

**BERNARDS TOWNSHIP- TOWNSHIP COMMITTEE
REGULAR MEETING
A G E N D A
DECEMBER 9, 2008
7:30 PM EXECUTIVE SESSION; 8:00 PM OPEN SESSION**

CALL TO ORDER..... 4

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FIRE & RESCUE APPOINTMENTS

[Resolution #080488](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad, Inc., Danielle Morgan Lashley

Motion by Pavlini, second by Spitzer, and unanimously agreed that Resolution #080488 be approved.

WHEREAS, § 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, Danielle Morgan Lashley, 2 Trinity Place, Warren, NJ. has been recommended by the Liberty Corner First Aid Squad, Inc. for appointment,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the applicant is hereby appointed as a member of the Liberty Corner First Aid Squad, Inc. effective this date.

[Resolution #080499](#) - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Co. #1, Richard Bloom, Edward L. Lafean and Seth Michael Rosenblatt

Motion by Malay, second by Pavlini, and unanimously agreed that Resolution #080499 be approved.

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 departments for the Township of Bernards; and

WHEREAS, the Basking Ridge Fire Company #1 is recommending the following individuals for appointment:

<u>NAME</u>	<u>ADDRESS</u>	<u>MEMBERSHIP STATUS</u>
Richard Bloom	64 Bernards Avenue Bernardsville, NJ	Regular
Edward L. Lafean	28 Canter Drive Basking Ridge, NJ	Regular
Seth Michael Rosenblatt	129 Woodward Lane 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 Basking Ridge Fire Company #1 effective this date.

[Resolution #080501 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Mary Susan Frost](#)

Motion by Pavlini, second by Spitzer, and unanimously agreed that Resolution #080501 be approved.

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 Mary Susan Frost, 18 Wayne Terrace, Basking Ridge, NJ, for appointment as a Regular member;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Mary Susan Frost is hereby appointed as a Regular Member of the Liberty Corner Fire Company effective this date.

CORRESPONDENCE

[Letter Dated 11/21/08 from the Somerset Hills YMCA Requesting Financial Support of their Cuttriss Project, from the Affordable Housing Trust Fund](#)

Robert Lamauro, President of the YMCA, was present and explained the project.

The Cuttriss is similar to the Bethel Ridge group home which is located in the township. The facility will provide residential, vocational, education, recreational and family support services to very low income adults with developmental disabilities. The project calls for the development of a home for six residents. The building will be a single family ranch style structure of approximately thirty-two hundred square feet with a streetscape consistent with the surrounding areas.

Since the facility will qualify under COAH, it can help Bernards plan to meet its COAH obligation. Additionally, the rules provide a 25% bonus for developmentally disabled homes, thus yielding 7.5 COAH credits for the six bedroom residents. Applying the value of \$67,000 per credit, which is the value established by the state of NJ for Regional Contributions Agreements COAH credits in our area, the Y requested a \$500,000 contribution from the township Municipal Housing Trust Fund for the project.

The committee unanimously expressed their support for the project and the contribution of funding.

[Email Dated 12/3/08 from Frank Banisch, Advising Reconsideration of Letter of Intent to the NJ Highlands Council](#)

At its 11/11/08 meeting, the mayor took a straw poll about adopting a resolution that would allow submission of a COAH plan next year if the township decides to opt in to the Highlands Regional Plan. Malay and Pavlini favored sending the Letter of Intent; Spitzer, Kelly and Carpenter favored submittal of the township Fair Share Plan by the end of 2008 because they would not favor opting into the plan at a future date.

Frank Banish, Planning Board Planner, suggested to the committee that they reconsider their decision. While opting in may not appear likely at this time, failure to adopt the non-binding resolution this year for the Highlands will foreclose any options that would be available to the Township. He suggested minor revisions to the resolution to protect the town.

The majority of the committee was not in favor of to reconsidering their decision. Belardo indicated that COAH may be extending the 12/31/08 deadline to file a compliant plan to COAH. The committee agreed that if the deadline changes, the township would submit as late as possible to comply.

[Letter Dated 12/3/08 from CFO/Administrator Bruce McArthur Concerning \\$9,300,000 Rollover Bond Anticipation Note Sale Results Open Space Purchase of Farmland Preservation Easement – English Farm Tracts Capital Ordinance #2016](#)

The committee acknowledged the correspondence.

On December 2, 2008 the township received bids on the issuance of \$9,300,000 Bond Anticipation Notes dated December 9, 2008 and maturing October 29, 2009 that represents the unfunded portion of Ordinance 2016 appropriated to Purchase Farmland Preservation Easement on the tracts known as English Farm. Bond Counsel McManimon & Scotland, L.L.C. prepared the notice of sale, and distributed to major national firms, and McArthur forwarded the notice to other banking institutions including Wachovia. This notification and award determination are made in accordance with NJSA 40A:2-28.

The township received a rate of 3.00% with a \$146,902.80 premium from Commerce Capital. This carries a net interest cost of 1.2229%, and is determined to be the winning bid. The Township received competitive bids on the notes that are summarized on the attached spreadsheet.

REPORTS

None.

PUBLIC COMMENT

None.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Staff and committee members reported on their recent activities.

UNFINISHED BUSINESS

[Ordinance #2042](#) - *An Ordinance of the Township of Bernards Establishing Regulations Regarding Charitable Clothing Bins – Public Hearing*

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

Motion by Kelly, second by Malay, that Ordinance #2042 be adopted and advertised as required by law.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

[Ordinance #2043](#) - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 2, "Administration," by relocating various sections regarding the Department of Public Works to Section 2-11 entitled "Public Works" and to Reflect a Change in Reporting Structure – Public Hearing*

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

Motion by Kelly, second by Spitzer, that Ordinance #2043 be adopted and advertised as required by law.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

[Ordinance #2044](#) - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Code of the Township of Bernards, Chapter 21, "Land Development", Section 21-76 "Lower Income Housing Requirements", Subsection 21-76.16 "Development Fee" – Public Hearing*

[Planning Board Report](#)

The clerk read the ordinance by title, the committee acknowledged the Planning Board's report endorsing the ordinance, and the mayor opened the public hearing. There were no public comments and the hearing was closed.

Motion by Malay, second by Pavlini, that Ordinance #2044 be adopted and advertised as required by law.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

[Ordinance #2045](#) - *An Ordinance to Amend the General Ordinance of the Township of Bernards, Chapter VII, "Traffic," Schedule I "No Parking" Regarding Lindbergh Lane – Public Hearing*

Motion by Malay, second by Pavlini, to take no action.

Based on letters received by residents, the committee will reconsider introduction of a revised ordinance 2009, to restrict parking on the opposite side of the street.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter
Nay:
Abstain:
Motion carried.

