

Township of Berkeley Heights Union County, New Jersey

Township Council Public Meeting June 9, 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**
 1. Eagle Scout - Ruhaan Gokhale
 2. Community Energy Plan
 3. Proposed Ordinance – Banning Data Centers
- V. **REGULAR AGENDA**
- VI. **APPROVAL OF MINUTES**

Public Meetings: May 19, 2026
- VII. **ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

Ordinances Introduced on May 19, 2026

Ordinance 2026-11
AN ORDINANCE AMENDING THE FIRE PREVENTION FEES
- VIII. **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.

IX. 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-

190. Resolution approving Bill List dated June 9, 2026, in the amount of \$1,817,977.99.
191. Resolution authorizing the renewal applications for 2026-2027 Alcoholic Beverage Licenses.
192. Resolution granting "Active Use" status to Connell Hospitality, LLC., License No. 2001-44-003-010.
193. Resolution awarding a professional services contract to Neglia group for professional engineering services for the Oak Way Bridge Repair project.
194. Resolution authorizing a contract with National Water Main Cleaning for the repair of manholes & pipelines for the Township's Wastewater Treatment Plant pursuant to BuyBoard National Cooperative Purchasing Program.
195. Resolution authorizing a contract with National Water Main Cleaning to provide a sanitary sewer inflow and infiltration (I&I) study for the Township's Wastewater Treatment Plant.
196. Resolution authorizing a contract with National Water Main Cleaning to provide emergency pipeline repair services for the Township's Wastewater Treatment Plant.
197. Resolution amending Resolution 2026-64 which awarded a contract to GenServe, Inc. for Preventative Maintenance/Repair of Emergency Generators for the Wastewater Treatment Plant to extend the contract term through December 31, 2026.
198. Resolution further amending Resolution 2025-209 which awarded a contract to Process Equipment Sales and Service, Inc. for the replacement of mixer units at the Wastewater Treatment Plant to increase the contract not to exceed amount.

199. Resolution amending the contract with De Block Environmental Services, LLC for Licensed Collection System Operator (C2) Services, to increase the contract not to exceed amount.
200. Resolution awarding a contract to Rapid Pump & Meter Service, for the provision of Peracetic Acid (PAA) System Repair services for the Wastewater Treatment Plant, in an amount not to exceed \$178,590.00, for a period from June 10, 2026, through December 31, 2026.
201. Resolution authorizing the purchase of a dump truck through the New Jersey State Cooperative Purchasing Contract #24-FLEET-95503 for the total amount of \$118,980.00.
202. Resolution authorizing the purchase of two (2) 2026 Chevrolet Tahoe vehicles for the police department, through the New Jersey State Cooperative Purchasing Contract #26-FLEET-129165 for the total amount of \$112,680.40.
203. Resolution authorizing the purchase of APX NEXT portable radios with accessories for the police department, through the New Jersey State Cooperative Purchasing Contract #25-TELE-132995 for the total amount of \$76,577.18.
204. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for Clean Communities Grant (2026).
205. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for 2017 Preserve Union County Grant.
206. Resolution establishing an annual sewer billing rate for tax-exempt properties.
207. Resolution authorizing the application for the New Jersey Urban and Community Forestry (NJUCF) Stewardship Grant - Canopy Maintenance 2026.
208. Resolution authorizing the refund of tax overpayments for various properties within the Township.
209. Resolution authorizing an agreement with the County of Union to modify the Cooperative Agreement.
210. Resolution authorizing the Clerk to proceed with going out to bid in accordance with New Jersey Local Contracts Law N.J.S.A. 40:11-1 et seq. for stream cleaning.
211. Resolution authorizing a fireworks display on July 16, 2026, at Mount Carmel Field.

212. Resolution appointing Brett Siksnius to the active roster of the Berkeley Heights Volunteer Fire Department.
213. Resolution authorizing the cancellation of certain unexpended improvement authorization balances in the General Capital Fund.
214. Resolution authorizing the submission of an application to the New Jersey Department of Transportation’s Local Transportation Projects Fund Grant Program 2026.
215. Resolution authorizing the submission of an application to the New Jersey Department of Transportation’s Local Aid Infrastructure Fund (LAIF) GRANTS Program FY26.
216. Resolution authorizing the submission of an application to the New Jersey Department of Transportation’s Safe Streets and Roads for All (SS4A) Grants Program FY27.
217. Resolution authorizing the submission of an application to the New Jersey Department of Transportation’s Bikeways Grant Program FY27.
218. Resolution authorizing the application to the FY2025 Assistance to Firefighters Grant (AFG) Program of the Federal Emergency Management Agency.
219. Resolution approving the Special Use Permit application submitted by Patria Station Café for their Patria World Cup Experience 2026.
220. Resolution of the Township of Berkeley Heights, in the County of Union, New Jersey, designating a redeveloper and authorizing the execution of a redevelopment agreement for the property known as Block 702, Lots 4 and 6 and a portion of Block 702, Lot 17.01 on the tax map of the Township.

X. ORDINANCES FOR INTRODUCTION

Public Hearing and Final Adoption scheduled for June 30, 2026.

Ordinance 2026-12

ORDINANCE APPROPRIATING \$145,000.00 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY.

XI. 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

XII. EXECUTIVE SESSION

1. Personnel

XIII. ADJOURNMENT

Angela Lazzari, Township Clerk

**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/</u> Professional 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/</u> Professional 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
UNION COUNTY, NEW JERSEY**

	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. 5,0001 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
UNION COUNTY, NEW JERSEY**

	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
UNION COUNTY, NEW JERSEY**

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
UNION COUNTY, NEW JERSEY**

- 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),**

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

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

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

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

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

(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)**.

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

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

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

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

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

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-

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

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

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

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)

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

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
X		X				John Foster						
		X				Margaret Illis						
		X				Bill Machado						
	X	X				Alvaro Medeiros						
		X				Andrew Moran						
		X				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**

TOWNSHIP OF BERKELEY HEIGHTS

NOTICE OF FINAL ADOPTION

ORDINANCE 2026-11

AN ORDINANCE AMENDING THE FIRE PREVENTION FEES

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 June 9, 2026.

**Angela Lazzari, RMC
Township Clerk**

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

RESOLUTION

BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated **6/9/2026**, in the amount of **\$1,817,977.99** 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 9th day of June, 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 renewal application for 2026-2027 Alcoholic Beverage Licenses in proper form, together with the appropriate license fees, have been received from the following:

<u>PLENARY RETAIL CONSUMPTION LICENSE:</u>	<u>LICENSE NUMBER</u>
Druid Associates, LLC 279 Springfield Avenue	#2001-33-007-004
D Heights LLC 428 Springfield Avenue	#2001-33-005-009
Giovanis Bistro, LLC 449 Springfield Avenue	#2001-33-004-008
Nagomi Japanese Bar and Grill LLC 538 Springfield Avenue	#2001-33-006-010
Connell Hospitality LLC (INACTIVE)	#2001-33-009-004
<u>PLENARY RETAIL DISTRIBUTION LICENSES:</u>	
Sadal Wines Inc. 440-442 Springfield Avenue	#2001-44-001-004
Minio Group – Vine Republic 500 Springfield Avenue	#2001-44-002-009
<u>CLUB LICENSES:</u>	
Our Lady of Mount Carmel Society 56 River Road	#2001-31-011-001
Veterans of Foreign Wars Post 6259 15 Locust Avenue	#2001-31-013-001
<u>HOTEL/MOTEL LICENSE:</u>	
Connell Hospitality LLC Embassy Suites by Hilton 250 Connell Drive	#2001-36-014-002

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, that the aforementioned Alcoholic Beverage Licenses are hereby renewed for a period of one (1) year **expiring June 30, 2027**. Copies of this Resolution are to be forwarded to the Alcoholic Beverage Control Commission.

Approved this 9th day of June, 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 GRANTING "ACTIVE USE" STATUS TO CONNELL HOSPITALITY, LLC., LICENSE NO. 2001-44-003-010

WHEREAS, Connell Hospitality LLC ("Connell") is the owner of License No. 2001-44-003-010 (the "License"), which has not been actively operated in connection with a licensed premises for at least two (2) consecutive license terms;

WHEREAS, the License may be subject to expiration at the end of the current license term, unless this Governing Body determines that the License is being "actively used" by Connell; and

WHEREAS, N.J.S.A. 33:1-12.39(c) provides three options an owner of an otherwise inactive license may take to prevent the expiration of the license, one of which is to take steps to "actively use" the License; and

WHEREAS, the State Division of Alcoholic Beverage Control issued Advisory Notice "AN 2025-01" which explains what might be considered "active use" of an otherwise inactive license and provides factors for a municipality to consider and balance on a case-by-case basis in determining whether such license is in "active use"; and

WHEREAS, on May 19, 2026, Connell Hospitality, LLC submitted a letter to the Berkeley Heights Township Clerk outlining the steps taken towards actively using the License and why such steps are consistent with the factors set forth in the Advisory Notice for the License to be determined to be in "active use" (the "Letter"); and

WHEREAS, the Governing Body has reviewed: (a) N.J.S.A. 33:1-12.39(c), (b) the Letter, and (c) Advisory Notice "AN 2025-01".

NOW THEREFORE BE IT RESOLVED that after review of the Letter and the factors identified in Advisory Notice AN 2025-01, and based on the expectation of active use of the License in the future, the Governing Body finds that Connell Hospitality LLC has taken sufficient steps toward the active use of the License such that the License shall be deemed in "actively used" for purposes of N.J.S.A. 33:1-12.39(c).

BE IT FURTHER RESOLVED that the Governing Body does hereby grant "active use" status to Connell Hospitality LLC License No. 2001-44-003-010; and

BE IT FURTHER RESOLVED that a true copy of this Resolution shall be provided to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey; the licensee; and the licensee's counsel and shall be maintained in the municipality as a permanent record.

Approved this 9th day of June, 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 AWARDING A PROFESSIONAL SERVICES CONTRACT TO NEGLIA GROUP FOR
PROFESSIONAL ENGINEERING SERVICES FOR THE OAK WAY BRIDGE REPAIR PROJECT**

WHEREAS, the Township of Berkeley Heights is in need of contracting for professional engineering services, including surveying, engineering, permitting and bid phase services for the **Oak Way Bridge Repair** project; and

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

WHEREAS, on January 7, 2026, Neglia Group was deemed qualified to provide professional general engineering services to the Township of Berkeley Heights as part of a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5; and

WHEREAS, Neglia Group has provided proposal dated June 2, 2026, to provide professional engineering services, including surveying, engineering, permitting and bid phase services for the **Oak Way Bridge Repair** project.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey that the Mayor is hereby authorized to execute to an agreement with Neglia Group for professional engineering services, including surveying, engineering, permitting and bid phase services for the **Oak Way Bridge Repair** project, at a fee **not to exceed \$155,980.00**, pursuant to their proposal dated June 2, 2026.

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

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount **not to exceed \$155,980.00** from account # **C-04-26-007-E02, Ord 26-07 - Engineer - Oak Way Bridge**.

