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MINUTES
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AGENDA SESSION PORTION

CALL TO ORDER

The mayor called the meeting to order at 7:30 PM. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present: Kelly, Malay, Pavlini, Spitzer, Carpenter

Absent:

Also Present: CFO/Administrator McArthur, Engineer/Planner Messina, Attorney Belardo, Clerk/Assist. Adm. Szabo

AMEND AGENDA

By unanimous consent, the committee amended the agenda to include an executive session discussion on Litigation – Millington Quarry/Tilcon.

EXECUTIVE SESSION – [Resolution #080320](#)

Motion by Pavlini, second by Kelly, and unanimously agreed to approve Resolution #080320 and the meeting temporarily adjourned to executive session at 7:31 PM.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - Contract Negotiation PBA
 - Land Acquisition English Wood Lot, English, Block 11201, Lot 1
 - Litigation Millington Quarry/Tilcon v. Bernards Twp.
3. It is anticipated that the minutes on the subject matters of the closed session will be made public upon conclusion, dismissal or settlement of litigation; or final resolution of agreements on personnel matters; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The committee will come back into open session and may take further action.
5. This resolution shall take effect immediately.

The meeting resumed in open session at 8:04 PM.

CORRESPONDENCE

[Request from Fibertech Networks regarding use of Rights-of-Way](#)

Dennis Lincoln, Esq., of Stryker, Tams & Dill, LLP, representing Fibertech explained their proposal to the committee.

Fibertech is requesting consent by Bernards to use and occupy the public rights-of-way with the township for the purpose of constructing a fiber optic network as part of a larger network throughout northern New Jersey.

Fibertech is authorized by the NJ BPU to provide local exchange and interexchange telecommunications services throughout the state.

The committee reviewed a map of the proposed locations.

Mario Rodriguez, Public Relations Director and Bob Tarzian, Engineer of Fibertech fielded questions from the committee.

The committee questioned the proposed locations, the majority of which were in residential areas. Additionally, they were not convinced there was a demonstrated need or benefit to the township. They asked Fibertech to submit additional information.

Lincoln advised the committee that the township is preempted by Federal Law in this regard but that they may enact reasonable conditions. The only reason they are applying to the township is that New Jersey law requires municipal approval for use of rights-of-way.

Belardo advised the committee that he could advise them further under attorney client before permission was granted. The committee agreed and the matter will be scheduled for an upcoming meeting.

[McCollum Farm – Motion to Reconsider Razing of Farmhouse](#)

The committee reviewed a memo from Ann Parsekian, representing the Somerset Hills Historical Society:

The Historic Preservation Committee of the Historical Society of the Somerset Hills is pleased that you voted this week to permit Mr. and Mrs. Knox to salvage several of the McCollum Farm outbuildings to move to their property on Mountain Road.

Now that most of the outbuildings will be salvaged, we hope the TC will want to revisit the plans for the historic farmhouse and consider the following proposal:

1. Subdivide the property, leaving the farmhouse on an undersized lot to maximize public open space and limit future expansion of the farmhouse. The location of the house at the extreme southwest corner of the property would facilitate such a subdivision. A small parking lot for public use could be created at the southeast corner of the remaining open space parcel.
2. Place an historic preservation easement on the farmhouse that is limited in scope, which will ensure that the massing and form of the historic main block of the building remain the same.
3. Offer the farmhouse lot at auction **AS IS** and return net proceeds to the Open Space Fund.

As you may recall, the open space purchase on Haas Road several years ago was handled in a similar manner. The McCollum farmhouse is a viable dwelling that is currently in good condition and has a number of recent improvements, such as a modern kitchen and bathrooms. We believe that there are potential buyers who would be agreeable to an historic preservation easement, given the location of property and the fact that the house still retains some original features and materials.

Clear Benefits:

- The Township saves on demolition and landfill costs as well as demonstrates its commitment to historic preservation and the environment; elements that figure prominently in our Master Plan and in the current Green Team program.
- By returning the farmhouse to private ownership, a landmark house associated with one of our earliest settlers is saved at no cost to taxpayers, and an historic streetscape is preserved.
- The Open Space Fund is replenished with hundreds of thousands of dollars.

Minimal Costs/risks:

- The expense of subdividing and auctioning the property would be covered by auction proceeds.
- Should the house fail to sell at auction the Township could simply proceed with demolition.

The potential benefits to the community are great and we encourage you to reconsider preserving this piece of Bernards Township history.

Kelly recused herself from the discussion.

The committee had previously adopted Resolution #070489 on 11/27/07 agreeing to:

1. *Allow the Historical Society to comb the property for historical artifacts prior to removal of the structures, with any significant findings being accessioned to them by the township for historical preservation.*
2. *Offer for sale any salvageable materials on the property.*
3. *Remove all structures on the property.*
4. *Maintain the property as passive open space recreation.*

Motion by Malay, second by Spitzer that condition #3 in Resolution #070489 be reconsidered per the request.

The committee reviewed a sketch prepared by Messina of a proposed subdivision.

Messina advised that a subdivision would cause a flag lot on a substandard lot and reduced setbacks. The committee discussed possible conditions but ultimately the majority concluded that the subdivision would substantially impede public access and enjoyment of the open space.

Roll Call:

Aye: Malay

Nay: Pavlini, Spitzer, Carpenter

Abstain:

Motion carried.

REPORTS

None.

REGULAR SESSION PORTION

MINUTES

[07/02/08](#) – *Special Meeting – Open Session*

By unanimous consent, these minutes were approved for content and release.

07/02/08 – Special Meeting – Executive Session

By unanimous consent, these minutes were approved for content only.

FIRE & RESCUE APPOINTMENTS

[Resolution #080314](#) - *Appointment to Membership in Township of Bernards Volunteer, Liberty Corner Fire Company, Michael L. Conley*

Motion by Pavlini, second by Spitzer, and unanimously agreed to approve Resolution #080314.

WHEREAS, pursuant to §2-14.1 of the Revised General Ordinances of the Township of Bernards, the volunteer fire department consisting of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc., are hereby made the fire department for the Township of Bernards; and

WHEREAS, the **Liberty Corner Fire Company** is recommending Michael L. Conley, 16 Knollcroft Road, Basking Ridge, NJ, for appointment as a Full member;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Michael L. Conley is hereby appointed as a Full Member of the Liberty Corner Fire Company effective this date.

