

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JULY 21, 2026**

CALL TO ORDER

At 6:39 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:

Angie Devanney - Mayor

FLAG SALUTE

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

CONFERENCE SESSION

Mr. Foster noted that the Conference Session was being postponed.

EXECUTIVE SESSION

Motion to enter Executive Session

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

1. Personnel

Entered Executive Session at 6:42

Returned From Executive Session at 7:07

PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES

Mr. Medeiros and Mrs. Illis made statements in support of tabling Ordinance 2026-14.

Mrs. Poage stated that further studies are needed regarding Ordinance 2026-14.

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Motion to table Ordinance 2026-14

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

Opening 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

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

Tom Forreger, 14 Dorset Rd., spoke on the Ordinance banning data centers suggesting it is not ready for final adoption as there are some benefits to it.

Tom Maciejewski, 40 Ralph Place, spoke in opposition of Ordinance 2026-13.

Adam Horowitz, 79 Cromwell Court, spoke about environmental health risks of AI Data Centers.

David Sankel, 75 Grandview Ave., expressed concern that Ordinance 2026-13 is moving forward too fast.

Danielle Bennett, 91 Bolton Blvd, spoke in support of the ban on Data Centers.

Ed Kingsley, 9 Deerpath, expressed concern that the ban on Data Centers is premature.

Roberta Koubeck, 49 Hampton Drive, supports the ban on Data Centers.

Sherry Park, 10 Arden Court, spoke in support of the ban on Data Centers.

Sai Bhargavi, 146 Robbins Ave., asked Mrs. Poage about comparison studies on Data Centers. Mrs. Illis responded.

Natasha Jolly, 60 Orion, asked what roads were included in the \$135,000 Capital Improvements. Administrator, Liza Viana responded.

Jerry Barter, 550 Plainfield Ave., supports the Data Center ban.

Glenn Rotor, 95 Pine Grove Rd., expressed support for the ban on Data Centers.

Steve Carrellas, 35 Sycamore, asked for the definition of accessory in regard to land use. Township attorney, Scott Salmon responded.

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Tom Maciejewski, 40 Ralph Place, asked questions about the data center ban. Township attorney, Scott Salmon responded.

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

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

FINAL ADOPTION OF ORDINANCES

Township attorney, Scott Salmon made a statement in regard to Ordinance 2026-16.

Ordinance 2026-13

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

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

Attorney Scott Salmon requested a motion to amend Ordinance 2026-16. He read the changes into the record.

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

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.

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: Adopted

Ordinance 2026-17

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

Mover: 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: Adopted

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mrs. Illis
Second: Mr. Moran
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.

Sherry Park, 10 Arden Court, asked for an update on the Westside Water project. Administrator, Liza Viana and Margaret Illis responded.

Sai Bhargavi, 146 Robbins Ave., had questions on road cleanup, government salaries and the need for additional police positions. Mrs. Illis and Chief Mea responded.

Ed Gallitelli, 13 Riceman Rd., asked about Recreation Commission vacancies.

Natasha Jolly, Berkeley Heights, asked Mr. Foster for the Lower Colombia project update. Township attorney, Scott Salmon responded.

Michelle Philipe, 531 Park Ave., spoke on behalf of Carolyn George. Administrator, Liza Viana responded.

Nelson Stauber, 125 Park Ave., spoke about unfinished Peppertown Park, the Sewer Plant and the former Berkeley Plaza property. Mrs. Illis responded.

Mark Dahn, 58 Runnymede Rd., asked for clarification on the promotion of Carolyn George. Mrs. Illis responded.

Mike LeBlond, 156 Klein Blvd., spoke about the many power outages in Berkeley Heights. Mrs. Illis and Liza Viana responded.

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Tom Maciejewski, 40 Ralph Place, had questions about the Library Board, personal messages and the outcome of Sherman Ave. Mrs. Poage, Mrs. Illis, Liza Viana and attorney Scott Salmon responded.

Joe Iadanza, 923 Mountain Ave., had questions about roads, Connell, and land use. Attorney Scott Salmon responded.

David Sankel, 75 Grandview Ave., spoke about affordable housing and tax burdens.

Sai Bhargavi, 146 Robbins Ave., had questions about salaries. Municipal Clerk, Angela Lazzari answered. Asked about Sherman Ave. project and affordable housing concerns. Mr. Foster and Mrs. Illis responded.

Tom Maciejewski, 40 Ralph Place. Asked about the ratio of Police officers to number of residents. Chief Mea responded. He also spoke about the absorbent amount of money the Library has to spend.

