

1. Agenda Packet 5-5-26 - Amended As Of May 5, 2026

The amended agenda contains the updated agenda and the supporting documentation.

Documents:

[AGENDA PACKET 5-5-26 AMENDED AS OF 5-5-26.PDF](#)

2. Agenda Changes 5-5-26 - Amended As Of May 5, 2026

The agenda changes highlight changes made to the original agenda.

Documents:

[CHANGE NOTICE - AGENDA - 05-05-26 AMENDED AS OF MAY 5.PDF](#)

3. Agenda Packet 5-5-26 - Amended

Documents:

[AGENDA PACKET 5-5-26 AMENDED.PDF](#)

4. Agenda Changes 5-5-26

Documents:

[CHANGE NOTICE - AGENDA - 05-05-26.PDF](#)

5. Agenda Packet 5-5-26

The agenda packet contains the agenda and supporting documentation.

Documents:

[AGENDA PACKET 5-5-26.PDF](#)

**Township of Berkeley Heights  
Union County, New Jersey**

**Township Council Public Meeting  
May 5, 2026  
6:30 P.M.**

**\*\*AMENDED AS OF MAY 5, 2026\*\***

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. Fire Prevention and Fire Inspection Fees
  - 2. Eagle Scout Project – Jimmy Barter - **\*\*ADDED\*\***
- V. REGULAR AGENDA**
- VI. APPROVAL OF MINUTES**
- VII. ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

*Ordinances Introduced on April 7, 2026*

**Ordinance 2026-05**

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

*Ordinances Introduced on April 21, 2026*

**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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

**VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Introduced on April 7, 2026:**

- Resolution authorizing the Municipal Budget to be read by title only. (2026-162)
- Public Hearing and Final Adoption of the 2026 Municipal Budget as advertised.
- Resolution authorizing the amendment to the 2026 Municipal Budget. (2026-163)
- **\*\*PULLED\*\*** - Resolution adopting the 2026 Budget as amended. (2026-164)

**NOTE:** *The 2026 Municipal Budget, as amended, will be considered for adoption on May 19, 2026, at 6:30 PM at 29 Park Avenue, Berkeley Heights, New Jersey.*

**IX. 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.

**X. 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-

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.

**XI. ORDINANCES FOR INTRODUCTION**

*Public Hearing and Final Adoption scheduled for May 19, 2026.*

**Ordinance 2026-08**

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

**Ordinance 2026-09**

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

**Ordinance 2026-10**

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

**XII. 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

**XIII. EXECUTIVE SESSION**

1. Contract Negotiations – 600 Mountain Avenue

**XIV. ADJOURNMENT**

**Angela Lazzari, Township Clerk**

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

**ORDINANCE NO. 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights in the County of Union finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a 1.5 % increase in the budget for said year, amounting to \$306,245.67 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Berkeley Heights, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the Township of Berkeley Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$714,573.24 and that the CY 2026 municipal budget for the Township of Berkeley Heights be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				<b>John Foster</b>						
					X	<b>Margaret Illis</b>						
X		X				<b>Bill Machado</b>						
					X	<b>Alvaro Medeiros</b>						
		X				<b>Andrew Moran</b>						
	X	X				<b>Susan Poage</b>						
Introduced: April 7, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-05**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 **April 7, 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 **May 5, 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 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

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 May 5, 2026.

**Angela Lazzari, RMC  
Township Clerk**

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

**ORDINANCE NO. 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,310,000, and further including the aggregate sum of \$830,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,480,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<b>d) <u>Fire Department:</u></b> (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b>			
(i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b>			
Acquisition of office furniture, including all related costs and expenditures incidental thereto.	\$15,130	\$9,695	5 years
<b>Totals:</b>	<b>\$2,310,000</b>	<b>\$1,480,000</b>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond

anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,480,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by

this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

\_\_\_\_\_  
Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				John Foster						
X		X				Margaret Illis						
		X				Bill Machado						
					X	Alvaro Medeiros						
		X				Andrew Moran						
	X	X				Susan Poage						
Introduced: April 21, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

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

**NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond 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 **April 21, 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 **May 5, 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 bond 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 bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<p><b>d) <u>Fire Department:</u></b>            (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.</p>	\$82,715	\$52,995	5 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b> (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

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

**BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on **May 5, 2026** and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<p><b>d) <u>Fire Department:</u></b>            (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.</p>	\$82,715	\$52,995	5 years
<p><b>e) <u>Engineering:</u></b>            (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.</p>	\$196,705	\$126,025	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
g) <b><u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<b><u>\$2,310,000</u></b>	<b><u>\$1,480,000</u></b>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

**RESOLUTION**

**AUTHORIZING THE 2026 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended, provides that the Municipal Budget shall be read in-full at the public hearing, or that it may be read by its title if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved Budget:

(a) shall be made available for public inspection, and;

(b) shall be made available to each person upon request.

**NOW, THEREFORE, BE IT RESOLVED** by not less than a majority of the full membership of the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey that it finds and declares that the conditions of N.J.S.A. 40A:4-8, as amended, have been met by the municipality and the Municipal Budget for Calendar Year 2026 shall be read by title only.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC**  
**Township Clerk**

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

TOWNSHIP OF BERKELEY HEIGHTSRESOLUTION TO AMEND BUDGET

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.

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:		
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 R	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 Aid 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, 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 a certified copy 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.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 5th day of May, 2026.

Certified by me:

\_\_\_\_\_  
Angela Lazzari, RMC

No. 2026- 164

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

**RESOLUTION**

*Placeholder - this Resolution was pulled from the agenda.*

**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 **5/5/2026**, in the amount of **\$530,436.31** 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 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC  
Township Clerk**

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

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

**RESOLUTION**

**A RESOLUTION OF TOWNSHIP OF BERKELEY HEIGHTS AUTHORIZING THE PURCHASE OF NATURAL GAS SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, Township of Berkeley Heights has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Township of Berkeley Heights; and

**WHEREAS**, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

**WHEREAS**, Township of Berkeley Heights will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

**WHEREAS**, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Berkeley Heights be and Liza Viana, Township Administrator, hereby is authorized to execute on behalf of the Township of Berkeley Heights any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**Approved this 5th day of May, 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 THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township of Berkeley Heights has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township intends to utilize the online auction services of Municibid located at [www.municibid.com](http://www.municibid.com); and

**WHEREAS**, Township Council finds it to be in the best interests of the Borough to authorize the sale of the surplus property identified on Schedule A by online public auction.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on the State-approved online auction website of Municibid ([www.municibid.com](http://www.municibid.com)).

**BE IT FURTHER RESOLVED** that the terms and conditions of the agreement entered into between Municibid and the Township of Berkeley Heights are available at [www.municibid.com](http://www.municibid.com) and in the Township Clerk's office.

**BE IT FURTHER RESOLVED** that a certified copy of the within Resolution be forwarded by the Township Clerk to the New Jersey Division of Local Government Services and Municibid.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

Approved this 5th day of May, 2026.

ATTEST:

\_\_\_\_\_  
Angela Lazzari, RMC  
Township Clerk

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

## SCHEDULE A

1. FIRE DEPARTMENT PICKUP TRUCK: VIN #: 1GHTK33295F828936, 2005 GMC 3500  
LICENCE PLATE #: MG63382

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

**RESOLUTION**

**Whereas**, the Township of Berkeley Heights Recreation Department offers a Teen Scene summer camp program which consists of day trips and activities; and

**Whereas**, the costs for many of these activities are based on the registration totals; and

**Whereas**, the registration process for the Teen Scene program is on-going and allows for new registrations, changes, and cancellations to the program through July; and

**Whereas**, the Recreation Department would like to order tickets and pay for Teen Scene activities on an as-needed basis which would:

1. Ensure the number of tickets purchased is aligned with the final count of registrants for that event.
2. Avoid purchasing tickets based on estimated registrations and potentially wasting money.
3. Eliminate the need to issue checks ahead of time and hold them until the activity date.

**NOW THEREFORE, BE IT RESOLVED**, that the Governing Body of the Township of Berkeley Heights authorizes the CFO to issue checks for the Teen Scene program on an as-needed basis and to obtain Council approval for the expenditure at a subsequent meeting.

**Approved this 5th day of May, 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 on **June 17, 2026**, at **Governor Livingston High School**, between 2:30 p.m. and 8:00 p.m. In the event of rain this resolution will be extended for 10 days; 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.

Copies of this resolution are to be forwarded to Garden State Fireworks and Fire Department.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC**  
**Township Clerk**

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

TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY

RESOLUTION

**RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHAEL IMBRIACO AS TAX ASSESSOR**

**WHEREAS**, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

**WHEREAS**, the Township of Berkeley Heights appointed Michael Imbriaco to fill an unexpired term ending June 30, 2026; and

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berkeley Heights to appoint Michael Imbriaco to a four-year appointment beginning July 1, 2026, and ending on June 30, 2030, pursuant to N.J.S.A. 40A:9-148; and

**WHEREAS**, the assessor will work ten (10) flexible hours per week.

**NOW THEREFORE BE IT RESOLVED**, that **Michael Imbriaco** is hereby appointed as Tax Assessor of the Township of Berkeley Heights for a four-year term commencing on July 1, 2026 and ending on June 30, 2030.

**BE IT FURTHER RESOLVED** that, certified copies of said Resolution shall be forwarded to the following:

- 1. Director, Division of Taxation
- 2. Administrator, Board of Taxation
- 3. Township Administrator
- 4. Tax Assessor

**Approved this 5th day of May, 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 2026-67 WHICH AWARDED A CONTRACT TO RAPID PUMP & METER SERVICE CO. FOR REPAIR SERVICES FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-67, authorizing a contract award to Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to amend Resolution 2026-67 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 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 2026-70 WHICH AWARDED A CONTRACT TO RAPID PUMP & METER SERVICE CO. FOR MEASUREMENT DEVICE CALIBRATION & REPAIRS FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-70, authorizing a contract award to Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, on January 20, 2026, the Township adopted Resolution 2026-84, which amended Resolution 2026-70 to amend the account from which funds were certified; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to further amend Resolution 2026-70 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 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 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 SERVICES AT THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the Township of Berkeley Heights (hereinafter, the "Township") intends to participate in the BuyBoard National Purchasing Program contract for the rehabilitation/repair of manholes and pipelines for the Township's Wastewater Treatment Plant; and

**WHEREAS**, information regarding the contract may be found at the Office of the Township Clerk during regular business hours, Monday thru Friday 8:30 a.m. to 4:00 p.m., as well as on the BuyBoard website at: <https://www.buyboard.com>; and

**WHEREAS**, the Township has confirmed its membership with BuyBoard; and

**WHEREAS**, the Township of Berkeley Heights anticipates participating in BuyBoard **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), on **June 9, 2026**; and

**WHEREAS**, it is the intent of the Township of Berkeley Heights to make a contract award to National Water Main Cleaning of 1806 Newark Turnpike, Kearny, NJ 07032, pursuant to the proposal submitted in response to the BuyBoard National Purchasing Program contract; and

**WHEREAS**, the Township of Berkeley Heights is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey hereby authorize the Township Clerk to advertise a "Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement" pursuant to New Jersey Local Finance Notice 2012-10.