[Resolution #080315](#) - *Appointment to Membership in Township of Bernards Volunteer, Liberty Corner First Aid Squad, Inc., Wendy Doster, Mary Herila and Bethany Herila*

Motion by Malay, second by Pavlini, and unanimously agreed to approve Resolution #080315.

WHEREAS, pursuant to §2-16.1 of the Revised General Ordinances of the Township of Bernards, there shall be a first aid department known as the “Township of Bernards First Aid and Emergency Department” consisting of the First Aid Squad of the Basking Ridge Fire Company No. 1 and the Liberty Corner First Aid Squad, Inc.

WHEREAS, the Liberty Corner First Aid Squad, Inc. is recommending the following individuals for appointment:

<u>NAME</u>	<u>ADDRESS</u>	<u>MEMBERSHIP STATUS</u>
Wendy Doster	33 Pond Hill Road asking Ridge, NJ	Regular
Mary Herila	38 Old Coach Road asking Ridge, NJ	Regular

Bethany Herila

38 Old Coach Road
Basking Ridge, NJ

Regular

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed as members of the Liberty Corner First Aid Squad, Inc. effective this date.

PUBLIC COMMENT

Cathleen Hegan, Bernardsville Farm owner, asked about temporary signage requests in Bernards.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their recent activities.

UNFINISHED BUSINESS

[Ordinance #2021](#) - *An Ordinance to Create the Position of Municipal Housing Liaison for the Purpose of Administering Township of Bernards Affordable Housing Program Pursuant to the Fair Housing Act – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing. There were no comments and the hearing was closed.

Motion by Pavlini, second by Malay, that Ordinance #2021 be adopted and advertised as required by law.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

[Ordinance #2024](#) - *Repealing Ordinance #2008 which added New Subsection Ordinance § 4-9.5 b.20 entitled “Temporary Moratorium”, in order to Enact a Moratorium on Importation of Fill to the Quarry Property Pending Planning Board Review of the Proposed 2008 Rehabilitation Plan – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing.

The following members of the public commented on the ordinance.

Motion by Malay, second by Kelly, that Ordinance #2024 be adopted and advertised as required by law.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

[Ordinance #2025](#) - *An Ordinance Amending Chapter IV Entitled "General Licensing", Section 4-9 Entitled "Quarrying" of the Revised General Ordinances of the Township of Bernards, to Add New Section 4-9.14 Entitled "Importation of Fill Material onto Quarry Property Is Prohibited" – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing.

The following members of the public spoke in support of the ordinance:

Megan McNamara, 35 Springhouse Lane
Kim Geary, 4 Blackburn Road
Bruce MacGillivray, 14 East Craig Street
Bill Walsh, 2139 Valley Road

Mark Morgan, Esq., representing Millington Quarry, Inc., requested that the township confer with his client before passage of this ordinance to work out a solution and stated his client's objection to the ordinance.

Motion by Pavlini, second by Kelly, that Ordinance #2025 be adopted and advertised as required by law.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

The committee took a short recess.

NEW BUSINESS

Consent Agenda

The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study, a copy placed on the bulletin board of the meeting room and are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by township committee action and placed on the regular agenda under new business.

Motion by Kelly, second by Spitzer, to approve the consent agenda, with separate consideration of Resolutions #080324 and #080325.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

Begin Consent Agenda

[Resolution #080285](#) - Personnel Appointment, Municipal Housing Liaison, Peter Messina

WHEREAS, pursuant to the Revised General Ordinances of the Township of Bernards, Chapter XXI, Section 76.4, the Township Committee shall appoint each year a township official as the Municipal Housing Liaison.

WHEREAS, the responsibilities of the municipal housing liaison shall be (1) primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households; (2) monitoring the status of all restricted units in the Township of Bernards Fair Share Plan; (3) compiling, verifying and submitting annual reports as required by COAH; (4) coordinating meetings with affordable housing providers and Administrative Agents, as applicable; (5) attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint Peter Messina or his designee as the 2008 Municipal Housing Liaison.

[Resolution #080312](#) - Authorizing Submission of a Grant Application to the Somerset County Board of Chosen Freeholders for a Grant Entitled 2009 Application for Funding Municipal Alliances. For the Purpose of Providing Funding for the Bernards Township Municipal Alliance Against Substance Abuse

WHEREAS, the Municipal Alliance Coordinator is recommending the Township Committee approve a grant application to Bernards Township for a grant entitled “2009 Application for Funding Municipal Alliances,” which would provide \$20,628.00 for the purpose of funding the township program, project or facility known as the Bernards Township Municipal Alliance Against Substance Abuse; and

WHEREAS, the grant application requires a 75% match of \$15,471.00 in in-kind services and a 25% cash match of \$5,157.00 to be provided by Bernards Township with funds being available in Account: 2009 Budget Request – Outside CAP Township Grant Match as certified below by the treasurer; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize submission of a grant application to the Somerset County Board of Chosen Freeholds for a grant entitled 2009 Application for Funding Municipal Alliances for the purpose of funding the township program, project of facility known as the Bernards Township Municipal Alliance Against Substance Abuse; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that Heather Benamati of the Bernards Township Health Department will serve as the project manager for this grant application.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor, Project Manager, and Clerk are hereby authorized to sign the grant on behalf of the township.

[Resolution #080316](#) - Bernards Township National Night Out Against Crime Event – 2008

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on August 5th, 2008, entitled “National Night Out”; and

WHEREAS, the “25th Annual National Night Out” provides a unique opportunity for Bernards Township, Somerset County, to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Bernards Township neighborhood, business, and bank crime watch groups play a vital role in assisting the Bernards Twp. Police Department through joint crime, drug, and violence prevention efforts in Bernards Township and is supporting “National Night Out 2008” locally; and

WHEREAS, it is essential that all citizens of Bernards Township, Somerset County be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Bernards Township; and

WHEREAS, police-community partnerships, neighborhood safety, awareness, and cooperation are important themes of the “National Night Out” program;

NOW, THEREFORE, we the Bernards Township Committee, do hereby call upon all citizens of Bernards Township to join the Bernards Township neighborhood, business, and bank crime watch groups and the National Association of Town Watch in supporting the “25th Annual National Night Out” on August 5th, 2008.

Further, let it be resolved that the Township Committee members do hereby proclaim Tuesday, August 5th, 2008 as “National Night Out” in Bernards Township, Somerset County.