[Ordinance #2046](#) - *Accepting an Emergency Access Easement, a Stream Buffer Conservation Easement, and a Detention Basin, Drainage & Access Easement on Block 11301, Lot 1, from Mountainview Corporate Center, LLC, to the Township of Bernards – Public Hearing*

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

Motion by Malay, second by Pavlini, that Ordinance #2046 be adopted and advertised as required by law.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter
Nay:
Abstain:
Motion carried.

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 Pavlini, second by Kelly, to remove Resolution #080505 from the consent agenda for separate consideration and to approve the balance of items listed.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter
Nay:
Abstain:
Motion carried.

Begin Consent Agenda

[Resolution #080489](#)- Approval of the Bill List Dated 12/09/2008

BE IT RESOLVED, that the bill list dated 12/09/2008 be audited, and if found correct, be paid.

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 12/09/08 to 12/09/08
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir
Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
CASH - CHECKING		CURRENT CHECKING			
69771	12/09/08	Alignment Check		VOID	
69772	12/09/08	90038 FORGIONE, LUCY A.	41.00		928
69773	12/09/08	90099 OSBORNE, RITA	200.00		928
69774	12/09/08	90128 SZABO, DENISE	43.94		928
69775	12/09/08	90154 BARTSCH, VIRGINIA	30.55		928
69776	12/09/08	90162 MESSINA, PETER A.	121.58		928
69777	12/09/08	90203 HURST, CHRISTOPHER	1,531.00		928
69778	12/09/08	90220 BETTLER, DENNIS	10.00		928
69779	12/09/08	90239 SCHLEY, DAVID L	68.75		928
69780	12/09/08	90240 STORK, ELLEN C.	25.16		928
69781	12/09/08	90265 MEANY, ANNE	106.03		928
69782	12/09/08	90315 JOHNSON, TERRI	859.63		928
69783	12/09/08	90316 MULLIGAN, MICHAEL	20.00		928
69784	12/09/08	90366 OLIVARI, KAREN	81.08		928
69785	12/09/08	90373 STEELE, LAURA	14.34		928
69786	12/09/08	90393 SICLARE, ANN MARIE	200.00		928
69787	12/09/08	90405 RYAN, ELLEN	18.72		928
69788	12/09/08	A0044 APPROVED FIRE PROTECTION SYS	623.50		928
69789	12/09/08	A0126 AFLAC NEW YORK	901.02		928
69790	12/09/08	A0162 ACME DIESEL ELECTRIC, INC.	756.00		928
69791	12/09/08	A0168 ALLIED OIL COMPANY, LLC	17,349.28		928
69792	12/09/08	A0295 AUDIO EDITIONS	81.53		928
69793	12/09/08	A0327 ACCURINT	27.60		928
69794	12/09/08	A0338 AFLAC	2,094.46		928
69795	12/09/08	A0404 APRUZZESE, MCDERMOTT, ET AL	1,171.66		928
69796	12/09/08	B0001 BAKER & TAYLOR, INC.	7,363.15		928
69797	12/09/08	B0003 BAKERS AUTO PARTS, INC.	170.06		928
69798	12/09/08	B0010 BITAR ESQ., THOMAS J.	643.50		928
69799	12/09/08	B0020 BASKING RIDGE ELECTRIC CO., INC	720.00		928
69800	12/09/08	B0024 BEN SHAFFER AND ASSOCIATES, INC	5,210.10		928
69801	12/09/08	B0026 BERNARDS TOWNSHIP CURRENT	2,817.60		928
69802	12/09/08	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	533,748.09		928
69803	12/09/08	B0044 BASKING RIDGE ANIMAL HOSPITAL	60.00		928
69804	12/09/08	B0135 BROWN'S HUNTERDON MACK	42.20		928
69805	12/09/08	B0163 BAUR MUNICIPAL SUPPLIES	542.00		928
69806	12/09/08	B0241 BANISCH ASSOCIATES, INC.	1,388.30		928
69807	12/09/08	B0323 BROOS, ELIZABETH	85.00		928
69808	12/09/08	B0386 BWI	55.33		928
69809	12/09/08	C0024 COURIER NEWS	113.40		928 69810
12/09/08	C0028	CY DRAKE LOCKSMITHS, INC.	86.90		928
69811	12/09/08	C0083 CDW GOVERNMENT, INC.	10,358.31		928
69812	12/09/08	C0146 CORBETT, MYRA	45.34		928
69813	12/09/08	C0241 COOPER ELECTRIC SUPPLY	3,781.82		928
69814	12/09/08	C0353 CUSTOM BANDAG, INC.	25.50		928
69815	12/09/08	C0408 CHAMPION UNIFORM SUPPLY	1,077.65		928
69816	12/09/08	C0422 CENTRALPACK SERVICE CORP.	322.00		928
69817	12/09/08	C0479 COLORBLENDS FLOWERBULBS	3,864.62		928
69818	12/09/08	C0482 CABLEVISION OF RARITAN VALLEY	183.90		928
69819	12/09/08	C0526 THE CAMERA SHOPS/RITZ CAMERA	119.00		928
69820	12/09/08	C0544 CLEM'S ORNAMENTAL IRONWORKS	1,000.00		928
69821	12/09/08	D0004 DELTA PRODUCTS CO.	265.95		928
69822	12/09/08	D0063 DELUXE INTERNATIONAL TRUCKS	316.96		928
69823	12/09/08	D0215 D LOVENBERG'S PORTABLE TOILETS	624.00		928
69824	12/09/08	D0260 DEWBERRY	2,200.00		928
69825	12/09/08	D0339 DEER CARCASS REMOVAL SVC, LLC	345.00		928
69826	12/09/08	E0005 CULLIGAN	1,720.70		928
69827	12/09/08	E0186 EQUIFAX INFORMATION SVCS, LLC	3.71		928
69828	12/09/08	F0003 FOLEY, INCORPORATED	930.09		928
69829	12/09/08	F0005 UNION SECURITY INSURANCE CO.	7,239.35		928
69830	12/09/08	F0047 FULLERTON FORD	500.00		928
69831	12/09/08	F0158 FLEMINGTON DEPARTMENT STORE	496.95		928
69832	12/09/08	F0179 FASTSIGNS	435.00		928
69833	12/09/08	G0066 GRAINGER INC	1,400.45		928
69834	12/09/08	G0098 JCP&L	271.55		928
69835	12/09/08	G0138 GENERAL PLUMBING SUPPLY	25.00		928
69836	12/09/08	G0325 GARDEN STATE MLS	62.50		928

