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MINUTES
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CALL TO ORDER

The mayor called the meeting to order in the Municipal Building at the specially advertised time of 7:00 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, Municipal Clerk/Assist. Admin. Szabo

AMEND AGENDA

Motion by Malay, second by Kelly, and unanimously agreed to amend Resolution #080526 to include a discussion on land acquisition, Block 9301, Lot 91, Block 7703, Lot 22 – English.

EXECUTIVE SESSION – [Resolution #080526](#)

Motion by Malay, second by Spitzer, and unanimously agreed that amended Resolution #080526 be approved and the meeting temporarily adjourned to executive session at 7:04 PM.

Roll Call

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

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:

<input checked="" type="checkbox"/> Litigation	MQI/Tilcon v. Bernards Township
<input checked="" type="checkbox"/> Personnel	Performance Discussion
<input checked="" type="checkbox"/> Personnel	2008 Appointments
<input checked="" type="checkbox"/> Land Acquisition	Block 9301, Lot 91, Block 7703, Lot 22 - English
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 8:10 PM.

RESOLUTION #080399 – Commendation of Tobin Heath, Member of the 2008 Gold Medal Winning US Women’s National Soccer Team

Motion by Pavlini, second by Malay, that Resolution #080399 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, Tobin Heath, having graduated with honors from Ridge High School in 2006, was a four-year varsity letter winner in soccer, was named to the Parade All-American Team in 2005, also named Gatorade New Jersey Player of the Year as well as making the Star Ledger’s First Team All-State, First Team Group 3 and First Team All-County and named the paper’s New Jersey Player of the year, and

WHEREAS, on top of those already substantial accomplishments, Tobin has gone on to play soccer for the University of North Carolina, accumulating numerous awards and honors including a college national championship, and

WHEREAS, known for her phenomenal one-on-one dribbling ability, at 20 years old, Tobin was the youngest player selected to join the U.S. Women’s National Soccer Team of 18 players and four alternates in traveling to China, and

WHEREAS, her position on the U.S. Olympic Women’s National Team as mid-fielder helped to bring the team to their final game against Brazil in which the USWNT prevailed 1-0 for the gold medal, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Tobin Heath on her achievement in winning a Gold Medal in the 2008 Summer Olympics.

The mayor presented Ms. Heath with a framed copy of the resolution.

MINUTES

Combined Agenda/Regular Meeting, [12/09/2008](#) – Open Session

Agenda Meeting, [12/17/2008](#) – Open Session

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

Combined Agenda/Regular Meeting, 12/09/2008 – Executive Session

Agenda Meeting, 12/17/2008 – Executive Session

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

FIRE & RESCUE APPOINTMENTS

None.

CORRESPONDENCE

None.

REPORTS

[Recommendation for TC Action](#) – *Integrated Pest Management System – Pat Monaco*
Monaco addressed the committee about adoption of a Pesticide Management System for township properties.

The purpose of the system would be to reduce and/or eliminate the use of pesticides from our parks and other township properties. The Integrated Pest Management System (IPM) would allow pesticide use only as a treatment of last resort. Fertilizers would also be converted from synthetic to organic substitutes.

The committee was in favor of the proposal and agreed to amend the agenda to include Resolution #080520 approving the Integrated Pest Management System.

[Report on Athletic Field Maintenance](#) – *Jennifer Gander*
Gander presented the following report to the committee:

Athletic Field Maintenance Costs

There are many costs associated with the in-season maintenance of the 33 athletic fields under the Department of Parks & Recreation.

The 2008 "Grounds" budget totaled \$683,680. Of that the following estimates were spent on field maintenance:

\$114,000	Staff time (salary & benefits) to set-up, mow and line fields in season <i>Based on the time spent during two 12-week playing seasons – spring & fall</i>
\$ 16,000	Field paint
\$ 44,000	Water (irrigation @ Mountain Park)
\$ 15,000	Fertilizer, pest & weed control
\$ 20,000	Infield mix, topsoil, seed, soil testing and field repairs <i>--does not include staff time</i>
\$209,000	TOTAL

The above estimates do not include:

- Staff time in the off-seasons to prep, repair and maintain athletic fields.
- Purchase and replacement of mowers, field liners and other equipment needed to maintain athletic fields.
- Purchase, repair and replacement of goals, nets, backstop fencing, bases, player benches and bleachers.

Per Player/Per Season Assessment

Approximate participation by sport:

Soccer (Fall & Spring)	2100	Somerset Hills Soccer (1850) – 70% Bernards Township Mavericks Soccer (250) – 95% Bernards Township
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Football & Cheerleading (Fall)	800	Ridge Youth Sports (600) - 100% Bernards Township SH Bulldogs (200) – 30% Bernards Township
Lacrosse (Spring)	300	SHLAX – 65% Bernards Township
Baseball (Spring)	1250	BRLI (1100) & BRBR (150) – 100% Bernards Township

Revenue from assessment:

Based on rosters submitted by sports organizations each season of all participants registered.

Fee Schedule	Estimated Yearly Revenue
\$1 per Resident \$2 per Non-Resident <i>current assessment</i>	\$5,265
\$5 per Resident \$10 per Non-Resident	\$26,325
\$10 per Resident \$20 per Non-Resident	\$52,650

The committee was concerned about the cost to maintain the fields and the burden on the general taxpayer. They agreed that the user fees should be assessed to help offset the cost.

They decided to amend Resolution #080521 listed for action on the consent agenda, to include a \$5/Resident and \$10/Non-Resident user fee assessment for field use.

PUBLIC COMMENT

Jonathan Cloud, 8 Revere Drive; Victoria Zellin Cloud, 10 Revere Drive; Paul Heckles, 15 Tamarisk Court, and Dorothy Schleifer, Manchester Drive, Basking Ridge, voiced support of the goals adopted by the NJ Highlands Council.

Bill Allen, Holmesbrook Road, submitted a letter to the committee urging them to opt in to the Highlands Regional Plan, also expressing his support of the goals of the NJ Highlands Council.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members comment on their recent activities.

UNFINISHED BUSINESS

[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 – 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 #2047 be adopted and advertised as required by law.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:
Motion carried.

[Ordinance #2048](#) - *An Ordinance to Repeal Section 27-2 of the Revised General Ordinances of the Township of Bernards Entitled "Open Space Advisory Committee" – 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 Malay, second by Spitzer, that Ordinance #2048 be adopted and advertised as required by law.

Roll Call

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

[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 – 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 Spitzer, that Ordinance #2049 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 Kelly, second by Spitzer, that Resolutions #080207, #080511, #080521 be removed from the consent agenda to be considered separately, and that the balance of items be approved.

Roll Call:

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

****Begin Consent Agenda****

Resolution #080507 Approval of the Bill List Dated 12/23/2008

BE IT RESOLVED, that the bill list dated 12/23/2008 be audited, and if found correct, be paid.

