

1. Agenda Packet 1-20-26

The agenda packet contains the agenda and supporting documentation.

Documents:

[AGENDA PACKET 1-20-26.PDF](#)

Township of Berkeley Heights Union County, New Jersey

Township Council Public Meeting January 20, 2026 6:30 P.M.

Adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act.

COUNCIL MEMBERS:

John Foster - President
Margaret Illis
Bill Machado
Alvaro Medeiros
Andrew Moran
Susan Poage – Vice President
Angie Devanney- Mayor

AGENDA FOR PUBLIC MEETING

I. CALL TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. EXECUTIVE SESSION

- Attorney-Client Privilege – Contract Negotiations - Connell Zoning Ordinance

V. REGULAR AGENDA

VI. 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.

VII. 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-

75. Resolution approving Bill List dated January 20, 2026, in the amount of \$1,667,044.96.
76. Resolution amending Resolution 2026-5 which designates the official newspapers for the Township for the year 2026.
77. Resolution authorizing transfer of appropriation reserves.
78. Resolution permitting the Kimberly Anne Wilson Foundation to hold a 5K Run for Mental Health.
79. Authorizing the purchase of Vanillas in the Mist solution for the Wastewater Treatment Plant from MOMAR, Inc. pursuant to BuyBoard national cooperative purchasing program.
80. Resolution determining the form and other details of not exceeding \$590,000 bonds of the Township of Berkeley Heights, in the County of Union, New Jersey, and providing for their sale to the New Jersey Infrastructure Bank and the State of New Jersey and further authorizing the execution of various agreements, all pursuant to the New Jersey Water Bank Environmental Infrastructure Financing program.
81. Resolution authorizing a contract with Hanna’s Mechanical Contractor’s Inc. for the replacement of (1) ½ hp motor at the Berkeley Heights Wastewater Treatment Plant, in an amount not to exceed \$3,840.00.
82. Resolution authorizing a contract with Hanna’s Mechanical Contractor’s Inc. for the H.V.A.C. Maintenance and Repair Services for 2026 for the Berkeley Heights Wastewater Treatment Plant, pursuant to ESCNJ Contract # 25/26-20-HV-R1, for an amount not to exceed \$88,000.00.
83. Resolution authorizing a contract with Tree King, Inc. for tree removal and related services, pursuant to Morris County Cooperative Pricing Contract #18, for an amount not to exceed \$140,000.00.
84. Resolution amending Resolution 2026-70, which authorized a contract award to Rapid Pump & Meter Service Co. for the provision of Measurement Device Calibration & Repairs through the Bergen County Cooperative Pricing System, to modify the account referenced in the certification of funds.
85. Resolution authorizing the release of a Road Opening Bond in the amount of \$2,000.00, for the traffic signal replacement at Snyder and Locust Avenues.
86. Resolution authorizing the release of a Road Opening Bond in the amount of \$2,000.00, in connection with work performed at 35 Exeter Drive.

87. Resolution authorizing the release of performance guarantees in the form of performance bond and cash bonds for site improvements at 310 Snyder Avenue (Extra Space Storage), subject to the posting of a maintenance bond.
88. Resolution moving Bobby Ring to the inactive list of the Berkeley Heights Volunteer Fire Department.
89. Resolution moving Petre Popescu to the inactive list of the Berkeley Heights Volunteer Fire Department.
90. Resolution moving Vincent Skelly to the inactive list of the Berkeley Heights Fire Junior Auxiliary.
91. Resolution memorializing a contract with Denbar Construction Inc. for the provision of snow removal and equipment services on December 14, 2025, for an amount not to exceed \$4,290.00
92. Resolution memorializing an agreement with Neglia Group for professional engineering services as part of the emergency road and drainage repairs resulting from the storms and flooding of July 14, 2025, for an amount not to exceed \$47,844.38.
93. Resolution amending Resolution 2025-27 which awarded a professional services contract to Neglia Group for general engineering services, to increase the amount not to exceed.