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

Approved this 9th day of June, 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

**AUTHORIZING A CONTRACT WITH NATIONAL WATER MAIN CLEANING FOR THE REPAIR OF
MANHOLES & PIPELINES FOR THE TOWNSHIP'S WASTEWATER TREATMENT PLANT
PURSUANT TO BUYBOARD NATIONAL COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Wastewater Treatment Plant for the Township of Berkeley Heights is in need of services for the rehabilitation/repair of manholes & pipelines; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of such services from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, National Water Main Cleaning has been awarded **Contract No. 730-24**, Cured in Place (CIPP) for Pipeline Rehabilitation (Thermo-Cured-Products), and **Contract No. 731-24**, Cured in Place (CIPP) for Pipeline Rehabilitation (Ultraviolet-Light-Cured-Products), as part of the BuyBoard National Purchasing Program, also known as BuyBoard, for the provision of certain goods and services inclusive of rehabilitation/ repair of manholes & pipelines.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey do hereby authorize a contract with **National Water Main Cleaning** of 1806 Newark Turnpike, Kearny, NJ 07032, for the rehabilitation/repair of manholes & pipelines, pursuant to BuyBoard National Purchasing Program Contract No. 730-24, Cured in Place (CIPP) for Pipeline Rehabilitation (Thermo-Cured-Products), and Contract No. 731-24, Cured in Place (CIPP) for Pipeline Rehabilitation (Ultraviolet-Light-Cured-Products), in an amount not to exceed **\$534,453.20**.

BE IT FURTHER RESOLVED that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available for the purposes set forth herein in an amount not to exceed **\$534,453.20** from account # **C-04-26-007-C04 - Ord 26-07 - Sewer - Pipes & manholes**.

Approved this 9th day of June, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

**RESOLUTION AUTHORIZING A CONTRACT WITH NATIONAL WATER MAIN CLEANING TO PROVIDE A
SANITARY SEWER INFLOW AND INFILTRATION (I&I) STUDY FOR THE TOWNSHIP’S WASTEWATER
TREATMENT PLANT**

WHEREAS, the Township of Berkeley Heights (the “Township”) Wastewater Treatment Plant is in need of an Inflow and Infiltration (I&I) study to identify areas of sanitary sewer pipeline in need of repair; and

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

WHEREAS, **National Water Main Cleaning**, 1806 Newark Turnpike, Kearny, NJ 07032 provided a proposal dated June 1, 2026, to provide Inflow and Infiltration (I&I) study services for the Township of Berkeley Heights Wastewater Treatment Plant; and

WHEREAS, the Township Council wishes to award a contract to **National Water Main Cleaning** for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$164,723.04**.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorizes the Mayor and Township Clerk to execute a contract with **National Water Main Cleaning** to provide Inflow and Infiltration (I&I) study services for the Township of Berkeley Heights Wastewater Treatment Plant, for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$164,723.04**, pursuant to their proposal dated June 1, 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 **\$164,723.04** from account # **C-04-26-007-C03, Ord 26-07 - Sewer - I&I Study**.

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

Approved this 9th day of June, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

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

RESOLUTION

RESOLUTION AUTHORIZING A CONTRACT WITH NATIONAL WATER MAIN CLEANING TO PROVIDE EMERGENCY PIPELINE REPAIR SERVICES FOR THE TOWNSHIP’S WASTEWATER TREATMENT PLANT

WHEREAS, the Township of Berkeley Heights (the “Township”) Wastewater Treatment Plant is in need of emergency pipeline repair services; and

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

WHEREAS, **National Water Main Cleaning**, 1806 Newark Turnpike, Kearny, NJ 07032 provided a proposal dated May 29, 2026, to provide emergency pipeline repair services for the Township of Berkeley Heights Wastewater Treatment Plant; and

WHEREAS, the Township Council wishes to award a contract to **National Water Main Cleaning** for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$19,956.39**.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorizes the Mayor and Township Clerk to execute a contract with **National Water Main Cleaning** to provide emergency pipeline repair services for the Township of Berkeley Heights Wastewater Treatment Plant, for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$19,956.39**, pursuant to their proposal dated May 29, 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 **\$19,956.39** from account # **C-04-26-007-C04 - Ord 26-07 - Sewer - Pipes & manholes**.

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

Approved this 9th day of June, 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 2026-64

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 Morris County Cooperative Pricing Council have awarded contracts to various vendors as lowest responsible, responsive bidders for Regional Cooperative Pricing contracts; and

WHEREAS, the Township of Berkeley Heights requires the provision of **Preventative Maintenance/Repair of Emergency Generators** for the Wastewater Treatment Plant; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the procurement of tree removal and related services from an authorized vendor under the Morris County Cooperative Pricing System; and

WHEREAS, the Township of Berkeley Heights is a member of Morris County Cooperative Purchasing System; and

WHEREAS, GenServe, Inc., 75A Twinbridge Drive, Pennsauken, NJ 08110, has been awarded Contract #46 as part of the Morris County Cooperative Pricing System for the provision of Preventative Maintenance/Repair of Emergency Generators, for a period expiring **December 31, 2026** ~~June 30, 2026~~; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the Morris County Cooperative Pricing Contract #46, the Township wishes to enter into an agreement with GenServe, Inc. for the of Preventative Maintenance/Repair of Emergency Generators.

NOW, THEREFORE BE IT RESOLVED that the Township Council, of the Township of Berkeley Heights, County of Union, authorize a contract award to GenServe, Inc., for the provision of Preventative Maintenance/Repair of Emergency Generators, in an amount not to exceed \$60,000.00.

BE IT FURTHER RESOLVED that the Purchasing Agent is hereby authorized to take whatever actions are necessary to implement the above-described purchase and installation and effectuate prompt payment to GenServe, Inc.

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 \$60,000.00 from account # 6-01-26-295-028 – Sewer – Professional Services, subject to the approval of the 2026 Budget.

BE IT FURTHER RESOLVED that this resolution shall be ratified back to January 7, 2026.

Approved this 9th day of June, 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 2025-209 WHICH AUTHORIZED A CONTRACT WITH
PROCESS EQUIPMENT SALES AND SERVICE, INC. FOR THE REPLACEMENT OF MIXER UNITS AT THE
WASTEWATER TREATMENT PLANT**

WHEREAS, on June 26, 2025, the Township of Berkeley Heights adopted Resolution 2025-209, authorizing a contract award to Process Equipment Sales and Service, Inc., for the replacement of three (3) mixers at the Wastewater Treatment Plant, in an amount not to exceed \$223,000.00; and

WHEREAS, on October 7, 2025, the Township of Berkeley Heights adopted Resolution 2025-301, amending the contract with Process Equipment Sales and Service, Inc. to reflect an increase of \$4,090.00 in the contract award amount, bringing the amended total amount to \$227,090.00; and

WHEREAS, the Township wishes to further amend Resolution 2025-209 to reflect an increase of \$5,650.00 in the contract not to exceed amount, bringing the amended total amount not to exceed \$232,740.00.

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 PROCESS EQUIPMENT SALES AND SERVICE, INC., for the replacement of three (3) mixers at the Wastewater Treatment Plant to reflect the amended total cost, not to exceed \$232,740.00.
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 \$5,650.00**, with the account number to be charged: **C-04-24-017-100, Ord 17-24 Wastewater Plant Improvements.**

Approved this 9th day of June, 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 THE CONTRACT WITH DE BLOCK ENVIRONMENTAL SERVICES, LLC FOR LICENSED COLLECTION SYSTEM OPERATOR (C2) SERVICES

WHEREAS, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-30, awarding a professional services agreement to De Block Environmental Services, LLC for Licensed Collection System Operator Services for an amount not to exceed \$10,000.00; and

WHEREAS, the Township wishes to amend Resolution 2026-30 to reflect an increase of \$25,000.00 in the contract not to exceed amount, bringing the amended total amount not to exceed \$35,000.00.

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 De Block Environmental Services, LLC for Licensed Collection System Operator Services to reflect the amended total cost, not to exceed **\$35,000.00**.
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 be ratified back to January 7, 2026.

BE IT FURTHER RESOLVED, that the Chief Financial Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds will be available in an amount **not to exceed \$25,000.00**, from account # **6-01-26-295-028, Sewer Plant - Professional Services**.

Approved this 9th day of June, 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 Township of Berkeley Heights (the "Township") requires Peracetic Acid (PAA) System Repair services for the Wastewater Treatment Plant; and

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

WHEREAS, **Rapid Pump & Meter Service Co.**, P.O. Box AY, 285 Straight Street, Paterson, NJ 07509, provided a proposal dated May 8, 2026, to provide Peracetic Acid (PAA) System Repair services for the Township of Berkeley Heights Wastewater Treatment Plant; and

WHEREAS, the Township Council wishes to award a contract to **Rapid Pump & Meter Service Co.** for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$178,590.00**.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorizes the Mayor and Township Clerk to execute a contract with **Rapid Pump & Meter Service Co.** for Peracetic Acid (PAA) System Repair services for the Wastewater Treatment Plant, for the term of June 10, 2026 through December 31, 2026, for an amount **not to exceed \$178,590.00**.

BE IT FURTHER RESOLVED, that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$178,590.00** from the following accounts:

Account Number	Amount	Description
C-04-22-009-101	0. 71	Ord 09-22 Sewer Replace. of Equip. Soft
C-04-24-017-100	12,589.29	Ord 17-24 Wastewater Plant Improvements
C-04-26-007-C01	166,000.00	Ord 26-07 - Sewer - PAA Building
TOTAL:	\$178,590.00	

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

Approved this 9th day of June, 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 Township of Berkeley Heights, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29, may by resolution and without advertising for bids, purchase any goods and services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Berkeley Heights Department of Public Works has the need to purchase a dump truck, specifically a 2027 F-750 Gas Regular Cab Base; and

WHEREAS, Route 23 Auto Mall, LLC 1301 Route 23 South, Butler, NJ 07405 has been awarded Contract # 24-FLEET-95503, T3063 under the State Contract for Universal Truck, 19,500 lb. GVWR Crew Cab & Chassis, DRW, 4WD, with Various Bodies, for a period expiring December 12, 2027; and

WHEREAS, the Township of Berkeley Heights intends to purchase a 2027 F-750 Gas Regular Cab Base (F7A) from Route 23 Auto Mall, LLC, through this resolution, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts.

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 the Director of the Department of Public Works to purchase a 2027 F-750 Gas Regular Cab Base (F7A) through the New Jersey State Cooperative Purchasing Contract #24-FLEET-95503 for the total amount of \$118,980.00 pursuant to all conditions of the individual State contracts.

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 \$118,980.00 from account C-04-26-007-A04, Ord 26-07 - DPW - Dump truck.

Approved this 9th day of June, 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 Township of Berkeley Heights, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29, may by resolution and without advertising for bids, purchase any goods and services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Berkeley Heights Police Department has the need to purchase two (2) police vehicles, specifically two 2026 Chevrolet Tahoe vehicles; and

WHEREAS, Gentilini Chevrolet LLC, 550-555 John S, Penn Blvd, Woodbine, NJ 08270 has been awarded Contract # 26-FLEET-129165, under the State Contract for T2776 Police Pursuit and Special Service Vehicles: SUVs, Trucks, for a period expiring February 9, 2029; and

WHEREAS, the Township of Berkeley Heights intends to purchase two (2) 2026 Chevrolet Tahoe Admin 9C1 4WD vehicles from Gentilini Chevrolet LLC, through this resolution, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts.

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 the Police Chief to purchase two (2) 2026 Chevrolet Tahoe Admin 9C1 4WD vehicles through the New Jersey State Cooperative Purchasing Contract #26-FLEET-129165 for the total amount of **\$112,680.40** pursuant to all conditions of the individual State contracts.

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 **\$112,680.40** from account **C-04-26-007-B01, Ord 26-07 - Police - Vehicles**.

Approved this 9th day of June, 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 Township of Berkeley Heights, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29, may by resolution and without advertising for bids, purchase any goods and services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Berkeley Heights Police Department has the need to purchase APX NEXT portable radios with accessories; and

WHEREAS, Motorola Solutions, Inc., has been awarded Contract #25-TELE-132995, under the State Contract for T0109 - Radio Communication Equipment and, for a period expiring April 30, 2031; and

WHEREAS, the Township of Berkeley Heights intends to purchase APX NEXT portable radios with accessories from Motorola Solutions, Inc., 123 Tices Boulevard, Woodcliff Lake, NJ 07677, through this resolution, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts.

