestic water and sanitary sewer service for all use groups plus engineering fees and street opening permits where required.
 7. The fee for gas piping and medical gas piping shall be seventy-five dollars (\$75.00) for the first outlet and ~~twenty dollars (\$20.00)~~ twenty-five dollars (\$25.00) for each additional outlet.
 8. The fee for pool piping, drain covers, anti-syphon devices, and back wash discharge shall be ~~ninety dollars (\$90.00)~~ one hundred dollars (\$100.00) for the

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first and forty-five dollars (\$45.00) for each additional piece of equipment for all use groups.

9. The fee for condensate pumps shall be ~~fifty dollars (\$50.00)~~ **seventy-five dollars (\$75.00)** for all uses except R-3, R-4 and R-5 the fee shall be ~~twenty-five dollars (\$25.00)~~ **thirty dollars (\$30.00)**.
10. The fee for hydronic and/or radiant piping shall be ~~one hundred fifty dollars (\$150.00)~~ **one hundred seventy-five dollars (\$175.00)**.
11. The minimum plumbing sub-code fee for use groups R-3, R-4 and R-5 shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**. The minimum plumbing sub-code fee for all other use groups shall be ~~ninety dollars (\$90.00)~~ **one hundred twenty-five dollars (\$125.00)**.
- 12. Roof drains, footing drains and sump pumps (per device or system) shall be one hundred dollars (\$100.00).**

D. Electrical Fixtures and Devices. The fee shall be as follows:

1. For the first block consisting of one to fifty (50) receptacles, fixtures, or devices, the fee shall be ~~sixty-five dollars (\$65.00)~~ **seventy-five dollars (\$75.00)**, for each additional block consisting of up to twenty-five (25) receptacles, fixtures or devices, the fee shall be ~~twenty-five dollars (\$25.00)~~ **thirty dollars (\$30.00)**. For the purpose of computing this fee, receptacles, fixtures, or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke, carbon monoxide and heat detectors, communications outlets, data and telephone connections, light standards eight feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures or similar fixtures and devices rated twenty (20) amperes or less including motors or equipment rated less than one horsepower (hp) or one kilowatt (kw).

For each motor or electrical device rated from one hp or one kw to ten (10) hp or kw; for each transformer or generator rated from one kw or one kva to ten (10) kw or ten (10) kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage bath tub; for each under-water lighting fixture; for household electric cooking equipment rated up to sixteen (16) kw; for each fire security or burglar alarm control unit; for each receptacle rated from thirty (30) amperes to fifty (50) amperes; for each light standard greater than eight feet in height including luminaries; and for each communications closet, the fee shall be ~~twenty-five dollars (\$25.00)~~ **thirty-five dollars (\$35.00)**;

For each motor or electrical device rated from greater than ten (10) hp or ten (10) kw to fifty (50) hp or fifty (50) kw, for each service equipment, replacement of service entrance conductor or feeder conductor, panel board, switch board, switch gear, motor-control-center, or disconnecting means rated two hundred twenty-five (225) amperes or less; for each transformer or generator rated from greater than ten (10) kw or ten (10) kva to forty-five (45) kw or forty-five (45) kva; for each electric sign rated from greater than twenty

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(20) amperes to two hundred twenty-five (225) amperes including associated disconnecting means; for each receptacle rated greater than fifty (50) amperes; and for each utility load management device, the fee shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**.

For each motor or electrical device rated from greater than fifty (50) hp or fifty (50) kw to one hundred (100) hp or one hundred (100) kw; for each service equipment, replacement of service entrance conductor or feeder conductor, panel board, switch board, switch gear, motor-control-center, or disconnecting means rated from greater than two hundred twenty-five (225) amperes to one thousand (1,000) amperes; and for each transformer or generator rated from greater than forty-five (45) kw or forty-five (45) kva to one hundred twelve and one-half (112.5) kw or one hundred twelve and one-half (112.5) kva, the fee shall be ~~one hundred fifty dollars (\$150.00)~~ **one hundred seventy-five dollars (\$175.00)**.

For each motor or electrical device rated greater than one hundred (100) hp or one hundred (100) kw; for each service equipment, replacement of service entrance conductor or feeder conductor, panel board, switch board, switch gear, motor-control-center or disconnecting means rated greater than one thousand (1,000) amperes; and for each transformer or generator rated greater than one hundred twelve and one-half (112.5) kw or one hundred twelve and one-half (112.5) kva, the fee shall be ~~seven hundred fifty dollars (\$750.00)~~ **eight hundred dollars (\$800.00)**.