[Resolution #080317](#) - Approval of Request Block Party, 55 Penwood to 79 Penwood, September 27, 2008 (Raindate 9/28/08)

WHEREAS, Barbara Sileo hereinafter “the applicant,” has requested permission to close Penwood Road from number 55 to 79 on September 27, 2008 from 3:00 PM to 9:00 PM for the purpose of holding a block party; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 7-16.1. et. seq.; and

WHEREAS, the Municipal Clerk and Police Chief have reviewed the application and recommend approval; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the request be approved.

[Resolution #080318](#) - Resolution Amending Employee Handbook of Personnel Policies & Procedures Section – Overtime Pay and Compensatory Time Off Policy “Time Records

WHEREAS, the Township Committee adopted Ordinance #1682 establishing the Employee Handbook of Personnel Policies & Procedures on November 11, 2003; and,

WHEREAS, the Township Committee wishes to amend the Employee Handbook of Personnel Policies and Procedures with respect to Overtime Pay and Compensatory Time Off Policy – “Time Records”; and

WHEREAS, the language changes are as follows, the new text is underlined; deleted text is ~~stricken~~.

OVERTIME PAY AND COMPENSATORY TIME OFF POLICY

Time Records

1. Employees are required to enter into the EDMUNDS timekeeping system a time record for each day during a pay period complete and submit a time record indicating the hours worked and paid time taken (i.e., vacation, sick, etc.) ~~for each pay period.~~
2. The employee’s supervisor must approve his/her hours worked at the end of each pay-period into the EDMUNDS timekeeping system by updating a batch.
3. ~~All “comp time” accruals must be designated on the time record as well as “comp time” taken.~~
4. The EDMUNDS time code cheat sheet record indicates the necessary coding to be used when entering time into the system.
5. Certain departments have employees that do not have access to computers and therefore, are unable to enter their own time into the EDMUNDS timekeeping system. In this case, Department Heads or their designee are responsible for entering all time for these employees.

WHEREAS, that these policies take effect immediately, to be codified into the Employee Handbook of Personnel Policies and Procedures in July 2008;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Overtime Pay and Compensatory Time Off Policy – “Time Records” is implemented effective immediately.

[Resolution #080319](#) - Approval of Bill List Dated 07/15/2008

BE IT RESOLVED, that the bill list dated 07/15/2008 be audited, and if found correct, be paid.

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
CASH - CHECKING CURRENT CHECKING					
67931	07/15/08	Alignment Check		VOID	
67932	07/15/08	70077 LUFKIN, RUTH	1,320.45		910
67933	07/15/08	72008 MCMANEMIN, CHRIS	200.00		910
67934	07/15/08	90019 CENTRELLI, DAVID	154.07		910
67935	07/15/08	90038 FORGIONE, LUCY A.	313.00		910
67936	07/15/08	90095 SNYDER, DANIEL	582.94		910
67937	07/15/08	90128 SZABO, DENISE	62.57		910
67938	07/15/08	90156 BERG, ANITA	23.63		910
67939	07/15/08	90265 MEANY, ANNE	196.83		910
67940	07/15/08	90282 EULA, MARIE	54.76		910
67941	07/15/08	90373 STEELE, LAURA	328.00		910
67942	07/15/08	90380 HELMSTETTER, MEGAN	923.50		910
67943	07/15/08	90390 HERRMANN, MARK	94.45		910
67944	07/15/08	A0029 UNIVERSAL SUPPLY GROUP, INC.	153.19		910
67945	07/15/08	A0126 AFLAC NEW YORK	810.24		910
67946	07/15/08	A0162 ACME DIESEL ELECTRIC, INC.	196.00		910
67947	07/15/08	A0168 ALLIED OIL COMPANY, LLC	24,624.14		910
67948	07/15/08	A0174 ALL SPORTS	641.98		910
67949	07/15/08	A0232 ARROW ELEVATOR, INC.	200.00		910
67950	07/15/08	A0258 ACCUMED DIAGNOSTIC LAB	8,825.00		910
67951	07/15/08	A0338 AFLAC	2,216.61		910
67952	07/15/08	A0451 AGUAYO, CHRIS	100.00		910
67953	07/15/08	B0003 BAKERS AUTO PARTS, INC.	262.93		910
67954	07/15/08	B0010 BITAR ESQ., THOMAS J.	1,629.00		910
67955	07/15/08	B0020 BASKING RIDGE ELECTRIC CO., INC	996.00		910
67956	07/15/08	B0026 BERNARDS TOWNSHIP CURRENT	6,823.68		910
67957	07/15/08	B0031 BERNARDSVILLE PRINT CENTER	115.70		910
67958	07/15/08	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	1,192,821.70		910
67959	07/15/08	B0040 H. K. BUZBY & SONS	1,449.06		910
67960	07/15/08	B0044 BASKING RIDGE ANIMAL HOSPITAL	390.50		910
67961	07/15/08	B0156 BORGH, ERIC	300.00		910
67962	07/15/08	B0203 DIFRANCESCO, BATEMAN, COLEY,	2,070.09		910
67963	07/15/08	B0241 BANISCH ASSOCIATES, INC.	1,007.00		910
67964	07/15/08	B0386 BWI	33.78		910
67965	07/15/08	B0417 BIRCKHEAD, JOHN	450.00		910
67966	07/15/08	B0419 BRENT MATERIAL COMPANY	12,337.84		910
67967	07/15/08	B0438 BOB'S AUTO TOP	125.00		910
67968	07/15/08	B0447 BRODART LIBRARY SUPPLIES&FURN	614.24		910
67969	07/15/08	B0469 BEATLEMANIA AGAIN, LLC	2,000.00		910
67970	07/15/08	B0519 BBC AUDIOBOOKS AMERICA	179.88		910
67971	07/15/08	B0528 BLACKBEARD'S CAVE	986.50		910
67972	07/15/08	B0542 BUDGET BLINDS	217.00		910
67973	07/15/08	B0543 BLAUVELT, RICHARD S.	74,685.43		910
67974	07/15/08	C0003 CASCADE TREE SERVICE	2,000.00		910
67975	07/15/08	C0024 COURIER NEWS	232.55		910
67976	07/15/08	C0075 CANADA, PAUL	600.00		910
67977	07/15/08	C0146 CORBETT, MYRA	22.23		910
67978	07/15/08	C0301 CORSON STUDIOS	2,302.50		910
67979	07/15/08	C0353 CUSTOM BANDAG, INC.	2,690.44		910
67980	07/15/08	C0385 CICALESE, JUDY	115.00		910
67981	07/15/08	C0408 CHAMPION UNIFORM SUPPLY	1,277.50		910
67982	07/15/08	C0422 CENTRALPACK SERVICE CORP.	9,150.97		910
67983	07/15/08	C0454 COMMUNICATIONS ADVANTAGE	427.50		910
67984	07/15/08	C0559 CARPETCYCLE, LLC	250.00		910
67985	07/15/08	C0568 CHABRIA, MANISHA	340.00		910
67986	07/15/08	C0570 CORSON, ALEX	150.00		910
67987	07/15/08	C0571 CANTOR, DAVID	200.00		910
67988	07/15/08	D0009 DOMB LIGHTING & ELECTRICAL	275.73		910
67989	07/15/08	D0020 DELTA DENTAL PLAN OF NJ	13,710.69		910
67990	07/15/08	D0063 DELUXE INTERNATIONAL TRUCKS	335.51		910
67991	07/15/08	D0215 D LOVENBERG'S PORTABLE TOILETS	65.00		910
67992	07/15/08	D0260 DEWBERRY	2,200.00		910
67993	07/15/08	D0306 DECIBUS, FRANCIS J.	190.00		910
67994	07/15/08	D0365 DOWNS FORD, INC.	145.92		910
67995	07/15/08	D0371 DALE CARNEGIE TRAINING	3,795.00		910