VIII. 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

IX. ADJOURNMENT

Angela Lazzari, Township Clerk

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

RESOLUTION

BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated **1/20/2026**, in the amount of **\$1,667,044.96** such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

Approved this 20th day of January, 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 2026-5 WHICH DESIGNATED THE OFFICIAL
NEWSPAPER FOR THE TOWNSHIP OF BERKELEY HEIGHTS**

WHEREAS, on January 7, 2026, the Township of Berkeley Heights adopted Resolution 2026-5, designating the Courier News and the Star Ledger as the Official Newspapers of the Township for the year 2026, and TAPinto Berkeley Heights as Official Electronic Media Newspaper for the year 2026; and

WHEREAS, the Township wishes to amend Resolution 2025-5 to include the Courier News online publication as an Official Electronic Media Newspaper.

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. Resolution 2026-5 is hereby amended to include the Courier News online publication, mycentraljersey, as an additional Official Electronic Media Newspaper.
3. Public Notice published in the Courier News online publication can be accessed using the direct link <https://www.mycentraljersey.com/public-notices>.
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.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Courier News, Star Ledger, TAPinto Berkeley Heights, and posted on the Township website.

Approved this 20th day of January, 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

AUTHORIZE TRANSFER OF APPROPRIATION RESERVES.

WHEREAS, 2025 bill have been presented for payment this year, which bill represents obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2025 Budget in the last two months of 2025 and the first three months of 2026; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Springfield, in the County of Jersey, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$37,510.00 be made between the 2025 Budget Appropriation Reserves as follows:

	<u>From</u>	<u>To</u>
Administration S&W	\$11,000.00	
Streets and Roads S&W	15,500.00	
Vehicle Maintenance S&W	11,010.00	
Streets and Roads O/E		\$ 700.00
Snow Removal S&W		9,210.00
Snow Removal O/E		7,800.00
Electricity		14,200.00
Telephone		4,100.00
Natural Gas/Propane		1,500.00
	\$37,510.00	\$37,510.00

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

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

RESOLUTION

WHEREAS, the Kimberly Anne Wilson Foundation has requested permission to hold a 5K Run for Mental Health on **Sunday, September 20, 2026**; and

WHEREAS, the Township Council believes that the event is in the best interest of the community.

NOW THEREFORE BE IT RESOLVED that permission is hereby granted to the Kimberly Anne Wilson Foundation for a 5K run, provided that it complies with all conditions imposed by the Township Police Department, Fire Department and Rescue Squad.

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

Approved this 20th day of January, 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 PURCHASE OF VANILLAS IN THE MIST SOLUTION FOR THE WASTEWATER TREATMENT PLANT FROM MOMAR, INC. PURSUANT TO BUYBOARD NATIONAL COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township of Berkeley Heights desires and requires to purchase **Vanillas in the Mist** solution for the Township’s Wastewater Treatment Plant; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of Vanillas in the Mist solution from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, MOMAR, Inc. has been awarded **Contract No. 756-24** as part of the BuyBoard National Purchasing Program, also known as, BuyBoard for the provision of certain goods and services inclusive of Vanillas in the Mist solution, for a period expiring November 30, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Berkeley Heights, County of Union, State of New Jersey that the purchase of Vanillas in the Mist solution be and is hereby authorized from **MOMAR, Inc.** of 1830 Ellsworth Industrial Dr NW, Atlanta, GA 30318, pursuant to BuyBoard National Purchasing Program **Contract No 756-24** in an amount not to exceed **\$28,000.00**.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount **not to exceed \$28,000.00** from account # **6-01-26-295-031, Sewer Plant – Chemicals and Gases**, subject to the approval of the 2026 Budget.