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 the Police Chief to purchase APX NEXT portable radios with accessories through the New Jersey State Cooperative Purchasing Contract #25-TELE-132995 for the total amount of **\$76,577.18** pursuant to all conditions of the individual State contracts.

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 **\$76,577.18** from the following accounts:

Account Number	Amount	Description
C-04-26-007-B02	\$75,000.00	Ord 26-07 Police-Radios
C-04-20-009-312	954.95	Ord 9-2020 Police Radio Comm
6-01-25-240-026	622.23	PD Communications
TOTAL:	\$76,577.18	

Approved this 9th day of June, 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 CLEAN COMMUNITIES GRANT (2026)**

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 \$32,225.70 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:

Clean Communities Grant (2026)

BE IT FURTHER RESOLVED, that a like sum of \$32,225.70 is hereby appropriated under the caption of:

General Appropriations:

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

Clean Communities Grant (2026)

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 9th day of June, 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 2017 PRESERVE UNION COUNTY GRANT**

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township of Berkeley Heights hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget for the year 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:

2017 Preserve Union County

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

2017 Preserve Union County

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 9th day of June, 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 ESTABLISHING AN ANNUAL SEWER BILLING RATE FOR TAX-EXEMPT
PROPERTIES**

WHEREAS, as per section 12.12.280 of the Berkeley Heights Municipal Code, the Township Council is required to set an annual sewer rate for properties within the Township that are exempt from the imposition of local real estate property taxes; and

WHEREAS, for the year 2025, after taking into account the 2024 municipal budget and amount of flow the tax-exempt users collectively send to the Berkeley Heights Water Control Pollution Plant every year, that rate is calculated is **\$898.10 per equivalent dwelling unit (EDU)**.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Berkeley Heights, that the 2025 municipal sewer billing rate for tax-exempt properties is **\$898.10 per EDU**.

BE IT FURTHER RESOLVED, that for any tax-exempt properties consisting of more than one EDU, the 2025 sewer bill shall multiply **\$898.10** times the number of EDUs for each property, for a total amount due from that property owner for the year.

Approved this 9th day of June, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

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

RESOLUTION

Resolution Authorizing the Application for the New Jersey Urban and Community Forestry (NJUCF) Stewardship Grant - Canopy Maintenance 2026

WHEREAS, the New Jersey Forest Service’s Urban and Community Forestry Program provides financial assistance in the form of grants to counties and municipalities statewide to assist in implementing their local management plans for trees and forests; and

WHEREAS, the Township of Berkeley Heights desires to apply for the \$25,000.00 NJUCF Stewardship Grant for the removal of up to 85 dead trees on Township property; and

WHEREAS, the NJUCF Stewardship grant requires a 25% match, which can be met through cash or in-kind methods.

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

1. The Township Administrator, on behalf of the Township of Berkeley heights, is hereby authorized to submit an application to the NJ Urban and Community Forestry Program requesting grant funding in the amount of \$25,000.00 from the New Jersey Urban and Community Forestry (NJUCF) Stewardship Grant - Canopy Maintenance 2026 for the removal of up to 85 dead trees on Township property with an in-kind match of \$6,250.00.
2. Upon notification of the receipt of the grant award in connection with this application, the grant is hereby accepted.
3. Upon notification of the receipt of the grant award in connection with this application, the Mayor and/or her designee is hereby authorized to enter into and execute grant documents with the NJ Urban and Community Forestry Program to receive and expend the grant award for the above-referenced purpose.
4. Mayor and Council hereby authorize and agree to an in-kind match of 25% of the Total Project Amount, in compliance with the match requirements of the grant agreement.

Approved this 9th day of June, 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
2103/10	52 COOLIDGE DR	TRIDENT LAND TRANSFER CO. LLC	\$4,636.45	2026	2
3303/14.10	2 LILLIAN COURT	COTALITY	\$6,410.06	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

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF BERKELEY HEIGHTS TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS AMENDED JULY 2017

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnerships program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Berkeley Heights and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Berkeley Heights that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 2014, as amended July 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2026-2027 of the Union County Community Development Block Grant program, the HOME Investment Partnerships program, and the Emergency Solutions Grants program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

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

Approved this 9th day of June, 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 Township of Berkeley Heights desires to clear debris out of several Township-owned waterways to better effectuate water flow and attempt to mitigate flooding; and

WHEREAS the Township has budgeted funds in its 2026 Municipal budget for these stream-cleaning efforts; and

WHEREAS, the Township wishes to receive bids for the cleaning of several streams owned by the Township.

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Berkeley Heights authorizes the Clerk to proceed with going out to bid in accordance with New Jersey Local Contracts Law N.J.S.A. 40:11-1 et seq. for stream cleaning.

Approved this 9th day of June, 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, Garden State Fireworks has requested permission to hold the following fireworks displays on **July 16, 2026**, at **Mount Carmel Field**; and

- Parade Fireworks - between 7:00 a.m. and 11:00 a.m., to accompany the parade
- Evening Fireworks – to conclude by 11:00 p.m.

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

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

BE IT FURTHER RESOLVED In the event of rain this resolution will be extended for 10 days; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Garden State Fireworks, Fire Department, Rescue Squad, and Police Department.

Approved this 9th day of June, 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 May 23, 2026.

<u>Name</u>	<u>Appointment</u>	<u>Roster</u>
Brett Siksnius	Volunteer Fire Department	Active

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

Approved this 9th day of June, 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 CANCELLATION OF CERTAIN UNEXPENDED
IMPROVEMENT AUTHORIZATION BALANCES IN THE GENERAL CAPITAL FUND**

WHEREAS, there exist unexpended balances in certain improvement authorizations in the General Capital Fund; and

WHEREAS, it as been determined that these projects have been completed and that the funds are no longer needed.

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

<u>Ordinance No.</u>	<u>Funded</u>
07-2019/16-2019/06-2020	\$140,956.02

Approved this 9th day of June, 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 SUBMISSION OF AN APPLICATION TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION'S
LOCAL TRANSPORTATION PROJECTS FUND GRANT PROGRAM 2026

WHEREAS, the Township of Berkeley Heights desires to improve transit access, walkability, safety, and livability within our community by obtaining a grant from the New Jersey Department of Transportation (NJDOT) through the 2026 Local Transportation Projects Fund Grant for the for the Springfield and Summit Ave Traffic Light Replacement Project; and,

WHEREAS, the New Jersey Department of Transportation Local Transportation Project is a program of the NJ DOT which provides funds to governmental entities so they may substantially improve the safety and usability of local transportation infrastructure; and,

WHEREAS, this is no match requirement from the Township for this grant program; and

WHEREAS, the Township of Berkeley Heights has worked diligently to implement projects that improve the accessibility, safety, use and maintenance of the area's roadways and public transportation; and,

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Berkeley Heights, State of New Jersey, formally authorize submission of the electronic grant application identified as **LTPF-Berkeley Heights Township-00086** to the New Jersey Department of Transportation for funding under the Local Transportation Projects Fund Program on behalf of the Township of Berkeley Heights. Certified as a true copy of the Resolution adopted by the Council on this 9th day of June 2026.

BE IT FURTHER RESOLVED that the Mayor and/or her designee are hereby authorized to sign the grant agreement on behalf of the Township of Berkeley Heights and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor or designee)

Approved this 9th day of June, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S LOCAL AID INFRASTRUCTURE FUND (LAIF) GRANTS PROGRAM FY26

WHEREAS, the Township of Berkeley Heights, County of Union, and State of New Jersey, will submit a grant application to the FY2026 New Jersey Department of Transportation's (NJDOT) Local Aid Infrastructure Grant Program; and

WHEREAS, the Township desires to apply these funds to the Oak Way Bridge Emergency Repair Project.; and

WHEREAS, there is no local match required of this grant program; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Berkeley Heights, State of New Jersey, formally authorize submission of the electronic grant application identified as **LAIF-Berkeley Heights Township-00119** to the New Jersey Department of Transportation for funding under the Local Aid Infrastructure Fund (LAIF) Grants Program on behalf of the Township of Berkeley Heights. Certified as a true copy of the Resolution adopted by the Council on this 9th day of June 2026.

BE IT FURTHER RESOLVED that the Mayor and/or her designee are hereby authorized to sign the grant agreement on behalf of the Township of Berkeley Heights and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor or designee)

Approved this 9th day of June, 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 SUBMISSION OF AN APPLICATION TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION'S
SAFE STREETS AND ROADS FOR ALL (SS4A) GRANTS PROGRAM FY27

WHEREAS, the Township of Berkeley Heights, County of Union, and State of New Jersey, will submit a grant application to the New Jersey Department of Transportation's (NJDOT) Safe Streets and Roads for All (SS4A) Grants Program FY27; and

WHEREAS, the Township desires to apply these funds for the for the Sherman Avenue Revitalization Project, Phase III; and

WHEREAS, there is no local match required of this grant program.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Berkeley Heights, State of New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Council of Berkeley Heights, State of New Jersey, formally authorize submission of the electronic grant application identified as **SST-2027-Berkeley Heights Township-00015** to the New Jersey Department of Transportation for funding under the Safe Streets and Roads for All (SS4A) Grants Program on behalf of the Township of Berkeley Heights. Certified as a true copy of the Resolution adopted by the Council on this 9th day of June 2026.

BE IT FURTHER RESOLVED that the Mayor and/or her designee are hereby authorized to sign the grant agreement on behalf of the Township of Berkeley Heights and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor or designee)

Approved this 9th day of June, 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 SUBMISSION OF AN APPLICATION TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION'S BIKEWAYS GRANT PROGRAM FY27**

WHEREAS, the Township of Berkeley Heights, County of Union, and State of New Jersey, will submit a grant application to the New Jersey Department of Transportation's (NJDOT) Bikeways Grant Program FY27; and

WHEREAS, the Township desires to apply these funds for the for the Sherman Avenue Revitalization Project, Phase III; and

WHEREAS, there is no local match required of this grant program.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Berkeley Heights, State of New Jersey, formally authorize submission of the electronic grant application identified as **BIKE-2027-Berkeley Heights Township-00009** to the New Jersey Department of Transportation for funding under the Bikeways Grant Program FY27 on behalf of the Township of Berkeley Heights. Certified as a true copy of the Resolution adopted by the Council on this 9th day of June 2026.

BE IT FURTHER RESOLVED that the Mayor and/or her designee are hereby authorized to sign the grant agreement on behalf of the Township of Berkeley Heights and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor or designee)

Approved this 9th day of June, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

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

RESOLUTION

RESOLUTION AUTHORIZING THE APPLICATION TO THE FY2025 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

WHEREAS, the governing body of the Township of Berkeley Heights, County of Union, desires to further the public interest by obtaining a grant from the Assistance to Firefighters Grant (AFG) program for municipalities from the Federal Emergency Management Agency (FEMA) in the amount up to \$150,000; and

WHEREAS, the money will be used to purchase equipment for the BH Volunteer Fire Department, such as radios and personal protective equipment (PPE); and

WHEREAS this grant requires a 5% match from the Township, which is the equivalent of \$7,500.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Berkeley Heights does hereby authorize the Township Administrator to make application for such a grant; and for the Township Administrator and Chief of the Berkeley Heights Volunteer Fire Department to execute any amendments thereto and expend the funds, pursuant to the fully executed grant agreement.

BE IT FURTHER RESOLVED that the Mayor and Township Administrator are hereby authorized to sign the grant agreement on behalf of the Township of Berkeley Heights and that their signature constitutes acceptance of the terms and conditions of the FEMA AFG grant agreement and approves the execution of the grant agreement.

BE IT FURTHER RESOLVED that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$7,500.00** from account # **C-04-26-007-D01, Ord 26-07 - Fire - Equipment**.