**BE IT FURTHER RESOLVED** that such notice shall have a comment period terminating upon the close of Township business on **Tuesday, June 9, 2026**

**Approved this 5th day of May, 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 LOWER COLUMBIA FIELD AND PARK  
REVITALIZATION PROJECT**

**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 \$250,000.00 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:

Lower Columbia Project - Connell

**BE IT FURTHER RESOLVED**, that a like sum of \$250,000.00 is hereby appropriated under the caption of:

General Appropriations:

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

Lower Columbia Project – Connell

**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 5th day of May, 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 2026-08**

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

**WHEREAS**, the Township of Berkeley Heights recognizes the growing use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles for transportation, recreation, and commuting; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles provide environmental, health, and mobility benefits through active transportation, but require regulation to ensure the safety of pedestrians, riders, and motorists; and

**WHEREAS**, in January 2026, Governor Murphy signed into law new regulations for electric bikes in New Jersey; and

**WHEREAS**, the Township seeks to promote compliance, education, and mutual respect among all roadway users; and

**WHEREAS**, the safe, courteous, and responsible interaction between pedestrians, motor vehicles, and low-speed electric bicycles, low-speed electric scooters, and motorized bicycles operators is essential to the wellbeing of all residents; and

**WHEREAS**, the New Jersey Department of Transportation embraces the Complete Streets' goals, under which streets are planned, designed, built, and operated to safely support all users, and shared-use principles are fundamental to that mission; and

**WHEREAS**, New Jersey state law now classifies "electric motorized bicycles" that have two-wheels with fully operable pedals and an electric motor capable of greater than 750 watts that is capable of reaching a speed greater than 28 miles per hour as motorcycles; and

**WHEREAS**, electric-motorized bicycles must follow all applicable New Jersey laws and are not considered electric bicycles under this ordinance; and

**WHEREAS**, "Motorcycle," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered an electric bicycle under this ordinance; and

**WHEREAS**, "Motorized scooter," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered a low-speed electric scooter under this ordinance. "Motorized scooter" is a miniature motor vehicle that includes, but is not limited to, pocket bikes, super pocket bikes, scooters, mini-scooters, sport scooters, pit bikes, mini choppers, mini motorcycles, motorized skateboards, and other vehicles with motors not manufactured in compliance with Federal Motor Vehicle Safety Standards and which have no permanent Federal Safety Certification stickers affixed to the vehicle by the original manufacturer; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, motorized bicycles, and motorized scooters are primarily regulated under New Jersey state law under Title 39, and

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

municipal ordinances must be consistent therewith, including any/all age and registration requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berkeley as follows:

**SECTION I.** Chapter 10.28, "Bicycles," of Title 10, "Vehicles and Traffic" of the Township Code is hereby amended as follows:

**10.28.010. Definitions.**

A. The words defined shall have the meaning indicated for the purpose of this chapter:

"Bicycle" means vehicles with two wheels, propelled solely by human power and having pedals, handle bars and a saddle-like seat.

"Nighttime" means hours between dusk and dawn.

"Parent" or "guardian" means any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

"Public place" means any place to which the public has access and shall include any street, road, alley or sidewalk; the exterior of or the neighborhood of any store, shop, restaurant or tavern or other place of business or commercial establishment, or public grounds, areas or parks; and in or about any public building, schoolhouse, community house, theater or place of amusement or on parking lots or other vacant property not owned or under the control of the person charged with violating this provision.

**SECTION II.** Chapter 10.29, "Low-Speed Electric Bicycles, Low-Speed Electric Scooters and Motorized Bicycles," of Title 10, "Vehicles and Traffic" be hereby added to the Berkeley Heights Township Code as follows:

**10.29.010. Purpose.**

The purpose of this chapter is to establish reasonable standards for the safe operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles, while establishing how these devices will interact with other roadway users including but not limited to motorists and pedestrians consistent with New Jersey State law. Nothing in this Chapter is intended to limit or restrict the use of electric personal assistive mobility devices, as defined by N.J.S.A. 39:4-14.10.

The purpose of this chapter is also to:

1. Promote safe, predictable, and courteous use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles within the Township of Berkeley Heights.
2. Reduce potential conflict among pedestrians and operators of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.

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

3. Establish clear safety expectations.
4. Encourage compliance and shared safety responsibilities.

**10.29.030 - Application of Motor Vehicle Laws.**

Low-speed electric bicycles, low-speed electric scooters, and motorized bicycles may be operated on the streets, highways, roadways, and bicycle paths of Berkeley Heights where bicycles are permitted as set forth in N.J.S.A. 39:4-14.16 and any other applicable laws, except as otherwise provided in N.J.S.A. 39:4-14.16, N.J.S.A. 39:4-14.3, and any other applicable laws.

All persons operating such vehicles shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Every operator of a low-speed electric scooter or low-speed electric bicycle is encouraged to:

1. Provide an audible signal when approaching or passing a pedestrian.
2. Pass pedestrians carefully and predictably on the left when conditions permit.
3. When there is insufficient room to pass a pedestrian safely on a sidewalk, operators shall dismount and walk their electric bike or scooter.
4. Use designated bicycle paths or bike lanes as permitted under New Jersey law.

**10.29.040 - Operation of Low-Speed E-Scooters, Low-Speed E-Bicycles and Motorized Bicycles**

All low-speed electric bicycles, low-speed electric scooters, and motorized bicycles shall be operated in a manner consistent with New Jersey law.

- A. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Scooter**” means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour. The operator of a low-speed electric scooter shall not be required to register the low-speed electric scooter or have a driver’s license. The operator must follow all laws applicable to bicycles, except where by their very nature may have no application to low-speed electric scooters or pursuant to any other applicable laws. Helmets are required for those under the age of 17.
- B. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Bicycle**” means a two-wheeled vehicle with fully operable pedals and an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. No person who is under 15 years of age shall be permitted to operate a low-speed electric bicycle. Operators are required to register their low-speed electric bicycle, have insurance, and have a driver’s license or permit to operate it pursuant to N.J.S.A. 39:4-14.3 and any other applicable laws. The operator must follow

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

all laws applicable to bicycles. Helmets are required for those under the age of 17. Pursuant to N.J.S.A. 39:4-14.16(b), on and after January 1, 2019, manufacturers and distributors of low-speed electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each low-speed electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the low-speed electric bicycle and shall be printed in Arial font in at least 9-point type.

- C. As set forth in N.J.S.A. 39:1-1, “**Motorized Bicycle**” means a pedal bicycle that is equipped with: (1) a helper motor characterized in that either the maximum piston displacement is less than 50 cubic centimeters or the helper motor is rated at no more than 1.5 brake horsepower; (2) an electric motor that can provide assistance when the rider is pedaling or that, through the use of a throttle, can be used to exclusively propel the bicycle to a speed of not more than 15 miles per hour; (3) a helper motor that is powered by an electric drive motor that provides assistance when the rider is pedaling and has a maximum speed between 21 miles per hour and 28 miles per hour on a flat surface; or (4) an electric motor that is capable of propelling the bicycle in excess of 15 miles per hour through the use of a throttle with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. It does not include a low-speed electric bicycle or low-speed electric scooter, as defined by law. No person who is under 15 years of age shall be permitted to operate a motorized bicycle. Operators are required to register the motorized bicycle, obtain insurance, and have a driver’s license or permit to operate the device. Helmets are required for all operators of motorized bicycles.
- D. Carrying Articles. No person operating a low-speed electric scooter, low-speed electric bicycle or motorized bicycle shall carry any package, bundle, or article that prevents the user from riding and operating the low-speed electric bicycle or low-speed electric scooter in a safe manner.
- E. Parking/Placement.
1. Low-speed electric scooters, low-speed electric bicycles, and motorized bicycles may be attached or secured to a bicycle rack or in other designated parking areas if they are available and advertised as such by signage.
  2. No person or owner shall leave an electric bicycle or electric scooter lying on or standing upon any portion of the Township right-of-way so as to hinder or impede pedestrian access or handicapped accessibility.
- F. Riding on Sidewalks. Low-speed electric scooters and low-speed electric bicycles are permitted on sidewalks provided the operator follows the requirements of Section 10.29.040 herein. Motorized bicycles are strictly prohibited from riding on any sidewalk.
- G. Riding on Paths or Trails. Low-speed electric scooters and low-speed electric bicycles may be operated on trails and walking paths in wooded areas or otherwise separate from roadways, but only in a pedestrian-safe manner, unless otherwise posted. For purposes of

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

this section, "pedestrian-safe manner" means operating at a speed and in a manner that does not endanger or unreasonably interfere with pedestrians.

- H. Lamps and Equipment on low-speed Electric Scooters, low-speed Electric Bicycles, or Motorized Bicycles. Every electric bicycle, electric scooter, or motorized bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the State Motor Vehicle Commission, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.
- I. Manner of Riding.
1. No low-speed electric bicycle, low-speed electric scooter, or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
  2. Riders must obey all traffic lights, signs, and signals.
- J. Restrictions on Modifications. No person will modify their low-speed electric bicycle to operate at speeds greater than is certified by the manufacturer.
- K. Township Parks, Playgrounds and Public Recreation Spaces.
1. No person shall ride a low-speed electric scooter, low-speed electric bicycle, or motorized bicycle in any Township parks or playgrounds unless utilizing a designated bicycle pathway and exercising due caution for other individuals present.
  2. When traveling on any public roadway within the Township, these vehicles should not be operated in a manner that is disruptive, disorderly, contrary to the normal flow of traffic, or in any other manner deemed tumultuous or deliberately obstructive to pedestrians or vehicles.

**10.29.050. Operation on Private Property Open to the Public.**

Any private property owner or authorized property manager may elect to restrict the operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles on privately-owned property that is open to the public. That includes, but is not limited to, prohibiting such devices from being operated or stored on their property. If the private property owner or authorized property manager elects to comply with the following requirements, the Township Police Department shall enforce, to the best of their ability, these restrictions as described herein.

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

- (A) Registration. The property owner or authorized property manager shall file a written notice of restriction with the Township Police Department, identifying the property by block and lot, the nature of the restriction, and the name and contact information of the property owner or authorized representative. The Police Department shall maintain a registry of all such properties. Registration shall be renewed annually.
- (B) Signage. The property owner or authorized property manager shall post signage at all public entrances to the property that is clearly visible, legible, and compliant with specifications established by the Township. Signage shall state that operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles is prohibited on the property except as otherwise required by law.
- (C) Disability Exemption. Nothing in this section shall be construed to restrict the use of any device by a person with a mobility-related disability as authorized under N.J.S.A. 39:4-14.15 or any other applicable law, or as required by the Americans with Disabilities Act or the New Jersey Law Against Discrimination.
- (D) Effect of Registration. Upon completion of registration and posting of compliant signage, operation of a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle on such property in violation of posted restrictions shall constitute a violation of this chapter, subject to the penalties set forth in Section 10.29.070.
- (E) Enforcement. Enforcement of this section on private property shall occur only upon the request or standing consent of the property owner or authorized representative on file with the Township Police Department. Nothing in this section authorizes warrantless entry onto private property by law enforcement absent consent or exigent circumstances as otherwise provided by law.
- (F) Limitation. Nothing in this section grants the Township authority to compel any private property owner to register or post signage, or to regulate the use of private property beyond the voluntary framework established herein.

**10.29.060 - Coordination with Established Safety Education Programs.**

The Township and Berkeley Heights Police Department may coordinate with established State of New Jersey or Union County approved safety education programs to expand electric bike safety education within the Township of Berkeley Heights.

**10.29.070 - Violations and Penalties; Impounding.**

- A. No person shall operate a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle in a reckless or dangerous manner.
- B. The Police Department for the Township of Berkeley Heights may seize and impound the low-speed electric bicycle, low-speed electric scooter, and/or motorized bicycle of an offender at the time the police officer charges an offender with a violation. Seizure and impoundment shall be at the discretion of the police officer at the scene. Whenever any

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

of these devices are impounded, it shall be surrendered at the earliest opportunity to the owner, or in the case of persons under 17 years of age to their parents or guardian, upon payment of an impoundment fee not to exceed fifty dollars (\$50.00).

- C. Any person who is found to be in violation of the provisions of this article shall be subject to the penalties provided in Chapter 1.08, General Penalty of the Code of the Township of Berkeley Heights.

**SECTION III.** 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.

**SECTION IV.** 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 V.** 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
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-08**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-09**

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

**WHEREAS**, the Mayor, and Township Council for the Township of Berkeley Heights desires to revise and update the Township Code regarding commercial and movie filming and fees.

**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 5.01, "Film Making," of Title 5, "Business Licenses and Regulations," of the Township Code shall be amended as follows:

**5.01.010 - Definitions.**

As used in this chapter, the following terms shall have the meanings indicated.