TOWNSHIP COMMITTEE MINUTES

12/09/2008

69837	12/09/08	G0326	GARDEN STATE MESSENGER INC.	529.00		928
69838	12/09/08	G0351	G.H. SERVICE, INC.	36.61		928
69839	12/09/08	G0356	GREENSCAPES	525.00		928
69840	12/09/08	G0394	NORMAN J. GOLDBERG INC	4,000.00		928
69841	12/09/08	G0401	G & L TRANSCRIPTIONS OF NJ	69.00		928
69842	12/09/08	H0004	HEALTH DEPARTMENT PETTY CASH	29.23		928
69843	12/09/08	H0030	HUNTERDON HILLS PLAYHOUSE	454.60		928
69844	12/09/08	H0108	HIGHLANDS REGIONAL LIB COOP	25.00		928
69845	12/09/08	H0181	HOUSER WELDING SUPPLY	15.95		928
69846	12/09/08	I0024	INSTITUTE FOR CAREER RESEARCH	234.50		928
69847	12/09/08	I0051	INDEPENDENT DIESEL SERVICE	249.65		928
69848	12/09/08	I0059	INFORMATION TODAY, INC.	318.55		928
69849	12/09/08	I0067	INDUSTRIAL RUBBER COMPANY	68.65		928
69850	12/09/08	J0001	JK OFFICE MACHINES, INC.	922.00		928
69851	12/09/08	J0002	JAEGER LUMBER	796.74		928
69852	12/09/08	J0015	JESCO, INC.	791.00		928
69853	12/09/08	K0219	KESSLER, ALBERT	50.00		928
69854	12/09/08	K1065	K & J LANDSCAPE MANAGEMENT, INC	2,730.00		928
69855	12/09/08	L0292	LUX HOME, INC.	6,200.00		928
69856	12/09/08	L0295	LAW ENFORCEMENT SUPPLY INC.	48.16		928
69857	12/09/08	L0297	LAILEY, JIM	85.00		928
69858	12/09/08	M0001	MARTINSVILLE AUTO PARTS	656.18		928
69859	12/09/08	M0006	MGL PRINTING SOLUTIONS	3,725.25		928
69860	12/09/08	M0010	MOBILE LAWNMOWER SERVICE, INC.	611.74		928
69861	12/09/08	M0015	MOORE MEDICAL, LLC	258.65		928
69862	12/09/08	M0059	MCMANIMON & SCOTLAND	4,216.32		928
69863	12/09/08	M0345	MUSSO ASSOCIATES	2,113.50		928
69864	12/09/08	M0493	MCELROY, DEUTSCH, MULVANEY &	3,117,164.52		928
69865	12/09/08	M0511	MOTOROLA, INC.	5,323.00		928
69866	12/09/08	M0518	KONICA MINOLTA BUSINESS SOL.	521.77		928
69867	12/09/08	M0582	MARCUS, DEBBIE	15.00		928
69868	12/09/08	M0632	MELLEN, SUSAN	85.00		928
69869	12/09/08	M0634	MCKENNA, MARY	85.00		928
69870	12/09/08	M0635	MEININGER, EDWARD	302.78		928
69871	12/09/08	N0006	NEW JERSEY AMERICAN WATER CO.	0.00	12/09/08 VOID	0
69872	12/09/08	N0006	NEW JERSEY AMERICAN WATER CO.	0.00	12/09/08 VOID	0
69873	12/09/08	N0006	NEW JERSEY AMERICAN WATER CO.	1,207.77		928
69874	12/09/08	N0034	NRAAO	30.00		928
69875	12/09/08	N0064	NEW JERSEY LIBRARY ASSOCIATION	10.00		928
69876	12/09/08	N0287	NJ STATE LIBRARY	15.00		928
69877	12/09/08	O0021	OFFICE DEPOT	1,399.35		928
69878	12/09/08	O0046	OCS PRINTING	185.00		928
69879	12/09/08	P0009	POSTMASTER - BASKING RIDGE	180.00		928
69880	12/09/08	P0046	RESERVE ACCOUNT	1,886.24		928
69881	12/09/08	P0182	PSE&G ENERGY TECHNOLOGIES	329.43		928
69882	12/09/08	P0212	PERIMETER PROPERTIES	2,245.27		928
69883	12/09/08	P0377	PRINCETON HYDRO, LLC	9,856.76		928
69884	12/09/08	P0396	PLAZA FORD MOTORS FLEET	46,169.00		928
69885	12/09/08	P0429	PERCELL SIGNS	1,211.00		928
69886	12/09/08	Q0002	CINTAS CORP. - #101	177.00		928
69887	12/09/08	R0006	RECREATION PETTY CASH	20.84		928
69888	12/09/08	R0054	RAND MATERIALS HANDLING EQUIP.	196.90		928
69889	12/09/08	R0134	RICCIARDI BROTHERS, INC.	114.06		928
69890	12/09/08	R0362	R & B BUILDERS, INC.	1,256.18		928
69891	12/09/08	R0367	R & R TROPHY & SPORTING GOODS	59.75		928
69892	12/09/08	S0103	SOMERSET GRAIN FEED & SUPPLY	858.50		928
69893	12/09/08	S0135	SOMERSET COUNTY COALITION	8,091.48		928
69894	12/09/08	S0227	SHEARON ENVIROMENTAL DESIGN CO	22,063.33		928
69895	12/09/08	S0331	SQUAD-FITTERS, INC.	96.50		928
69896	12/09/08	S0443	STAPLES BUSINESS ADVANTAGE	819.89		928
69897	12/09/08	S0559	SWEENEY, MICHAEL	228.00		928
69898	12/09/08	S0628	STATE OF NEW JERSEY-HB	149,074.35		928
69899	12/09/08	S0656	QUALITY AUTO MALL SALES, INC	71.99		928
69900	12/09/08	S0691	SUPERIOR DISTRIBUTORS	430.95		928
69901	12/09/08	S0731	SOLADESIGN SYSTEMS, LLC	24,739.63		928
69902	12/09/08	S0737	SPROUTS GO GREEN, INC	500.00		928
69903	12/09/08	T0066	GALE	537.54		928
69904	12/09/08	T0072	THE STORE RESTAURANT	327.44		928
69905	12/09/08	T0154	TILCON NEW YORK, INC.	3,208.82		928
69906	12/09/08	T0179	TRI-COUNTY BASKETBALL LEAGUE	185.00		928
69907	12/09/08	T0231	TOTAL LUBRICATION SVCS&SUPPLY	540.25		928
69908	12/09/08	U0040	URUCORP MAINTENANCE CONTRACTOR	1,550.00		928
69909	12/09/08	V0008	VITAL COMMUNICATIONS, INC.	100.00		928
69910	12/09/08	V0016	VOLLERS EXCAVATING &CONSTR, INC	690.00		928
69911	12/09/08	V0020	VILLAGE OFFICE SUPPLY	94.50		928
69912	12/09/08	V0026	VNA OF SOMERSET HILLS	391.00		928
69913	12/09/08	V0056	VERIZON WIRELESS	1,279.93		928