12/23/08
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17:31:20

TOWNSHIP OF BERNARDS

Check Register By Check Date

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 12/10/08 to 12/31/08
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				
69926	12/10/08	T0004 TRANSTAR TRUCK BODY INC	6,200.00	929
70077	12/23/08	72043 GREENBAUM, ROWE, SMITH, RAVIN &	135.00	931
70078	12/23/08	90011 BOBOWICZ, BRIAN	36.72	931
70079	12/23/08	90128 SZABO, DENISE	62.58	931
70080	12/23/08	90142 SUDANO, MARCIA	712.36	931
70081	12/23/08	90219 PISANO, RHONDA	78.52	931
70082	12/23/08	90261 KELLY, KEVIN J.	20.00	931
70083	12/23/08	90279 NEIL, DAWN	40.00	931
70084	12/23/08	90282 EULA, MARIE	21.10	931
70085	12/23/08	90358 BRIANT, RICHARD	743.94	931
70086	12/23/08	A0027 AT&T	70.91	931
70087	12/23/08	A0033 APPRAISAL INSTITUTE	900.00	931
70088	12/23/08	A0092 ALL INDUSTRIAL-SAFETY PRODUCTS	242.94	931
70089	12/23/08	A0126 AFLAC NEW YORK	901.02	931
70090	12/23/08	A0168 ALLIED OIL COMPANY, LLC	27,563.82	931
70091	12/23/08	A0174 ALL SPORTS	503.45	931
70092	12/23/08	A0180 AMERICAN LIBRARY ASSOCIATION	180.00	931
70093	12/23/08	A0232 ARROW ELEVATOR, INC.	200.00	931
70094	12/23/08	A0295 AUDIO EDITIONS	214.16	931
70095	12/23/08	A0327 ACCURINT	22.25	931
70096	12/23/08	A0338 AFLAC	2,016.01	931
70097	12/23/08	A0398 ABSO	262.50	931
70098	12/23/08	A0399 ABSOLUTE AUTO TRUCK SALVAGE CO	389.50	931
70099	12/23/08	A0404 APRUZZESE, MCDERMOTT, ET AL	2,753.45	931
70100	12/23/08	A0425 ATLANTIC TACTICAL	2,607.10	931
70101	12/23/08	B0001 BAKER & TAYLOR, INC.	5,822.85	931
70102	12/23/08	B0003 BAKERS AUTO PARTS, INC.	648.70	931
70103	12/23/08	B0010 BITAR ESQ., THOMAS J.	2,178.00	931
70104	12/23/08	B0015 BRODART COMPANY	571.80	931
70105	12/23/08	B0021 BASKING RIDGE FIRE CO.	45,000.00	931
70106	12/23/08	B0022 BASKING RIDGE FIRST AID SQUAD	15,000.00	931
70107	12/23/08	B0026 BERNARDS TOWNSHIP CURRENT	5,059.70	931
70108	12/23/08	B0029 BERNARDS TWP BD OF EDUCATION	4,212.00	931
70109	12/23/08	B0034 BERNARDS TOWNSHIP PAYROLL ACCTS	1,117,233.29	931
70110	12/23/08	B0038 BERNARDS TOWNSHIP (COURT)	482.29	931
70111	12/23/08	B0044 BASKING RIDGE ANIMAL HOSPITAL	120.00	931
70112	12/23/08	B0070 BASKING RIDGE CARPET CLEANING	260.00	931
70113	12/23/08	B0076 BERNARDS TOWNSHIP TRUST FUND	30,000.00	931
70114	12/23/08	B0203 DIFRANCESCO, BATEMAN, COLEY,	5,764.76	931
70115	12/23/08	B0239 BERNARDS TWP CHAMBER COMMERCE	125.00	931
70116	12/23/08	B0386 BWI	121.64	931
70117	12/23/08	B0447 BRODART LIBRARY SUPPLIES&FURN	106.28	931
70118	12/23/08	B0519 BBC AUDIOBOOKS AMERICA	262.84	931
70119	12/23/08	B0525 BURGERHOFF, FRED	117.40	931

70120	12/23/08	B0536	BAYSHORE RECYCLING CORPORATION	200.00		931
70121	12/23/08	B0552	BIG SKY RACKS INC	54.00		931
70122	12/23/08	C0003	CASCADE TREE SERVICE	5,365.00		931
70123	12/23/08	C0015	CCH, INC.	495.00		931
70124	12/23/08	C0024	COURIER NEWS	147.15		931
70125	12/23/08	C0028	CY DRAKE LOCKSMITHS, INC.	35.05		931
70126	12/23/08	C0037	CLERK'S PETTY CASH	52.53		931
70127	12/23/08	C0083	CDW GOVERNMENT, INC.	110.00		931
70128	12/23/08	C0269	CRUSADERS LIEN SERVICES	40,919.64		931
70129	12/23/08	C0353	CUSTOM BANDAG, INC.	266.08		931
70130	12/23/08	C0422	CENTRALPACK SERVICE CORP.	1,117.00		931
70131	12/23/08	C0454	COMMUNICATIONS ADVANTAGE	486.00		931
70132	12/23/08	C0486	CITY FIRE EQUIPMENT CO, INC	300.00		931
70133	12/23/08	C0526	THE CAMERA SHOPS/RITZ CAMERA	359.98		931
70134	12/23/08	C0556	CIMAGLIA, DAVE	200.00		931
70135	12/23/08	C0559	CARPETCYCLE, LLC	250.00		931
70136	12/23/08	C0578	CREATIVE PRODUCT SOURCING	1,403.40		931
70137	12/23/08	C0579	CARPET AND WOOD GALLERY CORP	12,000.00		931
70138	12/23/08	D0004	DELTA PRODUCTS CO.	324.62		931
70139	12/23/08	D0033	DEMCO	527.11		931
70140	12/23/08	D0063	DELUXE INTERNATIONAL TRUCKS	1,376.63		931
70141	12/23/08	D0083	DAILY RECORD	53.90		931
70142	12/23/08	D0319	DRAEGER SAFETY DIAGNOSTICS, INC	64.95		931
70143	12/23/08	D0322	DELL MARKETING, L.P.	4,215.20		931
70144	12/23/08	D0339	DEER CARCASS REMOVAL SVC, LLC	345.00		931
70145	12/23/08	D0364	DOOLAN, MARK	150.00		931
70146	12/23/08	D0365	DOWNES FORD, INC.	2,167.19		931
70147	12/23/08	D0369	DUARTE-MCCARTHY, ANA	80.00		931
70148	12/23/08	D0383	DARROW, DR. WILLIAM	89.00		931
70149	12/23/08	E0005	CULLIGAN	613.15		931
70150	12/23/08	E0144	E-Z PASS	50.00		931
70151	12/23/08	E0185	EDWARDS TIRE COMPANY	400.00		931
70152	12/23/08	F0001	FEDEX	171.55		931
70153	12/23/08	F0003	FOLEY, INCORPORATED	82.22		931
70154	12/23/08	F0037	FLAGHOUSE INC.	746.00		931
70155	12/23/08	F0067	FERRIERO ENGINEERING, INC.	3,796.00		931
70156	12/23/08	F0158	FLEMINGTON DEPARTMENT STORE	97.95		931
70157	12/23/08	F0196	GANDER, JENNIFER	83.67		931
70158	12/23/08	G0004	GALLS, INC.	99.97		931
70159	12/23/08	G0025	GARDEN STATE HIGHWAY PRODUCTS	851.80		931
70160	12/23/08	G0066	GRAINGER INC	592.82		931
70161	12/23/08	G0081	GROLIER PUBLISHING COMPANY	289.00		931
70162	12/23/08	G0098	JCP&L	0.00	12/23/08 VOID	0
70163	12/23/08	G0098	JCP&L	0.00	12/23/08 VOID	0
70164	12/23/08	G0098	JCP&L	18,402.67		931
70165	12/23/08	G0133	GARDEN STATE LABORATORIES, INC	90.00		931
70166	12/23/08	G0138	GENERAL PLUMBING SUPPLY	2,708.58		931
70167	12/23/08	G0333	GUS & BUCKYS BEDMINSTER WASH	73.50		931
70168	12/23/08	H0004	HEALTH DEPARTMENT PETTY CASH	44.84		931
70169	12/23/08	H0008	HEWLETT-PACKARD	8,806.00		931
70170	12/23/08	H0029	HUMPHREYS PEST CONTROL, INC.	192.00		931
70171	12/23/08	H0108	HIGHLANDS REGIONAL LIB COOP	929.00		931
70172	12/23/08	H0181	HOUSER WELDING SUPPLY	181.65		931
70173	12/23/08	H0246	HOME DEPOT CREDIT SERVICES	86.63		931
70174	12/23/08	I0051	INDEPENDENT DIESEL SERVICE	98.95		931
70175	12/23/08	I0067	INDUSTRIAL RUBBER COMPANY	175.71		931
70176	12/23/08	I0077	INSTITUTE FOR FORENSIC	1,500.00		931
70177	12/23/08	J0002	JAEGER LUMBER	85.09		931
70178	12/23/08	J0052	J.H. REID ON-SITE RECYCLING	6,020.00		931
70179	12/23/08	J0080	JANSEN, BUCCO, DEBONA & SEMRAU	159.65		931
70180	12/23/08	J0141	J&D SALES AND SERVICE	213.56		931
70181	12/23/08	K0138	KENDALL, JANE	85.00		931
70182	12/23/08	K0218	KODIAK CONSTRUCTION	1,700.00		931
70183	12/23/08	K0220	KAPP, MARY	625.00		931
70184	12/23/08	L0181	LAND'S END, INC.	1,785.62		931
70185	12/23/08	L0260	LANAHAN, MEGAN	200.00		931
70186	12/23/08	M0001	MARTINSVILLE AUTO PARTS	685.63		931
70187	12/23/08	M0006	MGL PRINTING SOLUTIONS	329.25		931
70188	12/23/08	M0010	MOBILE LAWNMOWER SERVICE, INC.	83.20		931