Approved this 20th day of January, 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 DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$590,000 BONDS OF THE TOWNSHIP OF BERKELEY HEIGHTS, IN THE COUNTY OF UNION, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND FURTHER AUTHORIZING THE EXECUTION OF VARIOUS AGREEMENTS, ALL PURSUANT TO THE NEW JERSEY WATER BANK ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Township of Berkeley Heights, in the County of Union, New Jersey (the "Local Unit"), has determined that there exists a need within the Local Unit to undertake water system infrastructure improvements, including specifically the purchase of a jet vac truck (identified as Project S340385-08, the "Project"), as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement"; and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Water Bank Environmental Infrastructure Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan"; and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Bonds to the I-Bank (the "I-Bank Loan Bond") and to the State (the "Fund Loan Bond"; and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed \$590,000 pursuant to the terms of the Local Bond Law of the State, constituting Chapter 2 of Title 40A of the Revised Statutes of the State (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement")

to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms on file with the Local Unit Clerk, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants"; and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$590,000, all in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in Bond Ordinance #10-2023 of the Borrower finally adopted July 18, 2023 and entitled, "Bond Ordinance Providing for the Acquisition of a Jet Vac Truck in and by the Township of Berkeley Heights, in the County of Union, New Jersey, Appropriating \$590,000 Therefor and Authorizing the Issuance of \$590,000 Bonds or Notes of the Township to Finance the Cost Thereof". The aforementioned bond ordinance was finally adopted by the Local Unit at a meeting duly called as set forth above, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 4. The Chief Financial Officer of the Local Unit is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions

established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 10 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 5. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 6(c) hereof.

Section 6. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 7. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 8. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 9. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 10. This resolution shall take effect immediately.

Section 11. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Township of Berkeley Heights has a need to replace an HVAC motor (1/2 hp) at its Wastewater Treatment Plant; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, (1) (gg) allows an exception to the Local Public Contracts Law, and without advertising for bids, a municipality can award “a contract for the designing, financing, construction, operation, or maintenance, or any combination thereof, of a wastewater treatment system as defined in subsection (19) of section 15 of P.L.1971, c. 198 (C.40A:11-15), or any component part or parts thereof, including a water filtration system as defined in subsection (16) of section 15 of P.L.1971, c. 198 (C.40A:11-15)[,]”; and

WHEREAS, the Township received a proposal dated December 17, 2025, from **Hanna’s Mechanical Contractor’s, Inc.**, 44 N. Main Street, Milton, NJ 08850 for the replacement of (1) ½ hp motor at the Berkeley Heights Wastewater Treatment Plant; and

WHEREAS, the Director of the Wastewater Treatment Plant, has recommended that a contract be awarded to, **Hanna’s Mechanical Contractor’s, Inc.**, 44 N. Main Street, Milton, NJ 08850, pursuant to their proposal.

NOW, THEREFORE BE IT RESOLVED by the Township Council, of the Township of Berkeley Heights, County of Union, that pursuant to N.J.S.A. 40A:11-5,(1)(gg) the appropriate municipal officials are authorized to execute an agreement with **Hanna’s Mechanical Contractor’s, Inc.**, for the replacement of (1) ½ hp motor at the Berkeley Heights Wastewater Treatment Plant, in an amount not to exceed **\$3,840.00**, and the Treasurer is authorized to pay properly completed vouchers up to such amount.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$3,840.00** from account # **6-01-26-295-026, SEWER Plant – Maintenacne of Other Equipment**, subject to the approval of the 2026 Budget.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Local Public Contracts Law 40A: 11-4 requires that certain contracts awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the Educational Services Commission of New Jersey (ESCNJ) has awarded contracts to various vendors as lowest responsible, responsive bidders for Regional Cooperative Pricing contracts; and

WHEREAS, the Township is in need of both **H.V.A.C. Preventative Maintenance and Repair Services** for the Wastewater Treatment Plant for the year 2026; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the procurement of both **H.V.A.C. Preventative Maintenance and Repair Services** from an authorized vendor under the ESCNJ Pricing System; and

WHEREAS, the Township of Berkeley Heights is a member of ESCNJ, COOP #65MCESCCPS; and

WHEREAS, **Hanna’s Mechanical Contractor’s, Inc.**, 44 N. Main Street, Milton, NJ 08850, has been awarded Contract ESCNJ 25/26-20-HV-R1 as part of the ESCNJ for the provision of H.V.A.C. – Region 1, for a period expiring September 30, 2027; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the ESCNJ Contract # 25/26-20-HV-R1, the Township wishes to enter into an agreement with **Hanna’s Mechanical Contractor’s, Inc.** for the provision of both **H.V.A.C. Preventative Maintenance and Repair Services** for the Wastewater Treatment Plant for the year 2026.

