

1. Agenda Packet 10-20-26

Documents:

[AGENDA PACKET 10-20-26.PDF](#)

Township of Berkeley Heights Union County, New Jersey

Township Council Public Meeting October 20, 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

- Eagle Scout - Sambhav Chaturvedi

V. REGULAR AGENDA

VI. APPROVAL OF MINUTES

Public Meetings: August 11, 2026

VII. ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:

Ordinances Introduced on October 6, 2026

Ordinance 2026-23

AN ORDINANCE AMENDING THE TOWNSHIP CODE FOR THE TOWNSHIP OF BERKELEY HEIGHTS TO CREATE A CENTER LEFT TURN LANE IN FRONT OF MARY KAY MCMILLIN SCHOOL ON MOUNTAIN AVENUE AND TO SET THE SPEED LIMIT AT THIS LOCATION

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 President 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-

- 325. Resolution approving Bill List dated October 20, 2026, in the amount of \$1,554,482.19.
- 326. Resolution authorizing the road closure of Hamilton Avenue, west of Roosevelt Avenue, on October 27, 2026, from 7:00 a.m. to 3:00 p.m. to allow Berkeley Heights Fire Department to test hoses.
- 327. Resolution amending Resolution 2025-317 which awarded a professional services contract to Paulus, Sokolowski and Sartor, LLC (PS&S) for engineering design, construction administration, and construction observation services for the peracetic acid (PAA) system repairs at the Wastewater Treatment Plant, to extend the contract term.
- 328. Resolution amending Resolution 290-2023 which awarded a professional services contract to Paulus, Sokolowski and Sartor, LLC (PS&S) for construction phase management services for the sand disk filter & main influent pump replacement at the Wastewater Treatment Plant, to extend the contract term.
- 329. Resolution appointing Hoshie Masataka to the active roster of the Berkeley Heights Volunteer Fire Department.
- 330. Resolution authorizing a grant application to the Senior Citizens Social Services and Health Program of the Community Development Block Grant Program.
- 331. Resolution authorizing Garden State Fireworks to hold a fireworks display at midnight on New Year's Eve, December 31, 2026, at Mount Carmel Field.
- 332. Resolution authorizing the refund of tax overpayments for various properties within the Township.

X. 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

XI. EXECUTIVE SESSION

XII. ADJOURNMENT

Angela Lazzari, Township Clerk

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

ORDINANCE NO. 2026-23

AN ORDINANCE AMENDING THE TOWNSHIP CODE FOR THE TOWNSHIP OF BERKELEY HEIGHTS TO CREATE A CENTER LEFT TURN LANE IN FRONT OF MARY KAY MCMILLIN SCHOOL ON MOUNTAIN AVENUE AND TO SET THE SPEED LIMIT AT THIS LOCATION

WHEREAS, the Mayor and Council for the Township of Berkeley Heights desire to create a center left turn lane in front of Mary Kay McMillin School on Mountain Avenue and to set the speed limit at this location; and

WHEREAS, the regulation of vehicle traffic within the Township in the Township Code is imperative for the Township to be able to effectively enforce rules and laws governing vehicles and traffic within the Township;

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

SECTION I. Chapter 10.16, "Turn Prohibitions" of Title 10, "Vehicles and Traffic," of the Township Code shall be amended as follows: [New language **bold and underlined**; deletions ~~stricken through~~.]

Chapter 10.16 – TURN PROHIBITIONS **AND TURN LANES**

SECTION II. Section 10.16.020, "Turn Lanes," of Chapter 10.16, "Turn Prohibitions and Turn Lanes" of Title 10, "Vehicles and Traffic," of the Township Code shall be created as follows:

10.16.020 – Turn Lanes

- A. **Mountain Avenue, in front of Mary Kay McMillin School, shall be divided into three sections, with the center lane being a two-way left-turn lane. The center two-way left-turn lane on Mountain Ave shall commence 515 feet east from Plainfield Avenue and continue 475 feet east. This entire roadway section shall be 36 feet wide. All traffic travelling within the center lane shall be permitted to make left turns only.**

Appropriate traffic markings, including directional turning arrow traffic marking symbols, yellow diagonal traffic marking lines, solid yellow traffic marking lines, and broken yellow traffic marking lines shall be placed to indicate the center lane. Advanced signage shall be placed in both directions of the roadway to mark the location of the two-way center left-turn lane. There shall be transition traffic markings installed on the roadway to mark the transition between the existing center double-yellow traffic marking lines and the two-way left-turn only center lane traffic marking lines pursuant to the Manual on Uniform Traffic Control Devices, Figure 3B-7, and any other applicable laws or regulations.