"Filming" means the taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality. The provisions of this chapter also shall not be deemed to include the "filming" of videos done by the Township, by Township employees or volunteers, or Berkeley Heights students for resident, educational or business outreach purposes.

"Major motion picture" means any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: **NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; any film for which the budget is at least \$20,000,000; or any recurrent weekly television series programming.**

~~**A. Universal Pictures.**~~

~~**B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.**~~

~~**C. Paramount, including MTV Films and Nickelodeon Movie.**~~

~~**D. 20th Century Fox, including Fox Searchlight.**~~

~~**E. Sony/Columbia.**~~

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

~~F. Disney/Miramax.~~

~~G. MGM/United Artists.~~

~~H. Dreamworks.~~

~~I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.~~

~~J. Any film for which the budget is at least five million dollars (\$5,000,000.00).~~

~~K. Recurrent weekly television series programming.~~

"Private lands and residential zones" shall mean any and every piece of property that is not within the jurisdiction and control of the Township of Berkeley Heights and of the Board of Education properties. Use of Board of Education property shall first need approval from the respective Board and thereafter the provisions of this section shall apply.

"Public lands" means any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality. Use of any county property shall require separate approval from Union County.

**5.01.030 - Issuance of permits.**

A. No permits will be issued by the Municipal Clerk unless applied for **at least four (4) business prior to ten (10)** days before the requested shooting date; provided, however, that the Municipal Clerk may waive the **four ten**-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

~~B. All applications will be reviewed and responded to by the Township within five business days.~~

~~B C.~~ No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

1. Proof of insurance coverage as follows:

- a. For bodily injury to any one person in the amount of five hundred thousand dollars (\$500,000.00) and any occurrence in the aggregate amount of one million dollars (\$1,000,000.00).
- b. For property damage for each occurrence in the aggregate amount of three hundred thousand dollars (\$300,000.00).

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages

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

resulting from the use of public lands. This agreement will be provided by the Township for signature.

3. The hiring of off-duty police officer(s) and/or firefighter(s) for the times indicated on the permit, **if required by the Chief of Police and as per the agreed upon Public Safety Plan**. The number of police officers and/or firefighters required on the set will be determined by the appropriate municipal authority (Berkeley Heights Police Department, Berkeley Heights Fire Department, etc.). The Applicant shall be responsible for the full cost of hiring the off-duty police officer(s) and/or firefighter(s).

**C D.** The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

**5.01.040 - Interference with public activity; notice of filming; times permitted.**

- A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. Roadways shall be accessible for emergency vehicles at all times. If vehicles associated with filming are to remain parked overnight or in any manner inconsistent with Ordinance 10.48.030, the Applicant shall first obtain permission from the Berkeley Heights Police Department. Applicant shall arrange for any off-set parking for crew and storage of set design in accordance with directives from the Berkeley Heights Police Department.
- B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three business days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two business days of the requested shooting date.
- C. Filming shall be permitted Monday through ~~Sunday~~ **Friday** between the hours of ~~seven~~ **7:00 a.m. and ~~nine~~ 9:00 p.m. (camera wrap) and 10:00 p.m. (crew wrap)**, provided that all requests for night scenes shall be approved in the permit to be granted in accordance with Section 5.01.070 hereof. The set-up, production and breakdown required by all filming shall be included in the hours as set forth herein. If **exterior** filming is required outside of these hours, permission may be granted by the Municipal Clerk's office, after discussion with the Zoning Officer and relevant municipal departments, **as per 5.01.070 below**.

**5.01.080 - Copies of permit; inspections.**

Copies of the approved permit will be sent to the Berkeley Heights Police Department and Berkeley Heights Fire Prevention Bureau, Berkeley Heights Construction Office and Code Enforcement Officer, and the Health Inspector before filming takes place and to the New Jersey Film Commission at [njfilm@njeda.gov](mailto:njfilm@njeda.gov). The applicant shall permit the Berkeley Heights Fire Prevention Bureau or other township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other township inspectors.

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

**5.01.100 - Fees.**

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Basic filming permit: one hundred dollars (\$100.00). Where an applicant requests a waiver of the provision of subsection 5.01.030.A. requiring expedited processing of a permit application within **3 or less business days advance notice** ~~twenty-four (24) hours~~ of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be ~~one~~ **two hundred and fifty dollars (\$250.00)**.
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: ~~two~~ **one hundred and fifty dollars (\$150.00)** per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: ~~one thousand five hundred~~ **five hundred dollars (\$500.00)** per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): twenty-five dollars (\$25.00).
- E. **Street closure fee of up to five thousand dollars (\$5,000) per day (more than 10,000 residents).**
- ~~E~~-F. Filming on private property: no daily filming fee will be imposed.
- ~~F~~G. Posts a cash bond of five hundred dollars (\$500.00) or a maintenance bond of one thousand dollars (\$1,000.00) in favor of the Township for protecting and ensuring that the site of the filming is in a satisfactory condition (free of debris, rubbish and equipment) and that all Township laws and regulations are followed. Within seven days of the completion of the filming, the Township shall return the bond if there is no damage to public or private property or public expense caused by the filming.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

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Angie Devanney, Mayor

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

<b>Introduction</b>						<b>Councilperson</b>	<b>Final Adoption</b>					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-09**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-10**

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

**WHEREAS**, to ensure clean waterways within the Township, it is the desire of the Township Council for the Township of Berkeley Heights to clarify that placing yard waste, including leaves, into waterways within the Township of Berkeley Heights is prohibited.

**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 13.17.020, "Prohibited Conduct," of Article I, "Yard Waste Collection," of Chapter 13.17, "Stormwater Control," of Title 13, "Public Services," of the Township Code shall be amended as follows:

**13.17.020 - Prohibited conduct.**

~~The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of the yard waste must remove the yard waste from the street or such party shall be deemed in violation of the article in this chapter.~~

- A. Yard Waste in the Street. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, dump, or otherwise place any leaves, grass clippings, debris, or yard waste into the street unless the yard waste is containerized and for a scheduled collection.
- B. Yard Waste Prohibited in Waterways. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, or dump leaves, grass clippings, debris, or other yard waste into any stream, brook, or into any drainage area or along the banks of waterways bordering any property or anywhere else not explicitly allowed by law.
- C. Removal of Yard Waste. Any person who places yard waste, including leaves, into any stream, brook, drainage area, or along the banks of waterways bordering any property must remove the yard waste or such party shall be deemed in violation of the article in this chapter.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-10**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 5, 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 **May 19, 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**  
**AGENDA CHANGES**  
**May 5, 2026**

**\*\* CHANGES AS OF MAY 5, 2026 \*\***

The following items have been modified (amended, added or removed) from the original 5/5/2026 agenda:

THE FOLLOWING ITEMS HAVE BEEN **ADDED** TO THE AGENDA:

**IV. CONFERENCE SESSION**

2. Eagle Scout Project – Jimmy Barter

THE FOLLOWING ITEMS HAVE BEEN **PULLED** FROM THE AGENDA:

**VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Introduced on April 7, 2026:**

- Resolution adopting the 2026 Budget as amended. (2026-164)

***NOTE:*** *The 2026 Municipal Budget, as amended, will be considered for adoption on **May 19, 2026**, at 6:30 PM at 29 Park Avenue, Berkeley Heights, New Jersey.*

**Township of Berkeley Heights  
Union County, New Jersey**

**Township Council Public Meeting**

**May 5, 2026**

**6:30 P.M.**

**\*\*AMENDED\*\***

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. Fire Prevention and Fire Inspection Fees
- V. REGULAR AGENDA**
- VI. APPROVAL OF MINUTES**
- VII. ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

*Ordinances Introduced on April 7, 2026*

**Ordinance 2026-05**

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

*Ordinances Introduced on April 21, 2026*

**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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

**VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Introduced on April 7, 2026:**

- Resolution authorizing the Municipal Budget to be read by title only. (2026-162)
- Public Hearing and Final Adoption of the 2026 Municipal Budget as advertised.
- Resolution authorizing the amendment to the 2026 Municipal Budget. (2026-163)
- **\*\*PULLED\*\*** - Resolution adopting the 2026 Budget as amended. (2026-164)

**NOTE:** The 2026 Municipal Budget, as amended, will be considered for adoption on **May 19, 2026, at 6:30 PM at 29 Park Avenue, Berkeley Heights, New Jersey.**

**IX. 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.

**X. 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-

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.

**XI. ORDINANCES FOR INTRODUCTION**

*Public Hearing and Final Adoption scheduled for May 19, 2026.*

**Ordinance 2026-08**

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

**Ordinance 2026-09**

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

**Ordinance 2026-10**

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

**XII. 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

**XIII. EXECUTIVE SESSION**

1. Contract Negotiations – 600 Mountain Avenue

**XIV. ADJOURNMENT**

Angela Lazzari, Township Clerk

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

**ORDINANCE NO. 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights in the County of Union finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a 1.5 % increase in the budget for said year, amounting to \$306,245.67 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Berkeley Heights, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the Township of Berkeley Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$714,573.24 and that the CY 2026 municipal budget for the Township of Berkeley Heights be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				<b>John Foster</b>						
					X	<b>Margaret Illis</b>						
X		X				<b>Bill Machado</b>						
					X	<b>Alvaro Medeiros</b>						
		X				<b>Andrew Moran</b>						
	X	X				<b>Susan Poage</b>						
Introduced: April 7, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-05**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 **April 7, 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 **May 5, 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 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

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 May 5, 2026.

**Angela Lazzari, RMC  
Township Clerk**

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

**ORDINANCE NO. 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,310,000, and further including the aggregate sum of \$830,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,480,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<p><b>d) <u>Fire Department:</u></b></p> <p>(i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.</p>	\$82,715	\$52,995	5 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b>			
(i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b>			
Acquisition of office furniture, including all related costs and expenditures incidental thereto.	\$15,130	\$9,695	5 years
<b>Totals:</b>	<b><u>\$2,310,000</u></b>	<b><u>\$1,480,000</u></b>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond

anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,480,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by

this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

\_\_\_\_\_  
Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				<b>John Foster</b>						
X		X				<b>Margaret Illis</b>						
		X				<b>Bill Machado</b>						
					X	<b>Alvaro Medeiros</b>						
		X				<b>Andrew Moran</b>						
	X	X				<b>Susan Poage</b>						
Introduced: April 21, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

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

**NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond 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 **April 21, 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 **May 5, 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 bond 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 bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<p><b>d) <u>Fire Department:</u></b>            (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.</p>	\$82,715	\$52,995	5 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b> (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

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

**BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on **May 5, 2026** and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of Bonds & Notes	Period of Usefulness
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<p><b>d) <u>Fire Department:</u></b>            (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.</p>	\$82,715	\$52,995	5 years
<p><b>e) <u>Engineering:</u></b>            (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.</p>	\$196,705	\$126,025	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
g) <b><u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
Totals:	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

**RESOLUTION**

**AUTHORIZING THE 2026 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended, provides that the Municipal Budget shall be read in-full at the public hearing, or that it may be read by its title if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved Budget:

(a) shall be made available for public inspection, and;

(b) shall be made available to each person upon request.

**NOW, THEREFORE, BE IT RESOLVED** by not less than a majority of the full membership of the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey that it finds and declares that the conditions of N.J.S.A. 40A:4-8, as amended, have been met by the municipality and the Municipal Budget for Calendar Year 2026 shall be read by title only.

**Approved this 5th day of May, 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 HEIGHTSRESOLUTION TO AMEND BUDGET

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.

THEREFORE, BE IT RESOLVED, by the Borough 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 Suplus 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 Adid 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 Director Of Local Government Services-Public and Private Revenues:		
NJDOT Safe Routes to School	1,275,000.00	1,270,000.00
NJ Historical Grant	228,247.56	0.00
Total Section F: Special Items of Revenue Anticipated With Prior Written Consent Director Of Local Government Services-Public and Private Rev	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	1,273,316.42
5. Subtotal General Revenues	17,438,850.28	17,210,324.72
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	1,273,316.41
Total Operations - Excluded From "CAPS"	\$4,680,198.97	4,446,951.42
Detail:		
Other Expenses		
9. TOTAL GENERAL APPROPRIATIONS	\$35,004,612.97	<u>TO</u> 34,771,365.42

BE IT FURTHER RESOLVED, that a certified copy 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.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 5th day of May, 2026.