Approved this 9th day of June, 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 Township of Berkeley Heights is creating a fun, family-friendly lineup of events that will bring neighbors, businesses, students, and soccer fans together all summer long in celebration of the FIFA 2026 World Cup, which will be the largest World Cup in history, expanding from 32 to 48 national teams, with a total of 104 matches played across 16 cities in North America; and

WHEREAS, the Township of Berkeley Heights is authorized, pursuant to Article 17.12, to permit, through the issuance of a Special Use Permit, activities for a limited period of time, under very specific conditions, which activities may be otherwise prohibited by other provisions of foresaid ordinance; and

WHEREAS, Patria Station Café, located at 128 Station Street, has filed with the Township Clerk, a Special Use Permit application, along with application documentation and required fees, for their Patria World Cup Experience 2026 to be held in the parking lot adjacent to the Café, across the street from the train station; and

WHEREAS, from June 11th through July 19th, in coordination with the World Cup matches, the Patria World Cup Experience 2026 would include activities such as outdoor viewing of World Cup matches on a large screen, family-friendly entertainment & activities, cultural entertainment/ performances, Food and beverage vendors, soccer-themed activities for children, and special guests and community celebrations; and

WHEREAS, these activities would be held between the hours of 9:00 AM and 10:00 PM, with limited extensions for late matches, including Argentina's third match; and

WHEREAS, this Special Use Permit application has been reviewed by the appropriate Township departments, pursuant to Article 17.12, and all programming will be conducted in accordance with Township approvals, and any conditions and applicable regulations.

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Berkeley Heights does hereby approve the application for a Special Use Permit as submitted by Patria Station Café and authorizes the Township Clerk to issue same.

Approved this 9th day of June, 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 OF THE TOWNSHIP OF BERKELEY
HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY,
DESIGNATING A REDEVELOPER AND AUTHORIZING
THE EXECUTION OF A REDEVELOPMENT
AGREEMENT FOR THE PROPERTY KNOWN AS BLOCK
702, LOTS 4 AND 6 AND A PORTION OF BLOCK 702, LOT
17.01 ON THE TAX MAP OF THE TOWNSHIP**

WHEREAS, the Township of Berkeley Heights (the “**Township**”) is a political subdivision of the State of New Jersey, located in the County of Union; and

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

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

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

WHEREAS, on behalf of the Township and pursuant to the Redevelopment Law, Harbor Consultants (the “**Planning Consultant**”) prepared a redevelopment plan for a portion of the Redevelopment Area consisting of Block 702, Lots 4 and 6, as well as a portion of Block 702, Lot 17.01 (which was then known as Lot 17 and declared an “area in need of redevelopment” by the Township Council by adoption of Resolution No. 274-2016, and subsequently subdivided into Lot 17.01 per the minor subdivision application approved by the Planning Board on January 13, 2021 and recorded by subdivision deed dated December 10, 2021) (collectively, the “**Project Site**”), entitled “Terrace II Redevelopment Plan” (as the same may be supplemented from time to time, the “**Redevelopment Plan**”); and

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

the governing body of the municipality a report containing the planning board's recommendation concerning the redevelopment plan pursuant to *N.J.S.A.* 40A:12A-7(e); and

WHEREAS, on September 16, 2025, the Township Council adopted Resolution No. 2025-266 authorizing and directing the Planning Board to review the proposed Redevelopment Plan and provide a report to the Township Council pursuant to *N.J.S.A.* 40A:12A-7(e); and

WHEREAS, on October 8, 2025, after due consideration of the Redevelopment Plan at a duly noticed and constituted public meeting, the Planning Board determined that the Redevelopment Plan is consistent with the Township's Master Plan and recommended that the Township Council enact the Redevelopment Plan; and

WHEREAS, on November 5, 2025, the Township Council adopted Ordinance 2025-32 approving the Redevelopment Plan; and

WHEREAS, the Township has determined to act as the "redevelopment entity" for the Project Site; and

WHEREAS, the Township desires to authorize the execution of a redevelopment agreement with Redeveloper (in the form set forth on file in the office of the Township Clerk, the "**Redevelopment Agreement**"), for the planning, construction and undertaking of the Project Site in accordance with the Redevelopment Plan; and

WHEREAS, the Redeveloper has proposed to undertake the following actions, in accordance with the terms of the Redevelopment Agreement and the Redevelopment Plan: (i) demolish the existing structures on the Project Site; (ii) design, develop, finance, construct, operate and maintain a mixed-use development including one four-story building containing thirty-three (33) residential rental units, including seven (7) units affordable to persons of very low-, low-, and moderate-incomes, a minimum of 1,500 square feet of ground floor retail space, a minimum of 37 off-street parking spaces on-site on Block 702, Lots 4 and 6, with any remaining required parking spaces provided off-site at the existing surface parking located on Block 702, Lot 17.01, along with associated amenities and site improvements; and (iii) construct all necessary on- and -off-site infrastructure improvements (items (i) through (iii), as more specifically described in Redevelopment Agreement, the "**Project**"); and

WHEREAS, in order to effectuate the Redevelopment Plan, the Project and the redevelopment of the Project Site, the Township has determined to enter into the Redevelopment Agreement with the Redeveloper, which Redevelopment Agreement designates Redeveloper as the "redeveloper" of the Project in accordance with the Redevelopment Law, and which specifies the respective rights and responsibilities of the parties with respect to the Project.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Redeveloper is hereby designated as the Redeveloper of the Project Site.

Section 3. The Mayor of the Township is hereby authorized and directed to execute the Redevelopment Agreement, in the form set forth on file in the office of the Township Clerk, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township's general counsel, redevelopment counsel, Planning Consultant and other Township professionals. The Clerk of the Township is hereby authorized and directed to attest to the Mayor's signature and affix the seal of the Township to the Redevelopment Agreement. Upon execution and attestation of same, the Mayor is hereby authorized to deliver the Redevelopment Agreement to the other parties thereto.

Section 4. This resolution shall take effect immediately.

Approved this 9th day of June, 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 2026-12

ORDINANCE APPROPRIATING \$145,000.00 FOR
VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE
TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY
OF UNION, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY AS FOLLOWS:

Section 1. The Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") hereby appropriates the sum of \$145,000.00, consisting of the following amounts from Capital Fund Balance to provide for the following various capital improvements in the following amounts:

<u>Improvement or Purpose</u>	<u>Amount</u>
a) <u>Department of Public Works:</u> Township grounds repairs and improvements, including, but not limited to, repairs at the Municipal Complex, Berkeley Heights Volunteer Rescue Squad Building, Department of Public Works Building, Wastewater Treatment Plant and public paths, including all work and materials necessary therefor and incidental thereto.	\$60,000.00
b) <u>Department of Public Works:</u> The acquisition of parts and major repairs to heavy equipment to extend their useful life,	\$25,000.00
c) <u>Sewer:</u> Acquisition of a pickup truck with plows.	\$60,000.00

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

ORDINANCE 2026-12

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as 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: June 9, 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: June 30, 2026												

Angela Lazzari, Township Clerk

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

NOTICE OF PENDING ORDINANCE AND SUMMARY

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Berkeley Heights, in the County of Union, State of New Jersey, on **June 9, 2026**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Complex, 29 Park Avenue, Berkeley Heights, NJ on **June 30, 2026** at **6:30 p.m.** During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title: ORDINANCE APPROPRIATING \$145,000.00 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY

Purposes:

<u>Improvement or Purpose</u>	<u>Amount</u>
a) <u>Department of Public Works:</u> Township grounds repairs and improvements, including, but not limited to, repairs at the Municipal Complex, Berkeley Heights Volunteer Rescue Squad Building, Department of Public Works Building, Wastewater Treatment Plant and public paths, including all work and materials necessary therefor and incidental thereto.	\$60,000.00
b) <u>Department of Public Works:</u> The acquisition of parts and major repairs to heavy equipment to extend their useful life,	\$25,000.00
c) <u>Sewer:</u> Acquisition of a pickup truck with plows.	\$60,000.00

Appropriation: \$145,000

Bonds/Notes Authorized: \$0

Grants (if any) Appropriated: \$0

Section 20 Costs: N/A

Useful Life: N/A

Angela Lazzari, Clerk

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

Berkeley Heights Township Community Energy Plan

MONTH 20XX





This report was made possible through a grant from New Jersey's Clean Energy Program™. New Jersey's Clean Energy Program is brought to you by the New Jersey Board of Public Utilities.

ABOUT THE NEW JERSEY BOARD OF PUBLIC UTILITIES (NJBPU)

The New Jersey Board of Public Utilities ("NJBPU" or "Board") is the state agency with authority to oversee the regulated utilities, which provide critical services such as natural gas, electricity, water, telecommunications, and cable television. The law requires the Board to ensure safe, adequate, and proper utility services at reasonable rates for customers in New Jersey.

ABOUT THE NEW JERSEY CLEAN ENERGY PROGRAM (NJCEP)

NJCEP, established on January 22, 2003, in accordance with the Electric Discount and Energy Competition Act (EDECA), provides financial and other incentives to the State's residential customers, businesses and schools that install high-efficiency or renewable energy technologies, thereby reducing energy usage, lowering customers' energy bills and reducing environmental impacts. The program is authorized and overseen by the New Jersey Board of Public Utilities (NJBPU).

ABOUT SUSTAINABLE JERSEY

Sustainable Jersey is a certification program for municipalities in New Jersey. Launched in 2009, Sustainable Jersey is a nonprofit, nonpartisan organization that supports community efforts to reduce waste, cut greenhouse gas emissions, and improve environmental equity. It provides tools, training and financial incentives to support and reward communities as they pursue sustainability programs. Sustainable Jersey is one hundred percent voluntary and each town can choose whether it wants to get certified and the actions it wants to do in order to achieve enough points to get certified.

PREPARED BY



Engineering
& Design

Kristin J. Russell, PP, AICP, NJ License #33LI00585800
The original of this report was signed and sealed in accordance with N.J.S.A 45:14A-12

CED Project No. 25012800G

Acknowledgments

Community Energy Plan Planning Team

RICHARD LEISTER, CHAIR ENVIRONMENTAL COMMISSION

MARGARET ILLIS, MEMBER TOWNSHIP COUNCIL

BILL MACHADO, MEMBER TOWNSHIP COUNCIL

SUSAN POAGE, MEMBER TOWNSHIP COUNCIL

ALVARO MEDEIROS, ENVIRONMENTAL COMMISSION, PLANNING BOARD GRANTS COMMITTEE

BRIAN KRAUT, ECONOMIC DEVELOPMENT COMMITTEE AND PLANNING BOARD

CHRIS WANG, BERKELEY HEIGHTS BUSINESS & CIVIC, ECONOMIC DEVELOPMENT COMMITTEE

Mayor and Council

ANGIE DEVANNEY, MAYOR

BILL MACHADO

ANDREW MORAN

MARGARET ILLIS

JOHN FOSTER

ALVARO MEDEIROS

SUSAN POAGE

Consultants

COLLIERS ENGINEERING & DESIGN

Table of Contents

I.	Introduction	1
II.	Community Overview.....	3
	» Electricity and Natural Gas Usage	4
	» Community GHG Emissions from Energy Use	5
III.	Work Plan	6
	» Strategy 1: Reduce Energy Consumption and Emissions from the Transportation Sector ..	7
	» Strategy 2: Accelerate Deployment of Renewable Energy and Distributed Energy Resources	11
	» Strategy 3: Maximize Energy Efficiency and Conservation and Reduce Peak Demand.....	18
IV.	References	25
V.	Data Sources	26

List of Figures

- » Figure 1. Population Characteristics for Berkeley Heights Township3
- » Figure 2. Amount of Electricity Purchased by Sector (KWH)..... 4
- » Figure 3. Amount of Natural Gas Purchased by Sector (Therms)..... 4
- » Figure 4. 2020 Community-Scale Energy-Related GHG Emissions by Sector and Energy Type (MT CO₂E)5
- » Figure 5. Energy Use Intensity (kBtu/ft²) of Municipal Buildings vs. National Median of Building Type 18
- » Figure 6. Local Government Projects..... 18

I. Introduction

Berkeley Heights Township is committed to addressing climate change and reducing greenhouse gas emissions. This Community Energy Plan details the specific strategies Berkeley Heights will pursue in the coming years to reduce greenhouse gas emissions from the local energy system. The Plan covers municipal operations such as the municipal vehicle fleet and building operations, as well as public policies and programs designed to support the community in reducing emissions.