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

SECTION III. Section 10.12.020, "Speed Limits" of Chapter 10.12, "Speed Limits and No-Passing Zones" of Title 10, "Vehicles and Traffic," of the Township Code shall be amended as follows:

10.12.010 - Speed limits.

The speed limit for both directions of traffic along the streets hereinafter designated is established as follows:

G. Mountain Avenue:

1. Forty (40) miles per hour from the westerly Berkeley Heights Township line to Diamond Hill Road-Union Avenue in the Township of Berkeley Heights, except within the Mountain Park School Zone, where the speed limit shall be twenty-five (25) miles per hour from 7:35 am - 8:35 am and 2:45 pm - 3:45 pm ~~while children are going to or leaving school, during opening or closing hours or during recess.~~ The Mountain Park School Zone on Mountain Ave shall commence 215 feet west of Plainfield Avenue and continue 1,655 feet west. Speed limit signage shall indicate twenty-five (25) miles per hour in a school zone from 7:35 am - 8:35 am and 2:45 pm - 3:45 pm and shall be flashing or blinking;
2. Forty (40) miles per hour from the westerly Berkeley Heights Township line to Diamond Hill Road-Union Avenue in the Township of Berkeley Heights, except within the Mary Kay McMillin School Zone, where the speed limit shall be twenty-five (25) miles per hour from 7:45 am - 8:45 am and 2:45 pm - 3:45 pm. The Mary Kay McMillin School Zone on Mountain Avenue shall commence at Plainfield Avenue and continue to Deerpath Lane. Speed limit signage shall indicate twenty-five (25) miles per hour in a school zone from 7:45 am - 8:45 am and 2:45 pm - 3:45 pm and shall be flashing or blinking;
3. Forty (40) miles per hour from the point where the New Providence Borough-Berkeley Heights Township line crosses Mountain Avenue east of Glenside Road to a point where the New Providence Borough-Berkeley Heights Township line again crosses Mountain Avenue west of Murray Hill Boulevard;
4. Regulatory and warning signs shall be installed and maintained in accordance with a letter of authorization from the Department of Transportation dated February 17, 1971, and the letter of authorization from the Department of Transportation dated March 26, 1970, and signs with the words School Speed Limit 25 MPH When Flashing shall be installed, operated and maintained in accordance with a letter of authorization from the Department of Transportation dated December 21, 1971.

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: October 6, 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: October 20, 2026												
_____ Angela Lazzari, Township Clerk												

TOWNSHIP OF BERKELEY HEIGHTS

**NOTICE OF INTRODUCTION
ORDINANCE 2026-23**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**AN ORDINANCE AMENDING THE TOWNSHIP CODE FOR THE TOWNSHIP OF
BERKELEY HEIGHTS TO CREATE A CENTER LEFT TURN LANE IN FRONT OF MARY
KAY MCMILLIN SCHOOL ON MOUNTAIN AVENUE AND TO SET THE SPEED LIMIT
AT THIS LOCATION**

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 **October 6, 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 **October 20, 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 2026-23

AN ORDINANCE AMENDING THE TOWNSHIP CODE FOR THE TOWNSHIP OF BERKELEY HEIGHTS TO CREATE A CENTER LEFT TURN LANE IN FRONT OF MARY KAY MCMILLIN SCHOOL ON MOUNTAIN AVENUE AND TO SET THE SPEED LIMIT AT THIS LOCATION

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 October 20, 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 **10/20/2026**, in the amount of **\$1,554,482.19** 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 20th day of October, 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 Berkeley Heights Fire Department has requested permission to close Hamilton Avenue, west of Roosevelt Avenue, on October 27, 2026, from 7:00 a.m. to 3:00 p.m. to allow for hose testing; and

WHEREAS, the Township Council wishes to authorize this closure because it is in the best interest of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey authorizes the closure of Hamilton Avenue, west of Roosevelt Avenue, on October 27, 2026, from 7:00 a.m. to 3:00 p.m. to allow the Berkeley Heights Fire Department to test hoses; provided that it complies with all conditions imposed by the Township Police Department and Rescue Squad.

