

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

ATTORNEYS AT LAW
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TAX ID # 222445165

Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922
Attn: Mayor Joseph Bruno

RECEIVED
SEP 22 2014
MAYOR

Invoice Date: September 17, 2014
Invoice No.: 848449

Re: Berkeley Heights - Non-Retainer
Our File No.: T0349-1002

STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER
THROUGH 08/31/14

Professional Fees:	4,186.00
TOTAL CURRENT BILLING	4,186.00

Client: T0349-Berkeley Heights
Matter: 1002-Berkeley Heights - Non-Retainer
Billed Through: August 31, 2014

Invoice No.: 848449
Invoice Date: September 17, 2014

<u>Act. Date</u>	<u>Activity Description</u>	<u>Atty</u>	<u>Hours</u>	<u>Amount</u>
08/01/14	[Fire Department] - Draft/revise Ordinance amending the Township Code to revise the background check requirements and other modifications to the provisions governing the Berkeley Heights Volunteer Fire Department; Draft communication to Linda Cavanaugh, Township Administrator, enclosing the draft Ordinance for review and comment.	JVS	0.70	98.00
08/06/14	[Construction Code Violations] - Receipt and review of communication from Robin Greenwald, Construction Official, regarding the Township's enforcement of UCC penalties issued for construction code violations.	JVS	0.20	28.00
08/07/14	[Police] - Receipt and review of communication from Linda Cavanaugh, Township Administrator, enclosing the further revised Ordinance amending the Police Division Chapter of the Township Code with regard to the minimum requirements for new police hires; Review of revised Ordinance.	JVS	0.40	56.00
08/11/14	[Municipal Complex] - Exchange of communications with Michael Mistretta, Township Planner, regarding the bidding requirements in connection with the Township's redevelopment of the municipal complex.	JVS	0.40	56.00
08/11/14	[Land Swap] - Attend to various matters relating to the potential land swap between the Township and Little Flower Church.	JVS	0.40	56.00
08/12/14	[Free Acres Association] - Receipt and review of communications from Linda Cavanaugh, Township Administrator, and Robert Bocchino, Township Engineer/Public Works Director, regarding the finalization of the draft Municipal Services Agreement between the Township and Free Acres Association with regard to the Township's reimbursements under the Condominium Services Act, and the sewer use agreement with regard the renewal of the sewer service agreement with the Association; Review of file with regard to same in preparation for a meeting with the Township Officials; Office conference with Mr. Bocchino regarding same.	JVS	0.80	112.00
08/12/14	[Berkeley Heights Developers] - Telephone conference with Stephen Hehl, Esq., attorney for Berkeley Heights Developers, regarding the presentation to the Township Council and request for the potential redevelopment of the property located at 434 Springfield Avenue for luxury residential development; Receipt and review of correspondence from Mr. Hehl regarding same.	JVS	0.40	56.00
08/13/14	[Land Swap] - Attend to various matters relating to the potential land swap between the Township and Little Flower Church.	JVS	1.10	154.00

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08/13/14	[Free Acres Association] - Exchange of communications with Robert Bocchino, Township Engineer/Public Works Director, regarding the roadway calculations for snow removal reimbursement and hydrant reimbursement calculations in connection with the finalization of the draft Municipal Services Agreement between the Township and Free Acres Association with regard to the Township's reimbursements under the Condominium Services Act, and the sewer use agreement with regard to the renewal of the sewer service agreement with the Association.	JVS	0.50	70.00
08/13/14	ing] - Receipt and review of the traffic reports and studies in connection with the potential Ordinance amending the parking restrictions on various roadways around the Governor Livingston High School.	JVS	0.50	70.00
08/14/14	[Municipal Complex] - Receipt and review of communication from Michael Mistretta, Township Planner, regarding the release of the redevelopment maps to potential developers in connection with the Township's redevelopment of the municipal complex; Draft communication to Mr. Mistretta and Linda Cavanaugh, Township Administrator, regarding same.	JVS	0.40	56.00
08/14/14	[Land Swap] - Conference with J. Sordillo regarding potential land swap with Little Flower Church.	SF	0.40	56.00
08/14/14	[McCarthy UCC] - Conference with J. Sordillo regarding negotiations with W. McCarthy.	SF	0.30	42.00
08/14/14	[Land Swap] - Review letter to Berkeley Heights regarding Land Swap.	SF	1.40	196.00
08/14/14	[McCarthy UCC] - Review correspondence regarding UCC penalty collection.	SF	0.50	70.00
08/15/14	[Noise Complaint] - Receipt and review of Summons issued to Thomas Barton, Township Recreation Director, for alleged noise violations at Columbia Park on June 23, 2014; Telephone conference with Barbara Russo, Administration Executive Assistant, regarding same.	JVS	0.30	42.00
08/15/14	[Municipal Complex] - Research and review of New Jersey law regarding the bidding requirements in connection with the Township's redevelopment of the municipal complex.	JVS	1.20	168.00
08/19/14	[McCarthy UCC] - Telephone conference with R. Greenwald regarding UCC penalty collection against W. McCarthy.	SF	0.30	42.00
08/19/14	[McCarthy UCC] - Review emails of July 8 and August 6 in preparation for call to R. Greenwald.	SF	0.40	56.00

