

ORDINANCE NO.24-29-OAB

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY  
OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE  
ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK  
1614, LOT 13, FROM MICHAEL CAVALLARO IN ACCORDANCE  
WITH N.J.S.A. 40A:12-5(a)(1)**

**May 20, 2024**

**WHEREAS**, in order to address drainage issues on/near Sand Road, the Township of Berkeley is in need of an Easement at Block 1614, Lot 13; and

**WHEREAS**, Michael Cavallaro has offered to convey to the Township of Berkeley an Easement of 510 square feet more or less, comprising a portion of Block 1614, Lot 13, as more fully described in Schedule A attached hereto and made a part hereof to allow the Township to conduct a drainage improvement project; and

**WHEREAS**, N.J.S.A. 40A:12-5(a)(1) authorizes a municipality to accept property by the adoption of an ordinance authorizing the acquisition of same.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Township of Berkeley, County of Ocean, State of New Jersey as follows:

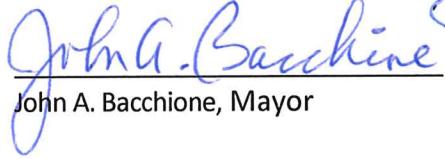
**SECTION 1.** That the governing body does hereby authorize the acquisition of an Easement 510 square feet more or less, comprising a portion of Block 1614, Lot 13, as more fully described in Schedule A attached hereto and made a part hereof. This property is being acquired by the Township of Berkeley pursuant to N.J.S.A. 40A:12-5(a)(1) by purchase/donation from Michael Cavallaro.

**SECTION 2.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from Michael Cavallaro.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.



John A. Bacchione  
John A. Bacchione, Mayor



Keith Buscio  
Keith Buscio, Council President  
Angelo Guadagno, Council Vice President

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on May 20, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 24th day of June 2024, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



KAREN STALLINGS, RMC  
Township Clerk, Township of Berkeley

**AFFIDAVIT OF PUBLICATION**

State of New Jersey, County of Hudson, ss:

Deidre Stevens-DiGiovanni, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Press of Atlantic City, a newspaper printed and published in the City of Linwood, distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Ocean and mailed to various parts of the State of New Jersey, the United States, and foreign countries, does hereby certify that the Notice was published in The Press of Atlantic City on:

**PUBLICATION DATES:**

Jun. 1, 2024

**NOTICE ID:** 5p5R3boZWJj5KPMuKZ6f

**PUBLISHER ID:** COL5678

**NOTICE NAME:** Ordinances May 20 2024

**Publication Fee:** 144.60

All interested parties may rely upon the representations contained herein limited solely to the authenticity of the Notice accompanying this Certification to be an accurate reproduction of the same and the date upon which it was published.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signed) Deidre Stevens-DiGiovanni

**VERIFICATION**

State of New Jersey  
County of Hudson

SHANNEA H HOLMES  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
My Commission Expires August 1, 2026

Subscribed in my presence and sworn to before me on this: 06/06/2024

Shanee H. Holmes

Notary Public  
Notarized remotely online using communication technology via Proof.

## 05-20-24 Berkeley Township Notice of Pending and Adopted Ordinances

24-24-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO AMEND SECTION 7-35.2, ENTITLED "HANDICAPPED PARKING ON STREET FOR PRIVATE RESIDENCES".

24-25-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES, AND ESTABLISHING THE METHOD OF SUCH COMPENSATION (Secretary, Confidential Secretary)

24-26-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" SO AS TO CREATE §7-33, TO BE ENTITLED "ENGINE BRAKING".

24-27-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF JOHNSON AVENUE ABUTTING BLOCK 939.05, LOTS 1 & 2

24-28-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 26-1.7A: ADVERTISING FEES AT STAGE AREA OF VETERANS PARK.

24-29-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1614, LOT 13, FROM MICHAEL CAVALLARO IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1) (Sand Road).

24-30-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1614, LOT 13, FROM RUSSELL AND BERNADETE BROOKS IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1) (Sand Road).

24-31-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF EMORY AVENUE ABUTTING BLOCK 951, LOT 16.04 AND BLOCK 946, LOT 4.01.

24-32-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XII, ENTITLED "PROPERTY MAINTENANCE" SO AS TO AMEND SECTION 12-6, ENTITLED "LEAD-BASED PAINT INSPECTIONS".

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on May 20, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 24th day of June, 2024, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Copies of the Ordinance will be provided upon request from the Clerk's office at the address above, during regular business hours and can be found online at [www.berkeleytownship.org](http://www.berkeleytownship.org).

Karen Stallings, RMC  
Township Clerk, Township of Berkeley

### Berkley Township Notice of Ordinance Adoption

24-14-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING AN AMENDMENT TO THE TOWN CENTER REDEVELOPMENT PLAN AMENDING CHAPTER 37-1 TOWN CENTER REDEVELOPMENT PLAN AND AMENDING THE CHAPTER 35-105 TOWN CENTER REDEVELOPMENT PLAN.

24-15-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 35-105 OF THE REVISED GENERAL ORDINANCES OF BERKELEY TOWNSHIP, ENTITLED "LAND DEVELOPMENT".

24-17-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" §7-24, ENTITLED "RIGHT TURN ONLY" (SHORE PLAZA)

24-18-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF BERKELEY, SO AS TO AMEND SECTION 7-35.2, ENTITLED "HANDICAPPED PARKING ON STREET FOR PRIVATE RESIDENCES" (106 Sprague Ave).

24-19-OAB

AN ORDINANCE AMENDING Chapter 35, Land Development, OF THE CODE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 35, LAND DEVELOPMENT, ARTICLE XVIII, PINELANDS AREA USE (Pinelands Comprehensive Management Plan).

24-20-OAB

AN ORDINANCE OF THE CODE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

24-21-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN AND STATE OF NEW JERSEY AUTHORIZING THE VACATION OF A PORTION OF VIRGINIA AVENUE (BETWEEN ARLINGTON AND PRINCETON AVES.) ABUTTING BLOCK 675 LOTS: 29-34 AND BLOCK 674, LOTS: 1- (Greg & Meghan Senator).

24-22-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 513, LOT 2D ON THE MUNICIPAL TAX MAP TO JAMES & HEATHER DELLA PIETRO IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (MADISON AVENUE, \$30,300.00)

Foregoing Ordinances were duly passed after Public Hearing held March 18, 2024 at a regular meeting of the Township of Berkeley and were approved by the Mayor on 5/20/2024  
Printer Fee: \$144.60  
Pub Date: June 1st, 2024

Order #: COL5678