

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY  
COUNCIL MEETING HELD MAY 5, 2026**

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**CALL TO ORDER**

At 6:32 p.m., Mr. 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

Mrs. 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**

Mayor Devanney asked everyone present to stand for the Flag Salute.

**CONFERENCE SESSION**

Eagle Scout candidate Jimmy Barter presented his plan for a Bocce Ball Court at Peppertown Park. Council members asked questions and Jimmy responded.

Fire Prevention and Fire Inspection Fees: Joe Poppolo, Fire Official, presented a proposal to amend the fees.

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCES**

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

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

Mr. Foster opened the floor.

No one wished to speak.

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

Mover: Mr. Machado

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

**FINAL ADOPTION OF ORDINANCE**

Ordinance 2026-05  
CALENDAR YEAR 2026 ORDINANCE TO EXCEED THE MUNICIPAL BUDGE APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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

Ordinance 2026-07  
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,310,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

**ADOPTION OF 2026 MUNICIPAL BUDGET**  
*Resolution 2026-162 authorizing the municipal budget to be read by title only.*

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

**PUBLIC HEARING ON THE 2026 MUNICIPAL BUDGET**

Opening of the Public Hearing  
Mover: Mr. Foster  
Secunder: Mr. Moran  
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, Mr. Moran, Mrs. Poage

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Nays: None  
 Abstain: None  
 Absent: None  
 Result: Adopted

Closing of the Public Hearing on the Municipal Budget

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

Resolution 2026-163 Authorizing the Amendment to the 2026 Municipal Budget was read by Mrs. Illis.

**RESOLUTION 2026-163**

**WHEREAS**, the local municipal budget for the year 2026 was approved on the 7th day of April, 2026; and

**WHEREAS**, the public hearing on said budget has been held as advertised, and

**WHEREAS**, it is desired to amend said approved budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Berkeley Heights, County of Union, that the following amendments to the approved budget of 2026 be made:

	<u>FROM</u>	<u>TO</u>
Anticipated Revenues:		
1. Surplus Anticipated	4,460,000.00	4,659,998.00
Total Surplus Anticipated	4,460,000.00	4,659,998.00
3. Miscellaneous Revenues - Section B State Aid Without Offsetting Appropriations Energy Receipts Tax (P.L. 1997, Chapters 162 & 167)	1,558,960.00	1,558,962.00
3.Total Section B: State Aid Without Offsetting Appropriations	1,558,960.00	1,558,962.00
3. Miscellaneous Revenues-Section F: Special Items of Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues:		

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NJDOT Safe Routes to School	1,275,000.00	1,270,000.00
NJ Historical Grant	228,247.55	0.00
Total Section F: Special Items of Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues	1,506,539.97	1,273,316.42
3 . Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items:		
Reserve for Recycling Program	200,000.00	0.00
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	6,614,635.31	6,414,635.31
Summary of Revenues:		
1. Surplus Anticipated	4,460,000.00	4,659,998.00
3.Total Section B: State Adid Without Offsetting Appropriations	1,558,960.00	1,558,962.00
Total Section F: Public and Private Revenues	1,506,563.97	1,278,312.42
5. Subtotal General Revenues	17,438,850.28	17,405,602.73
7. Total General Revenues	35,004,612.97	34,771,365.42
8. General Appropriations:		
(A) Operations Excluded From "CAPS"		
Public and Private Programs Offset by Revenues		
NJDOT Safe Routes to School	1,275,000.00	1,270,000.00
NJ Historical Grant	228,247.56	0.00
Total Public and Private Programs Offset by Revenues	1,506,563.97	1,273,316.42
Total Operations - Excluded From "CAPS"	\$4,680,198.97	4,446,951.42
Detail:		
Other Expenses	\$4,677,498.97	\$4,444,251.42

9. TOTAL GENERAL APPROPRIATIONS

\$35,004,612.97

34,771,365.42

**BE IT FURTHER RESOLVED**, that this resolution be published on the official website <https://www.berkeleyheights.gov/> no later than May 9, 2026, 10 days prior to the hearing.

**BE IT FURTHER RESOLVED**, that a public hearing on this amendment will be held at the Municipal Complex, on May 19, 2026, at 6:30 at which time and place objections to this Amendment Resolution for the year 2026 may be presented by the taxpayers and other interested parties.

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so 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: Approved**

**CITIZENS HEARING**

*Opening of the Citizens Hearing*

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

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

Steve Carrellas, 34 Sycamore, spoke on eBike Ordinance.

The Mayor arrived at 7:20pm.

Joe Iadanza, 923 Mountain Ave., had questions on the Bill List. The Mayor and Mrs. Poage responded. He also had a question 2026-166 Natural Gas Proposal. Liza Viana answered.

*Closing of the Citizens Hearing*

Mover: Mr. Machado  
Seconder: Mr. Foster  
Ayes: Mr. Foster, Mrs. Illis, Mr. Machado, Mr. Medeiros, 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-

- 165. Resolution approving Bill List dated May 5, 2026, in the amount of \$530,436.31.
- 166. Resolution of Township of Berkeley Heights authorizing the purchase of natural gas supply services for public use on an online auction website.
- 167. Resolution authorizing the sale of surplus personal property no longer needed for public use on an online auction website.
- 168. Resolution authorizing the CFO to issue checks for the Teen Scene program on an as-needed basis.
- 169. Resolution authorizing a fireworks display on June 17, 2026, at Governor Livingston High School.
- 170. Resolution appointing Michael Imbriaco as Tax Assessor.
- 171. Resolution amending Resolution 2026-67 which awarded a contract to Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant to extend the contract term through December 31, 2026.
- 172. Resolution amending Resolution 2026-70 which awarded a contract to Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant to extend the contract term through December 31, 2026.
- 173. Resolution authorizing the issuance of a Notice of Intent to Award a contract through a national cooperative purchasing agreement pursuant to Local Finance Notice No. 2012-10 for the rehabilitation/repair of manholes and pipelines for the Wastewater Treatment Plant.
- 174. Resolution amending the adopted budget for additional item of revenue and offsetting appropriation for Lower Columbia Field and Park Revitalization Project.

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Adoption of Consent Agenda Resolutions 2026-165 through 2026-174

Mover: Mr. Medeiros  
Seconder: Mr. Foster  
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 May 5, 2026*

Ordinance 2026-08

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

Approval of Ordinance for Introduction

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

Mrs. Illis explained the ordinance. Mayor and Council provided feedback.

Carolyn George, 69 Deep Dale Drive, asked if a resident witnesses someone misbehaving on an E-bike should they call the police? Mrs. Illis, Mrs. Poage and Scott Salmon responded.

Ordinance 2026-09

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

Approval of Ordinance for Introduction

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  
**Result: Approved**

Ordinance 2026-10

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

Approval of Ordinance for Introduction

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

Nays: None  
Abstain: None  
Absent: None  
**Result: Approved**

**TOWNSHIP COUNCIL AND ADMINISTRATIVE REPORTS**

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

**CLOSED SESSION**

The Mayor announced that there is a need to go into Executive Session

- Contract Negotiations-600 Mountain Avenue

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

Entered Executive Session at 8:01pm  
Returned from Executive Session at 9:43pm

**ADJOURNMENT**

Moved by Mr. Machado and all were in favor.  
**(9:43 p.m.)**

**Approved: May 19, 2026**

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**Angela Lazzari  
Township Clerk**