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08/20/14	ing] - Exchange of communications with Ana Minkoff, Township Clerk, regarding Township's potential Ordinance amending the parking restrictions on various roadways around the Governor Livingston High School, the Township's traffic reports and studies regarding same, and Township Council's potential revision to the recommendations; Review of traffic reports and studies and potential revisions to same; Draft Ordinance amending the parking restrictions pursuant to recommendations.	JVS	0.90	126.00
08/20/14	[Boy Scouts] - Review of information relating to the Boy Scout Eagle candidate, Andrew Friedlander's historical signage project, the Township's approval of same, and the preparation of the Resolution memorializing same; Exchange of communications with Ana Minkoff, Township Clerk, regarding same.	JVS	0.50	70.00
08/20/14	[Land Swap] - Draft and revise response to letter to Berkeley Heights regarding Land Swap.	SF	2.00	280.00
08/21/14	[Municipal Complex] - Exchange of communications with Michael Mistretta, Township Planner, regarding the bidding requirements in connection with the Township's redevelopment of the municipal complex, along with meetings with NJ Transit regarding same.	JVS	0.40	56.00
08/21/14	[Boy Scouts] - Draft Resolution memorializing the Township's approval of the Boy Scout Eagle candidate, Andrew Friedlander's historical signage project, and accepting the donation of same; Draft communication to Ana Minkoff, Township Clerk, enclosing the Resolution for the Township Council's consideration.	JVS	1.30	182.00
08/21/14	[Zoning] - Telephone conference with Thomas Bocko, Zoning Officer, regarding the application of the Township Zoning Ordinances to a change in use of the Reynolds Hospital from a public building to a hospital use, and the potential recognition as a pre-existing non-conforming use; Receipt and review of communication from Mr. Bocko regarding same.	JVS	0.40	56.00
08/22/14	[Land Swap] - Attend to various matters relating to the potential land swap between the Township and Little Flower Church; Telephone conference with Eugene Huang, Esq., Library Attorney, regarding the potential agreement between the Township and the Library with regard to the potential land swap; Draft Memorandum of Understanding between the Township and the Library with regard to same.	JVS	3.70	518.00
08/22/14	[Historical Society] - Receipt and review of communications from Mayor Joseph Bruno regarding the potential appointment of a Councilmember to sit on or act as a liaison to the Historical Society; Research and review of the Township Code with regard to the terms of membership of the Historical Society; Research and review of New Jersey law regarding the ability of a Faulkner Act municipality to appoint a liaison to a municipal committee or board; Draft communication to Mayor Bruno regarding same.	JVS	1.60	224.00

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<u>Act. Date</u>	<u>Activity Description</u>	<u>Atty</u>	<u>Hours</u>	<u>Amount</u>
08/25/14	[Boy Scouts] - Receipt and review of communication from Thomas Bocko, Zoning Officer, regarding comments to the Resolution memorializing the Township's approval of the Boy Scout Eagle candidate, Andrew Friedlander's historical signage project, and accepting the donation of same; Revise Resolution pursuant to the comments received; Draft communication to Ana Minkoff, Township Clerk, enclosing the revised Resolution.	JVS	0.60	84.00
08/25/14	[Land Swap] - Attend to various matters relating to the potential land swap between the Township and Little Flower Church, including the draft Memorandum of Understanding between the Township and the Library.	JVS	0.50	70.00
08/25/14	[Noise Complaint] - Telephone conference with Barbara Russo, Administration Executive Assistant, regarding the Summons issued to Thomas Barton, Township Recreation Director, for alleged noise violations at Columbia Park on June 23, 2014, along with the Township's provision of legal defense to same; Research and review of the Township's Ordinances with regard to the alleged noise violations.	JVS	0.70	98.00
08/26/14	[Noise Complaint] - Receipt and review of communications from Barbara Russo, Administration Executive Assistant, regarding the Summons issued to Thomas Barton, Township Recreation Director, for alleged noise violations at Columbia Park on June 23, 2014, along with the Township's provision of legal defense to same; Telephone conference with Mr. Barton regarding same; Draft correspondence to the Scotch Plains Municipal Court entering an appearance, requesting an adjournment, and making a discovery demand.	JVS	0.70	98.00
08/26/14	[Historical Society] - Telephone conference with Ana Minkoff, Township Clerk, regarding the relationship between the Township and the Historical Society, and the establishment of a municipal historical commission.	JVS	0.20	28.00
08/26/14	[Berkeley Heights Developers] - Telephone conference with Stephen Hehl, Esq., attorney for Berkeley Heights Developers, regarding the request for the potential redevelopment of the property located at 434 Springfield Avenue for luxury residential development.	JVS	0.20	28.00
08/26/14	[Land Swap] - Attend to various matters relating to the potential land swap between the Township and Little Flower Church, including the draft Memorandum of Understanding between the Township and the Library.	JVS	0.40	56.00
08/26/14	[Municipal Complex] - Research and review of New Jersey law regarding the bidding requirements in connection with the Township's redevelopment of the municipal complex.	JVS	1.60	224.00
08/26/14	Review documents regarding 94 Orion Road violations.	SF	0.00	0.00
08/27/14	[Land Swap] - Draft and revise response letter regarding land swap.	SF	3.00	420.00