TOWNSHIP COMMITTEE MINUTES

12/09/2008

69914	12/09/08	V0058	VERIZON	0.00	12/09/08 VOID	0
69915	12/09/08	V0058	VERIZON	4,724.16		928
69916	12/09/08	V0059	VERIZON CABS	195.53		928
69917	12/09/08	V0083	VISION TRAINING ASSOCIATES	3,000.00		928
69918	12/09/08	W0016	WARRENVILLE TRUE VALUE	405.24		928
69919	12/09/08	W0043	WERNER, HENRY	38.00		928
69920	12/09/08	W0153	EMTEC / WESTWOOD COMPUTER CORP	1,230.00		928
69921	12/09/08	W0236	WHITETAIL SOLUTION	600.00		928
69922	12/09/08	W0259	VENTURA, MIESOWITZ, KEOUGH &	4,224.00		928
69923	12/09/08	X0003	XEROX CORPORATION	1,097.87		928
69924	12/09/08	X0005	XTEL COMMUNICATION	733.46		928
69925	12/09/08	Z0031	ZIEMANN, BOB	200.00		928

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	151	4	0.00	4,069,172.07
Direct Deposit:	0	0	0.00	0.00
Total:	151	4	0.00	4,069,172.07

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	7-01	160.00	0.00
CURRENT FUND	8-01	774,237.14	0.00
DOG FUND	8-12	312.24	0.00
TRUST FUNDS	8-13	49,041.80	0.00
GOLF COURSE UTILITY	8-26	25,873.10	0.00
Year Total:		849,464.28	0.00
CAPITAL FUND	C-04	3,208,356.65	0.00
GRANT FUND	G-02	11,191.14	0.00
Total Of All Funds:		4,069,172.07	0.00

[Resolution #080491](#) - Rescinding Resolution #080385 – Cancellation of Taxes

WHEREAS, the Committee of the Township of Bernards passed Resolution #080385 to cancel taxes for Block 10402 Lot 1, and

WHEREAS, the property in question was not acquired by the Township, and

WHEREAS, resolution #080385 was adopted on September 9, 2008 canceling the taxes in the amount of \$35.07.

NOW, THEREFORE, BE IT RESOLVED by the township committee of the township of Bernards, that Resolution #080385 be rescinded and tax amounts for Block 10402 Lot 1 are collectable and should be collected pursuant to the statutes of the State of New Jersey.

[Resolution #080492](#) - Release of Executive Session Minutes

WHEREAS, the topics discussed in the minutes below no longer need to be kept private.

NOW THEREFORE BE IT RESVOLED, by the Township Committee of the Township of Bernards that the following minutes, previously approved for content, now be approved for release.

Date	Session	Topic
11/28/06	II	Land Acquisition – Maciborski, Block 188, Lot 8
12/18/06	I	Personnel – DWP Director, Reporting Structure
02/27/07	I	EDC – Belardo Recusal
03/27/07		Land Acquisition – Block 175, Lot 36.01 and Q0044 (Richardt)
04/18/07		Land Acquisition - Block 175, Lot 36.01 and Q0044 – Richardt
05/29/07		Land Acquisition – Block 175, Lot 37.01 (Sky Farms)
8/14/07		Land Acquisition – Block 188, Lot 8 Maciborski
10/9/07		Land Acquisition -(Winter) Block 150, Lots 1, 2.01, 3.01, 5.01
10/17/07		Land Acquisition - (Winter) Block 150, Lots 1, 2.01, 3.01, 5.01
10/23/07		Land Acquisition (Sons of Liberty) Block 175, Lot 36.01 and Q0044
11/27/07		Personnel – Police Hearing, Michael Mastro
11/27/07		Land Acquisition – Richard, Block 36.01, A0044
11/27/07		Contract Negotiations – Princeton Hydro
11/27/07		Personnel – 2008 Board Appointments
1/15/08		Land Acquisition – Block 150, Lots 1, 2.01, 3.01, 5.01 (Winter)
1/29/08		Contract Negotiation – PBA/Teamsters, Health Benefits
1/29/08		Land Acquisition - Block 150, Lots 1, 2.01, 3.01, 5.01 (Winter)
2/12/08		Land Acquisition - Block 150, Lots 1, 2.01, 3.01, 5.01 (Winter)
2/12/08		Land Acquisition - (Sons of Liberty) Block 175, Lot 36.01 and Q0044
2/26/08		PBA 357 Grievance – Health Benefits
3/11/08		Land Acquisition – Winter, Block 9301, Lots 8 & 9
3/11/08		Land Acquisition – Janeski, Block 7601, Lot 15
3/11/08		Contract Negotiations – Evergreen Cemetery, 1930 Agreement
4/29/08		Personnel – Compensation, Manager of Human Resources
4/29/08		Contract Negotiations – Board of Health Interlocals
5/13/08		Land Acquisition - Sons of Liberty – Block 9401, Lot 11, Q0044
5/13/08		Land Acquisition - Winter - Block 9301, Lots 8 & 9
5/27/08		Land Acquisition – Sons of Liberty, Block 9401, Lot 11
6/10/08		Land Acquisition – Winter, Block 9301, Lots 8 & 9
6/24/08		Land Acquisition – Sons of Liberty,

Date	Session	Topic
		Block 9401, Lot 11
7/29/08		Litigation - Class Action Suit, Public Intoxication
8/12/08		Attorney Client – Fibertech
8/12/08		Land Acquisition – Sons of Liberty, Block 9401, Lot 11
9/9/08		Land Acquisition – Evangelical Lutheran Church, B1301, Lot 9
9/9/08		Land Acquisition – Sons of Liberty, B9401, Lot 11
9/23/08		Contract Negotiations – Health Interlocals
9/23/08		Personnel – Board Vacancies
10/14/08		Personnel – Board Appointments
10/14/08		Land Acquisition – Silva B9301, Lot 54

[Resolution #080493](#) - Authorizing Participation in Group Dental Benefits as provided by Delta Dental of New Jersey, Parsippany, NJ for the plan year of 2009

WHEREAS, Bernards Township hereby elects to participate in the group dental plan as provided by Delta Dental of NJ and to authorize coverage for all full time active employees; and

WHEREAS, Bernards Township elects a 35 hour work week as the minimum requirement for active employees to participate in the dental benefits program; and

WHEREAS, Bernards Township retirees are allowed to participate in the dental benefits as provided to township employees provided that they bear the entire cost of the benefits via check to the Benefit Administrator as per the current rates dictated by Delta Dental of NJ ; and

WHEREAS, on adoption of the dental benefits the full cost of dependent coverage will be paid by the employee as per a payroll deduction; and

WHEREAS, this coverage shall be effective as of January 1, 2009 through December 31, 2009.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Delta Dental of New Jersey be the provider for dental benefits for Bernards Township full-time employees as stated above.