Certified by me

\_\_\_\_\_  
Angela Lazzari, RMC

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 **5/5/2026**, in the amount of **\$530,436.31** 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 5th day of May, 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 OF TOWNSHIP OF BERKELEY HEIGHTS AUTHORIZING THE PURCHASE OF NATURAL GAS SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, Township of Berkeley Heights has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Township of Berkeley Heights; and

**WHEREAS**, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

**WHEREAS**, Township of Berkeley Heights will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

**WHEREAS**, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Berkeley Heights be and Liza Viana, Township Administrator, hereby is authorized to execute on behalf of the Township of Berkeley Heights any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**Approved this 5th day of May, 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 THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR  
PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township of Berkeley Heights has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township intends to utilize the online auction services of Municibid located at [www.municibid.com](http://www.municibid.com); and

**WHEREAS**, Township Council finds it to be in the best interests of the Borough to authorize the sale of the surplus property identified on Schedule A by online public auction.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on the State-approved online auction website of Municibid ([www.municibid.com](http://www.municibid.com)).

**BE IT FURTHER RESOLVED** that the terms and conditions of the agreement entered into between Municibid and the Township of Berkeley Heights are available at [www.municibid.com](http://www.municibid.com) and in the Township Clerk's office.

**BE IT FURTHER RESOLVED** that a certified copy of the within Resolution be forwarded by the Township Clerk to the New Jersey Division of Local Government Services and Municibid.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC**  
**Township Clerk**

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

## **SCHEDULE A**

1. FIRE DEPARTMENT PICKUP TRUCK: VIN #: 1GHTK33295F828936, 2005 GMC 3500  
LICENCE PLATE #: MG63382

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

**RESOLUTION**

**Whereas**, the Township of Berkeley Heights Recreation Department offers a Teen Scene summer camp program which consists of day trips and activities; and

**Whereas**, the costs for many of these activities are based on the registration totals; and

**Whereas**, the registration process for the Teen Scene program is on-going and allows for new registrations, changes, and cancellations to the program through July; and

**Whereas**, the Recreation Department would like to order tickets and pay for Teen Scene activities on an as-needed basis which would:

1. Ensure the number of tickets purchased is aligned with the final count of registrants for that event.
2. Avoid purchasing tickets based on estimated registrations and potentially wasting money.
3. Eliminate the need to issue checks ahead of time and hold them until the activity date.

**NOW THEREFORE, BE IT RESOLVED**, that the Governing Body of the Township of Berkeley Heights authorizes the CFO to issue checks for the Teen Scene program on an as-needed basis and to obtain Council approval for the expenditure at a subsequent meeting.

**Approved this 5th day of May, 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 on **June 17, 2026**, at **Governor Livingston High School**, between 2:30 p.m. and 8:00 p.m. In the event of rain this resolution will be extended for 10 days; 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.

Copies of this resolution are to be forwarded to Garden State Fireworks and Fire Department.

**Approved this 5th day of May, 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 APPOINTMENT OF MICHAEL IMBRIACO AS TAX ASSESSOR**

**WHEREAS**, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

**WHEREAS**, the Township of Berkeley Heights appointed Michael Imbriaco to fill an unexpired term ending June 30, 2026; and

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berkeley Heights to appoint Michael Imbriaco to a four-year appointment beginning July 1, 2026, and ending on June 30, 2030, pursuant to N.J.S.A. 40A:9-148; and

**WHEREAS**, the assessor will work ten (10) flexible hours per week.

**NOW THEREFORE BE IT RESOLVED**, that **Michael Imbriaco** is hereby appointed as Tax Assessor of the Township of Berkeley Heights for a four-year term commencing on July 1, 2026 and ending on June 30, 2030.

**BE IT FURTHER RESOLVED** that, certified copies of said Resolution shall be forwarded to the following:

- 1. Director, Division of Taxation
- 2. Administrator, Board of Taxation
- 3. Township Administrator
- 4. Tax Assessor

**Approved this 5th day of May, 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 2026-67 WHICH AWARDED A CONTRACT TO RAPID PUMP & METER SERVICE CO. FOR REPAIR SERVICES FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-67, authorizing a contract award to Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to amend Resolution 2026-67 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 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 2026-70 WHICH AWARDED A CONTRACT TO RAPID PUMP & METER SERVICE CO. FOR MEASUREMENT DEVICE CALIBRATION & REPAIRS FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-70, authorizing a contract award to Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, on January 20, 2026, the Township adopted Resolution 2026-84, which amended Resolution 2026-70 to amend the account from which funds were certified; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to further amend Resolution 2026-70 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 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 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 SERVICES AT THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the Township of Berkeley Heights (hereinafter, the "Township") intends to participate in the BuyBoard National Purchasing Program contract for the rehabilitation/repair of manholes and pipelines for the Township's Wastewater Treatment Plant; and

**WHEREAS**, information regarding the contract may be found at the Office of the Township Clerk during regular business hours, Monday thru Friday 8:30 a.m. to 4:00 p.m., as well as on the BuyBoard website at: <https://www.buyboard.com>; and

**WHEREAS**, the Township has confirmed its membership with BuyBoard; and

**WHEREAS**, the Township of Berkeley Heights anticipates participating in BuyBoard **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), on **June 9, 2026**; and

**WHEREAS**, it is the intent of the Township of Berkeley Heights to make a contract award to National Water Main Cleaning of 1806 Newark Turnpike, Kearny, NJ 07032, pursuant to the proposal submitted in response to the BuyBoard National Purchasing Program contract; and

**WHEREAS**, the Township of Berkeley Heights is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey hereby authorize the Township Clerk to advertise a "Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement" pursuant to New Jersey Local Finance Notice 2012-10.

**BE IT FURTHER RESOLVED** that such notice shall have a comment period terminating upon the close of Township business on **Tuesday, June 9, 2026**

**Approved this 5th day of May, 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 LOWER COLUMBIA FIELD AND PARK  
REVITALIZATION PROJECT**

**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 \$250,000.00 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:

Lower Columbia Project - Connell

**BE IT FURTHER RESOLVED**, that a like sum of \$250,000.00 is hereby appropriated under the caption of:

General Appropriations:

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

Lower Columbia Project – Connell

**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 5th day of May, 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 2026-08**

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

**WHEREAS**, the Township of Berkeley Heights recognizes the growing use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles for transportation, recreation, and commuting; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles provide environmental, health, and mobility benefits through active transportation, but require regulation to ensure the safety of pedestrians, riders, and motorists; and

**WHEREAS**, in January 2026, Governor Murphy signed into law new regulations for electric bikes in New Jersey; and

**WHEREAS**, the Township seeks to promote compliance, education, and mutual respect among all roadway users; and

**WHEREAS**, the safe, courteous, and responsible interaction between pedestrians, motor vehicles, and low-speed electric bicycles, low-speed electric scooters, and motorized bicycles operators is essential to the wellbeing of all residents; and

**WHEREAS**, the New Jersey Department of Transportation embraces the Complete Streets' goals, under which streets are planned, designed, built, and operated to safely support all users, and shared-use principles are fundamental to that mission; and

**WHEREAS**, New Jersey state law now classifies "electric motorized bicycles" that have two-wheels with fully operable pedals and an electric motor capable of greater than 750 watts that is capable of reaching a speed greater than 28 miles per hour as motorcycles; and

**WHEREAS**, electric-motorized bicycles must follow all applicable New Jersey laws and are not considered electric bicycles under this ordinance; and

**WHEREAS**, "Motorcycle," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered an electric bicycle under this ordinance; and

**WHEREAS**, "Motorized scooter," as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, is not considered a low-speed electric scooter under this ordinance. "Motorized scooter" is a miniature motor vehicle that includes, but is not limited to, pocket bikes, super pocket bikes, scooters, mini-scooters, sport scooters, pit bikes, mini choppers, mini motorcycles, motorized skateboards, and other vehicles with motors not manufactured in compliance with Federal Motor Vehicle Safety Standards and which have no permanent Federal Safety Certification stickers affixed to the vehicle by the original manufacturer; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, motorized bicycles, and motorized scooters are primarily regulated under New Jersey state law under Title 39, and

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

municipal ordinances must be consistent therewith, including any/all age and registration requirements.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berkeley as follows:

**SECTION I.** Chapter 10.28, "Bicycles," of Title 10, "Vehicles and Traffic" of the Township Code is hereby amended as follows:

**10.28.010. Definitions.**

A. The words defined shall have the meaning indicated for the purpose of this chapter:

"Bicycle" means vehicles with two wheels, propelled solely by human power and having pedals, handle bars and a saddle-like seat.

"Nighttime" means hours between dusk and dawn.

"Parent" or "guardian" means any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

"Public place" means any place to which the public has access and shall include any street, road, alley or sidewalk; the exterior of or the neighborhood of any store, shop, restaurant or tavern or other place of business or commercial establishment, or public grounds, areas or parks; and in or about any public building, schoolhouse, community house, theater or place of amusement or on parking lots or other vacant property not owned or under the control of the person charged with violating this provision.

**SECTION II.** Chapter 10.29, "Low-Speed Electric Bicycles, Low-Speed Electric Scooters and Motorized Bicycles," of Title 10, "Vehicles and Traffic" be hereby added to the Berkeley Heights Township Code as follows:

**10.29.010. Purpose.**

The purpose of this chapter is to establish reasonable standards for the safe operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles, while establishing how these devices will interact with other roadway users including but not limited to motorists and pedestrians consistent with New Jersey State law. Nothing in this Chapter is intended to limit or restrict the use of electric personal assistive mobility devices, as defined by N.J.S.A. 39:4-14.10.

The purpose of this chapter is also to:

1. Promote safe, predictable, and courteous use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles within the Township of Berkeley Heights.
2. Reduce potential conflict among pedestrians and operators of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.

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

3. Establish clear safety expectations.
4. Encourage compliance and shared safety responsibilities.

**10.29.030 - Application of Motor Vehicle Laws.**

Low-speed electric bicycles, low-speed electric scooters, and motorized bicycles may be operated on the streets, highways, roadways, and bicycle paths of Berkeley Heights where bicycles are permitted as set forth in N.J.S.A. 39:4-14.16 and any other applicable laws, except as otherwise provided in N.J.S.A. 39:4-14.16, N.J.S.A. 39:4-14.3, and any other applicable laws.

All persons operating such vehicles shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Every operator of a low-speed electric scooter or low-speed electric bicycle is encouraged to:

1. Provide an audible signal when approaching or passing a pedestrian.
2. Pass pedestrians carefully and predictably on the left when conditions permit.
3. When there is insufficient room to pass a pedestrian safely on a sidewalk, operators shall dismount and walk their electric bike or scooter.
4. Use designated bicycle paths or bike lanes as permitted under New Jersey law.

**10.29.040 - Operation of Low-Speed E-Scooters, Low-Speed E-Bicycles and Motorized Bicycles**

All low-speed electric bicycles, low-speed electric scooters, and motorized bicycles shall be operated in a manner consistent with New Jersey law.

- A. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Scooter**” means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour. The operator of a low-speed electric scooter shall not be required to register the low-speed electric scooter or have a driver’s license. The operator must follow all laws applicable to bicycles, except where by their very nature may have no application to low-speed electric scooters or pursuant to any other applicable laws. Helmets are required for those under the age of 17.
- B. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Bicycle**” means a two-wheeled vehicle with fully operable pedals and an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. No person who is under 15 years of age shall be permitted to operate a low-speed electric bicycle. Operators are required to register their low-speed electric bicycle, have insurance, and have a driver’s license or permit to operate it pursuant to N.J.S.A. 39:4-14.3 and any other applicable laws. The operator must follow

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

all laws applicable to bicycles. Helmets are required for those under the age of 17. Pursuant to N.J.S.A. 39:4-14.16(b), on and after January 1, 2019, manufacturers and distributors of low-speed electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each low-speed electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the low-speed electric bicycle and shall be printed in Arial font in at least 9-point type.