The Township ratified this Community Energy Plan on **date**. During the creation of this plan, the Township provided opportunity for public input at a meeting of the Governing Body and various municipal employees and leaders were consulted for their expertise.

Starting in September 2024, Berkeley Heights began reviewing the Sustainable Jersey Guide for

Sustainable Energy Communities and Community Energy Plan Workplan Template and meeting with municipal staff to determine how to prioritize and implement the high-impact initiatives. Relevant community data was gathered from the Sustainable Jersey Data Center. The draft Community Energy Plan was presented at a public meeting on **date**, and again on **date** when the final community Energy Plan was adopted by municipal resolution.

Co-benefits of Sustainable Energy

The sustainable energy transition offers an opportunity to realize various co-benefits in our community and beyond. Besides reducing GHG emissions, implementing this plan will improve:

- » Public health
 - Lower concentrations of ground-level outdoor air pollutants
 - Removal of indoor air pollution sources
- » Social equity
 - Better affordable transportation
 - More affordable renewable energy
- » Resiliency
 - More dependable electric grid
 - Decreased reliance on imported energy

Berkeley Heights’s Community Energy Plan establishes how the municipality will promote the transition to sustainable energy over the next several years. Initiatives were selected based on demonstrated effectiveness, unique local opportunities, and co-benefits for the community as a whole, such as improved local air quality, energy savings for residents, and workforce development.

Climate change is one of the greatest threats to our future prosperity in Berkeley Heights, and globally.

New Jersey is both a significant source of greenhouse gas (GHG) emissions and a state particularly vulnerable to climate change. Increasing heat waves, intense storms, and sea-level rise caused by climate.

In addition, this Community Energy Plan aligns with an works to effectuate the goals of the 2022 municipal Master Plan. All initiatives included in this Plan align with the municipal Master Plan goal to *“promote earth stewardship and enhance the Township’s resiliency”* through the action of continuing to *“implement sustainability actions and coordinate with the Environmental Commission to pursue additional sustainability initiatives.”*

According to the New Jersey Department of Environmental Protection’s NJ Greenhouse Gas Emissions Inventory Report, New Jersey adds almost 100 million metric tons of CO2e to the atmosphere annually.

New Jersey can mitigate the local and global impacts of climate change with a rapid transition from the current GHG-intensive energy system to one that optimizes energy use and produces energy with minimal GHG emissions.

Recognizing New Jersey’s role in climate change mitigation, the State of New Jersey has established a goal of 100% clean energy in the state by 2050. The New Jersey Energy Master Plan: Pathway to 2050 outlines the state’s strategies for achieving that goal while also addressing issues of social and economic inequity. To promote action at the local level in support of the state’s goals, the New Jersey Board of Public Utilities (NJBPU) launched the Community Energy Plan Grant Program, offering support and funding for municipalities to develop a Community Energy Plan. Berkeley Heights Township received the Community Energy Plan Grant and completed this plan as a participant of the grant program.



II. Community Overview

Berkeley Heights Township is a 6.26-square mile suburban community of 4,660 households located in Union County. According to the 2023 US Census American Community Survey, the racial composition of Berkeley Heights’s 13,121 residents is 70% white, 19% Asian or Pacific Islander, and 3% Black; 7% of the population is Hispanic/Latinx.

Berkeley Heights’s median household income is \$198,750, with 2% of households below the U.S. poverty threshold. Berkeley Heights’s 2020 Municipal Revitalization Index (MRI) score, a measure of a municipality’s economic conditions, is 9 out of a possible 100, which ranks 545th of New Jersey’s 564 municipalities (Sustainable Jersey Community Profile Data by Municipality). In other words, Berkeley Heights’s overall economic conditions are significantly better than most New Jersey municipalities.

FIGURE 1. POPULATION CHARACTERISTICS FOR BERKELEY HEIGHTS TOWNSHIP

Population	Households	Median Household Income	Percent of Population in Poverty	NJ DCA MRI Score*	NJ DCA MRI Rank*
13,121	4,660	\$198,750	2%	9	545

Demographic Source: 2023 US Census American Community Survey Population Characteristics (BO2001, DP02, DP05, DP03, S1901, S1701)

MRI Source: New Jersey Department of Community Affairs

* MRI = Municipal Revitalization Index

Electricity and Natural Gas Usage

Most electricity and natural gas use is currently associated with buildings. Utility companies generally organize electricity and natural gas use into four sectors – residential, commercial, industrial, and street lighting. The commercial sector includes nonprofits and government entities such as schools and municipal buildings, as well as businesses.

As illustrated in Figures 2 and 3 below, the commercial sector accounts for the majority of electricity use and the residential sector accounts for the majority of natural gas use in Berkeley Heights. In other words, both sectors present opportunity for energy use reductions.

FIGURE 2. AMOUNT OF ELECTRICITY PURCHASED BY SECTOR (KWH)

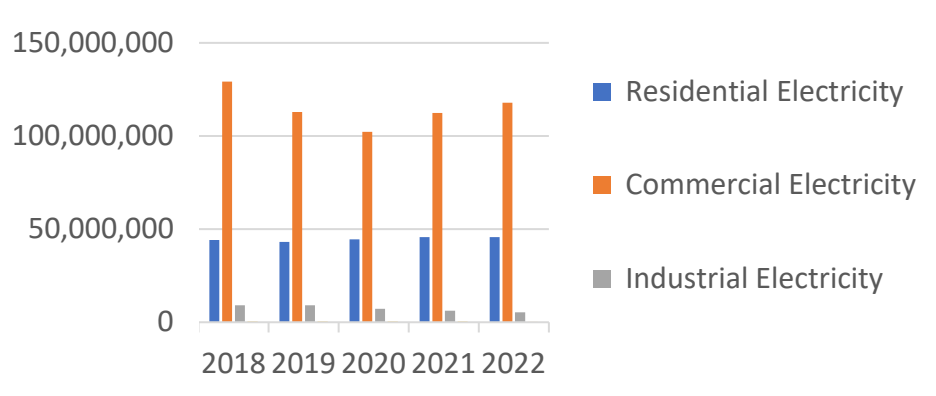
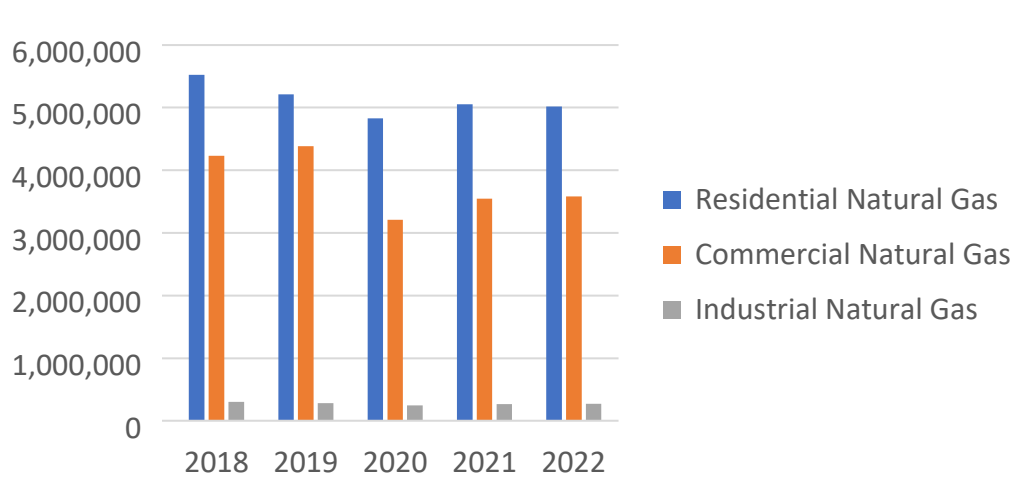


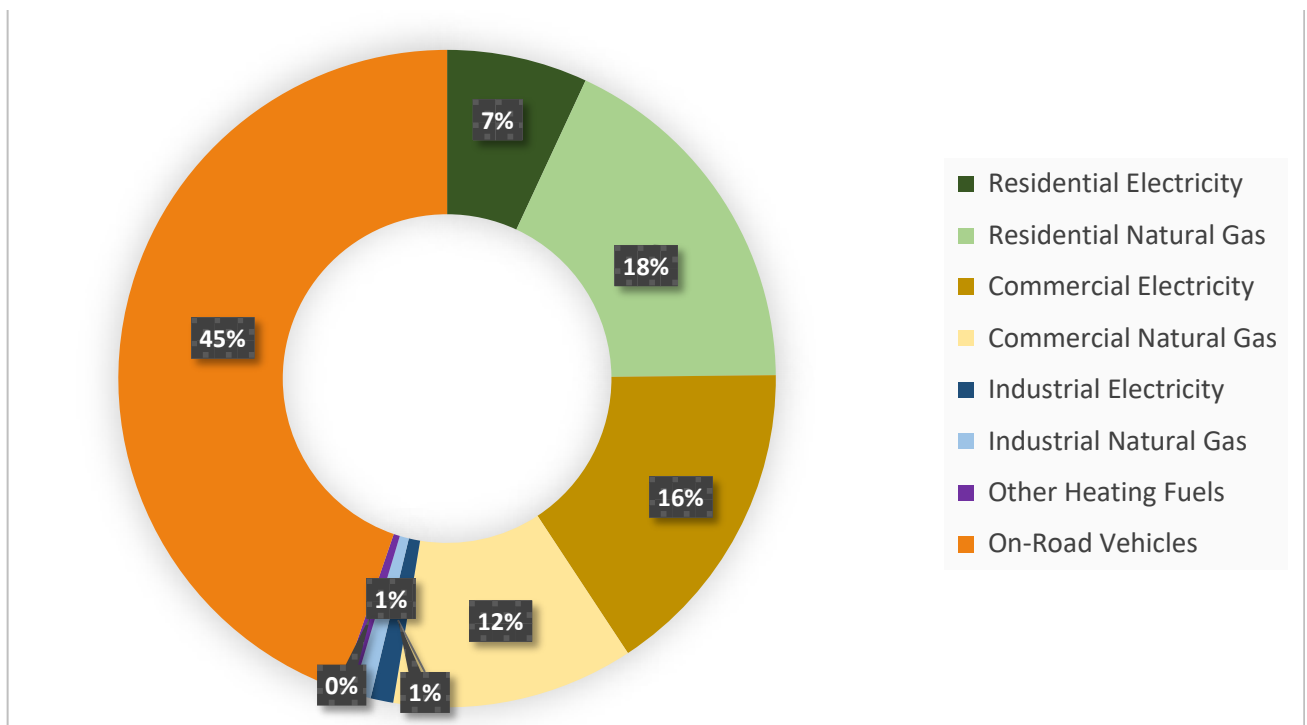
FIGURE 3. AMOUNT OF NATURAL GAS PURCHASED BY SECTOR (THERMS)



Community GHG Emissions from Energy Use

In 2020, the total community-wide greenhouse gas emissions from electricity, natural gas/heating fuel, and transportation energy use in Berkeley Heights was 143,657 metric tons CO₂e. The largest share of community emissions came from on-road vehicles, followed by residential natural gas usage.