NOW THEREFORE BE IT FUTHER RESOLVED, by the Township Committee of the Township of Bernards that we hereby appoint Marie Eula, Manager of Human Resources and in her absence Kris Roser, Administrative Coordinator, to act as Certifying Officer in the administration of this program; and

[Resolution #080494](#) - Approval of Special Event Permit Christmas Eve Carol Sing – 12/24/2008

WHEREAS, the Township Committee of the Township of Bernards appointed James D. Felter as the 2008 Christmas Carol Sing Coordinator; and

WHEREAS, Mr. Felter has submitted an application for this special event, planned for 12/24/08 from 7:00 P.M. to 7:30 P.M.; and

WHEREAS, the special event will require the temporary closure of S. Finley Avenue from Henry Street to East Oak Street, and East Oak Street from Maple Avenue to S. Finley Avenue; and

WHEREAS, the Municipal Clerk, Police Chief, Recreation Director, and Administrator have reviewed the application and recommend approval.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the request for the special event including the temporary street closures is hereby approved.

[Resolution #080496](#) - Awarding a Professional Services Contract for Performing Real Estate Appraisal Services for Pedestrian Access Easement and Temporary Construction Easement for Block 3704, Lots 4 and 5 for the South Finley Avenue Sidewalk Improvement Project to Norman J. Goldberg, Inc., In the Lump Sum Amount of \$3,250

WHEREAS, the Township of Bernards requires services for professional real estate appraisal services; and

WHEREAS, Norman J. Goldberg, Inc., has submitted a proposal dated December 1, 2008 outlining the professional real estate appraisal services it will provide to the township; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding.

WHEREAS, this professional services contract is not subject to the requirements of N.J.S.A. 19:44A-20.4, *et seq* as the contract amount is under the threshold; and

WHEREAS, the Supervisor of Treasury Services has certified funds are available in the budget, appropriation or ordinance is Capital Ordinance # 2010 line account C-04-55-010-A04.

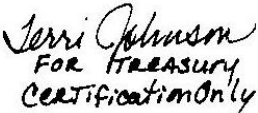
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Norman J. Goldberg, SRA,CRE,GAA,IFAS of Norman J. Goldberg Inc., 44 Leigh Street, Clinton, NJ 08809 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated December 1, 2008.
2. The contract term is from December 9, 2008 through December 8, 2009 at a lump sum amount of \$3,000.00 for the appraisal and \$250.00 for reimbursables.
3. The contract issued by Bernards Township supersedes any and all terms and conditions submitted in the proposal dated December 1, 2008.
4. Billings must be rendered by the contractor within 30 days of service delivery.
5. **Any modification to this contract shall be requested in writing, approved by the Township Committee, and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
6. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated, agreed upon, and approved by the Township Committee in advance 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 this resolution as Exhibit A.
8. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
9. The contractor shall report directly to Peter Messina, P.E.,P.P, Township Engineer who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that a copy of this resolution be published in the official township newspaper, and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

I agree to the terms as stated in the Resolution and by signing this document I, Norman J. Goldberg, SRA,CRE,GAA,IFAS, NJ License # RG-00279, for Norman J. Goldberg Inc., am committed to follow all terms of this award.

 Norman J. Goldberg, SRA,CRE,GAA,IFAS, NJ License # RG-00279

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 purchase in the not to exceed amount of \$3,250.00. Monies are available in Capital Ordinance # 2010 line account C-04-55-010-A04.	
Date: December 5 , 2008	 FOR TREASURY CERTIFICATION ONLY
Terri Johnson , Supervisor of Treasury Services	

[Resolution #080498](#) - Award of Purchase Orders for Various Identified Vendors – J. Spiller Carpenter & Contractor

WHEREAS, The Township Committee of Bernards has adopted Ordinance # 1854 “Known as Pay to Play” and P. L. 2004, Chapter 19; and

WHEREAS, pursuant to the ordinance window contracts determined to exceed \$ 17,500.00 and within the bid threshold of \$ 29,000.00 requires governing body approval; and

WHEREAS, the purchasing agent has determined that the value of the vendor listed below will exceed \$17,500.00 in purchases;

Vendor	Not to Exceed
J. Spiller Carpenter & Contractor Inc.	\$ 29,000.00

WHEREAS, in anticipation of the listed expenditure, a Business Entity Disclosure Certification has been secured in compliance with N.J.S.A.19:44A 20-4 et seq., and that the principals of the said companies, have not made any reportable contributions to a political or candidate committee in the Township of Bernards in the previous one year, and that the contract will prohibit the principals of said companies from making ANY contributions through the term of the contract pursuant to Bernards Township Ordinance # 1854 adopted on February 28, 2006, that would prohibit any business entity or professional that procures goods, services or contracts from the Township without the formal bid process from making “any” contribution whatsoever in the prior calendar year; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue

purchase orders to the vendor listed above to maintain continuity and facilitate the ordering process through December 31, 2008.

[Resolution #080500](#) - Personnel Appointment, James Favata, Substitute Communications Dispatcher, Police Department

WHEREAS, the position of Communications Dispatcher is a critical position within the Police Department, and

WHEREAS, the Police Chief, Township Administrator and Manager of Human Resources have deemed it necessary to fill this position; and,

WHEREAS, James Favata has applied for and is qualified to fill said position; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that James Favata be appointed as a Substitute Communications Dispatcher, effective December 10, 2008, at an hourly rate of \$20.00 on an on-call basis.

[Resolution #080502](#) - Resolution Canceling Current Fund Balance Sheet Items

WHEREAS, certain Current Fund Balance Sheet Items balances have been identified by the Chief Financial Officer as not required for the purposes for which they were reserved; and

WHEREAS, it is necessary to formally cancel said balances to Operations.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the following Current Fund Balance Sheet Liabilities be cancelled to Operations:

Item	Amount	Cancelled To
Unallocated Receipts	\$11,901.85	Operations
Accounts Payable	\$11,287.50	Operations
Technology Consortium Fees - Unappropriated	\$ 9,000.00	Operations
Total:	\$32,189.35	

[Resolution #080503](#) - Resolution Canceling General Capital Ordinance Appropriation Balances

WHEREAS, certain General Capital Ordinance Appropriation balances remain dedicated to purchases now completed, to be funded in future years, abandoned, or funded by other means; and

WHEREAS, it is necessary to formally cancel said balances to return the unexpended appropriations to the Capital Improvement Fund.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the following unexpended and dedicated balances of General Capital Ordinance Appropriations be cancelled:

Ordinance #	Year	Amount	Cancelled To
2010A	2008	\$5,000.00	Capital Improvement Fund
	Total:	\$5,000.00	

Resolution #080505 - Approval of Special Event Annual Holiday Parade Sponsored by the Liberty Corner Fire Company, 12/18/08 and Temporary Street Closure, Church Street, Liberty Corner

Motion by Malay, second by Pavlini, that Resolution #080505 be approved contingent upon receipt of insurance certificates by noon on 12/17/08.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter
 Nay:
 Abstain:
 Motion carried.