67996	07/15/08	D0373	DEVINE, KATHLEEN	170.00	910
67997	07/15/08	D0374	D'ANDREA, JOE	250.00	910
67998	07/15/08	D0375	D'AVELLA, LAURA ZUPA	300.00	910
67999	07/15/08	D0376	DALL'AVA, LOUIS	250.00	910
68000	07/15/08	D0377	DAVILA, PATRICIA	450.00	910
68001	07/15/08	E0005	CULLIGAN	1,151.50	910
68002	07/15/08	E0007	ENGINEERING PETTY CASH	20.00	910
68003	07/15/08	E0088	ELLIOTT DIAMOND, INC.	370.00	910
68004	07/15/08	E0185	EDWARDS TIRE COMPANY	549.80	910
68005	07/15/08	E0216	E/T EQUIPMENT COMPANY, INC.	7,460.69	910
68006	07/15/08	E0218	ENGELSMAN, JEFF OR BETH	80.00	910
68007	07/15/08	E0219	ETW CORPORATION	519.95	910
68008	07/15/08	E0220	ERIKSEN, LINDA	1,000.00	910
68009	07/15/08	F0003	FOLEY, INCORPORATED	229.31	910
68010	07/15/08	F0005	UNION SECURITY INSURANCE CO.	7,464.98	910
68011	07/15/08	F0024	FISCHER, JOSEPH	800.00	910
68012	07/15/08	F0028	FLORHAM PARK ROLLER RINK	715.50	910
68013	07/15/08	F0067	FERRIERO ENGINEERING, INC.	2,117.00	910
68014	07/15/08	F0148	FAIRFIELD MAINTENANCE INC	156.60	910
68015	07/15/08	F0158	FLEMINGTON DEPARTMENT STORE	783.75	910
68016	07/15/08	F0179	FASTSIGNS	222.30	910
68017	07/15/08	F0196	GANDER, JENNIFER	487.21	910
68018	07/15/08	F0230	THE FINISHING TOUCH	515.00	910
68019	07/15/08	F0258	FINDAWAY WORLD, LLC	713.88	910
68020	07/15/08	F0267	FERN, LEON	180.00	910
68021	07/15/08	G0066	GRAINGER INC	269.53	910
68022	07/15/08	G0295	GARDEN STATE HIGHWAY PRODUCTS	360.00	910
68023	07/15/08	G0326	GARDEN STATE MESSENGER INC.	636.00	910
68024	07/15/08	G0356	GREENSCAPES	2,223.20	910
68025	07/15/08	G0366	GEMPLER'S	73.35	910
68026	07/15/08	G0382	GARDEN STATE GROWERS	143.20	910
68027	07/15/08	G0417	GAMBESCIA-SHANNON, CHRISTA	300.00	910
68028	07/15/08	G0419	GIANNONE, CHRIS	500.00	910
68029	07/15/08	G0420	GAINES, BRIAN	450.00	910
68030	07/15/08	H0029	HUMPHREYS PEST CONTROL, INC.	375.00	910
68031	07/15/08	H0206	MITCHELL HUMPHREY & CO.	2,550.00	910
68032	07/15/08	H0246	HOME DEPOT CREDIT SERVICES	347.90	910
68033	07/15/08	H0271	HYATT GRAND CHAMPIONS RESORT	866.96	910
68034	07/15/08	H0272	HOROWITZ, STEVE	300.00	910
68035	07/15/08	I0020	IAAO	60.00	910
68036	07/15/08	J0002	JAEGER LUMBER	114.31	910
68037	07/15/08	J0052	J.H. REID ON-SITE RECYCLING	1,532.00	910
68038	07/15/08	J0080	JANSEN, BUCCO, DEBONA & SEMRAU	1,218.00	910
68039	07/15/08	K0036	KONICA MINOLTA BUSINESS	332.85	910
68040	07/15/08	K0208	KRISHAN, JAY	35.00	910
68041	07/15/08	K0210	KEELER, JOANNE	450.00	910
68042	07/15/08	K0211	KRONCKE, ERIK	650.00	910
68043	07/15/08	K1065	K & J LANDSCAPE MANAGEMENT, INC	2,730.00	910
68044	07/15/08	L0033	LANE, LORRIE	500.00	910
68045	07/15/08	L0067	LIBERTY SCIENCE CENTER	2,306.12	910
68046	07/15/08	L0154	LOMBARDY OVERHEAD DOORS	3,985.00	910
68047	07/15/08	L0187	LAKELAND BUS COMPANY	800.00	910
68048	07/15/08	L0197	L.P. STATILE, INC.	906.00	910
68049	07/15/08	L0260	LANAHAN, MEGAN	100.00	910
68050	07/15/08	L0290	LOPEZ, ANN	70.00	910
68051	07/15/08	M0010	MOBILE LAWNMOWER SERVICE, INC.	278.90	910
68052	07/15/08	M0053	MORRIS COUNTY POLICE ACADEMY	60.00	910
68053	07/15/08	M0301	MEADOWLANDS CASTLE, INC.	905.60	910
68054	07/15/08	M0375	MEDTRONIC PHYSIO-CONTROL CORP.	391.98	910
68055	07/15/08	M0397	MONMOUTH PARK RACETRACK	158.50	910
68056	07/15/08	M0409	MAD SCIENCE OF WEST NEW JERSEY	1,365.00	910
68057	07/15/08	M0441	MAIN LINE COMMERCIAL POOLS, INC	10,896.00	910
68058	07/15/08	M0518	KONICA MINOLTA BUSINESS SOL.	511.85	910
68059	07/15/08	M0537	MAPLEWOOD AWNING & SHADE CO.	410.00	910
68060	07/15/08	M0542	MADISON PLAZA LANES, INC.	432.30	910
68061	07/15/08	M0613	MASTROBATTISTA, VICTOR	410.00	910
68062	07/15/08	M0617	MIDDLESEX POWER EQUIPMENT	30.02	910
68063	07/15/08	M0618	MOFSOWITZ, ELLEN & STAN	60.00	910
68064	07/15/08	M0620	MARTIN, DAVE	500.00	910
68065	07/15/08	M0116	MESSANO, BOB	400.00	910
68066	07/15/08	N0006	NEW JERSEY AMERICAN WATER CO.	0.00	07/15/08 VOID 0