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

Approved this 20th day of October, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

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

RESOLUTION

RESOLUTION AMENDING RESOLUTION 2025-317 WHICH AWARDED A PROFESSIONAL SERVICES CONTRACT TO PAULUS, SOKOLOWSKI AND SARTOR, LLC (PS&S) FOR ENGINEERING DESIGN, CONSTRUCTION ADMINISTRATION, AND CONSTRUCTION OBSERVATION SERVICES FOR THE PERACETIC ACID (PAA) SYSTEM REPAIRS AT THE WASTEWATER TREATMENT PLANT

WHEREAS, on October 21, 2025, the Township of Berkeley Heights adopted Resolution 2025-317, authorizing a professional services contract to Paulus, Sokolowski and Sartor, LLC (PS&S) for professional engineering services, including engineering design, construction administration, and construction observation services for the peracetic acid (PAA) system repairs at the Wastewater Treatment Plant, at a fee not to exceed \$53,500.00; and

WHEREAS, the peracetic acid (PAA) system repairs project is still on-going and the Township would also like to extend the contract term through December 31, 2027, pursuant to N.J.S.A. 40A:11-15(9).

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 Paulus, Sokolowski and Sartor, LLC (PS&S) for professional engineering services, including engineering design, construction administration, and construction observation services for the peracetic acid (PAA) system repairs at the Wastewater Treatment Plant to reflect the amended contract term through December 31, 2027, pursuant to N.J.S.A. 40A:11-15(9).
3. The Township Clerk is authorized to respectively execute, and attest to, all documents necessary to effectuate said agreement.
4. The Township Clerk shall publish a notice of this action pursuant to law.
5. This Resolution shall take effect immediately.

Approved this 20th day of October, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

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

RESOLUTION

RESOLUTION AMENDING RESOLUTION 290-2023 WHICH AWARDED A PROFESSIONAL SERVICES CONTRACT TO PAULUS, SOKOLOWSKI AND SARTOR, LLC (PS&S) FOR CONSTRUCTION PHASE MANAGEMENT SERVICES FOR THE SAND DISK FILTER & MAIN INFLUENT PUMP REPLACEMENT AT THE WASTEWATER TREATMENT PLANT

WHEREAS, on November 21, 2023, the Township of Berkeley Heights adopted Resolution 290-2023, authorizing a professional services contract to Paulus, Sokolowski and Sartor, LLC (PS&S) for Construction Phase Management Services for the Sand Disk Filter & Main Influent Pump Replacement at the Wastewater Treatment Plant, in an amount not to exceed \$794,628.00; and

WHEREAS, the sand disk filter & main influent pump replacement project is still on-going and the Township would also like to extend the contract term through December 31, 2026, pursuant to N.J.S.A. 40A:11-15(9).

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 Paulus, Sokolowski and Sartor, LLC (PS&S) for Construction Phase Management Services for the Sand Disk Filter & Main Influent Pump Replacement at the Wastewater Treatment Plant to reflect the amended contract term through December 31, 2026, pursuant to N.J.S.A. 40A:11-15(9).
3. The Township Clerk is authorized to respectively execute, and attest to, all documents necessary to effectuate said agreement.
4. The Township Clerk shall publish a notice of this action pursuant to law.
5. This Resolution shall take effect immediately.

Approved this 20th day of October, 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 October 10, 2026.

<u>Name</u>	<u>Appointment</u>	<u>Roster</u>
Hoshie Masataka	Volunteer Fire Department	Active

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

Approved this 20th day of October, 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, certain Federal funding will potentially be available for Union County under Title I of the Housing and Community Development Act of 1974 as amended and supplemented, which Act is commonly known and referred to as the Community Development Block Grant (CDBG); and

WHEREAS, the Township of Berkeley Heights has a need and desire for assistance under the Act and Program as aforesaid in order to improve essential services to the residents of areas which qualify for assistance under the Act and Program as aforementioned.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey authorizes, on behalf of the Township of Berkeley Heights, the submission of applications for funding of the attached list, known as the Community Development Block Grant Program Year 53 list.

Community Development Block Grant Proposals for Year 53

Senior Citizens Social Services & Health Program

Request \$25,000.00

Approved this 20th day of October, 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 a fireworks display at midnight on **New Year's Eve, December 31, 2026**, at the **Mount Carmel Field**; and

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 that copies of this resolution are to be forwarded to Garden State Fireworks, the Berkeley Heights Police, Fire Department, and Rescue Squad.

Approved this 20th day of October, 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
401/39	99 DELMORE AVE	GAIL CASTRO REVOCABLE TRUST	\$1,750.00	2026	4

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

Approved this 20th day of October, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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