FIGURE 4. 2020 COMMUNITY-SCALE ENERGY-RELATED GHG EMISSIONS BY SECTOR AND ENERGY TYPE (MT CO₂E)



III. Work Plan

The Berkeley Heights Township Community Energy Plan is primarily an implementation and action plan. This section details the initiatives selected as township priorities for the next four years (2025-2029). These initiatives will generate significant greenhouse gas emissions reductions for both municipal operations and the wider community while providing numerous local co-benefits, such as improved air quality and creation of local jobs.

The initiatives selected are listed below, organized by the Strategies of the New Jersey Energy Master Plan: Pathway to 2050. Each Strategy section includes one or more initiatives. Implementation details are provided for each initiative, including the initiative lead person/entity, the time frame for implementation, and any significant obstacles to successful implementation.

1 STRATEGY 1

Reduce Energy Consumption and Emissions from the Transportation Sector

- 1.4 Purchase Alternative Fuel Vehicles
- 1.5 Improve Municipal Fleet Efficiency
- 1.10 Anti-idling and Enforcement

2 STRATEGY 2

Accelerate Deployment of Renewable Energy and Distributed Energy Resources

- 2.1 Adopt Supportive Zoning and Permitting for Solar
- 2.2 Post Solar Permitting Checklist
- 2.6 Install On-Site Municipal Renewable Generation
- 2.10 Implement Renewable Government Energy Aggregation (R-GEA)
- 2.13 Support Community Solar as Project Ambassador

3 STRATEGY 3

Maximize Energy Efficiency and Conservation and Reduce Peak Demand

- 3.1 Upgrade Energy Efficiency for Municipal Facilities
- 3.2 Residential Energy Efficiency Outreach Campaign
- 3.3 Commercial Energy Efficiency Outreach Campaign
- 3.5 Street Light Upgrades

Strategy 1: Reduce Energy Consumption and Emissions from the Transportation Sector

Transportation accounts for over 40% of New Jersey's greenhouse gas emissions, primarily due to on-road gasoline consumption (NJDEP, "Transportation & Emissions"). Fossil fuel-powered transportation also produces local air pollution that significantly harms the health

and quality of life of residents. Gotham can electrify municipal fleet vehicles and promote transportation electrification in the community to lessen the negative impact of our transportation system on our community and the world.



Photo credit: InfiniteFlow Adobe Stosk

Initiative 1.4: Purchase Alternative Fuel Vehicles

DESCRIPTION:

Replace existing municipal fleet vehicles with plug-in hybrid, battery electric, or other sustainable alternative fuel vehicles (AFV), informed by fleet analysis.

LEAD:

Code Enforcement: M. Illis, A. Medeiros

START DATE:

Q4 2027

PRIORITY:

Medium

ANTICIPATED LENGTH:

Ongoing

FUNDING SOURCES:

NJBPU Clean Fleets grant, IRS Direct Tax credits, NJDEP It Pay\$ to Plug In

DEPARTMENTS INVOLVED:

- All departments operating fleet vehicles
- Purchasing
- Police Department, Traffic Department, EMS
- Public Works
- Municipal Council

OBSTACLES/BARRIERS:

- Cost

POTENTIAL SOLUTIONS:

- Gradually purchase or lease alternative fuel vehicles when existing fleet are due for replacement to spread the cost over time and align with already-anticipated replacement expenses.

COMMUNITY NOTES:

Sustainable Jersey's Alternative Fuel Vehicle Procurement Guide covers strategies for affordably procuring alternative fuel vehicles with minimal use of staff time. The BHPD replaces several vehicles annually, and this transition could be gradually done on this schedule. This could be paired with installing EV charging infrastructure at the existing public works gas refueling area.

MEASURES OF SUCCESS:

The goal of this initiative is to update municipal fleet vehicles with sustainable alternative fuel vehicles. Installing fleet charging infrastructure and adding battery electric vehicles to the municipal fleet until a minimum of 6.5% of municipal vehicles are electric is a good measure of success.

NEXT STEPS:

1. Research Sustainable Jersey's Guide and consider options of fleet vehicle leasing, purchasing co-ops/ government contracts, direct purchase, and service contracting or shared services.

Initiative 1.5: Improve Municipal Fleet Efficiency

DESCRIPTION:

Implement strategies such as interdepartmental coordination to right-size the municipal fleet (vehicle replacement or retirement), and optimize fuel use with improved route planning, driver efficiency, and reduced idling to reduce operational costs and GHG emissions from municipal fleets – public works, police, fire, etc.

LEAD:

Municipal Council: M. Illis

START DATE:

Q4 2027

PRIORITY:

Medium

ANTICIPATED LENGTH:

Ongoing

FUNDING SOURCES:

NJ Clean Energy Program

DEPARTMENTS INVOLVED:

- All departments operating fleet vehicles
- Finance Department

OBSTACLES/BARRIERS:

- Some vehicle users may be concerned that EVs don't have enough range for their needs.

POTENTIAL SOLUTIONS:

- Prior to procurement, DPW Fleet Manager will use fleet analysis to show that incoming EVs have sufficient range for their intended uses.

COMMUNITY NOTES:

Berkeley Heights's municipal fleet currently consists of 90 vehicles, used primarily by the fire department, police department, engineering, OEM, and DPW. A fleet inventory is maintained by the Township.

The Township should undertake a fleet electrification analysis using the Atlas Public Policy's DRVE Tool to determine how many vehicles from the current fleet could be cost-effectively replaced with electric vehicles. In other words, the total cost of ownership for each vehicle would be less than the total cost of purchasing an ICE (internal combustion engine) counterpart.

A secondary benefit is that a comprehensive fleet inventory may facilitate efficiency through potential shared use of vehicles not previously recognized.

MEASURES OF SUCCESS:

The goal of this initiative is to reduce annual municipal fleet GHG emissions by 20% by 2030.

NEXT STEPS:

1. Fleet Manager establishes process for annual fleet inventory, including tracking system for fuel usage and mileage of every vehicle in the municipal fleet.
2. Fleet Manager creates five-year procurement plan that includes requirement that all vehicles be replaced with plug-in or fully electric counterparts, when deemed cost-effective per Atlas Public Policy's DRVE Tool. Procurement plan will also include EV charging infrastructure.
3. Use Sustainable Jersey Purchasing Center.

Initiative 1.10: Anti-idling and Enforcement

DESCRIPTION:

Adopt and implement an anti-idling policy, which establishes an enforcement protocol and penalties for non-compliance. Implement an ongoing outreach campaign to create awareness about the policy and train enforcement officers to ensure compliance.

LEAD: Municipal Council: S. Poage

START DATE: Q1 2027

PRIORITY: Medium

ANTICIPATED LENGTH: Ongoing

FUNDING SOURCES: Operating budget

DEPARTMENTS INVOLVED:

- Law Enforcement Personnel
- Governing Body
- School

OBSTACLES/BARRIERS:

- Getting the word out and consistent enforcement.
- Lack of support from law enforcement.

POTENTIAL SOLUTIONS:

- Communication with businesses who have significant fleets, particularly trucks, and have them integrate regulations into training.

COMMUNITY NOTES:

Coordination with the school for them to lead by example with their buses. This can be paired with Earth Day activities or other environmental outreach efforts.

MEASURES OF SUCCESS:

Adoption of the Anti-idling Policy, mapping of prioritized anti-idling locations, installation of signage, and institution of enforcement protocol.

NEXT STEPS

1. Develop the Anti-Idling Policy and Enforcement Plan.
2. Identify the idle-frequent locations and select priority locations to target the program.
3. Develop and present the Anti-Idling Policy and Enforcement Plan to the Governing Council for adoption.
4. Develop literature and promotional material and include anti-idling in community events to raise awareness of the effects of idling.
5. Post signs at idle-frequent locations.
6. Establish enforcement protocol and train officials to ensure compliance with the Anti-Idling Policy.

Strategy 2: Accelerate Deployment of Renewable Energy and Distributed Energy Resources

Expanding renewable energy generation is necessary to eliminate greenhouse gas emissions from our energy system. New Jersey's most readily available renewable resource is sunlight, which more and more utility customers can now access thanks to declining prices and new systems like

community solar. Berkeley Heights can continue to refine local policies regarding solar and other renewable resources to promote local growth of renewable generation capacity.



Photo credit: maxshot PL, Adobe Stock

Initiative 2.1: Adopt Supportive Zoning and Permitting for Private Solar

DESCRIPTION:

Provide clear guidance/standards for solar developers and limit barriers to solar adoption such as lengthy permitting and multiple reviews.

LEAD:

Municipal Planner, Municipal Council: M. Illis

START DATE:

Q1 2027

PRIORITY:

High

ANTICIPATED LENGTH:

4-6 months

FUNDING SOURCES:

Municipal budget

DEPARTMENTS INVOLVED:

- Municipal Planner
- Code Enforcement
- Township Clerk
- Municipal Attorney
- Historic Preservation Committee

OBSTACLES/BARRIERS:

- Some residents may want to keep aesthetic regulations on rooftop solar PV.

POTENTIAL SOLUTIONS:

- Township press release will cite studies that show solar panels create less glare than other common building materials such as steel and glass (NREL).

COMMUNITY NOTES:

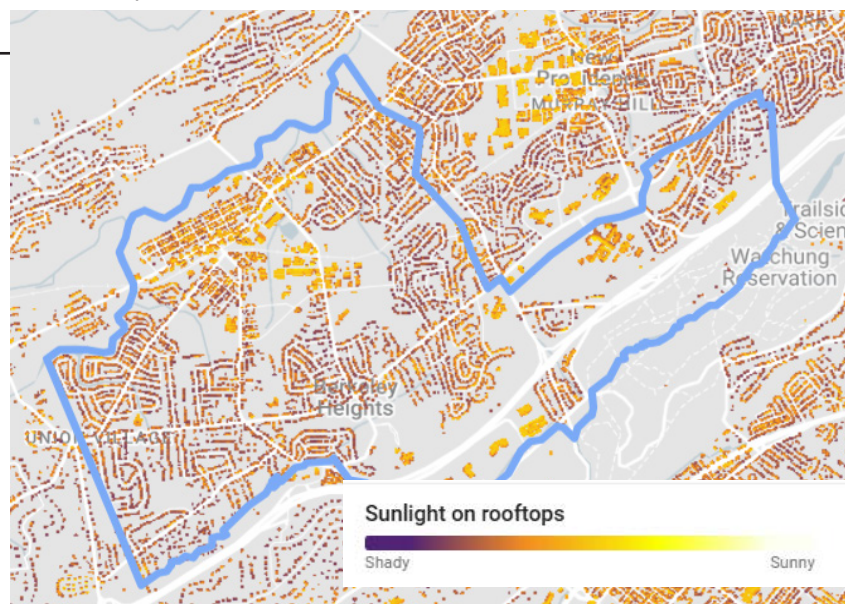
The Township does not have an existing solar ordinance however Google Project Sunroof indicates that 57% of buildings (2,600 roofs) in the Township are solar-viable, which would generate 69,600 MWh AC per year. As of 2020, Berkeley Heights had 54 solar installations, up from only 24 five years earlier. Almost all are on residential buildings. The municipality has also recommended in its Master Plan to update zoning to allow rooftop solar panels as a permitted accessory use in certain zones.

MEASURES OF SUCCESS:

The goal of this initiative is a new ordinance that allows for rooftop solar.

NEXT STEPS:

1. Municipal planner updates zoning ordinance to incorporate rooftop solar regulations.
2. Coordinate with Historic Preservation Committee as necessary.
3. Municipal attorney reviews and sends ordinance to Governing Body for approval.
4. New permitting fees implemented.