- C. As set forth in N.J.S.A. 39:1-1, “**Motorized Bicycle**” means a pedal bicycle that is equipped with: (1) a helper motor characterized in that either the maximum piston displacement is less than 50 cubic centimeters or the helper motor is rated at no more than 1.5 brake horsepower; (2) an electric motor that can provide assistance when the rider is pedaling or that, through the use of a throttle, can be used to exclusively propel the bicycle to a speed of not more than 15 miles per hour; (3) a helper motor that is powered by an electric drive motor that provides assistance when the rider is pedaling and has a maximum speed between 21 miles per hour and 28 miles per hour on a flat surface; or (4) an electric motor that is capable of propelling the bicycle in excess of 15 miles per hour through the use of a throttle with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. It does not include a low-speed electric bicycle or low-speed electric scooter, as defined by law. No person who is under 15 years of age shall be permitted to operate a motorized bicycle. Operators are required to register the motorized bicycle, obtain insurance, and have a driver’s license or permit to operate the device. Helmets are required for all operators of motorized bicycles.
- D. Carrying Articles. No person operating a low-speed electric scooter, low-speed electric bicycle or motorized bicycle shall carry any package, bundle, or article that prevents the user from riding and operating the low-speed electric bicycle or low-speed electric scooter in a safe manner.
- E. Parking/Placement.
1. Low-speed electric scooters, low-speed electric bicycles, and motorized bicycles may be attached or secured to a bicycle rack or in other designated parking areas if they are available and advertised as such by signage.
  2. No person or owner shall leave an electric bicycle or electric scooter lying on or standing upon any portion of the Township right-of-way so as to hinder or impede pedestrian access or handicapped accessibility.
- F. Riding on Sidewalks. Low-speed electric scooters and low-speed electric bicycles are permitted on sidewalks provided the operator follows the requirements of Section 10.29.040 herein. Motorized bicycles are strictly prohibited from riding on any sidewalk.
- G. Riding on Paths or Trails. Low-speed electric scooters and low-speed electric bicycles may be operated on trails and walking paths in wooded areas or otherwise separate from roadways, but only in a pedestrian-safe manner, unless otherwise posted. For purposes of

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UNION COUNTY, NEW JERSEY**

this section, "pedestrian-safe manner" means operating at a speed and in a manner that does not endanger or unreasonably interfere with pedestrians.

- H. Lamps and Equipment on low-speed Electric Scooters, low-speed Electric Bicycles, or Motorized Bicycles. Every electric bicycle, electric scooter, or motorized bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the State Motor Vehicle Commission, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.
- I. Manner of Riding.
  - 1. No low-speed electric bicycle, low-speed electric scooter, or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
  - 2. Riders must obey all traffic lights, signs, and signals.
- J. Restrictions on Modifications. No person will modify their low-speed electric bicycle to operate at speeds greater than is certified by the manufacturer.
- K. Township Parks, Playgrounds and Public Recreation Spaces.
  - 1. No person shall ride a low-speed electric scooter, low-speed electric bicycle, or motorized bicycle in any Township parks or playgrounds unless utilizing a designated bicycle pathway and exercising due caution for other individuals present.
  - 2. When traveling on any public roadway within the Township, these vehicles should not be operated in a manner that is disruptive, disorderly, contrary to the normal flow of traffic, or in any other manner deemed tumultuous or deliberately obstructive to pedestrians or vehicles.

**10.29.050. Operation on Private Property Open to the Public.**

Any private property owner or authorized property manager may elect to restrict the operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles on privately-owned property that is open to the public. That includes, but is not limited to, prohibiting such devices from being operated or stored on their property. If the private property owner or authorized property manager elects to comply with the following requirements, the Township Police Department shall enforce, to the best of their ability, these restrictions as described herein.

**TOWNSHIP OF BERKELEY HEIGHTS  
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- (A) Registration. The property owner or authorized property manager shall file a written notice of restriction with the Township Police Department, identifying the property by block and lot, the nature of the restriction, and the name and contact information of the property owner or authorized representative. The Police Department shall maintain a registry of all such properties. Registration shall be renewed annually.
- (B) Signage. The property owner or authorized property manager shall post signage at all public entrances to the property that is clearly visible, legible, and compliant with specifications established by the Township. Signage shall state that operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles is prohibited on the property except as otherwise required by law.
- (C) Disability Exemption. Nothing in this section shall be construed to restrict the use of any device by a person with a mobility-related disability as authorized under N.J.S.A. 39:4-14.15 or any other applicable law, or as required by the Americans with Disabilities Act or the New Jersey Law Against Discrimination.
- (D) Effect of Registration. Upon completion of registration and posting of compliant signage, operation of a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle on such property in violation of posted restrictions shall constitute a violation of this chapter, subject to the penalties set forth in Section 10.29.070.
- (E) Enforcement. Enforcement of this section on private property shall occur only upon the request or standing consent of the property owner or authorized representative on file with the Township Police Department. Nothing in this section authorizes warrantless entry onto private property by law enforcement absent consent or exigent circumstances as otherwise provided by law.
- (F) Limitation. Nothing in this section grants the Township authority to compel any private property owner to register or post signage, or to regulate the use of private property beyond the voluntary framework established herein.

**10.29.060 - Coordination with Established Safety Education Programs.**

The Township and Berkeley Heights Police Department may coordinate with established State of New Jersey or Union County approved safety education programs to expand electric bike safety education within the Township of Berkeley Heights.

**10.29.070 - Violations and Penalties; Impounding.**

- A. No person shall operate a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle in a reckless or dangerous manner.
- B. The Police Department for the Township of Berkeley Heights may seize and impound the low-speed electric bicycle, low-speed electric scooter, an/or motorized bicycle of an offender at the time the police officer charges an offender with a violation. Seizure and impoundment shall be at the discretion of the police officer at the scene. Whenever any

**TOWNSHIP OF BERKELEY HEIGHTS  
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of these devices are impounded, it shall be surrendered at the earliest opportunity to the owner, or in the case of persons under 17 years of age to their parents or guardian, upon payment of an impoundment fee not to exceed fifty dollars (\$50.00).

C. Any person who is found to be in violation of the provisions of this article shall be subject to the penalties provided in Chapter 1.08, General Penalty of the Code of the Township of Berkeley Heights.

**SECTION III.** 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.

**SECTION IV.** 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 V.** 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
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-08**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-09**

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

**WHEREAS**, the Mayor, and Township Council for the Township of Berkeley Heights desires to revise and update the Township Code regarding commercial and movie filming and fees.

**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 5.01, "Film Making," of Title 5, "Business Licenses and Regulations," of the Township Code shall be amended as follows:

**5.01.010 - Definitions.**

As used in this chapter, the following terms shall have the meanings indicated.

"Filming" means the taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality. The provisions of this chapter also shall not be deemed to include the "filming" of videos done by the Township, by Township employees or volunteers, or Berkeley Heights students for resident, educational or business outreach purposes.

"Major motion picture" means any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: **NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; any film for which the budget is at least \$20,000,000; or any recurrent weekly television series programming.**

~~**A. Universal Pictures.**~~

~~**B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.**~~

~~**C. Paramount, including MTV Films and Nickelodeon Movie.**~~

~~**D. 20th Century Fox, including Fox Searchlight.**~~

~~**E. Sony/Columbia.**~~

**TOWNSHIP OF BERKELEY HEIGHTS  
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~~F. Disney/Miramax.~~

~~G. MGM/United Artists.~~

~~H. Dreamworks.~~

~~I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.~~

~~J. Any film for which the budget is at least five million dollars (\$5,000,000.00).~~

~~K. Recurrent weekly television series programming.~~

"Private lands and residential zones" shall mean any and every piece of property that is not within the jurisdiction and control of the Township of Berkeley Heights and of the Board of Education properties. Use of Board of Education property shall first need approval from the respective Board and thereafter the provisions of this section shall apply.

"Public lands" means any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality. Use of any county property shall require separate approval from Union County.

**5.01.030 - Issuance of permits.**

A. No permits will be issued by the Municipal Clerk unless applied for **at least four (4) business prior to ten (10)** days before the requested shooting date; provided, however, that the Municipal Clerk may waive the **four ten**-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

~~B. All applications will be reviewed and responded to by the Township within five business days.~~

~~B C.~~ No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

1. Proof of insurance coverage as follows:

- a. For bodily injury to any one person in the amount of five hundred thousand dollars (\$500,000.00) and any occurrence in the aggregate amount of one million dollars (\$1,000,000.00).
- b. For property damage for each occurrence in the aggregate amount of three hundred thousand dollars (\$300,000.00).

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages

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

resulting from the use of public lands. This agreement will be provided by the Township for signature.

3. The hiring of off-duty police officer(s) and/or firefighter(s) for the times indicated on the permit, **if required by the Chief of Police and as per the agreed upon Public Safety Plan**. The number of police officers and/or firefighters required on the set will be determined by the appropriate municipal authority (Berkeley Heights Police Department, Berkeley Heights Fire Department, etc.). The Applicant shall be responsible for the full cost of hiring the off-duty police officer(s) and/or firefighter(s).

**C D.** The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

**5.01.040 - Interference with public activity; notice of filming; times permitted.**

- A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. Roadways shall be accessible for emergency vehicles at all times. If vehicles associated with filming are to remain parked overnight or in any manner inconsistent with Ordinance 10.48.030, the Applicant shall first obtain permission from the Berkeley Heights Police Department. Applicant shall arrange for any off-set parking for crew and storage of set design in accordance with directives from the Berkeley Heights Police Department.
- B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three business days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two business days of the requested shooting date.
- C. Filming shall be permitted Monday through ~~Sunday~~ **Friday** between the hours of ~~seven~~ **7:00 a.m. and ~~nine~~ 9:00 p.m. (camera wrap) and 10:00 p.m. (crew wrap)**, provided that all requests for night scenes shall be approved in the permit to be granted in accordance with Section 5.01.070 hereof. The set-up, production and breakdown required by all filming shall be included in the hours as set forth herein. If **exterior** filming is required outside of these hours, permission may be granted by the Municipal Clerk's office, after discussion with the Zoning Officer and relevant municipal departments, **as per 5.01.070 below**.

**5.01.080 - Copies of permit; inspections.**

Copies of the approved permit will be sent to the Berkeley Heights Police Department and Berkeley Heights Fire Prevention Bureau, Berkeley Heights Construction Office and Code Enforcement Officer, and the Health Inspector before filming takes place and to the New Jersey Film Commission at [njfilm@njeda.gov](mailto:njfilm@njeda.gov). The applicant shall permit the Berkeley Heights Fire Prevention Bureau or other township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other township inspectors.

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

**5.01.100 - Fees.**

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Basic filming permit: one hundred dollars (\$100.00). Where an applicant requests a waiver of the provision of subsection 5.01.030.A. requiring expedited processing of a permit application within **3 or less business days advance notice** ~~twenty-four (24) hours~~ of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be ~~one hundred and fifty dollars (\$150.00)~~ **\$250.00**.
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: ~~two hundred and fifty dollars (\$250.00)~~ **150.00** per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: ~~one thousand five hundred dollars (\$1,500.00)~~ **500.00** per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): twenty-five dollars (\$25.00).
- E. **Street closure fee of up to five thousand dollars (\$5,000) per day (more than 10,000 residents).**
- ~~E~~-F. Filming on private property: no daily filming fee will be imposed.
- ~~F~~ G. Posts a cash bond of five hundred dollars (\$500.00) or a maintenance bond of one thousand dollars (\$1,000.00) in favor of the Township for protecting and ensuring that the site of the filming is in a satisfactory condition (free of debris, rubbish and equipment) and that all Township laws and regulations are followed. Within seven days of the completion of the filming, the Township shall return the bond if there is no damage to public or private property or public expense caused by the filming.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

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Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-09**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-10**

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

**WHEREAS**, to ensure clean waterways within the Township, it is the desire of the Township Council for the Township of Berkeley Heights to clarify that placing yard waste, including leaves, into waterways within the Township of Berkeley Heights is prohibited.

