

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JUNE 30, 2026**

CALL TO ORDER

At 6:40 p.m., John Foster called the meeting to order and the Township Clerk stated 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

ROLL CALL

The following Council members were present:

John Foster
Margaret Illis
Bill Machado
Mr. Medeiros
Andrew Moran
Susan Poage

Also present were:

Township Administrator: Liza Viana
Township Clerk: Angela Lazzari
Township Attorney: Scott Salmon

Absent:

Mayor Devanney

FLAG SALUTE

Mr. Foster asked everyone present to stand for the Flag Salute.

PROCLAMATION

Mr. Foster called Molly Allman to present her Gold Award but she was not present.

CONFERENCE SESSION

1. JCP&L representative Bob Flynn and Gil Guerrero
Presented on upgrades that are planned and how to interact with municipal complaints, outages, etc.

Mr. Foster opened the floor to the public.

Thomas Kissel, 76 Diamond Hill Road, commented on the inconvenience of momentary outages.

Michael LeBlond, 156 Klein Blvd., commented on the number of outages in the last ten years.

2. Scott Salmon presented the Ordinance to create a Recreation Department and dissolve the Recreation Commission.
3. Tree Ordinance Amendment was discussed while waiting for more copies of Scott Salmon's presentation to be printed.

Council engaged in questions and answers.

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The floor was opened to the public

Jerry Barter, 550 Plainfield Ave., had questions about tree replacement. Mrs. Illis responded.

Rebecca, North Road, asked about removal of dead trees in Green Acres, behind her home.

Henry Somerville, 79 Riverbend, asked about the plan for new trees at Westminster as it pertains to flooding. Mrs. Illis responded.

4. Scott Salmon, Municipal Attorney, presented the Recreation Ordinance in a PowerPoint.

Mrs. Poage spoke extensively about the details of the Ordinance and brought up some concerns that she received via email.

Mrs. Illis spoke in appreciation of the Recreation Department.

Mr. Foster read a statement in support of the current Recreation Director and the Ordinance being brought forth. He followed with some questions for attorney, Scott Salmon. Mr. Salmon responded.

Mr. Machado read a statement.

Mr. Moran made a statement.

Mr. Medeiros had questions for Mr. Salmon and he responded to them.

Mr. Foster opened the floor to the public.

Kathy Amiano, 236 Lincoln St., asked questions. Mr. Salmon responded.

Dennis Ryan, 104 Firewood Drive, made a statement about the Recreation offerings. Mr. Salmon responded on a portion of his statement.

Randi Kopnicki, 87 Park Edge, spoke in support of Carolyn George.

Ed Galatelli, 13 Riceman Rd., asked several questions about the Recreation Ordinance.

Dawn Bernstein, 155 Wentworth Drive, asked questions about the Recreation Trust. Mr. Salmon and Liza Viana responded.

Donna Williams, 145 Rutgers Ave., made a statement about restructuring of the Recreation Department. Mr. Salmon responded.

Jim Skidmore, 49 Dogwood Lane, spoke about the consistency of the Recreation Department. Mr. Salmon responded.

Mackenzie Mercado, 15 Cedar Lane, asked for a tabling of the Recreation Ordinance and followed up with several questions on other projects. Mrs. Poage and Mrs. Illis responded.

Edmond Maciejewski, 40 Ralph Place, stated he opposes the Recreation Ordinance.

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Resident asked questions about purchase orders. Mr. Salmon responded.

Ed Kingsley, 9 Deerpath Lane, spoke about the financials of the Rec Commission.

Mark Dahn, 58 Runnymede Road made a statement in regard to the Recreation Commission meetings.

Rachel Bradkin, 33 Campbell Lane offered her opinions on the proposed Ordinance.

Joe Iadanza, 923 Mountain Ave., spoke on behalf of all of those concerned about the proposed Ordinance.

Terrence Grossman, 194 Princeton Ave. asked several questions on the Recreation Ordinance. Mrs. Poage responded. Liza Viana responded.

Cheri, long time Berkeley Heights business owner stressed the importance of communication with the local businesses.

Sean Kane, 46 Sycamore Ave., also stressed communication.

John Miguez, 56 Kuntz Ave., also addressed communication.

Brian Bernstein, 115 Wentworth Drive, praised Carolyn's efforts with minimal resources.

Jean Kingsley, 9 Deerpath Lane, made a statement with regard to governing.

Michael D'Aquila, 85 Whitney Drive., asked the Council to pause and have a discussion from both sides.

Natasha Jolly, 60 Orian Rd. and member of the Board of Education, had questions for Scott Salmon. He responded.

Jessamine Patel, 415 Emerson Lane, spoke in support of tabling the Ordinance.

Dennis Ryan, 104 Briarwood Dr., asked if the Recreation Commission was given the opportunity to address any of the questions pertaining to the audit. Attorney, Scott Salmon responded.