TOWNSHIP COMMITTEE MINUTES

12/23/2008

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70189	12/23/08	M0015	MOORE MEDICAL, LLC	181.63	931
70190	12/23/08	M0053	MORRIS COUNTY POLICE ACADEMY	795.00	931
70191	12/23/08	M0120	MOTORS FLEET/SANSONE CHEVROLET	189.00	931
70192	12/23/08	M0179	MONTEREY GOURMET SHOPS, INC.	394.75	931
70193	12/23/08	M0235	MORRISTOWN MEMORIAL HOSPITAL	320.00	931
70194	12/23/08	M0279	MITZNER, SCOTT C.	1,029.13	931
70195	12/23/08	M0465	MOORE WALLACE NORTH AMERICA	199.74	931
70196	12/23/08	M0493	MCELROY, DEUTSCH, MULVANEY &	6,283,305.22	931
70197	12/23/08	M0498	MP OVERHEAD DOORS	325.00	931
70198	12/23/08	M0518	KONICA MINOLTA BUSINESS SOL.	666.34	931
70199	12/23/08	M0570	M2 ASSOCIATES, INC	22,985.00	931
70200	12/23/08	M0636	MARAZZO, JOE	150.00	931
70201	12/23/08	N0006	NEW JERSEY AMERICAN WATER CO.	65,450.96	931
70202	12/23/08	N0010	NNJ CHAPTER N.I.G.P.	60.00	931
70203	12/23/08	N0027	NEW JERSEY LAW JOURNAL	137.95	931
70204	12/23/08	N0255	NORTHERN NURSERIES, INC.	585.00	931
70205	12/23/08	N0280	NJ-IAAO	50.00	931
70206	12/23/08	N0296	NJASRO	260.00	931
70207	12/23/08	N0322	NEXTEL COMMUNICATIONS	92.18	931
70208	12/23/08	O0021	OFFICE DEPOT	961.00	931
70209	12/23/08	P0009	POSTMASTER - BASKING RIDGE	360.00	931
70210	12/23/08	P0182	PSE&G ENERGY TECHNOLOGIES	843.61	931
70211	12/23/08	P0224	STRATEGIC PRODUCTS & SERVICES	105.00	931
70212	12/23/08	P0380	POWERCO, INC.	172.35	931
70213	12/23/08	Q0001	QUALITY BOOKS INC.	58.42	931
70214	12/23/08	R0003	RAY'S SPORT SHOP, INC.	3,149.18	931
70215	12/23/08	R0004	RECORDED BOOKS INC.	1,238.00	931
70216	12/23/08	R0006	RECREATION PETTY CASH	0.00	931
70217	12/23/08	R0030	RYCO	86.64	931
70218	12/23/08	R0071	RENDA ROADS, INC.	235,948.96	931
70219	12/23/08	R0086	ROBERTS, ARTURO	120.00	931
70220	12/23/08	R0106	READINGTON RECREATION	1,340.00	931
70221	12/23/08	R0134	RICCIARDI BROTHERS, INC.	26.96	931
70222	12/23/08	R0304	RANDOM HOUSE, INC.	480.00	931
70223	12/23/08	S0013	SNAP-ON TOOLS CORPORATION	1,166.86	931
70224	12/23/08	S0016	STORR TRACTOR COMPANY	1,224.22	931
70225	12/23/08	S0067	SOMERSET COUNTY TREASURER	86,195.52	931
70226	12/23/08	S0068	SOMERSET COUNTY TREASURER	9,700.16	931
70227	12/23/08	S0072	SOMERSET COUNTY GOVERNING OFF.	85.00	931
70228	12/23/08	S0185	SUBURBAN JOINT INSURANCE FUND	180,318.00	931
70229	12/23/08	S0227	SHEARON ENVIROMENTAL DESIGN CO	14,705.00	931
70230	12/23/08	S0310	SA-SO COMPANY	303.67	931
70231	12/23/08	S0415	SPORTWORLD	4,754.00	931
70232	12/23/08	S0441	STEWART INDUSTRIES	216.24	931
70233	12/23/08	S0443	STAPLES BUSINESS ADVANTAGE	785.88	931
70234	12/23/08	S0478	SCIENTIFIC WATER CONDITIONING	131.84	931
70235	12/23/08	S0508	SOUTH JERSEY ENERGY	1,457.60	931
70236	12/23/08	S0524	STATE TOXICOLOGY LABORATORY	140.00	931
70237	12/23/08	S0597	SHOWCASES	644.49	931
70238	12/23/08	S0656	QUALITY AUTO MALL SALES, INC	421.72	931
70239	12/23/08	S0691	SUPERIOR DISTRIBUTORS	61.19	931
70240	12/23/08	S0736	SOMERSET COUNTY	486.00	931
70241	12/23/08	S0739	SANDELOVSKY, ANDREA	220.50	931
70242	12/23/08	S0740	S A COMUNALE CO, INC	2,040.00	931
70243	12/23/08	T0025	TRUKMANN'S REPROGRAPHICS	259.65	931
70244	12/23/08	T0066	GALE	93.33	931
70245	12/23/08	T0226	TOTAL DISPLAYS, INC.	2,027.00	931
70246	12/23/08	T0227	T.R.M. TRANSMISSIONS INC.	2,562.30	931
70247	12/23/08	T0229	TBS CONTROLS, LLC	535.50	931
70248	12/23/08	T0317	THE HEARTWORKS FOUNDATION	1,000.00	931
70249	12/23/08	U0040	URUCORP MAINTENANCE CONTRACTOR	3,559.10	931
70250	12/23/08	V0016	VOLLERS EXCAVATING &CONSTR,INC	2,224.00	931
70251	12/23/08	V0020	VILLAGE OFFICE SUPPLY	270.05	931
70252	12/23/08	V0026	VNA OF SOMERSET HILLS	998.88	931
70253	12/23/08	V0037	VILLAGE SUPERMARKET, INC.	112.45	931
70254	12/23/08	V0056	VERIZON WIRELESS	218.72	931
70255	12/23/08	V0058	VERIZON	1,690.35	931
70256	12/23/08	W0002	WARNOCK DODGE	45.00	931
70257	12/23/08	W0014	WARNOCK FLEET	192.22	931

TOWNSHIP COMMITTEE MINUTES

12/23/2008

70258	12/23/08	W0016	WARRENVILLE TRUE VALUE	1,029.12	931
70259	12/23/08	W0030	WORLD BOOK, INC	779.00	931
70260	12/23/08	W0111	WAYNE P.A.L.	325.00	931
70261	12/23/08	W0153	EMTEC / WESTWOOD COMPUTER CORP	727.30	931
70262	12/23/08	W0187	WASTE MANAGEMENT OF NJ, INC	7,374.34	931
70263	12/23/08	W0228	WINDING PATH YOGA	1,800.00	931
70264	12/23/08	W0241	W. B. MASON	518.40	931
70265	12/23/08	X0003	XEROX CORPORATION	351.73	931

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
	----	----	-----	-----
Checks:	188	2	0.00	8,362,072.32
Direct Deposit:	0	0	0.00	0.00
	=====	=====	=====	=====
Total:	188	2	0.00	8,362,072.32

Report Totals	Paid	Void	Amount Void	Amount Paid
	----	----	-----	-----
Checks:	188	2	0.00	8,362,072.32
Direct Deposit:	0	0	0.00	0.00
	=====	=====	=====	=====
Total:	188	2	0.00	8,362,072.32

Fund Description	Fund	Budget Total	Revenue Total
		-----	-----
CURRENT FUND	7-01	23,485.00	0.00
CURRENT FUND	8-01	1,897,825.88	0.00
DOG FUND	8-12	608.67	0.00
TRUST FUNDS	8-13	37,913.35	0.00
GOLF COURSE UTILITY	8-26	24,448.36	0.00
	Year Total:	1,960,796.26	0.00
CAPITAL FUND	C-04	6,366,895.37	0.00
GRANT FUND	G-02	10,895.69	0.00
	Total Of All Funds:	8,362,072.32	0.00

[Resolution #080495](#) - Unused Accrued Paid Time Off Payment Due Luis Velasquez – Groundskeeper Department of Parks and Recreation/DPW

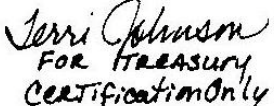
WHEREAS, the Township Committee adopted Resolution No. 060504 relating to retirement sick time incentive payout at their regularly meeting of November 22, 2006; and

WHEREAS, Luis Velasquez has resigned from the Bernards Township Department of Parks and Recreation/DPW effective December 5, 2008; and

WHEREAS, per the requirements of the Teamster Contract under Article XX – *Separation of Employment* Luis Velasquez, is entitled to unused accrued vacation an amount as calculated below based on an hourly rate of \$13.98.