**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 13.17.020, "Prohibited Conduct," of Article I, "Yard Waste Collection," of Chapter 13.17, "Stormwater Control," of Title 13, "Public Services," of the Township Code shall be amended as follows:

**13.17.020 - Prohibited conduct.**

~~The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of the yard waste must remove the yard waste from the street or such party shall be deemed in violation of the article in this chapter.~~

- A. Yard Waste in the Street. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, dump, or otherwise place any leaves, grass clippings, debris, or yard waste into the street unless the yard waste is containerized and for a scheduled collection.
- B. Yard Waste Prohibited in Waterways. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, or dump leaves, grass clippings, debris, or other yard waste into any stream, brook, or into any drainage area or along the banks of waterways bordering any property or anywhere else not explicitly allowed by law.
- C. Removal of Yard Waste. Any person who places yard waste, including leaves, into any stream, brook, drainage area, or along the banks of waterways bordering any property must remove the yard waste or such party shall be deemed in violation of the article in this chapter.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						<hr/> Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-10**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 5, 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 **May 19, 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**  
**AGENDA CHANGES**  
**May 5, 2026**

The following items have been modified (amended, added or removed) from the original 5/5/2026 agenda:

THE FOLLOWING ITEMS HAVE BEEN **PULLED** FROM THE AGENDA:

**VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Introduced on April 7, 2026:**

- Resolution adopting the 2026 Budget as amended. (2026-164)

***NOTE:*** *The 2026 Municipal Budget, as amended, will be considered for adoption on **May 19, 2026**, at 6:30 PM at 29 Park Avenue, Berkeley Heights, New Jersey.*

**Township of Berkeley Heights  
Union County, New Jersey**

**Township Council Public Meeting  
May 5, 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. Fire Prevention and Fire Inspection Fees
- V. REGULAR AGENDA**
- VI. APPROVAL OF MINUTES**
- VII. ORDINANCES FOR PUBLIC HEARING AND FINAL ADOPTION:**

*Ordinances Introduced on April 7, 2026*

**Ordinance 2026-05**

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

*Ordinances Introduced on April 21, 2026*

**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 THEREFOR AND AUTHORIZING THE ISSUANCE OF

\$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

**VIII. ADOPTION OF 2026 MUNICIPAL BUDGET – Introduced on April 7, 2026:**

- Resolution authorizing the Municipal Budget to be read by title only. (2026-162)
- Public Hearing and Final Adoption of the 2026 Municipal Budget as advertised.
- Resolution authorizing the amendment to the 2026 Municipal Budget. (2026-163)
- Resolution adopting the 2026 Budget as amended. (2026-164)

**IX. 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.

**X. 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-**

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.

**XI. ORDINANCES FOR INTRODUCTION**

*Public Hearing and Final Adoption scheduled for May 19, 2026.*

**Ordinance 2026-08**

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

**Ordinance 2026-09**

ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING

**Ordinance 2026-10**

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

**XII. 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

**XIII. EXECUTIVE SESSION**

1. Contract Negotiations – 600 Mountain Avenue

**XIV. ADJOURNMENT**

**Angela Lazzari, Township Clerk**

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

**ORDINANCE NO. 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights in the County of Union finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Council hereby determines that a 1.5 % increase in the budget for said year, amounting to \$306,245.67 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Berkeley Heights, in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the Township of Berkeley Heights shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$714,573.24 and that the CY 2026 municipal budget for the Township of Berkeley Heights be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				<b>John Foster</b>						
					X	<b>Margaret Illis</b>						
X		X				<b>Bill Machado</b>						
					X	<b>Alvaro Medeiros</b>						
		X				<b>Andrew Moran</b>						
	X	X				<b>Susan Poage</b>						
Introduced: April 7, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-05**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 **April 7, 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 **May 5, 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 2026-05**

**CALENDAR YEAR 2026**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

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 May 5, 2026.

**Angela Lazzari, RMC  
Township Clerk**

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

**ORDINANCE NO. 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Berkeley Heights, in the County of Union, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,310,000, and further including the aggregate sum of \$830,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,480,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
d) <u>Fire Department:</u> (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b>			
(i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b>			
Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<u>\$2,310,000</u>	<u>\$1,480,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond

anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.49 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,480,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by

this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

\_\_\_\_\_  
Angie Devanney, Mayor

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				John Foster						
X		X				Margaret Illis						
		X				Bill Machado						
					X	Alvaro Medeiros						
		X				Andrew Moran						
	X	X				Susan Poage						
Introduced: April 21, 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: May 5, 2026												
						_____ Angela Lazzari, Township Clerk						

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

**NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond 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 **April 21, 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 **May 5, 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 bond 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 bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<b>d) <u>Fire Department:</u></b>			
(i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>e) <u>Engineering:</u></b> (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
<b>g) <u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<b><u>\$2,310,000</u></b>	<b><u>\$1,480,000</u></b>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

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

**BOND ORDINANCE STATEMENT AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of Berkeley Heights, in the County of Union, State of New Jersey on **May 5, 2026** and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: 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 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,480,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purposes:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>a) <u>Department of Public Works:</u></b>			
(i) Mitigation of waterway flooding and stream cleanup, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years
(ii) Acquisition of a ride on lawnmower with a catcher system, including all related costs and expenditures incidental thereto.	\$20,175	\$12,925	15 years
(iii) Acquisition of a semi-permanent post and frame building for storage, including all related costs and expenditures incidental thereto.	\$80,700	\$51,705	15 years
(iv) Acquisition of a single axle dump truck with snowplows and salter units, including all related costs and expenditures incidental thereto.	\$151,310	\$96,945	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b>b) <u>Police Department:</u></b>			
(i) Acquisition of police vehicles, including all related costs and expenditures incidental thereto.	\$171,485	\$109,870	5 years
(ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto.	\$75,655	\$48,475	5 years
(iii) Acquisition of computers, including all related costs and expenditures incidental thereto.	\$10,085	\$6,460	5 years
<b>c) <u>Sewer:</u></b>			
(i) Repair and maintenance to the PAA Building, including all work and materials necessary therefor or incidental thereto.	\$167,450	\$107,285	15 years
(ii) Improvements to the pressure relief safety valves, including all work and materials necessary therefor or incidental thereto.	\$37,320	\$23,910	15 years
(iii) Infiltration and Inflow ("I&I") Study, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$166,440	\$106,635	30 years
(iv) Rehabilitation of various pipelines and manholes, including all work and materials necessary therefor or incidental thereto.	\$302,620	\$193,885	20 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(v) Replacement of equipment, including, but not limited to, a grinder submersible motor on Hampton Drive, including all related costs and expenditures incidental thereto.	\$45,390	\$29,080	15 years
(vi) Various projects involving the Rapid Pump, which are listed on a spreadsheet available in the Finance Office of the Township, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$181,575	\$116,335	20 years
<b>d) <u>Fire Department:</u></b> (i) Acquisition of fire equipment including firefighter bunker gear, technical rescue jackets, SCBA cylinders, and hoses, including all related costs and expenditures incidental thereto.	\$82,715	\$52,995	5 years
<b>e) <u>Engineering:</u></b> (i) Improvements to the sidewalks, as part of the sidewalk project, including on Mountain Avenue, and including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$196,705	\$126,025	10 years

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

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
(ii) Repairs to Oak Way Bridge, including all work and materials necessary therefor and incidental thereto.	\$201,750	\$129,260	15 years
(iii) Acquisition of a stormwater permit, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,875	\$64,630	15 years
g) <b><u>Building Department:</u></b> Acquisition of office furniture, including all related costs and expenditures incidental thereto.	<u>\$15,130</u>	<u>\$9,695</u>	5 years
<b>Totals:</b>	<b><u>\$2,310,000</u></b>	<b><u>\$1,480,000</u></b>	

Appropriation: \$2,310,000

Bonds/Notes Authorized: \$1,480,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$20,000

Useful Life: 15.49 years

Angela Lazzari, Clerk

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

**RESOLUTION**

**AUTHORIZING THE 2026 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended, provides that the Municipal Budget shall be read in-full at the public hearing, or that it may be read by its title if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved Budget:

(a) shall be made available for public inspection, and;

(b) shall be made available to each person upon request.

**NOW, THEREFORE, BE IT RESOLVED** by not less than a majority of the full membership of the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey that it finds and declares that the conditions of N.J.S.A. 40A:4-8, as amended, have been met by the municipality and the Municipal Budget for Calendar Year 2026 shall be read by title only.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC  
Township Clerk**

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

**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 **5/5/2026**, in the amount of **\$530,436.31** 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 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC  
Township Clerk**

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

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

**RESOLUTION**

**A RESOLUTION OF TOWNSHIP OF BERKELEY HEIGHTS AUTHORIZING THE PURCHASE OF NATURAL GAS SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, Township of Berkeley Heights has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Township of Berkeley Heights; and

**WHEREAS**, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

**WHEREAS**, Township of Berkeley Heights will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

**WHEREAS**, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**WHEREAS**, if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Berkeley Heights be and Liza Viana, Township Administrator, hereby is authorized to execute on behalf of the Township of Berkeley Heights any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.7860/therm or less for a 12 month term, a price of \$0.8060/therm or less for an 18 month term, a price of \$0.7820/therm or less for a 24 month term, a price of \$0.7976/therm or less for a 36 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**Approved this 5th day of May, 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 THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR  
PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township of Berkeley Heights has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township intends to utilize the online auction services of Municibid located at [www.municibid.com](http://www.municibid.com); and

**WHEREAS**, Township Council finds it to be in the best interests of the Borough to authorize the sale of the surplus property identified on Schedule A by online public auction.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on the State-approved online auction website of Municibid ([www.municibid.com](http://www.municibid.com)).

**BE IT FURTHER RESOLVED** that the terms and conditions of the agreement entered into between Municibid and the Township of Berkeley Heights are available at [www.municibid.com](http://www.municibid.com) and in the Township Clerk's office.

**BE IT FURTHER RESOLVED** that a certified copy of the within Resolution be forwarded by the Township Clerk to the New Jersey Division of Local Government Services and Municibid.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC  
Township Clerk**

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

## **SCHEDULE A**

1. FIRE DEPARTMENT PICKUP TRUCK: VIN #: 1GHTK33295F828936, 2005 GMC 3500  
LICENCE PLATE #: MG63382

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

**RESOLUTION**

**Whereas**, the Township of Berkeley Heights Recreation Department offers a Teen Scene summer camp program which consists of day trips and activities; and

**Whereas**, the costs for many of these activities are based on the registration totals; and

**Whereas**, the registration process for the Teen Scene program is on-going and allows for new registrations, changes, and cancellations to the program through July; and

**Whereas**, the Recreation Department would like to order tickets and pay for Teen Scene activities on an as-needed basis which would:

1. Ensure the number of tickets purchased is aligned with the final count of registrants for that event.
2. Avoid purchasing tickets based on estimated registrations and potentially wasting money.
3. Eliminate the need to issue checks ahead of time and hold them until the activity date.

**NOW THEREFORE, BE IT RESOLVED**, that the Governing Body of the Township of Berkeley Heights authorizes the CFO to issue checks for the Teen Scene program on an as-needed basis and to obtain Council approval for the expenditure at a subsequent meeting.

**Approved this 5th day of May, 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 on **June 17, 2026**, at **Governor Livingston High School**, between 2:30 p.m. and 8:00 p.m. In the event of rain this resolution will be extended for 10 days; 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.

Copies of this resolution are to be forwarded to Garden State Fireworks and Fire Department.