Jeanne Kingsley, 9 Deerpath, discussed two issues. The proposed police department expansion, and the status of the Municipal Building.

Jerry Barter, 550 Plainfield Ave., Had questions about several Resolutions. Liza Viana, attorney Scott Salmon, Municipal Clerk Angela Lazzari responded.

Jeanne Kingsley, 9 Deerpath, made a statement asking for clarification and reasoning with regard to the expansion of the Police Department.

Tom Forreger, 14 Dorset Rd., spoke about the ratio of police officers to residents and the Library finances.

David Sankel, 75 Grandview Ave., offered suggestions before moving ahead with the increase of police staff.

Robert Woodruff, 56 Forest Ave., expressed concern about the potential increase in police staff.

Ed Gallitelli, 13 Riceman Rd., spoke about the Recreation Commission.

Closing of the Citizens Hearing

Mover:	Mrs. Illis
Seconder:	Mr. Medeiros
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.

Motion to pull Resolution No. 2026-256 from the Consent Agenda

Mover: Mrs. Illis

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

Mrs. Illis made a motion to modify Resolution 2026-256 to change the Certification of Funds account to be G-02-20-175-027 NJ Historic Grant 2024 (2026)

Voting to adopt this resolution as amended

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
Result: Adopted as amended

Resolution No. 2026-

244. Resolution approving Bill List dated July 21, 2026, in the amount of \$1,919,669.02.
245. Resolution authorizing the purchase of a pickup truck for the Wastewater Treatment Plant, through the New Jersey State Cooperative Purchasing Contract #25-FLEET-110661 for the total amount of \$57,010.00.
246. Resolution authorizing a Blue Light permit to Sanghoon Nathan Lee, a member of the Volunteer Rescue Squad.
247. Resolution waiving municipal construction permit fees for repairs to structures damaged by the July 3-5, 2026 severe weather event.
248. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for Recycling Tonnage Grant.
249. Resolution authorizing the 100% Disabled Veteran tax exemption to the resident owner of the property located at 22 Arden Court (Block 1714, Lot 4).
250. Resolution authorizing a one (1) year extension to the contract with Messercola Excavating Co., Inc. for snow removal services & equipment.
251. Resolution authorizing an extension of the tax remittance grace period for the August 2026 property tax bill.

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252. Resolution authorizing the application of the 2027 New Jersey Department of Transportation Municipal Aid Grant.
253. Resolution authorizing the release of a Road Opening Bond in the amount of \$2,000.00, in connection with work performed at 54 Lawrence Drive.
254. Resolution authorizing the release of a Road Opening Bond in the amount of \$2,000.00, in connection with work performed at 66 Harrison Drive.
255. Resolution authorizing the release of escrow account of Full Circle Properties Springfield Avenue, LLC.
257. Resolution awarding a contract to Dell-Tech, Inc. for the Phase II-Exterior Restoration & Structural Stabilization at the Littell-Lord Farmhouse in the amount not to exceed \$395,900.00.
258. 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).

Adoption of Consent Agenda Resolutions 2026-244 through 2026-258

Mover: Mrs. Poage
Seconder: Mr. Moran
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 August 11, 2026

Ordinance 2026-18

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,505,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,399,000.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

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Abstain: None
Absent: None
Result: Approved

Ordinance 2026-19

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS IN UNION COUNTY, NEW JERSEY AMENDING THE CODE OF THE TOWNSHIP OF BERKELEY HEIGHTS TO ADD THE POSITION OF DEPUTY CHIEF AND TO AUTHORIZE ONE ADDITIONAL LIEUTENANT AND FOUR ADDITIONAL PATROL OFFICERS IN THE BERKELEY HEIGHTS POLICE DEPARTMENT

Approval of Ordinance for Introduction

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

Mrs. Illis spoke in support of the Ordinance. Mr. Foster spoke in support of the Ordinance. Mrs. Poage spoke in support of the Ordinance. Mr. Medeiros spoke in support of the Ordinance. Mr. Machado spoke in support of the Ordinance.

TOWNSHIP COUNCIL AND ADMINISTRATIVE REPORTS

Council members provided Council Reports and Committee updates.
Liza Viana provided the Administration report.

EXECUTIVE SESSION

Motion to enter Executive Session

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

1. Contract Negotiations – Shared Services Agreement – Lower Columbia Field
2. Contract Negotiations – 600 Mountain Ave. (property formerly known as Nokia)

Entered Executive Session at 10:35pm
Returned from Executive Session at 11:44pm

ADJOURNMENT

Moved by Mr. Machado and all were in favor.
(11:44 p.m.)

Approved: October 6, 2026


Angela Lazzari
Township Clerk

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