WHEREAS, the Liberty Corner Fire Company, hereinafter “the applicant,” has submitted a special event application, and requested permission to close Church Street from the Green to Liberty Corner Firehouse on 12/18/08 from 7:00 P.M. – 7:30 P.M. for the purpose of holding a Holiday Parade ; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards; and

WHEREAS, the Municipal Clerk, Recreation Director, Risk Manager, Police Chief, DPW Director and Administrator have reviewed the application and recommend approval.

WHEREAS, the cost to the applicant (to be reimbursed to LCFC by the Chamber of Commerce) for township support of the event is:

Police: 5 Officers for approx. 1 hr. @ \$60.00 per hour per office	\$300.00
DPW: Placing and removing barricades	<u>\$100.00</u>
TOTAL DUE	\$400.00

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the request for the special event permit and temporary street closure is hereby approved.

End Consent Agenda

Resolution #080504 - Award of Bid Fire Department Pumper for Basking Ridge Fire Company Awarded to Absolute Fire Protection Co., Inc, an authorized and contracted dealer for E-One, Inc. in northern New Jersey, in the amount of \$579,489

Motion by Pavlini, second by Malay, that Resolution #080504 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, the Township of Bernards received bids on Tuesday, November 25, 2008 for the Fire Company Rescue Pumper. The bid summary is as follows:

Vendor	Base Bid	Trade-In Allowance	Optional Credit of Advance Payment	Deletable options to base specification	Added Options per published specification	Net Delivered Lump Sum Bid
		(2) Vehicles 1986 Rescue 1997 Pumper				
Pierce Manufacturing	\$620,968.00	\$26,500.00	\$10,529.00	\$0.00	\$4,952.00	\$588,891.00
Absolute Fire Protection	\$634,015.00	\$45,000.00	\$12,000.00	\$1,153.00	\$3,627.00	\$579,489.00

WHEREAS: Absolute Fire Protection Co., Inc., as an option in their bid provides for an optional credit of advance payment in the amount of \$ 400,000.00 upon placement of bid award; and

WHEREAS, the Supervisor of Treasury Services has certified that funds are available in the budget; the line item appropriations to be charged is Capital Ordinance # 2010, line account # C-04-55-010-H01; and

WHEREAS, accordingly it is the recommendation of the Apparatus Committee of the Basking Ridge Fire Company to award the contract to the lowest responsible bidder, Absolute Fire Protection Co., Inc. 2800 Hamilton Boulevard, South Plainfield, NJ 07080; and

WHEREAS, this contract has been awarded to Absolute Fire Protection through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq."

WHEREAS, it is the combined recommendation of the Basking Ridge Fire Company Rescue Truck Committee, Purchasing Agent and Administrator to award this contract to; Absolute Fire Protection Co., Inc., 2800 Hamilton Boulevard, South Plainfield, NJ 07080; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to Absolute Fire Protection Co., Inc., 2800 Hamilton Boulevard, South Plainfield, New Jersey 07080 in the amount of \$ 579,489.00.

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 purchase. Monies are available in Capital Ordinance # 2010, line account # C-04-55-010-H01.

Date: 12/4/08

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Supervisor of Treasury Services

[Ordinance #2047](#) - *Accepting Various Easements and a Roadway Dedication on Block 6301, Lots 33 & 34 (to be known as Block 6301, Lots 34.01 thru 34.04 after subdivision) [formerly known as Block 164, Lots 50 and 51], from Boulder Construction, LLC, to the Township of Bernards – Introduction*

The clerk read the ordinance by title. Motion by Pavlini, second by Malay, that Ordinance #2047 be introduced on first reading, advertised as required by law, with a public hearing on 12/23/2008.

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 and State of New Jersey as follows:

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Boulder Construction, LLC, 60 Overlook Avenue, Basking Ridge, New Jersey, 07920, the following:
 - A. A Conservation Easement on block 6301, lots 34.02, 34.03 and 34.04 (after subdivision).
 - B. A 10 Foot Wide Utility and Shade Tree Easement on block 6301, lots 34.01, 34.02, 34.03 and 34.04 (after subdivision).
 - C. A Detention Basin, Drainage & Access Easement on block 6301, lots 34.01, 34.02, 34.03 and 34.04 (after subdivision).
 - D. A Deed of Dedication (Roadway & Utilities: Overlook Avenue) on block 6301, lots 33 and 34 (before subdivision).
2. The easements and deed of dedication are on file with the office of the township clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2048](#) - *An Ordinance to Repeal Section 27-2 of the Revised General Ordinances of the Township of Bernards Entitled "Open Space Advisory Committee" – Introduction*

The clerk read the ordinance by title. Motion by Pavlini, second by Malay, that Ordinance #2048 be introduced on first reading, advertised as required by law, with a public hearing on 12/23/2008.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter
Nay:
Abstain:
Motion carried.

WHEREAS, the Township Committee of the Township of Bernards has agreed to merge the functions of the Open Space Advisory Committee into the Bernards Township Environmental Commission; and

WHEREAS, upon the merger of these functions into the Environmental Commission, the Open Space Advisory Committee is to be disbanded,

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Bernards that Section 27-2 of the Revised General Ordinances, entitled “Open Space Advisory Committee” is hereby repealed.

[Ordinance #2049](#) - *An Ordinance to Replace in its Entirety Salary Ordinance #2034 Which Fixes the Compensation of Certain Officers and Employees of the Township of Bernards on and After January 1, 2009*

The clerk read the ordinance by title. Motion by Malay, second by Pavlini, that Ordinance #2049 be introduced on first reading, advertised as required by law, with a public hearing on 12/23/2008.

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 Salary Ordinance No. ~~1950-2034~~ is replaced in its entirety with the following:

1. This ordinance shall be known and may be referred to as the Bernards Township Salary Ordinance.
- 2(a.) Bernards which, together with benefits if, as, ~~to~~ to the extent now or hereafter provided by the township ordinance, shall be in lieu of all fees, now or hereafter provided by law, shall be and is hereby fixed and established as follows:

POSITION	GRADE
Administrator	19
Administrator/Chief Financial Officer	20
Administrative Assistant	5

Administrative Coordinator	7
Administrative Secretary	3
Animal Control Officer	6
Assistant Director of Parks & Recreation	11
Assistant Township Engineer	13
Assistant Township Planner	13
Accounting Specialist	5
Building Sub-Code Official	9
CAD Operator	3
Chief Financial Officer	17
Chief Inspector	7
Chief of Police	17
Community Service Manager	10
Construction Code Inspector	5
Construction Official	13
Deputy Court Administrator	4
Deputy Tax Collector	5
Deputy Tax Assessor	11
Deputy Township Clerk	5
Development Control Officer/Housing Administrator	10
Director of Parks & Recreation	15
Document Imaging/Records Retention Clerk	3
Electrical Sub Code Official	9
Field Inspector	3
Finance Assistant	3
Fire Official	10
Fire Prevention Inspector	5
Fire Sub Code Official	9
Human Resource Manager	13
Human Resource Generalist	8
Information Systems Technician	5
Information Technology Director	15
Information Technology Manager	12
Library Director	15
Librarian	5
Library Assistant	2
Library Bookkeeper	3
Library Program Coordinator	7
Library Technician	1
Municipal Court Administrator	11
Payroll Specialist	6