**Approved this 5th day of May, 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 APPOINTMENT OF MICHAEL IMBRIACO AS TAX ASSESSOR**

**WHEREAS**, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

**WHEREAS**, the Township of Berkeley Heights appointed Michael Imbriaco to fill an unexpired term ending June 30, 2026; and

**WHEREAS**, it is the desire of the Mayor and Council of the Township of Berkeley Heights to appoint Michael Imbriaco to a four-year appointment beginning July 1, 2026, and ending on June 30, 2030, pursuant to N.J.S.A. 40A:9-148; and

**WHEREAS**, the assessor will work ten (10) flexible hours per week.

**NOW THEREFORE BE IT RESOLVED**, that **Michael Imbriaco** is hereby appointed as Tax Assessor of the Township of Berkeley Heights for a four-year term commencing on July 1, 2026 and ending on June 30, 2030.

**BE IT FURTHER RESOLVED** that, certified copies of said Resolution shall be forwarded to the following:

- 1. Director, Division of Taxation
- 2. Administrator, Board of Taxation
- 3. Township Administrator
- 4. Tax Assessor

**Approved this 5th day of May, 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 2026-67 WHICH AWARDED A CONTRACT TO RAPID PUMP & METER SERVICE CO. FOR REPAIR SERVICES FOR THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-67, authorizing a contract award to Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to amend Resolution 2026-67 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Repair Services for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Angela Lazzari, RMC  
Township Clerk**

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

TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY

RESOLUTION

**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**

**WHEREAS**, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-70, authorizing a contract award to Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant, pursuant to the Bergen County Cooperative Pricing BC Bid 24-21; and

**WHEREAS**, on January 20, 2026, the Township adopted Resolution 2026-84, which amended Resolution 2026-70 to amend the account from which funds were certified; and

**WHEREAS**, Bergen County Cooperative Pricing System Contract Number #24-21, which had a term to expire on May 18, 2026, has been extended for a one-year period; and

**WHEREAS**, the Township wishes to further amend Resolution 2026-70 to reflect the extended contract end date to December 31, 2026.

**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 Rapid Pump & Meter Service Co. for Measurement Device Calibration & Repairs for the Wastewater Treatment Plant to reflect the amended contract end date of December 31, 2026.
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.

**Approved this 5th day of May, 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 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 SERVICES AT THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the Township of Berkeley Heights (hereinafter, the "Township") intends to participate in the BuyBoard National Purchasing Program contract for the rehabilitation/repair of manholes and pipelines for the Township's Wastewater Treatment Plant; and

**WHEREAS**, information regarding the contract may be found at the Office of the Township Clerk during regular business hours, Monday thru Friday 8:30 a.m. to 4:00 p.m., as well as on the BuyBoard website at: <https://www.buyboard.com>; and

**WHEREAS**, the Township has confirmed its membership with BuyBoard; and

**WHEREAS**, the Township of Berkeley Heights anticipates participating in BuyBoard **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), on **June 9, 2026**; and

**WHEREAS**, it is the intent of the Township of Berkeley Heights to make a contract award to National Water Main Cleaning of 1806 Newark Turnpike, Kearny, NJ 07032, pursuant to the proposal submitted in response to the BuyBoard National Purchasing Program contract; and

**WHEREAS**, the Township of Berkeley Heights is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey hereby authorize the Township Clerk to advertise a "Notice of Intent to Award a Contract Under a National Cooperative Purchasing Agreement" pursuant to New Jersey Local Finance Notice 2012-10.

**BE IT FURTHER RESOLVED** that such notice shall have a comment period terminating upon the close of Township business on **Tuesday, June 9, 2026**

**Approved this 5th day of May, 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 LOWER COLUMBIA FIELD AND PARK  
REVITALIZATION PROJECT**

**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 \$250,000.00 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:

Lower Columbia Project - Connell

**BE IT FURTHER RESOLVED**, that a like sum of \$250,000.00 is hereby appropriated under the caption of:

General Appropriations:

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

Lower Columbia Project – Connell

**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 5th day of May, 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 2026-08**

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

**WHEREAS**, the Township of Berkeley Heights recognizes the growing use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles for transportation, recreation, and commuting; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, and motorized bicycles provide environmental, health, and mobility benefits through active transportation, but require regulation to ensure the safety of pedestrians, riders, and motorists; and

**WHEREAS**, in January 2026, Governor Murphy signed into law new regulations for electric bikes in New Jersey, which requires licensure, insurance, and registration for “low-speed electric bicycles”; and

**WHEREAS**, the Township seeks to promote compliance, education, and mutual respect among all roadway users; and

**WHEREAS**, the safe, courteous, and responsible interaction between pedestrians, motor vehicles, and low-speed electric bicycles, low-speed electric scooters, and motorized bicycles operators is essential to the wellbeing of all residents; and

**WHEREAS**, the New Jersey Department of Transportation embraces the Complete Streets’ goals, under which streets are planned, designed, built, and operated to safely support all users, and shared-use principles are fundamental to that mission; and

**WHEREAS**, New Jersey state law now classifies “electric motorized bicycles” that have two-wheels with fully operable pedals and an electric motor capable of greater than 750 watts that is capable of reaching a speed greater than 28 miles per hour as motorcycles; and

**WHEREAS**, electric-motorized bicycles must follow all applicable New Jersey laws and are not considered an electric bicycle under this ordinance; and

**WHEREAS**, “Motorcycle,” as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, not considered a low-speed electric bicycle under this ordinance; and

**WHEREAS**, “Motorized scooter,” as that term is defined by N.J.S.A. 39:1-1 and any other applicable laws, not considered a low-speed electric scooter under this ordinance, and can only be operated by those with a mobility-related disability as authorized under N.J.S.A. 39:4-14.15 and any other applicable law; and

**WHEREAS**, low-speed electric bicycles, low-speed electric scooters, motorized bicycles, and motorized scooters are primarily regulated under New Jersey state law under Title 39, and municipal ordinances must be consistent therewith, including any/all age and registration requirements.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Berkeley as follows:

**SECTION I.** Chapter 10.28, "Bicycles," of Title 10, "Vehicles and Traffic" of the Township Code is hereby amended as follows:

**10.28.010. Definitions.**

A. The words defined shall have the meaning indicated for the purpose of this chapter:

"Bicycle" means vehicles with two wheels, propelled solely by human power and having pedals, handle bars and a saddle-like seat.

"Nighttime" means hours between dusk and dawn.

"Parent" or "guardian" means any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

"Public place" means any place to which the public has access and shall include any street, road, alley or sidewalk; the exterior of or the neighborhood of any store, shop, restaurant or tavern or other place of business or commercial establishment, or public grounds, areas or parks; and in or about any public building, schoolhouse, community house, theater or place of amusement or on parking lots or other vacant property not owned or under the control of the person charged with violating this provision.

**SECTION II.** Chapter 10.29, "Low-Speed Electric Bicycles, Low-Speed Electric Scooters and Motorized Bicycles," of Title 10, "Vehicles and Traffic" be hereby added to the Berkeley Heights Township Code as follows:

**10.29.010. Purpose.**

The purpose of this chapter is to establish reasonable standards for the safe operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles, while establishing how these devices will interact with other roadway users including but not limited to motorists and pedestrians consistent with New Jersey State law. Nothing in this Chapter is intended to limit or restrict the use of electric personal assistive mobility devices, as defined by N.J.S.A. 39:4-14.10.

The purpose of this chapter is also to:

1. Promote safe, predictable, and courteous use of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles within the Township of Berkeley Heights.
2. Reduce potential conflict among pedestrians and operators of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles.
3. Establish clear safety expectations.

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

4. Encourage compliance and shared safety responsibilities.

**10.29.030 - Application of Motor Vehicle Laws.**

Low-speed electric bicycles, low-speed electric scooters, and motorized bicycles may be operated on the streets, highways, roadways, and bicycle paths of Berkeley Heights where bicycles are permitted as set forth in N.J.S.A. 39:4-14.16 and any other applicable laws, except as otherwise provided in N.J.S.A. 39:4-14.16, N.J.S.A. 39:4-14.3, and any other applicable laws.

All persons operating such vehicles shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Every operator of a low-speed electric scooter or low-speed electric bicycle are encouraged to:

1. Provide an audible signal when approaching or passing a pedestrian.
2. Pass carefully and predictably on the left when conditions permit.
3. When there is insufficient room to pass a pedestrian safely on a sidewalk, operators shall dismount and walk their electric bike or scooter.
4. Use designated bicycle paths or bike lanes as permitted under New Jersey law.

**10.29.040 - Operation of Low-Speed E-Scooters, Low-Speed E-Bicycles and Motorized Bicycles**

All low-speed electric bicycles, low-speed electric scooters, and motorized bicycles shall be operated in a manner consistent with New Jersey law.

- A. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Scooter**” means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour. The operator of a low-speed electric scooter shall not be required to register the low-speed electric scooter or have a driver’s license. The operator must follow all laws applicable to bicycles, except where by their very nature may have no application to low-speed electric scooters or pursuant to any other applicable laws. Helmets are required for those under the age of 17.
- B. As set forth in N.J.S.A. 39:1-1, “**Low-Speed Electric Bicycle**” means a two-wheeled vehicle with fully operable pedals and an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. No person who is under 15 years of age shall be permitted to operate a low-speed electric bicycle. Operators are required to register their low-speed electric bicycle, have insurance, and have a driver’s license or permit to operate it pursuant to N.J.S.A. 39:4-14.3 and any other applicable laws. The operator must follow all laws applicable to bicycles. Helmets are required for those under the age of 17. Pursuant to N.J.S.A. 39:4-14.16(b), on and after January 1, 2019, manufacturers and

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

distributors of low-speed electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each low-speed electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the low-speed electric bicycle and shall be printed in Arial font in at least 9-point type.

- C. As set forth in N.J.S.A. 39:1-1, “**Motorized Bicycle**” means a pedal bicycle that is equipped with: (1) a helper motor characterized in that either the maximum piston displacement is less than 50 cubic centimeters or the helper motor is rated at no more than 1.5 brake horsepower; (2) an electric motor that can provide assistance when the rider is pedaling or that, through the use of a throttle, can be used to exclusively propel the bicycle to a speed of not more than 15 miles per hour; (3) a helper motor that is powered by an electric drive motor that provides assistance when the rider is pedaling and has a maximum speed between 21 miles per hour and 28 miles per hour on a flat surface; or (4) an electric motor that is capable of propelling the bicycle in excess of 15 miles per hour through the use of a throttle with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. It does not include a low-speed electric bicycle or low-speed electric scooter, as defined by law. No person who is under 15 years of age shall be permitted to operate a motorized bicycle. Operators are required to register the motorized bicycle, obtain insurance, and have a driver’s license or permit to operate the device. Helmets are required for all operators of motorized bicycles.
- D. Carrying Articles. No person operating a low-speed electric scooter, low-speed electric bicycle or motorized bicycle shall carry any package, bundle, or article that prevents the user from riding and operating the low-speed electric bicycle or low-speed electric scooter in a safe manner.
- E. Parking/Placement.
1. Low-speed electric scooters, low-speed electric bicycles, and motorized bicycles may be attached or secured to a bicycle rack or in other designated parking areas if they are available and advertised as such by signage.
  2. No person or owner shall leave an electric bicycle or electric scooter lying on or standing upon any portion of the Township right-of-way so as to hinder or impede pedestrian access or handicapped accessibility.
- F. Riding on Sidewalks. Low-speed electric scooters and low-speed electric bicycles are permitted on sidewalks provided the operator follows the requirements of Section 10.29.040 herein. Motorized bicycles are strictly prohibited from riding on any sidewalk.
- G. Riding on Paths or Trails. Low-speed electric scooters and low-speed electric may be operated on trails and walking paths in wooded areas or otherwise separate from roadways, but only in a pedestrian-safe manner, unless otherwise posted. For purposes of this section, “pedestrian-safe manner” means operating at a speed and in a manner that does not endanger or unreasonably interfere with pedestrians.