	Total Hours Available	Amount Due
Vacation	16	\$223.68

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the unused accrued paid time off payment be approved and distributed in the next available pay cycle.

TREASURER'S CERTIFICATION	
I, Terri Johnson, Supervisor of Treasury Services for Bernards Township, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Grounds Salary & Wage Budget account # 8-01-28-375-101, not to exceed \$223.68.	
Date: December 5, 2008	 FOR TREASURY CERTIFICATION ONLY
Terri Johnson, Supervisor of Treasury Services	

[Resolution #080509](#) - Authorizing the Township Special Tax Attorney to Enter Into a Stipulation of Settlement Relative to the Tax Appeal Captioned Kenneth J. & Connie E. Nora vs. Bernards Township, Tax Court of New Jersey, Docket No: 002301-2008

WHEREAS, Kenneth J. and Connie E. Nora (“Taxpayer”), the owner of 11 Pine Valley Court, Block 4301, Lot 62 on the Township of Bernards Tax Assessment Maps (the “Property”), filed an appeal of their 2008 tax assessment in the Tax Court of New Jersey, Docket No: 002301-2008; and

WHEREAS, the Township Committee of the Township of Bernards met and discussed the aforesaid tax appeal and the recommendations of its Township Tax Assessor and Special Tax Attorney; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal was negotiated which reduces the total tax assessment on Taxpayer’s Property from a total tax assessment of \$1,882,000 to a reduced total tax assessment of \$1,775,000 for the 2008 tax year; and

WHEREAS, the Bernards Township Assessor's Office has inspect the property, examined the market and determined that the adjustment is warranted because of data and facts discovered upon this further inspection; and

WHEREAS, this is a nominal reduction in the assessment and will result in an adjustment that will be far less than any litigation costs to defend the assessment; and

WHEREAS, pursuant to the aforesaid settlement, Taxpayer waives interest on any refunds that are to be paid within 90 days from the date of judgment to "McCarter & English, LLP, attorneys for Kenneth & Connie Nora" and mailed to McCarter & English, LLP, Attention: Frank E. Ferruggia, Esq., Four Gateway Center, 100 Mulberry Street, Newark, New Jersey 07102-0652; and

WHEREAS, the Freeze Act shall not be applicable because the Bernards Township Tax Assessor may conduct a reassessment; and

WHEREAS, the Township Committee leaves the allocation between land and improvements of the aforesaid 2008 tax assessments on the Property to the Township of Bernards Tax Assessor's discretion with the direction that same be set so as to be most beneficial to the Township; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Bernards as a result of the aforesaid specific facts situation; and

WHEREAS, the Township Committee will make this settlement with Taxpayer without prejudice to its dealing with any other Bernards Township taxpayers' request for tax assessment reduction.

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 Township of Bernards Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$47,000 total tax assessment reduction for the 2008 tax year for Block 4301, Lot 62, which most beneficial to the Township of Bernards and advised the Special Tax Attorney of that allocation.
2. The Special Tax Attorney is hereby authorized to execute the Stipulation of Settlement, a copy of which is annexed hereto relative to the tax appeal of Kenneth J. and Connie E. Nora vs. Bernards Township, Docket No: 002301-2008, which settlement reduces the total tax assessment on Block 4301, Lot 62 from a total tax assessment of \$1,822,000 to a reduced total tax assessment of \$1,775,000 for the 2008 tax year; all at allocations made by the Tax Assessor; which further provides that the Freeze Act shall not apply; which further provides that the taxpayer will waive interest on any refunds and any refunds that are to be paid within 90 days from the date of judgment to "McCarter & English, LLP, attorneys for Kenneth & Connie Nora" and mailed to McCarter & English, LLP,

Attention: Frank E. Ferruggia, Esq., Four Gateway Center, 100 Mulberry Street, Newark, New Jersey 07102-0652.

3. The settlement outlined above shall be without prejudice to the Township's dealings with any Township's taxpayers' request for tax assessment reductions.

[Resolution #080510](#) - Cancellation of Taxes, Block 9401 Lots 11 and 11 Q0044

WHEREAS, Bernards Township purchased Block 9401 Lots 11 and 11 Q0044 from the Estate of Irwin Richardt on December 9, 2008, and

WHEREAS, taxes for the block and lots in the amount of \$276.72, representing the amount due from the closing date to December 31, 2008, should be deemed uncollectible from the Township, and

WHEREAS, the previous owner has paid their share of the property taxes up to the closing date, and

WHEREAS, the above amount was paid by the previous owner and was given a credit at the closing,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize the cancellation of taxes for the remainder of the year 2008 as the property is exempt.

[Resolution #080512](#) - Awarding a Professional Services Contract for Harrison Brook Drive Drainage Improvements To Vajira K. Gunawardana, P.E., P.P., CFM, FASCE, NJ License # 33,128 of the firm Najarian Associates – In the Not to Exceed Amount of \$30,000.00

WHEREAS, the Township of Bernards requires services professional engineering services; and

WHEREAS, has submitted a proposal dated December 8, 2008, outlining services 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 contract has been awarded to Vajira K. Gunawardana, P.E., P.P., CFM, FASCE, NJ License # 33,128 of the firm Najarian Associates through a process without public advertisement pursuant to N.J.S.A. 19:44A-20.7; and

WHEREAS, the Supervisor of Treasury Services has certified funds are available in the budget, line item appropriation or ordinance to be charged is Capital Ordinance # 1873 line account C-04-55-873-A03.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Vajira K. Gunawardana, P.E., P.P., CFM, FASCE, NJ Lic # 33,128, of the firm Najarian Associates, One Industrial Way West, Eatontown, NJ 07724 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated December 8, 2008.
2. The contract term is from December 23, 2008 through December 22, 2009 at a not to exceed amount of \$ 30,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
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. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service deliver.**
6. **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.**
7. 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.
8. The contractor shall report directly to Peter A. Messina, P.E., P.P., Township Engineer who will be the chief contact for the Township of Bernards on this project.

BE IT RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

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, Vajira K. Gunawardana, P.E., P.P., CFM, FASCE, NJ License # 33,128 of the firm Najarian Associates am committed to follow all terms of this award.

Vajira K Gunawardana, P.E., NJ License # 33,128

TREASURER'S CERTIFICATION

I hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$30,000.00. Monies are available in Capital Ordinance # 1873 line account C-04-55-873-A03.

Date: 12/11/08

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Supervisor of Treasury Services

[Resolution #080513](#) - In Recognition of Outstanding Service to Bernards Township, Jack Donohue

WHEREAS, Jack Donohue has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Jack Donohue has rendered inestimable services for the past five years as a member of the Ten Towns Great Swamp Watershed and Environmental Committees.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of his years of faithful service, the Bernards Township Committee extends to Jack Donohue deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to Jack Donohue its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of his service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to Jack Donohue.

[Resolution #080514](#) -In Recognition of Outstanding Service to Bernards Township, James Ray

WHEREAS, James Ray has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, James Ray has rendered inestimable services for the past five years as a member of the Board of Adjustment.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of his years of faithful service, the Bernards Township Committee extends to James Ray deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to James Ray its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of his service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to James Ray.

[Resolution #080515](#) - In Recognition of Outstanding Service to Bernards Township, Joseph Romano

WHEREAS, Joseph Romano has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Joseph Romano has rendered inestimable services for the past twelve years as a member of the Board of Health.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of his years of faithful service, the Bernards Township Committee extends to Joseph Romano deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to Joseph Romano its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of his service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to Joseph Romano.