68067	07/15/08	N0006	NEW JERSEY AMERICAN WATER CO.	1,115.01	910
68068	07/15/08	N0016	NJSOPHE MEMBERSHIP	27.50	910
68069	07/15/08	N0023	TREASURER, STATE OF NEW JERSEY	10,852.00	910
68070	07/15/08	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	35.00	910
68071	07/15/08	N0032	NJ STATE DEPT HEALTH/SR SVCS	79.20	910
68072	07/15/08	N0065	NATIONAL ASSOCIATION OF REAL	295.00	910
68073	07/15/08	N0118	NATURE'S CHOICE CORPORATION	1,940.00	910
68074	07/15/08	N0162	NEW JERSEY NATIONAL GOLF CLUB	2,500.00	910
68075	07/15/08	N0179	NEW JERSEY STATE GOLF ASSOC.	1,319.00	910
68076	07/15/08	N0207	NEXTEL COMMUNICATIONS	234.23	910
68077	07/15/08	N0306	NEW JERSEY DRE ASSOCIATION	25.00	910
68078	07/15/08	N0373	NIPOTI, STACEY	160.00	910
68079	07/15/08	N0374	NEMSER, ARI	450.00	910
68080	07/15/08	O0003	ORIENTAL TRADING COMPANY, INC.	43.71	910
68081	07/15/08	O0016	OTTMANN, ROBERT M.	200.00	910
68082	07/15/08	O0021	OFFICE DEPOT	1,134.32	910
68083	07/15/08	O0081	OAKLEY GOVT SALES	489.76	910
68084	07/15/08	P0003	PATRIOTS PATH COUNCIL BSA	12.00	910
68085	07/15/08	P0014	PUBLIC SERVICE ELEC. & GAS CO	24.00	910
68086	07/15/08	P0118	PICK QUICK PAPERS INC.	108.65	910
68087	07/15/08	P0182	PSE&G ENERGY TECHNOLOGIES	91.55	910
68088	07/15/08	P0377	PRINCETON HYDRO, LLC	46,289.10	910
68089	07/15/08	P0390	PUMPING SERVICES, INC.	23,087.00	910
68090	07/15/08	P0455	POWERHOUSE STUDIOS, INC.	126.00	910
68091	07/15/08	P0467	PECOTA, ANDREW	450.00	910
68092	07/15/08	P0468	PERSHING, MARC	250.00	910
68093	07/15/08	Q0001	QUALITY BOOKS INC.	82.94	910
68094	07/15/08	Q0002	CINTAS CORP. - #101	221.25	910
68095	07/15/08	Q0018	QC LABORATORIES	900.00	910
68096	07/15/08	R0004	RECORDED BOOKS INC.	1,022.60	910
68097	07/15/08	R0005	RECORDER PUBLISHING COMPANY	371.40	910
68098	07/15/08	R0010	REIDER ASSOCIATES	2,788.90	910
68099	07/15/08	R0019	RECREONICS, INC.	1,818.96	910
68100	07/15/08	R0086	ROBERTS, ARTURO	670.00	910
68101	07/15/08	R0134	RICCIARDI BROTHERS, INC.	339.85	910
68102	07/15/08	R0136	BRIAN COOKE	2,700.00	910
68103	07/15/08	R0257	RARITAN VALLEY DISPOSAL SER CO	1,365.00	910
68104	07/15/08	R0281	RECREATION PETTY CASH CHECKING	56.00	910
68105	07/15/08	R0304	RANDOM HOUSE, INC.	208.00	910
68106	07/15/08	R0383	RAMALHO, JOSEPH	450.00	910
68107	07/15/08	R0384	RONDIN, JANE	450.00	910
68108	07/15/08	R0385	ROPER, EDWARD	100.00	910
68109	07/15/08	R0386	RUSSELL, JOANNA HOTY	200.00	910
68110	07/15/08	S0009	SEELY EQUIPMENT & SUPPLY CO.	41.00	910
68111	07/15/08	S0021	S & S WORLDWIDE, INC.	2,727.84	910
68112	07/15/08	S0061	SWANK MOTION PICTURES, INC.	296.00	910
68113	07/15/08	S0062	STAR LEDGER	118.50	910
68114	07/15/08	S0103	SOMERSET GRAIN FEED & SUPPLY	51.14	910
68115	07/15/08	S0185	SUBURBAN JOINT INSURANCE FUND	180,318.00	910
68116	07/15/08	S0191	SOMERSET COUNTY RECYCLING PROG	57,478.50	910
68117	07/15/08	S0367	SOMERSET CTY HUMAN RESOURCES	75.00	910
68118	07/15/08	S0441	STEWART INDUSTRIES	13.76	910
68119	07/15/08	S0443	STAPLES BUSINESS ADVANTAGE	1,080.45	910
68120	07/15/08	S0478	SCIENTIFIC WATER CONDITIONING	131.84	910
68121	07/15/08	S0601	SWARTZ, ANNE	283.00	910
68122	07/15/08	S0628	STATE OF NEW JERSEY-HB	146,246.23	910
68123	07/15/08	S0656	STADIUM AUTO MALL SALES, INC	551.22	910
68124	07/15/08	S0691	SUPERIOR DISTRIBUTORS	62.00	910
68125	07/15/08	S0704	SPACE ODYSSEY LLC	825.00	910
68126	07/15/08	S0709	SAV-A-TREE	2,499.00	910
68127	07/15/08	S0714	SHAW, GERI	30.00	910
68128	07/15/08	S0715	SELLITTI, ANTHONY & DONNA	185.45	910
68129	07/15/08	S0716	SAGI, DAN	450.00	910
68130	07/15/08	S0717	SILBERT, ANDREW	450.00	910
68131	07/15/08	S0718	SNOW, STEVEN	500.00	910
68132	07/15/08	T0024	TRUIS OF NJ INC	416.28	910
68133	07/15/08	T0066	GALE	202.19	910
68134	07/15/08	T0101	TRIANGLE COMMUNICATIONS	2,064.15	910
68135	07/15/08	T0154	TILCON NEW YORK, INC.	997.96	910
68136	07/15/08	T0221	THOMSON WEST	101.75	910
68137	07/15/08	T0249	TACTICAL OFFICERS SURVIVAL SCH	1,000.00	910