The fee charged for electrical work for each permanently installed private swimming pool as defined in the building sub-code, spa, hot tub or fountain shall be a flat fee of one hundred fifty dollars (\$150.00) for all use groups, except above ground pools built as accessory uses to R-3, R-4 and R-5 where the fee shall be seventy-five dollars (\$75.00). The fee for any required bonding, and associated equipment such as filters pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)** excepting panel boards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with the above.

Annual inspection fees for swimming pools, spas and/or hot tubs. All pools, spas and/or hot tubs other than private swimming pools as defined in the building subcode are subject to an annual electrical inspection. The fee for this shall be two hundred fifty dollars (\$250.00).

For photovoltaic systems, the fee shall be based on the designated kilowatt rating of the solar photovoltaic system as follows: one to fifty (50) kilowatts, the fee shall be ~~one hundred fifty dollars (\$150.00)~~ **two hundred fifty dollars (\$250.00)**; fifty-one (51) to one hundred (100) kilowatts, the fee shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred fifty dollars (\$350.00)**; and greater than one hundred (100) kilowatts shall be ~~six hundred dollars (\$600.00)~~ **seven hundred fifty dollars (\$750.00)**.

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For installations consisting of multi-meter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual loadside panel boards shall be charged in accordance with the above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.

For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.

For electrical work requiring replacement of service entrance conductors or feeder conductors only, the fee shall be in accordance with the above based on the designated ampere rating of the overcurrent device of the service or feeder.

The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cutoff device.

For the purpose of computing these fees, all electrical and communications devices, utilization equipment and motors which are part of the premises wiring, except those which are portable plug-in type, shall be counted.

The fee for low voltage service equipment such as an alarm systems, communications and /or data wiring shall be ~~eighty-five dollars (\$85.00)~~ **one hundred dollars (\$100.00)** for the first fifty (50) contacts and ~~forty-five dollars (\$45.00)~~ **fifty dollars (\$50.00)** for each additional group of twenty-five (25) contacts for all use groups except use groups R-3, R-4 and R-5 where the fee shall be fifty dollars (\$50.00) when penetrating a fire-rated assembly.

The fee for Burglar alarm, security systems and doorbells in all uses except R-3 and R-5 shall be ~~ninety dollars (\$90.00)~~ **one hundred dollars (\$100.00)**.

The fee for installation of heating and air conditioning equipment shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)** for all use groups except R-3, R-4 and R-5 where the fee shall be ~~fifty-five dollars (\$55.00)~~ **seventy-five dollars (\$75.00)**.

The fee for underground trenches for conduit or cable shall be ~~two hundred dollars (\$200.00)~~ **two hundred twenty-five dollars (\$225.00) for up to 200 feet. Trenches over 200 feet in length shall be an additional fifty dollars (\$50.00) per one hundred feet (100).**

The minimum electrical sub-code fee for use groups R-3, R-4 and R-5 shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**. The minimum electrical sub-code fee for all other use groups shall be ~~ninety dollars (\$90.00)~~ **one hundred twenty-five dollars (\$125.00)**.

- E. Fire Protection Fees. Fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke, heat and carbon monoxide), pre-engineered suppression systems, new gas and oil-fired appliances not connected to the

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plumbing system, including dryers and generators, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

The fee for one to twenty (20) detectors, horns, strobes, bells, tampers, pull stations, water flow alarms and similar devices in all use groups the fee shall be ~~one hundred fifty dollars (\$150.00)~~ **one hundred seventy-five dollars (\$175.00)** except R-3, R-4 and R-5 where the fee shall be ~~eighty-five dollars (\$85.00)~~ **one hundred dollars (\$100.00)**; for each additional block of up to twenty-five (25) detectors, horns, strobes, bells, tampers, pull stations, water flow alarms and similar devices for all other use groups the fee shall be ~~eighty-five dollars (\$85.00)~~ **one hundred dollars (\$100.00)** in all uses, except R-3, R-4 and R-5 where the fee shall be ~~sixty-five dollars (\$65.00)~~ **seventy-five dollars (\$75.00)**. These fees shall apply to traditional, hard wired, low voltage and wireless systems.