NOW, THEREFORE BE IT RESOLVED that the Township Council, of the Township of Berkeley Heights, County of Union, authorize the award of contract(s) to **Hanna’s Mechanical Contractor’s, Inc.**, for the provision of both **H.V.A.C. Preventative Maintenance and Repair Services** for the Wastewater Treatment Plant for the year 2026, in an amount **not to exceed \$88,000.00**.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$88,000.00** from account # **6-01-26-295-029, Sewer Plant O/E- Other Contractual Items**, subject to the approval of the 2026 Budget.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Local Public Contracts Law 40A: 11-4 requires that certain contracts awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the Morris County Cooperative Pricing Council have awarded contracts to various vendors as lowest responsible, responsive bidders for Regional Cooperative Pricing contracts; and

WHEREAS, the Township is in need of needs tree removal and related services for various Township-owned properties; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the procurement of tree removal and related services from an authorized vendor under the Morris County Cooperative Pricing System; and

WHEREAS, the Township of Berkeley Heights is a member of Morris County Cooperative Purchasing System; and

WHEREAS, Tree King, Inc., 12 Lenel Road, Landing, NJ 07850, has been awarded Contract #18 as part of the Morris County Cooperative Pricing System for the provision of Tree Removal/Trimming/Stump Grinding Services, for a period expiring December 31, 2027; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the Morris County Cooperative Pricing Contract #18, the Township wishes to enter into an agreement with Tree King, Inc. for the provision of tree removal and related services for the time period January 20, 2026 through December 31, 2026.

NOW, THEREFORE BE IT RESOLVED that the Township Council, of the Township of Berkeley Heights, County of Union, authorize a contract award to Tree King, Inc., for the provision of tree removal and related services, in an amount not to exceed **\$140,000.00**.

BE IT FURTHER RESOLVED that the Purchasing Agent is hereby authorized to take whatever actions are necessary to implement the above-described purchase and installation and effectuate prompt payment to Tree King, Inc.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$75,000.00 from account # 6-01-26-290-106, Streets and Roads - Trees**, and not to exceed **\$65,000.00 from account # 6-01-20-165-059, Engineering - Tree Removal** for a **total not to exceed \$140,000.00**, subject to the approval of the 2026 budget.

Approved this 20th day of January, 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

AMENDING RESOLUTION #2026-70

WHEREAS, the Local Public Contracts Law 40A: 11-4 requires that certain contracts awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the Bergen County Cooperative Pricing Council have awarded contracts to various vendors as lowest responsible, responsive bidders for Regional Cooperative Pricing contracts; and

WHEREAS, the Township is in need of Measurement Device Calibration & Repairs for the Wastewater Treatment Plant; and

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has authorized the procurement of Measurement Device Calibration & Repair services from an authorized vendor under the Bergen County Cooperative Pricing System; and

WHEREAS, the Township of Berkeley Heights is a member of Bergen County Cooperative Purchasing System #CK04-BERGEN; and

WHEREAS, Rapid Pump & Meter Service Co., P.O. Box AY, 285 Straight Street, Paterson, NJ 07509, has been awarded Contract Number #24-21 as part of the Bergen County Cooperative Pricing System for the provision of Pump and Meter Repair Services, for a period expiring May 18, 2026; and

WHEREAS, through this Resolution and properly executed documents, and pursuant to the Bergen County Cooperative Pricing BC Bid 24-21, the Township wishes to enter into an agreement with Rapid Pump & Meter Service Co. for the provision of Measurement Device Calibration & Repairs for the Wastewater Treatment Plant.