Julie Lloyd, 52 Deep Dale Drive, asked why the council feels they are more qualified than the commission to handle the monies of the Recreation Commission. Mrs. Illis responded.

Gabrielle Mahar, 6 Honeymoon Place, asked, if the Ordinance passes, will there be required continuing education. Mrs. Illis responded.

Dave Ronner 49 Debbie Place, expressed his disapproval of the proposed Ordinance of the Rec Commission.

Hillary Froelich, Basking Ridge, former volunteer in town, asked questions. Mrs. Illis, Administrator Liza Viana and attorney Scott Salmon responded.

Joe Iadanza, 923 Mountain Ave., expressed how the Recreation Ordinance is dividing the town in more than one way and that everyone needs to come together.

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McEnzie Mercado 15 Cedar Lane, talked about Warren’s recreation program in comparison to Berkeley Heights.

Michael D’Aquila, asked for clarification on the recreation budget.

Jerry Bonner, 550 Plainfield Ave., asked why it has taken so many years to promote Carolyn George. John McDonald, recreation chairman, answered.

Mark Donahue, 58 Runnymede, urged the Council to table the Recreation Ordinance.

Nate Kingsley, 90 Deerpath Lane, asked the Council to table the Recreation Ordinance.

Carolyn’s sister and a non-resident, explained how changing things within the Recreation department will ultimately affect the taxpayers.

Janelle Morgan, 40 Plainfield Ave., questioned the use of the term “Director” in regard to the Recreation Department.

Mr. Moran motioned to remove Ordinance 2026-15 from the Agenda. Mr. Machado seconded and all were in favor.

Police Chief Mea spoke about his budget constraints for the Police Department.

APPROVAL OF MINUTES

Motion to approve the Public Meeting Minutes dated June 9, 2026

Mover: Mrs. Poage
Second: Mrs. Illis
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES

Opening of the Public Hearing on ordinances being considered for final adoption

Mover: Mrs. Illis
Second: Mr. Machado
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None

Mr. Foster opened the floor to the public.

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Closing of the Public Hearing on ordinances being considered for final adoption

Mover: Mrs. Illis
Seconder: Mr. Machado
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None

FINAL ADOPTION OF ORDINANCE

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.

Mover: Mr. Machado
Seconder: Mr. Moran
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None
Result: Adopted

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mr. Medeiros
Seconder: Mrs. Poage
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None

Mr. Foster read a statement regarding the procedures for public comment.

40 Ralph Place, spoke against Councilwoman Poage's Data Center presentation.

Julie Lloyd, 52 Deep Dale Drive, asked if Mrs. Poage had questions about the Data Centers. Mrs. Poage responded.

Jean Kingsley, 9 Deerpath Lane, requests tabling Ordinance 2026-13 until it is reviewed by the Planning Board. Mr. Foster responded.

Tom Forreger, 14 Dorset Rd., had questions about the Data Center Ordinance. Attorney Scott Salmon answered.

John Miguez, 57 Kuntz, asked for a new approach to Ordinance 2026-13.

Adam Horowitz, 79 Cromwell Court, expressed his backing of Ordinance 2026-13.

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Tom Maciejewski, 40 Ralph Place, spoke about the alternatives to a Data Center.

Joe Iadanza, 923 Mountain Ave., spoke about traffic concerns. Asked about a foul smell coming from the Wastewater Treatment Plant. Administrator, Liza Viana responded.

Police Chief Mea addressed the policing of traffic and roadways.

John Miguez, 57 Kuntz, expressed his concerns on several topics. Chief Mea, Attorney Scott Salmon and Administrator Liza Viana responded.

Steve Carrellas, 35 Sycamore, spoke about roadways. Chief Mea responded.

Closing of the Citizens Hearing

Mover: Mr. Medeiros

Seconder: Mr. Moran

Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage

Nays: None

Abstain: None

Absent: None

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-

222. Resolution approving Bill List dated June 30, 2026, in the amount of \$745,335.42.

223. Resolution 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.

224. Resolution authorizing the execution of a Developer's Agreement with OZ Custom Builders, LLC for the property identified as Block 2006, Lots 32.01 (725 Mountain Avenue), 32.02 (7 Westminster Court), 32.03 (1 Westminster Court), 32.04 (3 Westminster Court) and 32.05 (5 Westminster Court).

225. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for Alcohol Education, Rehabilitation and Enforcement Fund Grant.