Sprinkler Systems. The fee for twenty (20) or fewer heads shall be ~~one hundred ten dollars (\$110.00)~~ **one hundred fifty dollars (\$150.00)**; for twenty-one (21) to and including one hundred (100) heads, the fee shall be ~~four hundred dollars (\$400.00)~~ **four hundred fifty dollars (\$450.00)**; for one hundred one (101) to and including two hundred (200) heads, the fee shall be ~~five hundred seventy-five dollars (\$575.00)~~ **six hundred twenty-five dollars (\$625.00)**; for two hundred one (201) to and including four hundred (400) heads, the fee shall be ~~nine hundred dollars (\$900.00)~~ **one thousand dollars (\$1,000.00)**; for four hundred one (401) to and including one thousand (1,000) heads, the fee shall be ~~one thousand four hundred dollars (\$1,400.00)~~ **one thousand five hundred dollars (\$1,500.00)**; for over one thousand (1,000) heads, the fee shall be ~~two thousand five hundred dollars (\$2,500.00)~~ **two thousand seven hundred fifty dollars (\$2,750.00)**.

The fee for the installation of an independent dedicated fire only/sprinkler water supply line shall be ~~four hundred fifty dollars (\$450.00)~~ **five hundred dollars (\$500.00)**.

The fee for each yard or private fire hydrant shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred dollars (\$300.00)**.

The fee for each standpipe shall be ~~four hundred fifty dollars (\$450.00)~~ **four hundred seventy-five dollars (\$475.00)**.

The fee for the installation of a fire pump shall be five hundred dollars (\$500.00) per pump.

The fee for each independent, pre-engineered system such as, but not limited to CO(2), Halon, foam, dry chemical or wet chemical shall be ~~two hundred seventy-five dollars (\$275.00)~~ **three hundred dollars (\$300.00)**.

The fee for each kitchen exhaust system in use group R-3, R-4 and R-5 shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**, for all other use groups the fee shall be ~~three hundred fifty dollars (\$350.00)~~ **four hundred dollars (\$400.00)**.

The fee for each gas or oil-fired appliance in a new structure or addition in use group R-3, R-4 and R-5 that is not connected to the plumbing system shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**, for all other use groups the fee

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shall be ~~one hundred twenty-five dollars (\$125.00)~~ one hundred fifty dollars (\$150.00). For replacement equipment in use group R-3, R-4 and R-5, see mechanical permit fees.

The fee for gas or solid fuel burning appliances, including fireplaces and chimney liners shall be one hundred fifty dollars (\$150.00) for all use groups except use group R-3, R-4 and R-5 where the fee shall be ~~ninety dollars (\$90.00)~~ one hundred dollars (\$100.00).

The fees for the installation, removal or abandonment of flammable or combustible liquid storage tanks and dispensing units or pumps associated with fueling operations shall be: For dispensing units or pumps, one hundred fifty dollars (\$150.00) per unit or nozzle. For new or replacement tank installation up to 10,000 gallons shall be five hundred dollars (\$500.00) per tank. For tanks exceeding 10,001 gallons the fee shall be seven hundred dollars (\$700.00) per tank.

The fee for the installation or replacement of Emergency/Exit signs in all Use Groups excluding R-3, R-4 or R-5, shall be as follows: one to ten units (1-10) one hundred dollars (\$100.00); eleven to twenty units (11-20), one hundred twenty-five dollars (\$125.00); twenty-one to thirty units (21-30), one hundred fifty dollars (\$150.00), over thirty units (30) shall be twenty-five dollars (\$25.00) per block of ten units (10).

For Emergency Responder Radio Systems, the fee for a survey review shall be one hundred dollars (\$100.00), and the inspection of the base system shall be two hundred fifty dollars (\$250.00).

The Township has established a Fire Sub-Code Plan Review fee to be charged where plan review by the Fire Sub-Code Official is mandated but no permit is required. This fee shall be one hundred dollars (\$100.00) except for R-3, R-4 and R-5, which shall be sixty-five dollars (\$65.00).

The fee for each incinerator and crematorium shall be three hundred dollars (\$300.00).

The fee for a permit for demolition, removal, abandonment or installation of an above-ground or underground storage tank under five hundred fifty (550) gallons shall be ~~eighty dollars (\$80.00)~~ one hundred dollars (\$100.00); for five hundred fifty-one (551) gallons to two thousand (2000) gallons shall be ~~one hundred fifty dollars (\$150.00)~~ one hundred seventy-five dollars (\$175.00); and for over two thousand one (2001) gallons shall be ~~three hundred fifty dollars (\$350.00)~~ three hundred seventy-five dollars (\$375.00).