NOW, THEREFORE BE IT RESOLVED that the Township Council, of the Township of Berkeley Heights, County of Union, authorize a contract award to Rapid Pump & Meter Service Co., for the provision of Measurement Device Calibration & Repairs, in an amount **not to exceed \$15,000.00** and that the Purchasing Agent is hereby authorized to take whatever actions are necessary to implement the above-described purchase and installation and effectuate prompt payment to Rapid Pump & Meter Service Co.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount **not to exceed \$15,000.00** from account ~~6-01-26-290-029, S&R - Other Contractual Items~~ **#6-01-26-295-026, Sewer - Maintenance of Other Equipment**, subject to the approval of the 2026 Budget.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Approved this 7th day of January, 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, Foggia Trinity Electric, LLC was required to post a Road Opening Performance bond in the amount of \$2,000.00 in connection with the traffic signal replacement project at Snyder and Locust Avenues; and

WHEREAS, in a letter dated December 23, 2025, the Township Engineer has recommended that the Cash Performance Bond for the traffic signal replacement project at Snyder and Locust Avenues, Edmunds Account SO-0000027, in the amount of \$2,000.00 be released.

NOW, THEREFORE BE IT RESOLVED, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the forementioned cash performance bond, together with any applicable interest, to: Foggia Trinity Electric, LLC, 1759 East 2nd Street, Scotch Plains, NJ 07076, to the Attention of Anthony Cifelli.

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to the Township Engineer.

Approved this 20th day of January, 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, LoChiatto Paving & Masonry, Inc. was required to post a Road Opening Performance bond in the amount of \$2,000.00 in connection with work performed at 35 Exeter Drive; and

WHEREAS, in a letter dated January 12, 2026, the Township Engineer has recommended that the Cash Performance Bond in connection with work performed at 35 Exeter Drive, Edmunds Account RO-2500056, in the amount of \$2,000.00 be released, together with any applicable interest.

NOW, THEREFORE BE IT RESOLVED, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the forementioned cash performance bond, together with any applicable interest, to: LoChiatto Paving & Masonry, Inc. 1607 Route 27, Edison, NJ 08817.

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to the Township Engineer.

Approved this 20th day of January, 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, Extra Space Storage Inc. was required to post performance guarantees for site improvements at 310 Snyder Avenue in the form of a \$12,938.40 performance bond, and a \$1,437.60 cash bond, for a total guarantee of \$14,376.00; and

WHEREAS, Extra Space Storage Inc. also posted a safety and stabilization bond in the amount of \$5,000.00; and

WHEREAS, by letter dated December 23, 2025, the Township Engineer has recommended the release of remaining funds subject to the Applicant posting a maintenance bond at 15% of the original performance guarantee, said amount being \$2,156.40, for a two-year period, as the project has been substantially completed, and in accordance with statutes set forth in the New Jersey Municipal Land Use Code; and

WHEREAS, any release of said bond is conditioned upon concurrence of all applicable departments of the Township, and the payment of all outstanding fees, including escrow charges.

NOW, THEREFORE BE IT RESOLVED, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return of the remaining performance guarantee and cash bond, as well as the safety and stabilization bond, posted by Extra Space Storage Inc., together with any applicable interest, subject to the Applicant posting a maintenance bond in the amount of **\$2,156.40**, for a two-year period.

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to the Township Engineer.

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that **Bobby Ring** is hereby removed from the active duty roster and placed on the inactive list of the Berkeley Heights Volunteer Fire Department effective January 9, 2026.

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

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

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

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that **Petre Popescu** is hereby removed from the active duty roster and placed on the inactive list of the Berkeley Heights Volunteer Fire Department effective January 9, 2026.

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

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

BE IT HEREBY RESOLVED by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that **Vincent Skelly** is hereby removed from the active duty roster and placed on the inactive list of the **Junior Fire Auxiliary** of the Berkeley Heights Volunteer Fire Department effective January 9, 2026.