68138	07/15/08	T0312	THOMAS, GRETCHEN	100.00		910
68139	07/15/08	T0314	TAYLOR, ELEANOR	500.00		910
68140	07/15/08	T0315	THEATRICAL ASSOCIATES, INC.	3,700.00		910
68141	07/15/08	U0010	UPSTART	29.95		910
68142	07/15/08	U0040	URUCORP MAINTENANCE CONTRACTOR	3,559.10		910
68143	07/15/08	V0020	VILLAGE OFFICE SUPPLY	207.85		910
68144	07/15/08	V0037	VILLAGE SUPERMARKET, INC.	43.74		910
68145	07/15/08	V0055	VANDERSLICE, NANCY	450.00		910
68146	07/15/08	V0056	VERIZON WIRELESS	2,352.41		910
68147	07/15/08	V0058	VERIZON	0.00	07/15/08 VOID	0
68148	07/15/08	V0058	VERIZON	4,020.55		910
68149	07/15/08	W0016	WARRENVILLE TRUE VALUE	897.23		910
68150	07/15/08	W0048	WEBB, BEVERLY	200.00		910
68151	07/15/08	W0087	WATSON LABEL PRODUCTS	1,051.01		910
68152	07/15/08	W0210	WILD, ANN	190.00		910
68153	07/15/08	W0254	WARREN HARDCAPES & LANDSCAPE	320.00		910
68154	07/15/08	W0257	WELLS RUG SERVICE, INC.	509.75		910
68155	07/15/08	X0003	XEROX CORPORATION	1,316.72		910
68156	07/15/08	X0005	XTEL COMMUNICATION	811.31		910
68157	07/15/08	Y0019	YARMOUTH, PAM	160.00		910
68158	07/15/08	Y0189	YOUTH STAGES, LLC	150.00		910

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
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Checks:	225	3	0.00	1,975,794.08
Direct Deposit:	0	0	0.00	0.00
	=====	=====	=====	=====
Total:	225	3	0.00	1,975,794.08

Check Register By Check Date

Fund Description	Fund	Budget Total	Revenue Total

CURRENT FUND	8-01	1,713,531.85	0.00
DOG FUND	8-12	3,643.51	0.00
TRUST FUNDS	8-13	210,065.33	0.00
GOLF COURSE UTILITY	8-26	17,336.51	0.00
	Year Total:	1,944,577.20	0.00
CAPITAL FUND	C-04	17,973.09	0.00
GRANT FUND	G-02	13,243.79	0.00
	Total Of All Funds:	1,975,794.08	0.00

[Resolution #080321](#) - Acknowledging and Endorsing the 2008-2012 Five-Year Community Forestry Management Plan Prepared by the Bernards Township Shade Tree Commission

WHEREAS, the Township of Bernards desires to maintain and promote a healthy, safe and sustainable shade tree resource that will physically and aesthetically benefit the community and its residents; and

WHEREAS, pursuant to §2-17 of the Revised General Ordinances of the Township of Bernards, the Township Committee of the Township of Bernards appoints a Shade Tree Commission to further this goal; and

WHEREAS, the Shade Tree Commission shall have the power and authority for the regulation, planting, care and control of shade and ornamental trees and shrubbery upon or in the highways, parks or parkways within the jurisdiction of the Township of Bernards and shall exercise all powers and rights and be subject to all duties provided in Chapter 325 of the 1915 Laws of New Jersey (N.J.S.A. 40:64-1 et seq.), as amended and supplemented; and

WHEREAS, the Shade Tree Commission has submitted a 2008-2012 Community Forestry Management Plan (the "Plan") for endorsement by the Township Committee of the Township of Bernards.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge and endorse the Plan; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that a copy of this resolution, and Plan be forwarded to the Planning Board, Environmental Commission, Greenways Advisory and Parks Committee; and

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that we do hereby thank and acknowledge the dedication of the Shade Tree Commission in the preparation and submission of this Plan.

[Resolution #080323](#) - Issuance of Solicitor's License , Rachid Aboujaoude, Alice's Crew, Inc., DBA: Bridgeville Ice Cream, June 30, 2008 - December 31, 2008

WHEREAS, Rachid Aboujaoude, Alice's Crew, Inc., d/b/a Bridgeville Ice Cream, 54-C Somerset Court, Bound Brook, NJ, has applied for a Solicitor's License for the period of June 30 to December 31, for the purposes of soliciting ice cream from a mobile truck; and

WHEREAS, pursuant to Chapter 4, Section 2 of the Revised General Ordinances of the Township of Bernards, applicant has provided required documentation and paid the applicable fee; and

WHEREAS, the Municipal Clerk, the Chief of Police and the Zoning Officer have reviewed said application and recommend approval.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards the application be approved as submitted.