The minimum permit fee for fire related devices and systems NOT Specifically named herein and any others not specifically included above shall be ~~one hundred dollars (\$100.00)~~ one hundred twenty-five (\$125.00) for all use groups except use groups R-3, R-4 and R-5 where the fee shall be ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00).

The minimum fire protection sub-code fee for all use groups shall be ~~one hundred dollars (\$100.00)~~ one hundred twenty-five (\$125.00) except use groups R-

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3, R-4 and R-5 where the minimum fire protection sub-code fee shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**.

- F. Mechanical Fees. Mechanical Sub-Code fees apply in existing structures of use group R-3, R-4 and R-5 as follows:

The fee for each piece of mechanical equipment or appliance such as wood fired, natural gas fired, oil fired or LPG fired boiler or furnace, fireplace or air-conditioning, shall be ~~ninety dollars (\$90.00)~~ **one hundred dollars (\$100.00)**, except that a water heater shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**. The first connection to natural gas piping or oil piping shall be ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)** with each additional connection an additional ~~twenty dollars (\$20.00)~~ **twenty-five dollars (\$25.00)**. Chimney liners, chimneys and vents shall be ~~ninety dollars (\$90.00)~~ **one hundred dollars (\$100.00)**. The fee for dryer venting shall be ~~fifty-five dollars (\$55.00)~~ **seventy-five dollars (\$75.00)**.

The fee for a kitchen exhaust hood is ~~seventy-five dollars (\$75.00)~~ **one hundred dollars (\$100.00)**.

- G. Fees for certificates and other permits are as follows:

The fee for the demolition or removal of a principal building or structure of all use groups shall be one thousand ~~five hundred dollars (\$1,500.00)~~ **two thousand dollars (\$2,000.00)** except for use groups R-3, R-4 and R-5 the fee shall be ~~five hundred fifty dollars (\$550.00)~~ **six hundred dollars (\$600.00)**. The fee for demolition or removal of an accessory structure used in conjunction with R-3 and R-5 shall be one hundred ~~twenty-five dollars (\$125.00)~~ **one hundred fifty dollars (\$150.00)**. **In addition to the permit fee, an escrow fee shall be paid and held by the Township in the amount of one thousand dollars (\$1,000.00) for Use groups R-3 and R-5 and two thousand dollars (\$2,000.00) for all other use groups.**

The fee for a permit to construct a sign shall be in the amount of ~~three dollars (\$3.00)~~ **three dollars fifty cents (\$3.50)** per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be one hundred ~~twenty-five dollars (\$125.00)~~ **one hundred fifty dollars (\$150.00)**. The fees for footings and foundations associated with the installation of ground signs shall be calculated under site construction under the building sub-code fees above.

The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be one thousand dollars (\$1,000.00) plus twenty eight dollars (\$28.00) per one thousand dollars (\$1,000.00) of estimated cost of moving the structure and the cost of construction of the new foundation and other costs relating to the placement of the structure in a completed condition in the new location. Any person or firm relocating a structure which entails crossing any Township right-of-way may be required by the Township Engineer to post surety in an amount calculated by the Township Engineer sufficient to defray the potential costs of damage which in his or her judgment may occur to the Township's right-of-way during the relocation. Any such person or firm desiring to relocate a structure which entails crossing or using any Township street shall also be required to obtain

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the approval of the Police Chief and Fire Chief or his or her designee prior to such crossing or use.

The fee for a certificate of occupancy for a new building of use group R-3, R-4 and R-5 shall be ~~three hundred fifty dollars (\$350.00)~~ **four hundred dollars (\$400.00)**; for a new building of use group R-2 and other multi-tenanted B or M buildings, a fee of ~~one thousand dollars (\$1,000.00)~~ **one thousand five hundred dollars (\$1,500.00)** shall be charged for the core and shell and each individual dwelling unit or tenant space shall pay a fee of ~~one hundred dollars (\$100.00)~~ **one hundred fifty dollars (\$150.00)** each; all other use groups shall be ~~five hundred dollars (\$500.00)~~ **six hundred dollars (\$600.00)**. The fee for a certificate of occupancy for an addition, alteration or reconstruction of use group R-3, R-4 and R-5 shall be ~~two hundred fifty dollars (\$250.00)~~ **three hundred dollars (\$300.00)**; for all other use groups shall be ~~three hundred dollars (\$300.00)~~ **four hundred dollars (\$400.00)**. The fee for a certificate of occupancy for an accessory structure used in conjunction with an R-3 and R-5 use group shall be ~~forty dollars (\$40.00)~~ **fifty dollars (\$50.00)**.