Initiative 2.2: Post Solar Permitting Checklist

DESCRIPTION:

Provide clear guidance/standards for solar developers with a permitting checklist that can be easily found on the municipality's website.

LEAD: Municipal Planner, Municipal Council: M. Illis

START DATE: Q1 2027

PRIORITY: High

ANTICIPATED LENGTH: 3 months

FUNDING SOURCES: Municipal budget

DEPARTMENTS INVOLVED:

- Municipal Planner
- Code Enforcement
- Township Clerk
- Municipal Attorney

OBSTACLES/BARRIERS:

- none anticipated

POTENTIAL SOLUTIONS:

- n/a

COMMUNITY NOTES:

Reducing barriers and streamlining permitting for rooftop solar is important in order to encourage residential solar.

MEASURES OF SUCCESS:

The goal of this initiative is to ease rooftop solar installation.

NEXT STEPS:

1. In coordination with 2.1, municipal planner, engineer, and code official work to establish a solar permitting checklist.
2. The Township will refer to the Sustainable Jersey Guide for preparing solar ordinance and solar checklist.
3. Checklist is posted online and made available to interested parties.

Initiative 2.6: Install On-Site Municipal Renewable Generation

DESCRIPTION:

Host a solar, wind, or geothermal project on municipal property to generate renewable energy for municipal facilities. Such projects can be leased from a developer or purchased and owned outright.

LEAD:

Municipal Council: A. Medeiros

START DATE:

Q2 2027

PRIORITY:

High

ANTICIPATED LENGTH:

24 months

FUNDING SOURCES:

IRS Direct Pay Tax Credits, Power Purchase Agreement, possible grants.

DEPARTMENTS INVOLVED:

- Department of Public Works
- Finance Department
- Engineering Department
- Municipal Attorney

OBSTACLES/BARRIERS:

- High upfront costs

POTENTIAL SOLUTIONS:

- Staff will consider alternative ownership models that minimize upfront costs.

COMMUNITY NOTES:

Berkeley Heights does not currently have any on-site solar systems. Installing on-site solar would serve as demonstration project both for additional municipal projects and for the community at large.

Possible locations include the municipal parking lot, rescue squad, and wastewater treatment plant.

Pursuing this initiative directly addresses the municipal Master Plan goals to both *“encourage the development of accessory renewable energy facilities in commercial and industrial areas,”* and *“promote green building design in new and existing developments.”*

MEASURES OF SUCCESS:

The goal of this initiative is a contract to install onsite solar arrays supplying at least an additional 5% of the total annual electricity used for municipal operations.

NEXT STEPS:

1. Purchasing agent works with DPW and Finance Department to determine which ownership model to pursue.
2. Location selected.
3. Purchasing agent uses American Cities Climate Challenge template to create RFP for solar PV array(s) that includes site feasibility analysis.
4. Purchasing agent sends RFP to municipal attorney for review and presents to Township Council for approval to release.
5. Construction contract awarded.

Initiative 2.10: Implement Renewable Government Energy Aggregation (R-GEA)

DESCRIPTION:

Establish a Renewable Government Energy Aggregation (R-GEA) program. R-GEA is a third-party electric supply contract negotiated by a municipality (or group of municipalities) on behalf of its residents. Utilizing their population size, municipalities can negotiate for a supply that is more sustainable, often less expensive than can typically be achieved by individual residents.

LEAD: Municipal Council: A. Medeiros

START DATE: Q2 2027

PRIORITY: Low

ANTICIPATED LENGTH: 9 months

FUNDING SOURCES: Municipal budget, possible grants

DEPARTMENTS INVOLVED:

- Administration
- Governing Body

OBSTACLES/BARRIERS:

- Prior efforts to gain traction on this initiative failed.

POTENTIAL SOLUTIONS:

- Reframe the opportunity in light of rising electricity prices.

COMMUNITY NOTES:

This initiative has been raised before under other context. It is important to highlight cost savings by bulk purchasing power and long-term price stability with renewables. It may also be convincing to showcase environmental impact, such as the carbon reduction and sustainability benefits. Some communities have garnered interest by first doing a pilot program with willing government entities to prove the concept and generate testimonials.

MEASURES OF SUCCESS:

Third-party supplier bids received below the default utility electricity rate, and R-GEA contract contains renewable content at least 20% above the current Renewable Portfolio Standard at the time

NEXT STEPS:

1. Form a working group with representatives from the elected body, administration, Green Team, Environmental Commission, and other desired representatives.
2. Review R-GEA resources, particularly the Sustainable Jersey's How-To Guide: Renewable Government Energy Aggregation.
3. If there is enough support in the elected body for R-GEA to warrant taking further action.
4. Select a consultant to manage the project through RFP, using Sustainable Jersey template.
5. Energy consultant will guide the municipal team through the rest of the process.

Initiative 2.11: Support Community Solar as a Project Ambassador

DESCRIPTION:

Facilitate connections between community solar developers and the local site owner, anchor subscribers, nonprofit sponsors, and/or affordable housing property owners. Municipalities can lend credibility to the multi-benefit opportunity of a potential community solar project.

LEAD:

Green Team, Municipal Council:
R. Leister

START DATE:

Q2 2027

PRIORITY:

Medium

ANTICIPATED LENGTH:

12 months

FUNDING SOURCES:

Municipal budget

DEPARTMENTS INVOLVED:

- Green Team
- Environmental Commission

OBSTACLES/BARRIERS:

- Steep learning curve.

POTENTIAL SOLUTIONS:

- Find trustworthy partners. Familiarize the municipality with *Community Solar: Sustainable Jersey How-to Guide*

COMMUNITY NOTES:

While the Ambassador role may be a budget item, various funding resources are available for implementation, including NJ's Clean Energy Program's Administratively Determined Incentive (ADI) (which goes to the project owner) and Investment Tax Credits (ITC). Potential site could include the Millmaster Onyx brownfield.

MEASURES OF SUCCESS:

The goal of this initiative is to support residents and site owners to acquire solar.

NEXT STEPS:

1. Identify a municipal ambassador to research community solar opportunities, including anchor subscription models and hosting local large-scale installations.
2. Determine what community benefits are necessary to incentivize participation.
3. Determine municipal capacity for a supportive role in an existing project or lead role with site owners/ developers on a new project anywhere in their electric utility service area.
4. Engage in community outreach to encourage participation.

Initiative 2.13: Host a Community Solar Project on Municipal Property

DESCRIPTION:

Host a community solar project on municipal property, such as a DPW garage, parking lot/ garage, or landfill. While the municipality could develop its own project, most municipalities lease the site to the developer.

LEAD: DPW

START DATE: Q1 2028

PRIORITY: High

ANTICIPATED LENGTH: 3+ years

FUNDING SOURCES: Investment Tax Credit, Administratively Determined Incentive (ADI) Program

DEPARTMENTS INVOLVED:

- Department of Public Works
- Finance Department
- Engineering Department
- Municipal Attorney

OBSTACLES/BARRIERS:

- High upfront costs

POTENTIAL SOLUTIONS:

- Find trustworthy partners and funding sources. Familiarize the municipality with *Community Solar: Sustainable Jersey How-to Guide*

COMMUNITY NOTES:

Various funding resources are available for implementation, including NJ's Clean Energy Program's Administratively Determined Incentive (ADI) (which goes to the project owner) and Investment Tax Credits (ITC).

Pursuing this initiative directly addresses the municipal Master Plan goals to both "*encourage the development of accessory renewable energy facilities in commercial and industrial areas,*" and "*promote green building design in new and existing developments.*"

MEASURES OF SUCCESS:

The goal of this initiative is to install a solar project on a municipal building as a demonstration project, leading by example.

NEXT STEPS:

1. If Initiative 2.11 determines that hosting on-site community solar is viable, the Borough should pursue the capital project.
2. Release and RFP for community solar PV array(s) that includes site feasibility analysis.
3. Purchasing agent sends RFP to municipal attorney for review and presents to Borough Council for approval to release.
4. Construction contract awarded.

Strategy 3: Maximize Energy Efficiency and Conservation and Reduce Peak Demand

Energy efficiency and conservation are the most cost-effective methods of reducing greenhouse gas emissions from the energy system. Improving energy efficiency also generates local jobs, reduces local pollution, improves health and comfort, and adds resiliency to the energy system.

Berkeley Heights can utilize energy efficiency to lower costs in municipal operations and encourage the community to follow suit to realize these many benefits.



Photo credit: Fokke Baarssen Adobe Stock

Initiative 3.1: Upgrade Energy Efficiency in Municipal Facilities

DESCRIPTION:

Upgrade municipal facilities to be more energy efficient. New Jersey's Clean Energy Program and the electric and natural gas utilities offer incentive programs that guide municipalities through the upgrade process, starting with walk-through audits to establish the most effective measures to reduce energy use. Following implementation, showcase upgrades in energy efficiency outreach to local commercial entities.

LEAD:

Municipal Council: A. Medeiros

START DATE:

Q2 2027

PRIORITY:

Low

ANTICIPATED LENGTH:

9 months

FUNDING SOURCES:

Utility energy incentive programs

DEPARTMENTS INVOLVED:

- All Departments

OBSTACLES/BARRIERS:

- Funding

POTENTIAL SOLUTIONS:

- Grants

COMMUNITY NOTES:

The Township currently owns eleven buildings. Figure 5 on the following page shows the energy use intensity (the annual amount of energy used per square foot) of the most significant Township buildings compared to the national median for the corresponding property type. Energy usage is tracked monthly in the Township's ENERGY STAR Portfolio Manager account.

Audits and work on various buildings took place in 2009; the Township last upgraded energy efficiency in select municipal buildings in 2011 and 2012 using the NJCEP Direct Install (DI) program (see Figure 6 on the following page. Source: Sustainable Jersey, NJCEP Local Government Projects 2008-2021). Energy technical assistance is available from Sustainable Jersey.

Berkeley Heights has achieved Sustainable Jersey Bronze Star in Energy. The Township should strive for Silver or Gold Status. Sustainable Jersey Gold Star in Energy requires reducing greenhouse gas emissions from municipal operations and facilities by at least 3.6% per year for three consecutive years.

This initiative also helps Berkeley Heights work towards its Master Plan goal to *“promote green building design in new and existing developments.”*

Continued Initiative 3.1: Upgrade Energy Efficiency in Municipal Facilities

FIGURE 5. ENERGY USE INTENSITY (KBTU/FT²) OF MUNICIPAL BUILDINGS VS. NATIONAL MEDIAN OF BUILDING TYPE

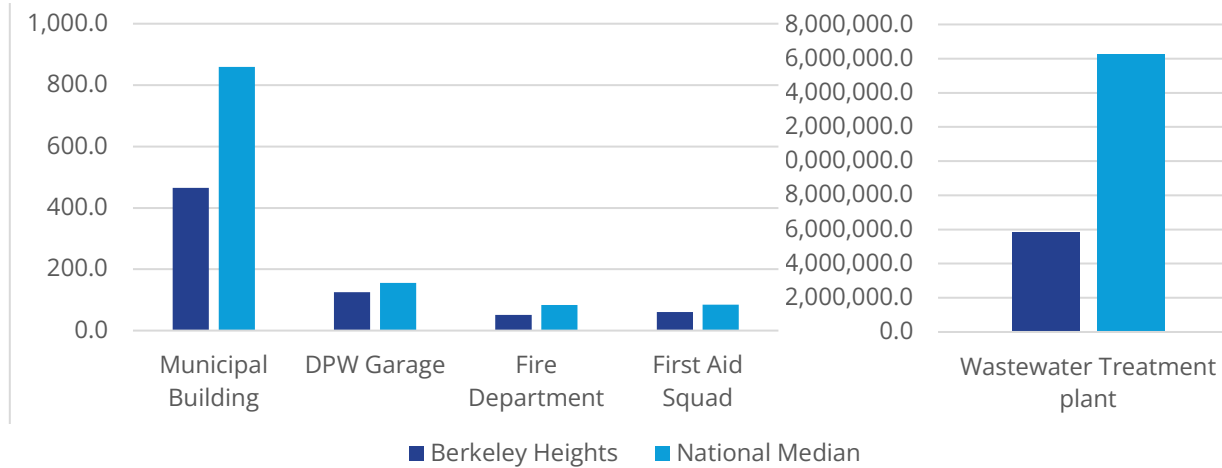


FIGURE 6. LOCAL GOVERNMENT PROJECTS

NJCEP Local Government Projects 2008-2021

Note: NJCEP application data shows when the application was last updated; the date marked may not indicate precisely when work was completed. Data is available through March 2021.