End Consent Agenda Items

[Resolution #080324](#) - Authorizing the Bernards Township Police Department to Submit a Grant Application to the State of New Jersey for a Grant Entitled “Domestic Violence Training Reimbursement 2008” for the Purpose of Providing Reimbursement Funds for Mandatory Domestic Violence Training for Police Officers
Motion by Pavlini, second by Spitzer, to approve Resolution #080324.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, the Chief of Police is recommending the Township Committee approve a grant application to the State of New Jersey for a grant entitled “Domestic Violence Training Reimbursement for 2008” for the purpose of funding the cost of mandatory training that is annually given to Police Officers for domestic violence; and

WHEREAS, the grant application has been reviewed by the Chief of Police, and Administrator and;

WHEREAS, the grant will provide between \$1,000.00 to \$2,478.00 dollars worth of funding towards mandatory police training costs;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize submission of a grant application to the State of New Jersey for a grant entitled “Domestic Violence Training Reimbursement for 2008” for the purpose of funding the cost of mandatory training that is annually given to Police Officers for domestic violence;

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that Captain Bobowicz of the Police Department will serve as the project manager for this grant application.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor, Project Manager, and Clerk are hereby authorized to sign the grant on behalf of the township.

[Resolution #080325](#) - Authorizing an Extension of Grace Period for the Third Quarter 2008 Taxes

Motion by Carpenter, second by Pavlini, to approve Resolution #080325.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, the State of New Jersey has not released all information needed for striking a rate, and

WHEREAS, this information is needed to produce the Final 2008/Preliminary 2009 tax bills, and

WHEREAS, as a result, the County of Somerset could not release the tax rate, and

WHEREAS, the Tax Collector must allow 25 calendar days for payment from the date of mailing pursuant to NJSA 54:4-66.3,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Tax Collector be authorized to extend the grace period for the third quarter 2008 up to and including the 25th day after the actual bills are mailed; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that any payments received after that date, for the third quarter 2008 will be charged interest from the original due date of August 1, 2008 by the guidelines set by NJSA 54:4-67 and Resolution # 080040 passed by the Bernards Township Committee on January 2, 2008.

[Resolution #080303](#) - *Authorizing Removal and Transfer of Ownership of the Barn Located on Township Property Gerhard/McCollum Farm – Block 4301, Lot 51 (f/k/a Block 104, Lot 10) By and To William and Carolyn Knox, 264 Whitenack Road, Basking Ridge, NJ*

Motion by Kelly, second by Pavlini, to approve Resolution #080303.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, pursuant to Ordinance #1978 adopted on September 25, 2007, and Resolution #070432 adopted on August 28, 2007, the Township Committee of the Township of Bernards authorized acquisition from Michael Gronau, property known as 264 Whitenack Road, Block 4301, Lot 51 (f/k/a Lot 10 in Block 104) on the Tax Map of Bernards Township “the property” for Open Space and Related Purposes as Authorized by Chapter XXVII of the Revised General Ordinances of the Township Bernards; and

WHEREAS, the subject property contains a dwelling and other out-buildings, which improvements are deemed to contribute little monetary value to the property and are considered to be an under improvement of the subject property as acknowledged by the Township Committee upon adoption of Resolution #070489 on November 27, 2007; and

WHEREAS, further pursuant to Resolution #070489 the committee agreed to:

Once closing has occurred on the contract of sale, the township committee directs the administrator to proceed in a manner he deems appropriate as follows:

1. *Allow the Historical Society to comb the property for historical artifacts prior to removal of the structures, with any significant findings being accessioned to them by the township for historical preservation.*
2. *Offer for sale any salvageable materials on the property.*
3. *Remove all structures on the property.*
4. *Maintain the property as passive open space recreation.*

WHEREAS, William and Carolyn Knox, 415 Mountain Road, Basking Ridge, requested they be permitted to remove and relocate the barn to their property at 415 Mountain Road, Basking Ridge at no cost; and

WHEREAS, in appreciation for the Township Committee's cooperation, and to show their approval of the town's actions in saving the English Farm, the Knoxes will donate \$2500 to the Bernards Township Open Space Fund; and

WHEREAS, Pat Monaco, the Bernards Township Public Works Director has reported that the cost for the township to demolish, remove and dispose of the barn from the property, including removal of asbestos would cost the township in excess of \$2500 and outweighs any cost a sale would generate.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize removal and transfer of ownership of the barn to the Knoxes with the following conditions:

1. Every contractor of the Knoxes going on the property must comply with the Township's Joint Insurance Fund/Municipal Excess Liability insurance requirements as outlined in Exhibit 1 attached
2. The Knoxes must obtain construction permits as necessary for the re-erection of the structures at the new location, if their variance application is approved by the Zoning Board of Adjustment.
3. Any well and/or septic systems connected to the building must be abandoned per the applicable health codes.
4. The Knoxes must utilize a contractor licensed to remove asbestos and the certificate and other required documents must be supplied and approved by the Township Engineer prior to commencement of asbestos removal.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that release of the barn to the Knoxes in no way shall influence the decision of the Zoning Board of Adjustment regarding their variance application to erect the barn on their property at 415 Mountain Road, Basking Ridge, NJ.

[Resolution #080307](#) - *Award of Bid 2008 Towing Service for Township of Bernards Awarded to SHT Corporation t/a Somerset Hills Towing*
Motion by Pavlini, second by Kelly, to approve Resolution #080307.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:
Motion carried.

WHEREAS, the Township of Bernards received bids on Tuesday, April 22, 2008 at 1:30 P.M. for the 2008 Towing Service Contract for the Township of Bernards. The bid summary is as follows:

Bidder	Regular Towing Services	Mileage Rate Outside Bernards Twp. Boundaries	Towing Twp Vehicles Flat Rate (inclusive of Police Cars)
SHT Corp t/a Somerset Hills Towing	\$ 69.98	\$ 3.98	\$ 1.00
Eagle Truck Services, Inc.	\$ 74.99	\$ 4.75	\$ 18.99

WHEREAS, it is the combined recommendation of the Director of Public Works, Purchasing Agent and Administrator to award this contract to; SHT Corporation t/a Somerset Hills Towing, 580 Union Avenue, Bridgewater, New Jersey 08807, at the rates as prescribed for a period of one year from award with an option for renewal for two (1) year periods ending in year 2011 if performance is deemed satisfactory; and

WHEREAS, the Supervisor of Treasury Services has certified that funds are available in the budget; the line item appropriations to be charged are: Police Vehicles (or those authorized by PD for Township payment) to Police OE 8-01-25-240-200, all other Municipal vehicles to Fleet Maintenance OE 8-01-26-315-200; and

WHEREAS, this contract has been awarded to SHT Corporation t/a Somerset Hills Towing, through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq."