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- 226. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for Berkeley Heights Senior Citizen Public Services Program (CDBG YR 52).
- 227. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for 2026 Sustainable Jersey Grant.
- 228. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for New Jersey Historic Trust Grant. (\$384,067.00)
- 229. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for New Jersey Historic Trust Grant. (\$228,247.00)
- 230. Resolution authorizing the release of Cash Performance Bond in the amount of \$3,000.00 for work performed at 596 Mountain Avenue.
- 231. Resolution authorizing the release of Cash Performance Bond in the amount of \$4,000.00 for work performed at 157 Pearl Street.
- 232. Resolution amending Resolution 2026-216 which authorized a grant application to the New Jersey Department of Transportation's Safe Streets grant program to reflect the Safe Streets to Transit grant program name.
- 233. Resolution authorizing a block party at Ridge Drive, on Saturday, September 12, 2026, from 4:00 – 8:00 p.m.
- 234. Resolution rejecting the Bid from NJAW for the provision of the "Phase II- Exterior Restoration & Structural Stabilization at the Littell-Lord Farmhouse" which was received and opened on June 24, 2026, in accordance with N.J.S.A. 40A:11-13.2(b) because it exceeds the appropriation for the goods or services which are the subject of the bid.
- 235. Resolution authorizing the purchase of APX 6500 vehicle-mounted radios with accessories for the police department, through the New Jersey State Cooperative Purchasing Contract #T0109 for the total amount of \$13,802.22.
- 236. Resolution authorizing the cancellation of certain unexpended improvement authorization balances in the General Capital Fund.
- 237. Resolution authorizing the Clerk to go out to bid for flood mitigation services.
- 238. Resolution to adopt the Township of Berkeley Heights Community Energy Plan (CEP) as part of the New Jersey Board of Public Utilities CEP Grant Program.

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- 239. Resolution approving the execution of a sidebar agreement between the Township of Berkeley Heights and PBA Local 144 setting an academy rate of pay.
- 240. Resolution authorizing the Right-of-Way Encroachment License Agreement for the property located at 251 Plainfield Avenue.
- 241. Resolution authorizing the award of a professional services contract to Connolly & Hickey Historical Architects for bidding and contract administration services for the exterior and interior restoration and rehabilitation of the Littel-Lord Farmhouse.
- 242. Resolution authorizing an agreement with Animal Control Solutions, LLC for animal control services for the period July 1, 2026 through December 31, 2026.
- 243. Resolution amending Resolution 2026-203 which authorized the purchase of APX NEXT portable radios with accessories for the police department, through the New Jersey State Cooperative Purchasing Contract to increase the contract not to exceed amount to include an additional radio and related accessories.

Adoption of Consent Agenda Resolutions 2026-222 through 2026-243 excluding 224 and 241.

Mover: Mr. Moran
Second: Mrs. Poage
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None
Result: *Adopted*

ORDINANCES FOR INTRODUCTION

Public Hearing and Final Adoption scheduled for July 21, 2026

Ordinance 2026-13

AN ORDINANCE TO DESIGNATE DATA CENTERS AS A PROHIBITED USE IN ALL ZONES WITHIN THE TOWNSHIP

Approval of Ordinance for Introduction

Mover: Mrs. Poage
Discussion: Mrs. Illis, Mrs. Poage
Second: Mr. Moran
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None
Result: **Approved**

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Ordinance 2026-14

ORDINANCE AMENDING CHAPTER 10.08, "THROUGH STREETS, STOP INTERSECTIONS, TRAFFIC CONTROL SIGNALS AND CROSSWALKS," OF THE TOWNSHIP CODE TO REFLECT STOP INTERSECTIONS AT ALL APPROACHES AT WASHINGTON STREET AND BERKELEY AVENUE

Approval of Ordinance for Introduction

Mover: Mrs. Illis
Discussion: Mrs. Illis
Seconder: Mr. Machado
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None
Result: Approved

Ordinance 2026-15

AN ORDINANCE TO DISSOLVE THE RECREATION COMMISSION AND SET FORTH THE RECREATION DEPARTMENT WITHIN THE TOWNSHIP OF BERKELEY HEIGHTS

TABLED

Ordinance 2026-16

AN ORDINANCE CLARIFYING THE LAND USE PROCEDURES OF THE TOWNSHIP OF BERKELEY HEIGHTS AS IT RELATES TO PERMITTED AND ACCESSORY USES AS WELL AS VIOLATIONS OF THIS ORDINANCE

Approval of Ordinance for Introduction

Mover: Mr. Medeiros
Seconder: Mrs. Poage
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None
Result: Approved

Ordinance 2026-17

ORDINANCE APPROPRIATING \$135,000.00 FOR ROAD CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY

Approval of Ordinance for Introduction

Mover: Mr. Moran
Seconder: Mrs. Poage
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage
Nays: None
Abstain: None
Absent: None

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Result: Approved

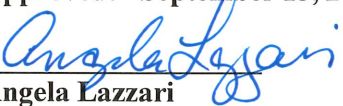
TOWNSHIP COUNCIL AND ADMINISTRATIVE REPORTS

****BYPASSED****

ADJOURNMENT

Moved by Mr. Foster and all were in favor.
(11:50 p.m.)

Approved: September 15, 2026


Angela Lazzari
Township Clerk