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08/29/14	[Memorial Park Renewal Committee] - Exchange of communications with Ana Minkoff, Township Clerk, regarding the terms and conditions of the Township's creation of the a Memorial Park Renewal Committee.	JVS	0.40	56.00
08/29/14	[Deputy Clerk] - Receipt and review of communication from Ana Minkoff, Township Clerk, regarding the Township's payment of unused vacation to Linda Santillo, and the required authorization for same.	JVS	0.20	28.00
TOTAL:			29.90	\$ 4,186.00

<u>Timekeeper</u>	<u>Hours/Rate</u>	<u>Amount</u>
Joseph V. Sordillo	21.60 HOURS/140.00 PER HOUR	3024.00
Sara Fusco	8.30 HOURS/140.00 PER HOUR	1162.00
Sara Fusco	0.00 HOURS/0.00 PER HOUR	0.00

Professional Fees:	4,186.00
	\$ 4,186.00

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THROUGH 08/31/14

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TOTAL CURRENT BILLING	4,186.00

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Township of Berkeley Heights
29 Park Avenue
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Attn: Mayor Joseph Bruno

RECEIVED
SEP 22 2014
MAYOR

Invoice Date: September 17, 2014
Invoice No.: 848516

Re: Foregger, Thomas H. v. Twp. of Berkeley Heights, et al.
Our File No.: T0349-1020

STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER
THROUGH 08/31/14

Professional Fees:	560.00
Disbursements:	84.70

TOTAL CURRENT BILLING	644.70
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Client: T0349-Berkeley Heights
Matter: 1020-Foregger, Thomas H. v. Twp. of Berkeley
Billed Through: August 31, 2014

Invoice No.: 848516
Invoice Date: September 17, 2014

<u>Act. Date</u>	<u>Activity Description</u>	<u>Atty</u>	<u>Hours</u>	<u>Amount</u>
08/11/14	Receipt and review of correspondence from Walter Luers, Esq., attorney for Foregger, regarding the service of the Complaint in Lieu of Prerogative Writs challenging the Township's designation of the existing municipal complex as an area in need of redevelopment upon the Township Planning Board; Telephone conference with Albert Cruz, Esq., Planning Board attorney, regarding the coordination of the Township's defense of the litigation.	JVS	0.50	70.00
08/13/14	Review and analyze Planning Board's draft Answer. Draft Answer for Township. Research and review minutes of Township adoption of Redevelopment Resolution. Review and revise Answer.	JPM	1.80	252.00
08/13/14	Receipt and review of communication from Albert Cruz, Esq., Planning Board Attorney, enclosing the draft Answer and Affirmative Defenses to the Complaint in Lieu of Prerogative Writs challenging the Township's designation of the existing municipal complex as an area in need of redevelopment upon the Township Planning Board; Review of Answer and Affirmative Defenses.	JVS	0.50	70.00
08/14/14	Conference with J. Sordillo regarding strategy of filing SJ versus Trial Brief.	JPM	0.30	42.00
08/18/14	Review and revise Answer. Draft CIS and letter to clerk. Email correspondence with Foregger's counsel with copy of Answer.	JPM	0.90	126.00
TOTAL:			4.00	\$ 560.00

<u>Timekeeper</u>	<u>Hours/Rate</u>	<u>Amount</u>
John P. Michalski	3.00 HOURS/140.00 PER HOUR	420.00
Joseph V. Sordillo	1.00 HOURS/140.00 PER HOUR	140.00