[Resolution #080516](#) - In Recognition of Outstanding Service to Bernards Township, Scott Christie

WHEREAS, Scott Christi has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Scott Christi has rendered inestimable services for the past five years as a member of the Planning Board.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of his years of faithful service, the Bernards Township Committee extends to Scott Christi deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to Scott Christi its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of his service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to Scott Christi.

[Resolution #080517](#) - In Recognition of Outstanding Service to Bernards Township, Mary Hart

WHEREAS, Mary Hart has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Mary Hart has rendered inestimable services for the past eleven years as a member of the Pool Commission.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of her years of faithful service, the Bernards Township Committee extends to Mary Hart deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to Mary Hart its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of her service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to Mary Hart.

[Resolution #080519](#) - Award of Purchase Orders for Various Identified Vendors

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
Jads Construction	\$ 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 #080522](#) - Cancelling Current Fund 2008 Budget Appropriation Balances

WHEREAS, the following Current Fund 2008 Budget appropriation balances remain unexpended:

<u>BUDGET LINE ITEM</u>	<u>AMOUNT</u>
<u>Inside CAP Appropriations</u>	
General Administration S&W	\$ 104,870.00
General Administration OE	\$ 98,750.00
Human Resources S&W	\$ 33,490.00
Human Resources OE	\$ 41,510.00
Township Committee OE	\$ 162,580.00
Municipal Clerk S&W	\$ 31,840.00
Municipal Clerk OE	\$ 64,580.00
Financial Administration S&W	\$ 23,730.00
Financial Administration OE	\$ 28,750.00
Audit Services	\$ 13,007.50
Purchasing Administration S&W	\$ 11,200.00
Purchasing Administration OE	\$ 34,678.07
Computer Network Administration S&W	\$ 29,070.00
Computer Network Administration OE	\$ 76,500.00
Revenue Administration S&W	\$ 61,970.00
Revenue Administration OE	\$ 38,712.00
Tax Assessment Administration S&W	\$ 39,090.00
Tax Assessment Administration OE	\$ 42,935.00
Legal Services	\$ 384,500.00
Engineering Services S&W	\$ 115,970.00
Engineering Services OE	\$ 83,870.00
Planning Board S&W	\$ 45,140.00
Planning Board OE	\$ 62,745.00
Bd. of Adjustment S&W	\$ 19,580.00
Bd. of Adjustment OE	\$ 43,775.00
Environmental Commission S&W	\$ 3,600.00
Environmental Commission OE	\$ 20,720.00
Agricultural Advisory / Open Space Committees S&W	\$ 1,600.00
Agricultural Advisory / Open Space Committees O/E	\$ 56,650.00
Code Enforcement S&W	\$ 81,800.00
Code Enforcement OE	\$ 369,300.91
Unemployment Insurance	\$ 39,000.00
Police S&W	\$ 5,580.00
Police OE	\$ 15,939.00
Dispatch S&W	\$ 2,120.00
Dispatch OE	\$ 1,110.13
Police Cars	\$ 10,020.00
Office of Emergency Mgt. S&W	\$ 2,000.00
Office of Emergency Mgt. OE	\$ 650.00
Fire Official S&W	\$ 23,370.00

Fire Official / Fire Hydrants OE	\$	85,839.76
Municipal Prosecutor	\$	29,000.00
Streets and Road Maintenance S&W	\$	128,830.00
Streets and Road Maintenance OE	\$	174,620.00
Streets and Road Maint. - Snow S&W	\$	229,600.00
Streets and Road Maint. - Snow OE	\$	264,380.00
Vehicle Maintenance S&W	\$	23,350.00
Vehicle Maintenance OE	\$	98,508.00
Solid Waste Collection S&W	\$	14,500.00
Solid Waste Collection OE	\$	238,820.00
Public Buildings S&W	\$	77,000.00
Public Buildings OE	\$	92,933.00
Other Public Works Functions - Shade Tree S&W	\$	3,800.00
Other Public Works Functions - Shade Tree OE	\$	61,825.00
Other Public Works Functions - St.Lt.Maint. OE	\$	66,000.00
Municipal Services Act OE	\$	63,500.00
Public Health Services S&W	\$	154,830.00
Public Health Services OE	\$	74,971.00
Animal Control Services S&W	\$	22,200.00
Contributions to Social Svc. Agencies	\$	11,072.00
Recreation Svcs. & Programs S&W	\$	98,850.00
Recreation Svcs. & Programs OE	\$	83,340.00
Grounds S&W	\$	66,780.00
Grounds OE	\$	166,540.00
Pool Commission S&W	\$	8,050.00
Pool Commission OE	\$	27.09
Community Service S&W	\$	41,400.00
Community Service OE	\$	28,490.00
Deer Task Force S&W	\$	9,000.00
Deer Task Force OE	\$	9,727.50
Charter Day S&W	\$	13,300.00
Charter Day OE	\$	8,300.00
Accumulated Leave Compensation	\$	60,000.00
Utilities	\$	266,889.00
Solid Waste Disposal S&W	\$	30,100.00
Solid Waste Disposal OE	\$	155,702.00
Public Defender	\$	7,000.00
Municipal Court S&W	\$	15,020.00
Municipal Court O/E	\$	10,572.61
Social Security	\$	<u>179,030.42</u>
	\$	5,500,000.00
<u>Outside CAP</u>		
Interlocal Public Health Services OE	\$	5,000.00
Public Health Priority Funding - O/E	\$	104.00
	\$	5,104.00
Total I/S	\$	5,500,000.00
Total O/S	\$	<u>5,104.00</u>
	\$	5,505,104.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balance may be credited to Surplus,

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the above listed unexpended balances totaling \$5,505,104.00 of the Current Fund be cancelled.

[Resolution #080523](#) - Approval of Request to Discharge a Cannon with Blank Firing at Liberty Corner School, Oak Street School, Mt. Prospect School and Cedar Hill School Starting March 2, 2009, through March 5, 2009 (with March 6 as snow day)

WHEREAS, Superintendent of Schools Valerie A. Goger, D. Litt., has requested permission for the New Living History Association to conduct an Civil War re-enactment on the school property of Liberty Corner School, Oak Street School, Mt. Prospect School and Cedar Hill School to promote the history education of students, starting March 2, 2009, through March 5, 2009 (with March 6 as snow day); and

WHEREAS, the firing of a full-sized reproduction Civil War cannon that will be shot once for each of the individual class visitations at each school. The group will be using a 4-8 ounce charge of Goes 2 FA powder. It is a pyrotechnic and lifting powder, the charge being wrapped in multiple layers of heavy duty aluminum foil, as per the USV and Federal Artillery Reserve safety regulations. The charge is set off with a friction primer; and

WHEREAS, pursuant to §3-5.31 of the Revised General Ordinances of the Township of Bernards, no person shall have set off any bomb, firecracker, torpedo or other fireworks, or discharge any gun, pistol, cannon or other firearm or explosive in and about any public or private place within the Township without the written permit of the Township Committee; and

WHEREAS, Captain Brian Bobowicz, Bernards Township Police Captain and Janet Lake, Bernards Township Fire Official, have reviewed the request and find it to be in order.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby approve the discharging of a cannon as described above; and

NOW THEREFORE BE IT FURTHER RESVOLED, by the Township Committee of the Township of Bernards that the principal of each elementary school is to notify the Bernards Township Police Department in advance of their event so a police officer can be present during setup and demonstration.