Year	Project Type	NJCEP Program	Invoiced Incentive	Premise Sq. Ft	Street Address	Annual Electric Savings (KWh)
2009	Audit	Local Government Energy Audit	\$488.00	2,500	Engineering Building 29 Park Ave. (Annex)	
2009	Audit	Local Government Energy Audit	\$1,580.00	8,100	DPW Garage 101 Columbus Ave.	
2009	Audit	Local Government Energy Audit	\$3,081.00	15,800	Fire House 411 Hamilton Ave.	
2009	Audit	Local Government Energy Audit	\$156.00	800	Recreation 56 Columbus Ave.	
2009	Audit	Local Government Energy Audit	\$1,190.00	6,100	First Aid Squad 378 Snyder Ave.	
2009	Audit	Local Government Energy Audit	\$234.00	1,200	Police Annex 29 Park Ave. Trailer	
2009	Audit	Local Government Energy Audit	\$2,710.00	13,900	Public Library 290 Plainfield Ave.	
2009	Audit	Local Government Energy Audit	\$15,640.00	39,100	Water Treatment Plant 29 Snyder Ave.	
2009	Audit	Local Government Energy Audit	\$2,554.00	13,100	Town Hall 29 Park Ave.	
2009	Audit	Local Government Energy Audit	\$12,472.00	5,016	Sludge Handling Facility 29 Snyder Ave	
2011	Work	Direct Install	\$15,448.54	39,100	Water Treatment Plant 29 Snyder Ave.	44,711.95
2011	Work	Direct Install	\$5,327.94	15,800	Fire House 411 Hamilton Ave.	25,769.64
2011	Work	Direct Install	\$5,433.09	8,100	DPW Garage 101 Columbus Ave.	22,499.06
2012	Work	Direct Install	\$2,909.02	2,431	Recreation 56 Columbus Ave	7,026.72
2012	Work	Direct Install	\$40,123.22	15,800	Fire House 411 Hamilton Ave	7,074.69
2012	Work	Direct Install	\$17,203.40	6,299	Library 290 Plainfield Ave	19,558.20
2012	Work	Direct Install	\$41,446.16	6,510	Municipal Building 29 Park Ave	21,159.46

Continued Initiative 3.1: Upgrade Energy Efficiency in Municipal Facilities

MEASURES OF SUCCESS:

Implement either a building audit (such as Local Government Energy Audit - LGEA) or identify and apply for an energy equipment upgrade incentive for each municipal facility

NEXT STEPS:

1. Project lead works with Finance Department and Sustainable Jersey to fill out and submit applications for all Berkeley Heights buildings for PSE&G and JCP&L Direct Install programs.
 2. Sustainable Jersey will help start the LGEA application process based on the Sustainable Jersey Certification submissions for the Energy Tracking and Management action from 2024.
 3. Project lead coordinates with DPW to complete Direct Install assessment process.
 4. Project lead brings together DPW, Finance, and Engineering departments to review Scope of Work proposals.
 5. Project lead meets with JCP&L and PSE&G energy efficiency representatives and Sustainable Jersey staff to determine next steps.
-

Initiative 3.2: Residential Energy Efficiency Outreach Campaign

DESCRIPTION:

Implement an outreach effort to help residents take advantage of energy efficiency incentive programs offered by New Jersey’s electric and natural gas utilities, including Home Performance with ENERGY STAR and Comfort Partners

LEAD:

Green Team, Municipal Council:
M. Illis, S. Poage

START DATE:

Q2 2027

PRIORITY:

Medium

ANTICIPATED LENGTH:

Ongoing

FUNDING SOURCES:

Municipal budget, utility partners, grants

DEPARTMENTS INVOLVED:

- Green Team
- Administration
- Health Department
- Municipal Clerk
- Green Team

OBSTACLES/BARRIERS:

- 10% of Berkeley Heights residents rent their home.

POTENTIAL SOLUTIONS:

- Outreach campaign will emphasize that renters must work with building owners to get enrolled in utility incentive programs.

COMMUNITY NOTES:

Figure 4: 2020 Community-scale Energy-related GHG Emissions by Sector on page 5 shows that the residential building sector is the second most significant source of emissions for Berkeley Heights (23%), behind only transportation (43%).

PSE&G and JCP&L both offer a Whole Home Energy Solutions assessment with a participating contractor, providing an in-depth check of a home’s health and safety, air quality, HVAC and water heater efficiency, and more. Results could qualify for up to \$6,000 in rebates and up to \$25,000 in interest-free, on-bill repayment to help pay for home energy upgrades.

Utility partners may provide financial support for mailings and other outreach strategies.

MEASURES OF SUCCESS:

The goal of this initiative is to implement an outreach campaign promoting residential utility energy efficiency incentive programs. Ultimately, the Township should aim to get 5% of residents to participate in Home Energy assessment during the campaign.

NEXT STEPS:

1. Identify utility partner points of contact for electric and natural gas.
2. Work with utility representative to create an outreach plan focused on whole home energy assessment programs.
3. Identify residents that have already utilized residential energy efficiency programs to be advocates in outreach campaign.
4. Green Team schedules community workshop, in partnership with utility representatives.
5. Information about residential incentive programs is published on municipal website.

Initiative 3.3: Commercial Energy Efficiency Outreach Campaign

DESCRIPTION:

Implement an outreach effort to help local businesses take advantage of energy efficiency incentive programs offered by New Jersey's electric and natural gas utilities.

LEAD:

Green Team, Municipal Council:
M. Illis, S. Poage

START DATE:

Q2 2027

PRIORITY:

Medium

ANTICIPATED LENGTH:

Ongoing

FUNDING SOURCES:

Municipal budget

DEPARTMENTS INVOLVED:

- Health Department
- Municipal Clerk
- Green Team

OBSTACLES/BARRIERS:

- Not all businesses own their property and therefore may not be directly eligible for utility incentive programs.

POTENTIAL SOLUTIONS:

- Outreach campaign will emphasize that renters must work with building owners to get enrolled in utility incentive programs.

COMMUNITY NOTES:

Figure 3: 2020 Community-scale Energy-related GHG Emissions by Sector on page 5 shows that the commercial building sector (gas and electricity) accounts for 21% of emissions in Berkeley Heights.

PSE&G offers a Energy Management Program provides no-cost energy analyses to identify building operation improvements and energy savings opportunities, and helps to optimize energy use and drive long-term operational savings through a holistic approach that leverages behavioral, operational, and maintenance strategies. This initiative aligns with the Master Plan goal to *“encourage the development of accessory renewable energy facilities in commercial and industrial areas”*

MEASURES OF SUCCESS:

5% of businesses participate in Small Business Direct Install program during the campaign.

NEXT STEPS:

1. Green Team and Project Lead identifies commercial property owners as candidates for energy efficiency programs.
2. Green Team and Project Lead makes contact with property owners to encourage participation.
3. Green Team and Project Lead promotes commercial business incentive programs and advertises the workshop.
4. Green Team and Project Lead provides text about commercial business incentive programs to township clerk to publish on municipal website.

Initiative 3.5: Street Light Upgrades

DESCRIPTION:

Upgrade existing street lights such as high-pressure sodium and metal halide with energy efficient LED upgrades in coordination with local energy provider.

LEAD:

Municipal Council: A. Medeiros, DPW

START DATE:

Q3 2027

PRIORITY:

High

ANTICIPATED LENGTH:

Ongoing

FUNDING SOURCES:

Potential grants

DEPARTMENTS INVOLVED:

- Green Team
- DPW
- Municipal Council

OBSTACLES/BARRIERS:

- Cost

POTENTIAL SOLUTIONS:

- The Governor's office and BPU may offer funding solutions once a conversion approach is decided.

COMMUNITY NOTES:

Mercury Vapor streetlights were phased out in the 1980s, however existing fixtures are maintained for their lifespan. JCP&L has a Streetlight Conversion Program, however the logistics and cost of conversions is currently in discussion with the BPU and incoming Governor's office.

MEASURES OF SUCCESS:

The goal of this initiative is to gradually replace existing street lights with energy efficient alternatives. Success will be measured by replacing a set percentage of lights annually until complete, to be determined based on funding and programming limits.

NEXT STEPS:

1. Reach out to utility provider to understand the opportunity and process for replacing the township streetlights. Next steps and funding potential may be known in the second half of 2026.
2. Determine priority locations for streetlight upgrades.

IV. References

Berkeley Heights, 2022. Master Plan for the Township of Berkeley Heights, Volume II. https://berkeleyheights.gov/DocumentCenter/View/6578/Master-Plan-2022_Vision_Goals-Vol-2

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State of New Jersey. 2020. 2019 New Jersey Energy Master Plan: Pathway to 2050. State of New Jersey, https://nj.gov/emp/docs/pdf/2020_NJBPU_EMP.pdf.

V. Data Sources

Almost all data used in this plan is sourced from the Sustainable Jersey Data Center.

Community Overview		
SECTION, MAP, OR TABLE	ORIGINAL SOURCE(S)	LINK TO DATA
General Information Section	U.S. Census American Community Survey (ACS)	SJ Community Profile Data by Municipality
Current Housing Units by Year Built Chart U.S. Census ACS	U.S. Census ACS	SJ Community Profile Data by Municipality
Number of Units by Structure Type Chart	U.S. Census ACS	SJ Community Profile Data by Municipality
Commercial & Industrial Properties Map	NJ MOD IV Tax Data	Commercial & Industrial Properties Map
Commercial & Industrial Properties Data	NJ MOD IV Tax Data	Commercial & Industrial Properties Data

Energy Use Data		
SECTION, MAP, OR TABLE	ORIGINAL SOURCE(S)	LINK TO DATA
Amount of Electricity Used by Sector (kWh) Chart	NJ Investor-Owned Utilities	SJ Aggregated Community-Scale Utility Energy Data
Amount of Natural Gas Used by Sector (Therms) Chart	NJ Investor-Owned Utilities	SJ Aggregated Community-Scale Utility Energy Data
Number of Occupied Housing Units by Primary Heating Fuel	U.S. Census ACS	SJ Community Profile Data by Municipality
Greenhouse Gas (GHG) Emissions Charts	SJ GHG Emissions by Municipality	SJ Community-Scale Greenhouse Gas (GHG) Emissions Data

Energy Efficiency and Renewable Energy Data

SECTION, MAP, OR TABLE	ORIGINAL SOURCE(S)	LINK TO DATA
Solar Installations Chart	NJCEP Solar Installation Data	Solar Installation Data
Commercial Energy Efficiency Program Participation Data	New Jersey Clean Energy Program (NJCEP) Data	SJ Energy Efficiency Program Participation (2008-2021) Data - Lifetime Commercial Participation
Residential Program Participation Data	NJCEP Data	SJ Energy Efficiency Program Participation (2008-2021) - Lifetime Commercial Participation
Energy Efficiency Projects Completed by Municipality Data	NJCEP Data	SJ NJCEP Local Government Projects 2008-2021