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

H. Lamps and Equipment on low-speed Electric Scooters, low-speed Electric Bicycles, or Motorized Bicycles. Every electric bicycle, electric scooter, or motorized bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the State Motor Vehicle Commission, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

I. Manner of Riding.

1. No low-speed electric bicycle, low-speed electric scooter, or motorized bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
2. Riders must obey all traffic lights, signs, and signals.

J. Restrictions on Modifications. No person will modify their low-speed electric bicycle to operate at speeds greater than is certified by the manufacturer.

K. Township Parks, Playgrounds and Public Recreation Spaces.

1. No person shall ride a low-speed electric scooter, low-speed electric bicycle, or motorized bicycle in any Township parks or playgrounds unless utilizing a designated bicycle pathway and exercising due caution for other individuals present.
2. When traveling on any public roadway within the Township, these vehicles should not be operated in a manner that is disruptive, disorderly, contrary to the normal flow of traffic, or in any other manner deemed tumultuous or deliberately obstructive to pedestrians or vehicles.

**10.29.050. Operation on Private Property Open to the Public.**

Any private property owner or authorized property manager may elect to restrict the operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles on privately-owned property that is open to the public. That includes, but is not limited to, prohibiting such devices from being operated or stored on their property. If the private property owner or authorized property manager elects to comply with the following requirements, the Township Police Department shall enforce, to the best of their ability, these restrictions as described herein.

- (A) Registration. The property owner or authorized property manager shall file a written notice of restriction with the Township Police Department, identifying the property by block and lot, the nature of the restriction, and the name and contact information of the

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

property owner or authorized representative. The Police Department shall maintain a registry of all such properties. Registration shall be renewed annually.

- (B) Signage. The property owner or authorized property manager shall post signage at all public entrances to the property that is clearly visible, legible, and compliant with specifications established by the Township. Signage shall state that operation of low-speed electric bicycles, low-speed electric scooters, and motorized bicycles is prohibited on the property except as otherwise required by law.
- (C) Disability Exemption. Nothing in this section shall be construed to restrict the use of any device by a person with a mobility-related disability as authorized under N.J.S.A. 39:4-14.15 or any other applicable law, or as required by the Americans with Disabilities Act or the New Jersey Law Against Discrimination.
- (D) Effect of Registration. Upon completion of registration and posting of compliant signage, operation of a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle on such property in violation of posted restrictions shall constitute a violation of this chapter, subject to the penalties set forth in Section 10.29.070.
- (E) Enforcement. Enforcement of this section on private property shall occur only upon the request or standing consent of the property owner or authorized representative on file with the Township Police Department. Nothing in this section authorizes warrantless entry onto private property by law enforcement absent consent or exigent circumstances as otherwise provided by law.
- (F) Limitation. Nothing in this section grants the Township authority to compel any private property owner to register or post signage, or to regulate the use of private property beyond the voluntary framework established herein.

**10.29.060 - Coordination with Established Safety Education Programs.**

The Township and Berkeley Heights Police Department may coordinate with established State of New Jersey or Union County approved safety education programs to expand electric bike safety education within the Township of Berkeley Heights.

**10.29.070 - Violations and Penalties; Impounding.**

- A. No person shall operate a low-speed electric bicycle, low-speed electric scooter, or motorized bicycle in a reckless or dangerous manner.
- B. The Police Department for the Township of Berkeley Heights may seize and impound the low-speed electric bicycle, low-speed electric scooter, an/or motorized bicycle of an offender at the time the police officer charges an offender with a violation. Seizure and impoundment shall be at the discretion of the police officer at the scene. Whenever any of these devices are impounded, it shall be surrendered at the earliest opportunity to the owner, or in the case of persons under 17 years of age to their parents or guardian, upon payment of an impoundment fee not to exceed fifty dollars (\$50.00).

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

C. Any person who is found to be in violation of the provisions of this article shall be subject to the penalties provided in Chapter 1.08, General Penalty of the Code of the Township of Berkeley Heights.

**SECTION III.** 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.

**SECTION IV.** 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 V.** 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
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced:  May 5, 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:  May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-08**

PUBLIC NOTICE is hereby given that the Ordinance entitled

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

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-09**

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

**WHEREAS**, the Mayor, and Township Council for the Township of Berkeley Heights desires to revise and update the Township Code regarding commercial and movie filming and fees.

**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 5.01, "Film Making," of Title 5, "Business Licenses and Regulations," of the Township Code shall be amended as follows:

**5.01.010 - Definitions.**

As used in this chapter, the following terms shall have the meanings indicated.

"Filming" means the taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality. The provisions of this chapter also shall not be deemed to include the "filming" of videos done by the Township, by Township employees or volunteers, or Berkeley Heights students for resident, educational or business outreach purposes.

"Major motion picture" means any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: **NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; any film for which the budget is at least \$20,000,000; or any recurrent weekly television series programming.**

~~A. Universal Pictures.~~

~~B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.~~

~~C. Paramount, including MTV Films and Nickelodeon Movie.~~

~~D. 20th Century Fox, including Fox Searchlight.~~

~~E. Sony/Columbia.~~

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

~~F. Disney/Miramax.~~

~~G. MGM/United Artists.~~

~~H. Dreamworks.~~

~~I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.~~

~~J. Any film for which the budget is at least five million dollars (\$5,000,000.00).~~

~~K. Recurrent weekly television series programming.~~

"Private lands and residential zones" shall mean any and every piece of property that is not within the jurisdiction and control of the Township of Berkeley Heights and of the Board of Education properties. Use of Board of Education property shall first need approval from the respective Board and thereafter the provisions of this section shall apply.

"Public lands" means any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality. Use of any county property shall require separate approval from Union County.

**5.01.030 - Issuance of permits.**

A. No permits will be issued by the Municipal Clerk unless applied for **at least four (4) business days prior to ten (10)** days before the requested shooting date; provided, however, that the Municipal Clerk may waive the **four ten**-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

~~B. All applications will be reviewed and responded to by the Township within five business days.~~

~~B C.~~ No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

1. Proof of insurance coverage as follows:

- a. For bodily injury to any one person in the amount of five hundred thousand dollars (\$500,000.00) and any occurrence in the aggregate amount of one million dollars (\$1,000,000.00).
- b. For property damage for each occurrence in the aggregate amount of three hundred thousand dollars (\$300,000.00).

2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages

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

resulting from the use of public lands. This agreement will be provided by the Township for signature.

3. The hiring of off-duty police officer(s) and/or firefighter(s) for the times indicated on the permit, **if required by the Chief of Police and as per the agreed upon Public Safety Plan**. The number of police officers and/or firefighters required on the set will be determined by the appropriate municipal authority (Berkeley Heights Police Department, Berkeley Heights Fire Department, etc.). The Applicant shall be responsible for the full cost of hiring the off-duty police officer(s) and/or firefighter(s).

**C D.** The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

**5.01.040 - Interference with public activity; notice of filming; times permitted.**

A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. Roadways shall be accessible for emergency vehicles at all times. If vehicles associated with filming are to remain parked overnight or in any manner inconsistent with Ordinance 10.48.030, the Applicant shall first obtain permission from the Berkeley Heights Police Department. Applicant shall arrange for any off-set parking for crew and storage of set design in accordance with directives from the Berkeley Heights Police Department.

B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three business days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two business days of the requested shooting date.

C. Filming shall be permitted Monday through ~~Sunday~~ **Friday** between the hours of ~~seven~~ **7:00 a.m. and nine 9:00 p.m. (camera wrap) and 10:00 p.m. (crew wrap)**, provided that all requests for night scenes shall be approved in the permit to be granted in accordance with Section 5.01.070 hereof. The set-up, production and breakdown required by all filming shall be included in the hours as set forth herein. If **exterior** filming is required outside of these hours, permission may be granted by the Municipal Clerk's office, after discussion with the Zoning Officer and relevant municipal departments, **as per 5.01.070 below**.

**5.01.080 - Copies of permit; inspections.**

Copies of the approved permit will be sent to the Berkeley Heights Police Department and Berkeley Heights Fire Prevention Bureau, Berkeley Heights Construction Office and Code Enforcement Officer, and the Health Inspector before filming takes place and to the New Jersey Film Commission at [njfilm@njeda.gov](mailto:njfilm@njeda.gov). The applicant shall permit the Berkeley Heights Fire Prevention Bureau or other township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other township inspectors.

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

**5.01.100 - Fees.**

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Basic filming permit: one hundred dollars (\$100.00). Where an applicant requests a waiver of the provision of subsection 5.01.030.A. requiring expedited processing of a permit application within **3 or less business days advance notice** ~~twenty-four (24) hours~~ of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be ~~one~~ two hundred and fifty dollars (~~\$150.00~~ **\$250.00**).
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: ~~two~~ one hundred and fifty dollars (~~\$200.00~~ **150.00**) per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: ~~one thousand five hundred~~ dollars (~~\$1,000.00~~ **500.00**) per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): twenty-five dollars (\$25.00).
- E. **Street closure fee of up to five thousand dollars (\$5,000) per day (more than 10,000 residents).**
- ~~E~~F. Filming on private property: no daily filming fee will be imposed.
- ~~F~~G. Posts a cash bond of five hundred dollars (\$500.00) or a maintenance bond of one thousand dollars (\$1,000.00) in favor of the Township for protecting and ensuring that the site of the filming is in a satisfactory condition (free of debris, rubbish and equipment) and that all Township laws and regulations are followed. Within seven days of the completion of the filming, the Township shall return the bond if there is no damage to public or private property or public expense caused by the filming.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

---

Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-09**

PUBLIC NOTICE is hereby given that the Ordinance entitled

**ADOPTING AN ORDINANCE TO AMEND THE TOWNSHIP CODE ON FILMING**

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 5, 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 **May 19, 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  
UNION COUNTY, NEW JERSEY**

**ORDINANCE NO. 2026-10**

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

**WHEREAS**, to ensure clean waterways within the Township, it is the desire of the Township Council for the Township of Berkeley Heights to clarify that placing yard waste, including leaves, into waterways within the Township of Berkeley Heights is prohibited.

**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 13.17.020, "Prohibited Conduct," of Article I, "Yard Waste Collection," of Chapter 13.17, "Stormwater Control," of Title 13, "Public Services," of the Township Code shall be amended as follows:

**13.17.020 - Prohibited conduct.**

~~The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of the yard waste must remove the yard waste from the street or such party shall be deemed in violation of the article in this chapter.~~

- A. Yard Waste in the Street. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, dump, or otherwise place any leaves, grass clippings, debris, or yard waste into the street unless the yard waste is containerized and for a scheduled collection.
- B. Yard Waste Prohibited in Waterways. No person, including any person engaged to provide lawn care or landscaping services, shall sweep, rake, blow, or dump leaves, grass clippings, debris, or other yard waste into any stream, brook, or into any drainage area or along the banks of waterways bordering any property or anywhere else not explicitly allowed by law.
- C. Removal of Yard Waste. Any person who places yard waste, including leaves, into any stream, brook, drainage area, or along the banks of waterways bordering any property must remove the yard waste or such party shall be deemed in violation of the article in this chapter.

**SECTION II.** 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.

**SECTION III.** 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 IV.** This Ordinance shall take effect after passage and publication in the manner provided by law.

\_\_\_\_\_  
Angie Devanney, Mayor

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

Introduction						Councilperson	Final Adoption					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						<b>John Foster</b>						
						<b>Margaret Illis</b>						
						<b>Bill Machado</b>						
						<b>Alvaro Medeiros</b>						
						<b>Andrew Moran</b>						
						<b>Susan Poage</b>						
Introduced: May 5, 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: May 19, 2026												
						_____ Angela Lazzari, Township Clerk						

**TOWNSHIP OF BERKELEY HEIGHTS**

**NOTICE OF INTRODUCTION  
ORDINANCE 2026-10**

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**ADOPTING AN ORDINANCE TO CLARIFY PLACING YARD WASTE INTO WATERWAYS IS  
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**Angela Lazzari  
Township Clerk**