The fee for a certificate of occupancy granted pursuant to a change of use group shall be four hundred fifty dollars (\$450.00).

The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(e) shall be three hundred ~~fifty dollars (\$350.00)~~ **four hundred dollars (\$400.00)**.

The fee for the first issuance of a temporary certificate of occupancy shall be ~~one hundred dollars (\$100.00)~~ **thirty dollars (\$30.00)**; each renewal thereafter shall be one hundred fifty dollars (\$150.00).

1. Exception. There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at the time.
2. Exception. Where a written request for a temporary certificate of occupancy is made for reasons other than uncompleted work covered by the permit (such as uncompleted work required by prior approvals from state or municipal agencies), no renewal fee shall be charged.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be one hundred fifty dollars (\$150.00) for use groups R-3, R-4 and R-5 and ~~six hundred dollars (\$600.00)~~ **seven hundred fifty dollars (\$750.00)** for all other use groups.

The fee for a permit for lead hazard abatement work shall be one hundred forty dollars (\$140.00). The fee for a lead abatement clearance certificate shall be twenty-eight dollars (\$28.00). (Per N.J.A.C. 5:23-8.9.)

The fee for a permit for asbestos hazard abatement work shall be eighty-four dollars (\$84.00). The fee for a certificate of occupancy following the successful completion of an asbestos hazard abatement project shall be seventeen dollars (\$17.00). (per N.J.A.C. 5:23-8.9)

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The fee for a permit for radon hazard remediation in an existing structure shall be ~~fifty-five dollars (\$55.00)~~ **seventy-five dollars (\$75.00)** plus any applicable electrical permit fees.

For cross connections and backflow preventers that are subject to testing, requiring re-inspection annually, the fee shall be eighty-five dollars (\$85.00) each for the first five devices and twenty-five dollars (\$25.00) for each additional device in the same building.

All construction permits issued by the township construction code department are subject to a state of New Jersey surcharge fee to be based on the volume of the new construction or addition and/or the estimated value of the renovation, alteration or repair or a combination of the two as set forth in N.J.A.C. 5:23-4.19.

- H. All applications shall pay an administrative fee for scanning of documents. Such fee shall be ~~twenty dollars (\$20.00)~~ **twenty-five dollars (\$25.00)** for a project from use group R-3, R-4, or R-5 and ~~forty dollars (\$40.00)~~ **fifty dollars (\$50.00)** for all other uses. In addition, there shall be a five dollar (\$5.00) per page charge for accompanying drawings in excess of 12 inches × 18 inches.
- I. Zoning Review Fee. Unless otherwise provided, the fee for construction permit applications that require zoning review shall be ~~twenty-five dollars (\$25.00)~~ **fifty dollars (\$50.00)** for all residential applications and ~~fifty dollars (\$50.00)~~ **one hundred dollars (\$100.00)** for all non-residential applications, and shall be paid upon submittal of the application.
- J. There shall be special municipal trust fund established for all penalties collected by the enforcing agency. Such fund will be dedicated for use by the enforcing agency for items over and above what is supplied by the municipal budget to be used for additional education or training and/or new equipment, including a vehicle.
- K. **All fees set forth herein shall cover the cost of inspections. The fee for a reinspection, of the same type, of any subcode, after a second failure (third inspection), shall be \$75.00 for each subsequent inspection. The fee shall be paid to the Township prior to the inspection occurring.**
- L. **The fee for the reinstatement of a construction permit that has become invalid in accordance with the NJ Uniform Construction Code shall be one hundred dollars (\$100.00) per subcode, per outstanding permit, but shall not exceed four hundred dollars (\$400.00).**
- M. **No refund shall be given after forty-five days (45) of issuance of a permit. Prior to the forty-five days (45) of issuance, a twenty percent (20%) plan review cost of the permit will be held from the refund, along with any Zoning, Document Imaging and DCA fees.**
- N. **The fee for change of contractor shall be fifty dollars (\$50.00) [seventy-five \$75.00] per sub-code after the permit is issued.**

SECTION IV. 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.

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

SECTION V. 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 VI. 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
						John Foster						
						Margaret Illis						
						Bill Machado						
						Alvaro Medeiros						
						Andrew Moran						
						Susan Poage						
Introduced: May 19, 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						
Final Adoption: June 9, 2026												

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-11**

PUBLIC NOTICE is hereby given that the Ordinance entitled

AN ORDINANCE AMENDING THE FIRE PREVENTION FEES

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 **May 19, 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 **June 9, 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**