[Resolution #080524](#) - Award of Bid for 2009 Janitorial Service Awarded to Excellent Building Services for Municipal Facilities In the Amount of \$43,200

WHEREAS, the Township of Bernards solicited for bids on Tuesday, November 25, 2008 for 2009 Janitorial Services; and

WHEREAS, the Township of Bernards received five (5) bids with the bid summary as follows:

Contractor	Good Morning Care, Inc.	Excellent Building Services	Atlas Cleaning Service	Oriental Pacific Maintenance	URUCorp
	PUBLIC BUILDINGS				
MUNICIPAL BUILDING	\$15,400.00	\$11,760.00	\$14,978.00	\$16,800.00	\$14,450.40
PUBLIC WORKS BUILDING	\$9,900.00	\$9,480.00	\$8,026.20	\$8,160.00	\$7,866.24
HEALTH DEPARTMENT	\$4,800.00	\$5,160.00	\$2,149.32	\$3,600.00	\$2,251.92
COMMUNITY CENTER	\$9,900.00	\$5,280.00	\$2,568.12	\$5,280.00	\$4,462.80
Total 2009	\$40,000.00	\$ 31,680.00	\$27,721.64	\$33,840.00	\$29,031.36
Total 2010	\$40,000.00	\$ 31,680.00	\$27,721.64	\$33,840.00	\$29,031.36
	TOWNSHIP PARKS				
PLEASANT VALLEY PARK	\$9,600.00	\$2,304.00	\$1,497.60	\$4,080.00	\$3,720.00
SOUTHARD PARK	\$6,500.00	\$2,304.00	\$140.40 *	\$3,600.00	\$1,200.00
DUNHAM PARK	\$9,600.00	\$2,304.00	\$1,474.20	\$4,080.00	\$3,720.00
DEWEY MEADOW PARK	\$6,500.00	\$2,304.00	\$234.00 *	\$3,600.00	\$1,200.00
MT. ROAD PARK	\$6,500.00	\$2,304.00	\$2,894.64	\$5,520.00	\$3,840.00
Total 2009	\$38,700.00	\$11,520.00	\$6,240.84	\$20,880.00	\$13,680.00
Total 2010	\$38,700.00	\$11,520.00	\$6,240.84	\$20,880.00	\$13,680.00
Combined 2009	\$ 78,700.00	\$ 43,200.00	\$ 33,962.48	\$ 54,720.00	\$ 42,711.36
Combined 2010	\$ 78,700.00	\$ 43,200.00	\$ 33,962.48	\$ 54,720.00	\$ 42,711.36

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award this contract to Excellent Building Services, located at 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$ 43,200.00, award is based on aggregate bid for all municipal facilities including the Bernards Township Library totaling \$54,780.00 for Excellent Building services and \$63,212.48 for Atlas Cleaning Service; and

WHEREAS, the Supervisor of Treasury Services has certified that funds will be available in the budget; the line item appropriation or ordinance to be charged is Building Other Expenses 9-01-26-310-204/0-01-26-310-204 (pending Township Committee budget approval); and

WHEREAS: as provided by Local Public Contract Law 40A:11-15, this contract is for one (1) year with an option for renewal for one (1) additional one year providing performance is satisfactory and that funds are appropriated in the annual budget.

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to: Excellent Building Services, 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$ 43,200.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and Excellent Building Services, ("Contractor") shall contain:

- (1) 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.
- (2) This contract shall, for all-purpose 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.
- (3) 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.
- (4) The cost of this contract is for a not to exceed the total bid amount of \$43,200.00 as specified unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
- (5) Billing must be rendered within 30 days of service delivery.
- (6) 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.
- (7) The Township may terminate this contract if contractor does not full its obligations as set forth in the Bid Specification, upon thirty days written notice via certified mail.
- (8) The work contemplated under the Contract shall begin Monday, January 5, 2009 through Thursday, December 31, 2009.
- (9) To the extent the terms of the resolution are inconsistent with the contract, the terms of the contract shall govern.

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: Excellent Building Services, 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$ 43,200.00.

I agree to the terms as stated in this Resolution and by signing this document as President of Excellent Building Services. I am committed to follow all terms of this award.

Simona Becerra, President

TREASURER'S CERTIFICATION

I, Terri Johnson, Supervisor of Treasury Services of the Township of Bernards, hereby certify that adequate funds will be available for the above referenced Janitorial service in the 2009 budget in the amount of \$ 43,200.00 pending Township Committee budget approval. Funds for Janitorial service in the 2010 budget will be available pending adoption by the Township Committee. The budget line items will be Buildings Other

Expenses 9-01-26-310-204 and 0-01-26-310-204.

Date: 12/18/08

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Supervisor of Treasury Services

[Resolution #080525](#) - Award of Bid for 2009 Janitorial Service Awarded to Excellent Building Services for the Bernards Township Library In the Amount of \$11,580

WHEREAS, the Township of Bernards solicited for bids on Tuesday, November 25, 2008 for 2009 Janitorial Services; and

WHEREAS, the Township of Bernards received five (5) bids with the bid summary as follows:

Contractor	Good Morning Care, Inc.	Excellent Building Services	Atlas Cleaning Service	Oriental Pacific Maintenance	URUCorp
LIBRARY	\$15,400.00	\$11,580.00	\$29,250.00	\$19,200.00	\$19,800.00
Total 2009	\$15,400.00	\$11,580.00	\$29,250.00	\$19,200.00	\$19,800.00
Total 2010	\$15,400.00	\$11,580.00	\$29,250.00	\$19,200.00	\$19,800.00

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award this contract to Excellent Building Services, located at 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$ 11,580.00; and

WHEREAS, the Supervisor of Treasury Services has certified that funds will be available in the 2009 budget, pending Township Committee budget approval; the line item appropriation or ordinance to be charged is 2009 Current Fund Budget – Library Other Expenses 9-01-29-390-231 and for the 2010 Budget will be: 0-01-29-390-231; and

WHEREAS: as provided by Local Public Contract Law 40A:11-15, this contract is for one (1) year with an option for renewal for one (1) additional one year providing performance is satisfactory and that funds are appropriated in the annual budget.

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to: Excellent Building Services, 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$ 11,580.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in accordance with the bid specifications, the contract between Bernards Township (“Owner”) and Excellent Building Services, (“Contractor”) shall contain:

- (1) 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.
- (2) This contract shall, for all-purpose 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.
- (3) 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.
- (4) The cost of this contract is for a not to exceed the total bid amount of \$11,580.00 as specified unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
- (5) Billing must be rendered within 30 days of service delivery.
- (6) 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.
- (7) The Township may terminate this contract if contractor does not full its obligations as set forth in the Bid Specification, upon thirty days written notice via certified mail.
- (8) The work contemplated under the Contract shall begin Monday, January 5, 2009 through Thursday, December 31, 2009.
- (9) To the extent the terms of the resolution are inconsistent with the contract, the terms of the contract shall govern.

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: Excellent Building Services, 70 South Jefferson Street, Orange, New Jersey 07050 in the amount of \$11,580.00.

I agree to the terms as stated in this Resolution and by signing this document as President of Excellent Building Services. I am committed to follow all terms of this award.

 Simona Becerra, 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 Janitorial service in the 2009 Current Fund Budget – Library Other Expenses budget in the amount of \$ 11,580.00 pending Township Committee budget approval. Funds for Janitorial service in the 2010 budget will be available pending adoption by the Township Committee. The budget line items will be Library Other Expenses: 9-01-29-390-231 and for 2010: 0-01-29-390-231.

Date: 12/18/08

Terri Johnson
 FOR TREASURY
 CERTIFICATION ONLY

Terri Johnson, Supervisor of Treasury Services

[Resolution #080527](#) - Bernards Township is Authorizing the Township to Enter into the Lease with Metro PCS for the Construction and Operation of an Antenna on the Existing Telecommunications Monopole on Township Property

WHEREAS, the Township of Bernards currently owns the property identified as Block 103, Lot 1 on the Tax Map of the Township of Bernards, County of Somerset, State of New Jersey, commonly known as One Collyer (the “Property”); and

WHEREAS, the Township previously leased a portion of the Property to Omnipoint Facilities Network 2, LLC (“T-Mobile”) for the construction and operation of a 140 foot monopole for the placement of a telecommunications antenna and related equipment; and

WHEREAS, pursuant to the lease agreement with T-Mobile, and the Co-location Agreement in connection therewith, the Township is permitted to enter into additional lease agreements with other telecommunications companies for the collocation of antenna onto the monopole on the Property; and

WHEREAS, the Township has negotiated a lease agreement with Metro PCS for the use of the Property for the collocation of its antenna to the monopole and related equipment on the Property for a period of five (5) years for a rental amount of \$24,000.00 per year, subject to the terms and conditions set forth in the Lease Agreement; and

WHEREAS, the Township, T-Mobile and the other telecommunications carriers having antenna on the monopole have agreed to amend the Co-Location Agreement to include Metro PCS in said Agreement; and

WHEREAS, the Township is authorized to enter into this Lease with Metro PCS pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.*, and the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, the Lease Agreement with Metro PCS, and the Amendment to Co-Location Agreement have been reviewed and approved by the Township Attorney, a copy of which is attached hereto; and

WHEREAS, the Township Committee of the Township of Bernards finds it to be in the best interest of the Township to enter into a Lease Agreement with Metro PCS for its collocation onto the monopole on the Property subject to the terms and conditions set forth therein.