DISBURSEMENTS

<u>Date</u>	<u>Description</u>	<u>Amount</u>
08/18/14	Postage	1.19
08/18/14	Postage	7.53
08/18/14	Photocopies: Copy; Lt, 30 Page(s)	6.00
08/18/14	Delivery Expense: Federal Express Invoice# 2-759-74475: Sent to Walter M. Luers, Esq.	8.98
08/18/14	Messenger Services: Integrity Express Invoice# 4585: Sent to Union County Courthouse	61.00
Professional Fees:		560.00
Disbursements		84.70

Client: T0349-Berkeley Heights
Matter: 1020-Foregger, Thomas H. v. Twp. of Berkeley
Billed Through: August 31, 2014

Invoice No.: 848516
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\$ 644.70

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Invoice Date: September 17, 2014
Invoice No.: 848516

Re: Foregger, Thomas H. v. Twp. of Berkeley Heights, et al.
Our File No.: T0349-1020

STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER
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Professional Fees:	560.00
Disbursements:	84.70
TOTAL CURRENT BILLING	644.70

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Township of Berkeley Heights
29 Park Avenue
Berkeley Heights, NJ 07922
Attn: Mayor Joseph Bruno

Invoice Date: September 17, 2014
Invoice No.: 848321

RECEIVED
SEP 22 2014
MAYOR

Re: Monthly Retainer
Our File No.: T0349-1001

STATEMENT FOR LEGAL SERVICES RENDERED WITH REFERENCE TO THE ABOVE CAPTIONED MATTER
THROUGH 08/31/14

Professional Fees: 2,500.00

TOTAL CURRENT BILLING 2,500.00

TOTAL NOW DUE \$ 2,500.00

Client: T0349-Berkeley Heights
Matter: 1001-Monthly Retainer
Billed Through: August 31, 2014

Invoice No.: 848321
Invoice Date: September 17, 2014

<u>Act. Date</u>	<u>Activity Description</u>	<u>Atty</u>	<u>Hours</u>
08/01/14	Telephone conference with Linda Cavanaugh, Township Administrator, regarding various matters pending in the Township.	JVS	0.20
08/06/14	[Salary Ordinance] - Exchange of communications with Ana Minkoff, Township Clerk, regarding the required procedures for the Township's issuance of raises to Township employees and increases to the Township Salary Ordinance.	JVS	0.40
08/11/14	Telephone conference with Linda Cavanaugh, Township Administrator, regarding various matters pending in the Township; Exchange of communications with Ms. Cavanaugh regarding same, and enclosing a draft agenda for public hearings on the redevelopment and land swap projects.	JVS	0.80
08/12/14	Review of agenda for the Township Council regular public meeting, including all ordinances and resolutions thereon, in preparation for same; Telephone conference with Linda Cavanaugh, Township Administrator, regarding the items for discussion in executive and conference sessions; Attend regular public meeting of the Township Council at the Township Municipal Building.	JVS	4.90
08/19/14	Telephone conference with Ana Minkoff, Township Clerk, regarding various matters pending in the Township.	JVS	0.30
08/19/14	[Executive Session] - Receipt and review of communication from Ana Minkoff, Township Clerk, enclosing the minutes of the executive session at various public meetings of the Township Council; Review of executive session minutes; Draft communication to Ms. Minkoff regarding review and comments to the executive session minutes.	JVS	1.30
08/22/14	[OPRA] - Receipt and review of an OPRA Request submitted by Thomas Foregger seeking copies of legal bills for July 2014, along with the documents in response thereto; Review/redact legal bills for July 2014 in response to the OPRA Request; Draft communication to Ana Minkoff, Township Clerk, regarding same.	JVS	0.80
08/26/14	Review of agenda for the Township Council regular public meeting, including all ordinances and resolutions thereon, in preparation for same; Telephone conference with Barbara Russo, Administration Executive Assistant, regarding the items for discussion in executive and conference sessions; Telephone conference with Ana Minkoff, Township Clerk, regarding same; Attend regular public meeting of the Township Council at the Township Municipal Building.	JVS	3.30

Professional Fees:

2,500.00

Client: T0349-Berkeley Heights
Matter: 1001-Monthly Retainer
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Invoice No.: 848321
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\$ 2,500.00

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Professional Fees:	2,500.00
TOTAL CURRENT BILLING	2,500.00
TOTAL NOW DUE	<u>\$ 2,500.00</u>

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NEW YORK, NY - DENVER, CO - RIDGEWOOD, NJ - NEWARK, NJ - PHILADELPHIA, PA