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

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

WHEREAS, the Township of Berkeley Heights received approximately 5.0 inches of snow on December 14, 2025, as a result of a winter storm that began the evening of December 13th; and

WHEREAS, on that given day, the Department of Public Works had several employees which were unable to assist with the snow plowing efforts due to being ill or unavailable; and

WHEREAS, due to an unusually heavy maintenance demand involving broken-down trucks, snowplows, and a salt spreader, two other key individuals were unable to assist with the effort, putting the department in a uniquely difficult situation requiring outside resources in addition to the previously contracted snow plowing services; and

WHEREAS, **Denbar Construction Inc.**, 625B North Michigan Avenue, Kenilworth, NJ 07033, was able to provide the Township with two (2) snowplows with drivers to assist in the snow plowing during the storm.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby memorialize the contract with **Denbar Construction Inc.** for the provision of snow removal and equipment services on December 14, 2025, for an amount **not to exceed \$4,290.00** and the Chief Financial Officer is authorized to pay properly completed vouchers upon presentation.

BE IT FURTHER RESOLVED that the Chief Finance Officer for the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$4,290.00** from account # **5-01-26-300-028, Snow Removal – Professional Services**.

BE IT FURTHER RESOLVED that this resolution shall be ratified back to December 14, 2025.

Approved this 20th day of January, 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, an emergency has arisen as a result of the storms and flooding of July 14, 2025 which caused emergent conditions throughout the Township of Berkeley Heights requiring immediate road and drainage repairs throughout the Township; and

WHEREAS, on August 19, 2025, the Township adopted Resolution 2025-241, which authorized contracts with various vendors to address the emergency road and drainage repairs resulting from the storms and flooding of July 14, 2025; and

WHEREAS, as part of the repairs and damage assessment, the Township of Berkeley Heights required additional professional engineering services, inclusive of survey assessment, engineering and construction management and construction administration; and

WHEREAS, on January 7, 2025, Neglia Group was deemed qualified to provide professional general engineering services to the Township of Berkeley Heights as part of a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township of Berkeley Heights wishes to memorialize a contract with Neglia Group for professional engineering services as part of the emergency road and drainage repairs resulting from the storms and flooding of July 14, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Berkeley Heights, County of Union, State of New Jersey that an agreement with Neglia Group for an amount **not to exceed \$47,844.38**, for professional engineering services as part of the emergency road and drainage repairs resulting from the storms and flooding of July 14, 2025, is hereby memorialized.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bids as a "professional services contract" in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law and pursuant to a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.

BE IT FURTHER RESOLVED that the Chief Finance Officer of the Township of Berkeley Heights has certified that sufficient uncommitted funds are available in an amount not to exceed **\$47,844.38** from account # **C-04-25-019-A00 - Ord 25-19 Road Improvements**.

BE IT FURTHER RESOLVED that this resolution is ratified back to August 19, 2025.

Approved this 20th day of January, 2026.

ATTEST:

**Angela Lazzari, RMC
Township Clerk**

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

TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY

RESOLUTION

RESOLUTION AMENDING RESOLUTION 2025-27 WHICH AWARDED A PROFESSIONAL SERVICES AGREEMENT TO NEGLIA GROUP FOR GENERAL ENGINEERING SERVICES

WHEREAS, on January 7, 2025, the Township of Berkeley Heights adopted Resolution 2025-27, awarding a professional services agreement to Neglia Group for General Engineering Services; and

WHEREAS, the Township wishes to amend Resolution 2025-27 to reflect an increase of \$1,076.00 in the contract amount, bringing the amended total amount to \$116,076.00.

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 Neglia Group for General Engineering Services at a total cost not to exceed **\$116,076.00**.
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, 2025.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that sufficient uncommitted funds will be available in an amount **not to exceed \$1,076.00**, with the account number to be charged: **5-01-20-165-028, Engineering Services**.

Approved this 20th day of January, 2026.

ATTEST:

Angela Lazzari, RMC
Township Clerk

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