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 Lease Agreement with Metro PCS, and the Amendment to Co-Location Agreement for the Property are hereby authorized and approved pursuant to the terms and conditions set forth therein.
2. The Mayor and Township Clerk, are hereby authorized to execute the Lease Agreement with Metro PCS and the Amendment to Co-Location Agreement.
3. The Township Clerk and Township Attorney are hereby authorized to take any and all action necessary to finalize and complete the Lease Agreement and Amendment to Co-Location Agreement.

[Resolution #080528](#) - Authorizing Purchasing from the Somerset County CO-OP Contract #CC-65-08 for Rock Salt (Bulk) at a cost not to exceed \$60,000

WHEREAS, the Township of Bernards wishes to continue to rock salt (bulk) from the lowest responsible bidder under the Somerset County CO-OP # CC-65-08; and

WHEREAS, Somerset County CO-OP awarded a contract to Atlantic Salt Inc., 130 Plain St. Lowell, MA 01851 and International Salt Co LLC, 655 Northern Blvd, Clarks Summit, PA 18411; and

WHEREAS, the Supervisor of Treasury Services has certified that funds are available in the 2008 Budget for the same, and the line item appropriation to be charged is 8-01-26-291-266; and.

WHEREAS, it is the recommendation of the Director of Public Works and the Purchasing Agent to purchase rock salt (bulk) through the Somerset County CO- OP # CC-65-08; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to Atlantic Salt Inc.,130 Plain St, Lowell, MA 01851 or International Salt Co LLC, 655 Northern Blvd, Clarks Summit, PA 18411 through December 31, 2008.

TREASURER'S CERTIFICATION

I, Terri Johnson, Supervisor of Treasury Services, hereby certify that adequate funds, at a not to exceed amount of \$60,000.00, are available in the 2008 Current Fund Budget, Streets and Roads O.E. line item appropriation #8-01-26-291-266

Date: 12/18/08

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Supervisor of Treasury Services

[Resolution #080529](#) - Awarding a Professional Services Contract for 2009 Assessments review for Former Millington Quarry, Block 6001, Lot 6 (the "Property") to Richard M. Chaiken, MAI, CRE., NJ Lic # 42RG107 of the firm Appraisal Consultants Corp., In the Not to Exceed Amount of \$2,500

WHEREAS, the Township of Bernards requires services for professional appraiser review of 2009 tax assessments at the former Millington Quarry for the purpose of completing the reassessment of the Property; and

WHEREAS, Richard M. Chaiken, MAI, CRE., NJ Lic # 42RG107 of the firm Appraisal Consultants Corp., has submitted a proposal dated November 18, 2008 outlining the professional consulting 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 line account 8-01-20-150-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Richard M. Chaiken, MAI, CRE., NJ Lic # 42RG107 of the firm Appraisal Consultants Corp., Presidential Center, 293 Eisenhower Parkway-Suite 200, Livingston, NJ 07039-1711 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 18, 2008.
2. The contract term is from December 23, 2008 through March 1, 2009 at an hourly rate of \$ 125.00 per hour at a not to exceed amount of \$ 2,500.00.
3. The contract issued by Bernards Township supersedes any and all terms and conditions submitted in the proposal dated November 18, 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 Marcia Sudano, IFA, SRA, CTA, RES, SCGRE, Bernards Township Tax Assessor who will be the chief contact for the Township of Bernards on this project.

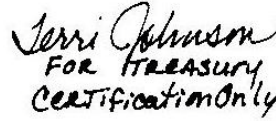
NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that a copy of this resolution be published in the official Township newspaper, and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

I agree to the terms as stated in the Resolution and by signing this document I, Richard M. Chaiken, MAI, CRE., NJ Lic # 42RG17 of the firm Appraisal Consultants Corp., am committed to follow all terms of this award.

Richard M. Chaiken, MAI, CRE., NJ Lic # 42RG17

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 \$2,500.00. Monies are available in the 2008 Budget Assessor O.E. line account 8-01-20-150-204.



FOR TREASURY
CERTIFICATION ONLY

Date: December 18 , 2008

Terri Johnson , Supervisor of Treasury Services

End Consent Agenda

[Resolution #080207](#) - Authorizing a Release to the Municipal Excess Liability Joint Insurance Fund In the Matter of Docket SOM-L-475-08 Millington Quarry Inc. v Bernards Township and Docket SOM-L-476-08 Tilcon New York, Inc. v. Bernards Township

Motion by Carpenter, second by Pavlini, that Resolution #080207 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute a Release in the amount of \$80,000 to the Municipal Excess Liability Joint Insurance Fund in the matters Docket SOM-L-475-08 Millington Quarry Inc. v Bernards Township and Docket SOM-L-476-08 Tilcon New York, Inc. v. Bernards Township

[Resolution #080508](#) - In Recognition of Outstanding Service to Bernards Township, Wilma Harner

Motion by Carpenter, second by Malay, that Resolution #080508 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, Wilma Harner has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Wilma Harner has rendered inestimable services as a Library Board Trustee since January, 2002, and volunteers in several Library programs including Leisure Learning.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that in recognition of her years of faithful service, the Bernards Township Committee extends to Wilma Harner deep appreciation and sincere gratitude on behalf of all the residents and officials of Bernards Township; and

NOW THEREFORE BE IT FURTHER RESOLVED, that this Committee extends to Wilma Harner its very best wishes for health, happiness and continued success; and finally

BE IT FINALLY RESOLVED, that this citation of her service be inscribed at length in the minutes of this Township meeting, held on the 23rd day of December, in the year of Our Lord, 2008, and that a suitable copy thereof, signed by the members of the Township Committee and attested by the Municipal Clerk, with the corporate seal of the Township thereunto affixed, be presented to Wilma Harner.

[Resolution #080511](#) - Authorizing a Release to the Municipal Excess Liability Joint Insurance Fund In the Matter Pence v. Mayor and Township Committee of Bernards Township, United States District Court, Civil Action #08-2312 (FLW)
Motion by Malay, second by Carpenter, that Resolution #080511 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute a Release in the amount of \$15,000 to the Municipal Excess Liability Joint Insurance Fund in the matter Pence v. Mayor and Township Committee of Bernards Township, United States District Court, Civil Action #08-2312 (FLW)

[Resolution #080521](#) - 2009 Fee Schedule for Park and Recreation Facilities
Motion by Pavlini, second by Malay to approve amended Resolution #080521.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

(amended resolution follows)

BE IT RESOLVED by the Township Committee of the Township of Bernards, in the County of Somerset, State of New Jersey, that the following Parks and Recreation Facility Use Fees for 2009 be approved::

BERNARDS TOWNSHIP PARKS & RECREATION
2009 FACILITY USE RESERVATION FEES

Facility	Resident	Non-Resident	SECURITY Deposit (Check ONLY)
Fields & Courts MAX CAPACITY: 50	\$40 per 2 hour block	\$80 per 2 hour block	N/A
Field Lights In addition to appropriate field reservation fee	\$25 per hour	\$50 per hour	N/A
PLEASANT VALLEY PARK- Warming Hut For Multiple Use, Non- Profit Approved Groups (One 4hr. block per week) MAX CAPACITY: 50	\$50 per 4 hour block \$150 per month	\$100 per 4 hour block \$300 per month	\$400
PLEASANT VALLEY PARK- Picnic Shelter >30 31-50 51-70 71-90 91-110 111-150 MAX CAPACITY: 150	\$50 \$70 \$90 \$120 \$175 \$250	\$100 \$140 \$180 \$240 \$350 \$500	\$400
PLEASANT VALLEY PARK- Pond Shelter MAX CAPACITY: 20	\$25 per 4 hour block	\$50 per 4 hour block	\$400

PLEASANT VALLEY PARK- Amphitheater MAX CAPACITY: 100	\$100 per 4 hour block	\$200 per 4 hour block	\$400
SOUTHARD PARK- Picnic Shelter >30 31-50 51-75 MAX CAPACITY: 75	\$50 \$70 \$90	\$125 \$175 \$250	\$400
DUNHAM PARK- Picnic Shelter >30 31-50 51-70 71-100 MAX CAPACITY: 100	\$50 \$70 \$90 \$150	\$125 \$175 \$225 \$400	\$400
DUNHAM PARK- Indoor Pavilion MAX CAPACITY: 60	\$100 per 4 hour block	\$300 per 4 hour block	\$400
DUNHAM PARK- Roller Rink MAX CAPACITY: 50	\$50 per 2 hours	\$200 per 2 hours	\$400
ALLEN STREET GAZEBO MAX CAPACITY: 50	\$20 per hour	\$40 per hour	\$400
INSURANCE REQUIREMENTS			

FOR ALL RENTALS

Private Homeowners/Renters- Must supply renter's proof of homeowners or renters insurance with a minimum of \$300,000 in personal liability coverage.