WHEREAS, in accordance with the bid specifications, the contract between Bernards Township ("Contracting Unit") and SHT Corporation t/a Somerset Hills Towing, 580 Union Avenue, Bridgewater, New Jersey 08807 ("Contractor") shall contain:

- (1) It is the intention of these specifications to describe the requirements for the towing and storage of abandoned, disabled or illegally parked vehicles, stolen vehicles, and vehicles involved in accidents within the Township of Bernards, vehicles suspected of involvement in crimes which are located within the Township of Bernards, and other vehicles identified by the Township of Bernards Police Department.
- (2) The Contractor shall commence the work not later than 10 calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
- (3) This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
- (4) Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
- (5) The cost of this contract is for a not to exceed the total bid amount flat rate for regular towing services of \$ 69.98 plus applicable mileage rates of \$ 3.98 for mileage outside the boundaries of Bernards Township paid by the recipient of towing services and Township vehicles at a rate of \$ 1.00 as specified unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
- (6) Billing must be rendered within 30 days of service delivery.

- (7) As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit A.
- (8) The Township may terminate this contract if contractor does not full fill as per Bid Specification, upon thirty days written notice via certified mail.
- (9) To the extent the terms of the resolution are inconsistent with the contract, the terms of the contract shall govern; and

WHEREAS, the contractor shall report directly to our Chief of Police, Dennis Mott at 908-204-3044, who will be the Township of Bernards' contact for all phases of this project; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that in accordance with bid specifications, if, 580 Union Avenue, Bridgewater, New Jersey 08807 upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within ten (10) days of such notification with the Township of Bernards, the Township may rescind the award of the bid to SHT Corporation t/a Somerset Hills and award the contract to another bidder.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a contract and purchase order to:, 580 Union Avenue, Bridgewater, New Jersey 08807

I agree to the terms as stated in this Resolution and by signing this document as President of SHT Corporation t/a Somerset Hills, I am committed to follow all terms of this award.

Michael Bessasparis, President

TREASURER'S CERTIFICATION

I, Terri Johnson, Supervisor of Treasury Services of the Township of Bernards, hereby certify that adequate funds are available for the above referenced. Monies will be made available in: 2008 Bernards Township Current Fund; Police OE 8-01-25-240-200, and Fleet Maintenance OE 8-01-26-315-200.

[Ordinance #2027](#) - *An Ordinance to Amend the Employee Handbook Of the Township of Bernards To include a section regarding the Defined Contribution Retirement Program - Introduction*

The clerk read the ordinance by title. Motion by Pavlini, second by Kelly, that Ordinance #2027 be introduced on first reading, advertised as required by law, with a public hearing on 8/12/08.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that the Employee Handbook of the Township of Bernards is hereby amended: (new text is in **bold and underline**; deletions are in brackets and [~~stricken~~):

WHEREAS, the Township Committee adopted Ordinance #1682 establishing the Employee Handbook of Personnel Policies & Procedures on November 11, 2003; and,

WHEREAS, the Township Committee wishes to amend the Employee Handbook of Personnel Policies and Procedures with respect to Retirement Plan and Group Life Insurance; and

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt as appropriate, an ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program subject to the provisions of law; and

WHEREAS, the language changes are as follows, the new text is underlined; deleted text is ~~stricken~~.

RETIREMENT PLAN & GROUP LIFE INSURANCE

All regular Township employees earning more than \$1,500 annually must be enrolled in the New Jersey Public Employees Retirement System, Defined Contribution Retirement Program or the New Jersey Police & Fire Retirement System and are subject to the requirements and provisions of that plan. Please contact the Township Supervisor of Treasury Services for information on exceptions to these requirements. Group life insurance is offered as part of PERS, DCRP, or PFRS.

Membership in PERS or DCRP is determined by position or professional license. If an individual holds a professional license or certificate to perform and is serving in any of the following capacities, the person is qualified to join or remain in PERS and does not join DCRP:

<u>Certified Health Officer</u>	<u>Tax Assessor</u>
<u>Tax Collector</u>	<u>Municipal Planner</u>
<u>Chief Financial Officer</u>	<u>Registered Municipal Clerk</u>
<u>Construction Code Official</u>	<u>Licenses Uniform Subcode Inspector</u>
<u>Qualified Purchasing Agent</u>	<u>Certified Public Works Manager</u>

The following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program (DCRP):

<u>Township Administrator</u>	<u>Manager of Human Resources</u>
<u>Director of IT</u>	<u>Director of Parks & Recreation</u>
<u>Supervisor of Treasury Services</u>	<u>Township Treasurer</u>
<u>Municipal Judge</u>	<u>Township Engineer</u>

<u>Court Administrator</u>	<u>Director of Library</u>
<u>Sewerage Authority Plant Superintendent</u>	<u>Manager of Community Service</u>
<u>Members of the Governing Body</u>	

The above named positions that are otherwise required to join DCRP are excused from membership if:

- They are a PERS member prior to 7/1/2007 and continuously thereafter. Continuously means that a period of no more than two years has elapsed from the time the individual left employment in a PERS position to the time the person was reemployed;
- They are eligible for membership or enrolled in another pension program;
- They are retired and receiving a benefit from another state pension plan;
- They are otherwise ineligible to join PERS
- The salary of the position is less than \$1500/year

A person earning less than \$5000 a year and is eligible for DCRP membership can decide to waive participation in DCRP. This decision is irrevocable for elected officials.

Membership in the DCRP shall be effective July 1, 2007 based on the criteria above.

The employee's contribution to the plan is deducted from the salary paid to such employee and remitted to the state as required by law. The Township contribution for each employee is determined by and subsequently remitted to the state in accordance with the provisions of the law.

Township employees having completed the required number of years of service and having attained the specified age may apply for retirement as provided for by the plan.

Full details on either of these retirement plans may be obtained from the Township Supervisor of Treasury Services.

WHEREAS, that these policies take effect immediately, to be codified into the Employee Handbook of Personnel Policies and Procedures in July, 2008;

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards that the Retirement Plan and Group Life Insurance policy is implemented effective immediately.

EXECUTIVE SESSION (CONTINUATION OF EARLIER SESSION, IF REQUIRED)

By unanimous consent readjourned to closed at 9:40 PM

ADJOURNMENT

By unanimous consent, the meeting adjourned at 9:57 PM.

Respectfully submitted

Denise Szabo, Municipal Clerk

John Carpenter, Mayor