PC Technician	3
Plumbing Sub-Code Official	9
Principal Technical Assistant to the Construction Official	5
Project Coordinator – Department of Public Works	10
Public Works Supervisor	12
Purchasing Agent	11
Records Specialist	2
Recreation Programs Manager	8
Senior Administrative Assistant	6
Senior Communications Dispatcher	5
Senior Deputy Court Administrator	6
Senior Librarian	8
Senior Library Assistant	2
Senior Library Technician	2
Senior Records Specialist	3
Senior Supervising Librarian	10
Staff Engineer	7
Superintendent of Public Works	15
Supervising Communications Dispatcher	7
Supervising Librarian	9
Supervisor of Treasury Services	11
Tax Assessor	13
Tax Collector	11
Technical Assistant – Assessor’s Office	5
Technical Assistant to the Construction Official	3
Township Clerk/Assistant Township Administrator	13
Township Engineer	17
Township Surveyor	10
Treasurer	13
Violations Clerk	1
Young Adult Services Coordinator	5
Zoning Officer	6

Grade	Range per hour			35 hour workweek			40 hour workweek		
	Min	Mid	Max	Min	Mid	Max	Min	Mid	Max
1	\$12.70	\$16.94	\$21.17	\$23,119	\$30,828	\$38,538	\$26,422	\$35,233	\$44,043
2	\$13.69	\$18.26	\$22.83	\$24,921	\$33,233	\$41,545	\$28,482	\$37,981	\$47,481
3	\$14.68	\$19.58	\$24.48	\$26,724	\$35,638	\$44,553	\$30,542	\$40,730	\$50,918
4	\$15.83	\$21.11	\$26.39	\$28,810	\$38,416	\$48,021	\$32,926	\$43,904	\$54,881

5	\$16.98	\$22.63	\$28.29	\$30,897	\$41,193	\$51,489	\$35,311	\$47,077	\$58,844
6	\$18.30	\$24.40	\$30.50	\$33,307	\$44,406	\$55,505	\$38,065	\$50,750	\$63,434
7	\$19.62	\$26.16	\$32.70	\$35,717	\$47,619	\$59,521	\$40,819	\$54,422	\$68,024
8	\$21.29	\$28.38	\$35.48	\$38,744	\$51,660	\$64,576	\$44,279	\$59,040	\$73,801
9	\$22.95	\$30.60	\$38.26	\$41,771	\$55,701	\$69,631	\$47,738	\$63,658	\$79,578
10	\$24.90	\$33.21	\$41.51	\$45,327	\$60,437	\$75,548	\$51,802	\$69,071	\$86,340
11	\$26.86	\$35.81	\$44.76	\$48,883	\$65,174	\$81,465	\$55,866	\$74,484	\$93,103
12	\$29.14	\$38.85	\$48.57	\$53,036	\$70,714	\$88,391	\$60,613	\$80,815	\$101,018
13	\$31.42	\$41.90	\$52.37	\$57,190	\$76,253	\$95,317	\$65,360	\$87,147	\$108,933
14	\$34.09	\$45.46	\$56.82	\$62,049	\$82,733	\$103,418	\$70,913	\$94,552	\$118,192
15	\$36.76	\$49.02	\$61.27	\$66,908	\$89,214	\$111,519	\$76,466	\$101,958	\$127,451
16	\$39.89	\$53.19	\$66.48	\$72,599	\$96,801	\$121,002	\$82,971	\$110,629	\$138,288
17	\$43.02	\$57.36	\$71.69	\$78,291	\$104,388	\$130,485	\$89,475	\$119,300	\$149,125
18	\$46.78	\$62.37	\$77.97	\$85,138	\$113,518	\$141,897	\$97,301	\$129,735	\$162,168
19	\$50.54	\$67.39	\$84.24	\$91,986	\$122,648	\$153,310	\$105,127	\$140,169	\$175,211
20	\$54.58	\$72.78	\$90.98	\$99,344	\$132,459	\$165,574	\$113,537	\$151,382	\$189,227

2(b). (i) For the purposes of sections 2(a) through 2(e) of this ordinance:

- A) "Base salary" shall mean that part of an employee's monetary compensation, stated in annualized or hourly terms as the case may be, upon which future percentage increases are to be calculated.
- B) "Salary" shall mean an employee's base salary plus any monetary compensation paid to the employee, which is set by the Merit Matrix under the Pay for Performance Compensation Program.
- C) "Increase" shall mean an increase in an employee's monetary compensation, whether paid as an addition to base salary or as a merit, assumption of additional duties, or otherwise.
- D) "Merit increase" shall mean an increase, which is awarded based upon annual review of an employee's performance.
- E) "Grade cap" shall mean the maximum base salary within the grade classification for an employee's position, as set forth in section 2(a) of this ordinance as amended from time to time.

- (ii) Per the Township's Pay-for-Performance Compensation Program, employees receive a Merit Increase effective January 1. The Merit Matrix provides the increase percent for each employee and how much of that percent will be applied towards increasing the employee's base salary. For those employees at or near the maximum in their grade level salary range they will receive the percent increase set by the Merit Matrix but it will not increase their base salary. The Merit Matrix percent increase to base will be paid out in the employee's regular payroll cycle and the remainder percentage, if applicable, will be paid out in 26 equal installments.
 - (iii) If an employee's base salary is below the grade cap, all or a portion of any increase may be added to the base salary, provided that such addition does not cause the resulting base salary to exceed the grade cap. Any remainder of such increase shall be paid to the employee in 26 equal installments and will not be included as base salary.
 - (iv) For any employee whose base salary was set under a previous salary ordinance and exceeds the grade cap stated in section 2(a) above, such employee's grade cap shall be deemed to be equal to the employee's base salary at the time this ordinance is adopted. Such employee's base salary may not be raised above that figure unless a future amendment to section 2(a) increases the grade cap to an amount higher than such base salary.
 - (v) In no event shall the total salary paid to an employee in any year exceed the approved Pay for Performance increases without Township Committee approval.
- 2(c). Employees who begin employment on July 1 or later in a calendar year shall not receive a merit increase earlier than the second January 1 following their start of employment, unless such merit increase is included in the terms of the offer of employment which they receive from the township.
- 2(d). —If the market permits, the Township Committee may approve, on motion, the hiring of an employee at a base salary 10% below the position's range minimum. That employee's base salary shall be increased to at least the position's range minimum at the time of his or her first merit increase.
- 2(e). The salary ordinance will be re-evaluated at least once every two years. The structure will be adjusted to reflect changes in the external market.
- 3(a). The compensation of the following employees of the Township of Bernards, based on an hourly rate of payment, shall be and is hereby established as follows:

<u>Position</u>	<u>Range: Min./Max.</u>
Animal Control Officer	\$10.00 - \$16.00 per hour

Class I Special Officer	\$15.00 per hour
Class II Special Officer	\$20.00 per hour
Special Officer – Outside Duty	\$50.00 per hour
Crossing Guard/Police Matron	\$9.00 – \$21 per hour
Custodian	\$8.00 – \$17.00 pr hour
Draftsman, Part-time	\$8.50 - \$17.50 per hour
Library Shelver, Part-time	\$7.15 - \$11.00 per hour
Landfill Attendant	\$6.00 - \$13.00 per hour
Office of Emergency Management Coordinator	\$25.00 - \$30.00 per hour
Part-Time Assistant	\$10.65 - \$20.00 per hour
Part-Time Community Service Supervisor	\$18.00 - \$22.00 per hour
Part-Time Secretary	\$10.65 – \$20.00 per hour
Public Works/Grounds Seasonal Employee	\$7.15 - \$13.00 per hour
Smoke Detector Inspector	\$8.50 - \$16.00 per hour
Substitute Communications Dispatcher	\$10.65–\$25.00 per hour
Summer Help, Part-time	\$7.15 - \$12.00 per hour
Teen Center Manager	\$15.00 - \$24.00 per hour
Teen Center Coordinator	\$9.00 - \$13.00 per hour
Intern	\$8.00 - \$12.00 per hour

3(b). Seasonal or hourly rates for swimming pool employees are as follows:

<u>Position</u>	<u>Rate</u>
Pool Manager (Certified Pool Operator through the State Health Department)	\$9,000 - \$19,250 for the season
Pre Season Pool Manager/Assistant	\$12.00 - \$20.00 per hour
Assistant Manager	\$5,300 - \$8250 for the season
Swim Team Coach	\$1,200 - \$2000 for the season
Assistant Swim Team Coach	\$900 – \$1,500 for the season
Swim Instructor (Red Cross or YMCA certified)	\$11.00 - \$18.00 per hour
Senior Lifeguard (4 + years of experience)	\$11.00 - \$18.00 per hour
Lifeguard	\$9.00 - \$16.00 per hour
Gate Attendant/Maintenance Worker	\$7.15 - \$11.00
Pre/Post Season Workers at Pool	\$7.15 - \$11.00

3(c). Hourly rates for seasonal recreation workers are as follows:

Bus Aide	\$7.15 - \$11.00 per hour
Bus Driver	\$12.00 - \$20.00 per hour
Gym Supervisors	\$7.15 - \$18.00 per hour
Golf Course Manager	\$13,000 to \$14,000 per season
Golf Course Operation Supervisors	\$8.00-\$15.00 per hour
Golf Course Shift Supervisors	\$7.15-\$13.00 per hour

Golf Course Ranger	\$7.15 - \$12.00 per hour
Park Ranger	\$7.15 - \$12.00 per hour
Group Counselor - Seasonal	\$7.15 - \$10.00 per hour
Group Leader – Seasonal	\$8.15 - \$12.00 per hour
Assistant Site Supervisor - Seasonal	\$10.00 - \$20.00 per hour
Site Supervisor – Seasonal	\$15.00 - \$25.00 per hour
Professional Instructor (artist, tennis, golf pro, etc.)	\$20.00 - \$60.00 per hour
Therapeutic Recreational Aide (to assist classified participants)	\$8.00 - \$12.00 per hour

3(d). Salaries for the Communications Dispatchers shall be in accordance with the Interlocal Agreement with Long Hill which states:

Salaries 2008-2011. For 2008, and subsequent years, dispatchers will move in step program on their applicable anniversary date. All dispatchers reaching Step #5, and Supervisor Step will enter Bernards Township's Pay for Performance Program "PFP" in subsequent years. Any cost of living adjustment increase to the step salaries will be considered in each December for the subsequent calendar year.

Step	Months of Service	2008-2009 Salary
Trainee	new hire – zero	\$35,000.00 <u>\$35,700</u>
Step 1	0 months – 12 months	\$38,475.42 <u>\$39,244.93</u>
Step 2	13 months – 24 months	\$42,750.24 <u>\$43,605.24</u>
Step 3	25 months – 48 months	\$47,025.06 <u>\$47,965.56</u>
Step 4	49 months – 72 months	\$49,470.00 <u>\$50,459.40</u>
Step 5	73 months – unlimited	\$51,302.43 <u>\$52,328.48</u>

4. Should the federal minimum wage of \$5.156.55/hour be increased the above minimum wage figures ~~————~~ will automatically increase to comply with the law.
5. The active union contract continues in effect for compensation of Public Works Employees Local 469 of the Teamster's Union. This contract expires on December 31, 2010.
6. The active union contract continues in effect for compensation of employees of the Police Department represented by the Bernards Township Police Officers Association, Local 357 for both "Police Officers and Detectives" and "Superior Officers". This contract expires on December 31, 2011.
7. The Board of Health of the Township of Bernards is responsible for fixing compensation for the following health department employees:

Health Officer
Health Educator/Youth Services Coordinator

Principal Registered Environmental Health Specialist
Sanitarian 1
Sanitarian 2
Senior Sanitarian

8. The Municipal Court Judge receives an annual salary with no benefits except participation in the state pension plan and health benefits. The Township Committee sets the annual salary of the Municipal Court Judge at the time of the appointment with the authority, should they choose, to provide for a salary adjustment during the appointment. . This salary ordinance will be amended to reflect the salary range of the Municipal Court Judge:

\$40,000 - \$47,000

9. The Library Board of Trustees has the ability to fix compensation as set above in the appropriate salary range.
10. This ordinance shall continue in effect from and after its year of adoption, except as it may be amended from time to time.
11. If any portion of this ordinance shall be declared to be unconstitutional, invalid, or inoperative by a court of competent jurisdiction, those portions which are not unconstitutional, invalid, or inoperative shall remain in full force and effect.

This ordinance shall take effect immediately upon final adoption and publication according to law.

PUBLIC COMMENT

Richard Moschello, President of BRFC No. 1 thanked the committee for the new pumper.

EXECUTIVE SESSION (CONTINUATION OF EARLIER SESSION, IF REQUIRED)

At 9:14 PM, the meeting resumed in executive session to conclude their discussions authorized by Resolution #080490.

ADJOURNMENT

The meeting resumed in open session at 11:35 PM and immediately adjourned.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

John Carpenter
Mayor