Corporate/Organization Insurance- Must supply certificate of insurance for corporation/organization with a minimum of 1 million dollars in liability insurance with "Bernards Township" named as "Additional Insured". Certificate must state Place and Date of Event

LIQUOR PERMIT FEES & INSURANCE REQUIREMENTS FOR LIQUOR PERMITS

Insurance Required for Liquor Permits – For reservations made by Township residents only.

Private Homeowners/Renters- Must supply resident's proof of homeowners or renters insurance with a minimum of \$300,000 in personal liability coverage.

Corporate Insurance- Must supply certificate of insurance for corporation/organization with a minimum of 3 million dollars in liability insurance with "Bernards Township" put on as "Additional Insured". Certificate must state Place and Date of Event.

LIQUOR PERMITS – Residents Only, with Facility Rental. Not for Special Events.	Private Rentals- \$25 Corporate/Organization- \$100
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**BERNARDS TOWNSHIP PARKS & RECREATION
2009 COMMERCIAL USE RATES**

"Commercial Use" is defined as an activity not sponsored by the township in which either a fee is charged and/or a business or service is offered to the participants.

A certificate of insurance will be required, from the renter, in the amount of \$1 million naming "Bernards Township" as the "Additional Insured".

Activity may require review and approval by the Township Committee.

Facility	Rental Fee	Security Deposit Required (Check ONLY)
Athletic Fields Basketball, Tennis & Volleyball Courts Dunham Roller Rink	\$100 per 2 hour block	\$400

Picnic Shelters	\$500 per day	\$400
Amphitheater	\$400 per 4 hour block	\$400
PVP Warming Hut	\$50 per hour	\$400
Dunham Indoor Pavilion	\$100 per hour	\$400
Community Center Activity Room	\$75 per hour	\$400
Community Center Recreation Room	\$100 per hour	\$400

ATHLETIC FIELD USE MAINTENANCE FEE

For approved non-profit sports organizations in season field use

Per Sport, Per Player, Per Season	\$5 – Residents	\$10 – Non-Residents
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BERNARDS TOWNSHIP PARKS & RECREATION 2009 COMMUNITY CENTER RENTAL FEES			
Facility	Resident	Non-Resident	Security Deposit (Check ONLY)
Activity Room MAX CAPACITY: 35	\$15/hr.	\$45/hr.	\$400
Recreation Room MAX CAPACITY: 50	\$25/hr.	\$75/hr.	\$400
Community Service Groups In accordance with the Program for Facility Use by Approved CS Groups	12 meetings at no charge per calendar year. Additional meetings will be charged the resident rates.	Not Applicable.	\$400

BERNARDS TOWNSHIP PARKS & RECREATION 2009 EQUIPMENT KIT RENTALS			
Equipment Kit	Resident	Non-Resident	Security Deposit (Check ONLY)
Picnic Kit, Party Kit, Volleyball Set, Bocce Ball Set	\$15/day	\$30/day	\$200
Carnival Game Kit	\$40/day	\$40/day	\$200
EQUIPMENT KIT REPLACEMENT FEES, for lost or damaged pieces.			
Picnic Kits: Softball: \$5.00 Softball Bat: \$15.00 Wiffle Ball: \$2.00 Wiffle Ball Bat: \$3.00 Frisbee: \$8.00 4 Bases: \$40.00 Nerf Soccerball: \$10.00 Nerf Football: \$10.00 Horse Shoe Set: \$20.00 Playground Ball: \$10.00 Volleyball: \$25.00 Basketball: \$20	Party Kits: Parachute: \$150.00 Potato Sacks (6): \$24.00 Relay Cones (4): \$20.00 Twister: \$15.00 Jump Rope: \$10.00 Ring Toss Game: \$15.00 Koosh Paddles: \$20.00 Koosh Ball: \$5.00 Playground Ball: \$10.00	Volleyball Sets: Volleyball: \$25.00 Net: \$60.00 Stakes: \$10.00 Guides: \$10.00 Posts: \$200.00 Complete Set: \$500.00	Bocce Ball Set \$75 loss of any piece of equipment <hr/> Carnival Game Kit Ring Toss: \$15.00 Rubber Chicken: \$10.00 Fishing Pole: \$5.00 Duck: \$3.00 Clothespin: \$2.00 Milk Bottle: \$10.00 Bean Bag: \$5.00 Bean Bag Game Board: \$20.00 In poor condition when returned: \$20.00

[Resolution #080530](#) - Endorsing the Bernards Township Planning Board's Adoption of the Township's Housing Element and Fair Share Plan and Petitions COAH for Third Round Substantive Certification

Motion by Pavlini, second by Malay, that Resolution #080530 be approved.

Roll Call

Aye: Kelly, Malay, Pavlini, Spitzer, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, the Planning Board of the Township of Bernards, County of Somerset, State of New Jersey, adopted the Housing Element of the Master Plan on December 16, 2008; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 16, 2008; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Bernards Township Planning Board; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Bernards, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that the Spending Plan for the Township's Affordable Housing Trust Fund shall be included with the petition for COAH's review and approval; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven (7) days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this Resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Bernards Township Clerk's office located at One Collyer Lane, Basking Ridge, New Jersey, during the hours of 8:00 a.m. and 4:00 p.m., Monday

through Friday, for a period of forty five (45) days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

[Resolution #080520](#) - Adoption of "2008 Pesticide Management System Resolution"
Motion by Malay, second by Kelly, that Resolution #080520 be approved.

Roll Call

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

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Bernards to promote matters which benefit the health, welfare, comfort and safety of the citizens of the community, and

WHEREAS, scientific studies associate exposure to pesticides with asthma, cancer, development and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects and disruption of the endocrine system, and

WHEREAS, infants, children, pregnant women, the elderly and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure, and

WHEREAS, lawn pesticides and synthetic fertilizers are harmful to pets, wildlife, soil microbiology, plants, and natural ecosystems and can run off into streams, lakes and drinking water sources, and,

WHEREAS, Integrated Pest Management is coordinated use of pest and environmental information and all available pest control methods (sanitation, mechanical, biological and "least toxic" chemical) to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard to people, property and the environment, and

WHEREAS, Integrated Pest Management has been investigated and considered by the Environmental Commission and it's recommended by the Environmental Commission as a desirable and appropriate policy in order to reduce or eliminate the use of pesticides, and

WHEREAS, the Township of Bernards does maintain public properties at which pest management issues are an ongoing concern, and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the health, welfare, comfort and safety of the Township's citizens to adopt Integrated Pest Management as the Township's pest management policy,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards that the Township does hereby adopt Integrated Pest Management, as the pest control policy and strategy to be employed in the maintenance of the Township's public properties and facilities, and

BE IT FURTHER RESOLVED, that the Mayor and Township Committee of the Township of Bernards encourage all citizens to make every effort to participate in this endeavor on their own property, and that the Township will designate certain public properties such as community parks as "Pesticide Free Zones". These areas will be posted with a sign indicated that chemical pesticides have not been applied at the site.

Please send a copy of the resolution to NJ Environmental Federation, 223 Park Ave., Marlton NJ 08053 or fax to 856-768-6662

EXECUTIVE SESSION (CONTINUATION OF EARLIER SESSION, IF REQUIRED)

At 9:15 PM, the committee resumed their executive session discussions authorized under Resolution #080399.

ADJOURNMENT

The meeting resumed in open session at 9:45 PM and immediately adjourned.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

John Carpenter
Mayor