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**CALL TO ORDER**

The mayor called the meeting to order at 7:30 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the clerk read the open public meetings statement in accordance with the law.

**ROLL CALL**

Present: Gaziano, Malay, Pavlini, Spitzer  
Absent: Carpenter  
Also Present: CFO/Administrator McArthur, Engineer/Planner Messina (8:00 PM),  
Acting Attorney Joe Sordillo (8:00 PM)

**EXECUTIVE SESSION – [Resolution #2010-0246](#)**

Motion by Pavlini, second by Malay, to approve Resolution #2010-0246, and the meeting temporarily adjourned to executive session at 7:32 PM

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer  
Nay:  
Abstain:  
Motion carried.

**WHEREAS**, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

**WHEREAS**, the Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

**WHEREAS**, the regular meeting of the Township Committee will reconvene.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee will go into closed session for the following reason(s) as outlined in NJSA 10:4-12; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Township Committee hereby declares that the discussion of subject(s) may be made public at a time when the Township Attorney advises the Township Committee that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

**NOW THEREFORE BE IT FINALLY RESOLVED** that the Township Committee, hereby declares that the public is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session

Estimated Time of Disclosure or Upon Occurrence Of

Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any

Upon Appointment

specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 NJ 478.

#### Board Appointments

The meeting resumed in open session at 7:44 and the committee stood in recess until 8:00 PM.

#### AMEND AGENDA

Motion by Pavlini, second by Malay, to amend the agenda to include Resolution #2010-0253.

#### Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

#### AGENDA PORTION OF MEETING

[Request Received 05/24/2010 from Liberty Corner First Aid to Amend LOSAP Ordinance](#)

Motion to Malay, second by Pavlini, to support the request of the Squad and prepare the necessary ordinance change.

#### Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

#### CORRESPONDENCE

None.

#### REPORTS

None.

#### PUBLIC COMMENT

None.

#### TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members commented on their recent activities.

#### FIRE & RESCUE APPOINTMENTS

None.

**UNFINISHED BUSINESS**

[Ordinance #2112](#) - *Accepting a Drainage Easement on Block 7903, Lot 17, from James F. Cirra and Dolores E. Cirra 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 Malay, second by Gaziano, that Ordinance #2112 be adopted and advertised as required by law.

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

[Ordinance #2113](#) - *Accepting a Drainage Easement on Block 7903, Lot 18, from John K. DelGiorno and Christina Lang DelGiorno 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 #2113 be adopted and advertised as required by law.

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

[Ordinance #2114](#) - *Accepting a Drainage Easement on Block 7902, Lot 14, from James P. Van Hook 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 Malay, second by Gaziano, that Ordinance #2114 be adopted and advertised as required by law.

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

*Ordinance #2116 - An Ordinance to Amend the General Ordinance of the Township of Bernards, Chapter VII, "Traffic," Schedule IX "Stop Intersections" Various Locations – 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 #2116 be adopted and advertised as required by law.

Roll Call  
Aye: Gaziano, Malay, Pavlini, Spitzer  
Nay:  
Abstain:  
Motion carried.

*Review of Recommendations from the Board of Health and Township Engineer Concerning Request from PTO to Erect Signage on Township Property at the Health Department*

The committee reviewed the recommendations, both of which did not support the sign at this location.

Motion by Pavlini, second by Malay, to accept the recommendations and deny the request of the PTO.

Roll Call  
Aye: Gaziano, Malay, Pavlini, Spitzer  
Nay:  
Abstain:  
Motion carried.

**NEW BUSINESS**

*Resolution #2010-0253 - Authorizing the Township to Enter into a Shared Services Agreement with the Bernards Township Board of Education for the Provision of Engineering and Bidding Services to the Board of Education for Certain Infrastructure Repair and Maintenance Projects*

Motion by Malay, second by Gaziano, that Resolution #2010-0253 be approved.

Roll Call  
Aye: Gaziano, Malay, Pavlini, Spitzer  
Nay:  
Abstain:  
Motion carried.

**WHEREAS**, the Township of Bernards and the Bernards Township Board of Education (“BOE”) have reviewed their needs, resources and personnel and have found that they can assist each other at considerable savings to the tax payers of the Township of Bernards; and

**WHEREAS**, the Township and the BOE wish to enter into an agreement for the exchange of services, completion of site work and various other opportunities such as the Township providing design and engineering services, preparing projects for public bidding, and managing the project work; and

**WHEREAS**, the Township and the BOE are authorized to enter into this Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*; and

**WHEREAS**, the Township and the BOE have negotiated a Shared Services Agreement, which is attached hereto and made a part hereof; and

**WHEREAS**, the Shared Services Agreement has been reviewed by the Township Attorney, and the Township's insurance provider, along with representatives of the BOE; and

**WHEREAS**, the Township finds it to be in the best interest of the residents of the Township to enter this Shared Services Agreement for the exchange of services, and the Township provision of design and engineering services, preparation of projects for public bidding, and management of the project work as set forth in the Shared Services Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards, in the County of Somerset, and the State of New Jersey that the Shared Services Agreement with the BOE in the form attached hereto is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement with the BOE in the form attached hereto.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law upon the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the BOE.

*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 Malay, that the Consent Agenda be approved.

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

*\*\*Begin Consent Agenda\*\**

*Approval of Minutes:*

06/29/2010 – Open Session

These minutes were approved for content and release.

06/29/2010 – Executive Session

These minutes were approved for content only.

Resolution #2010-0245 - Approval of Request for a Block Party Woods End Between Jeffrey Court and Edward Court

**WHEREAS**, Gayle Shimoun hereinafter “the applicant,” has requested permission to close Woods End between Jeffrey Court and Edward Court on September 11, 2010 (rain date September 12) from 3:00 to 9:00 P.M. for the purpose of holding a block party; and

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

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

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

Resolution #2010-0247 – Approval of Bill List Dated 07/13/2010

**BE IT RESOLVED**, that the bill list dated 07/13/2010 be audited, and if found correct, be paid.

07/13/10 TOWNSHIP OF BERNARDS Page No: 1  
11:26:50 Check Register By Check Date

Range of Checking Accts: CASH - CHECKING to Last Range of Check Dates: 06/30/10 to 12/31/10  
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: N Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
CASH - CHECKING	CURRENT CHECKING				
76383	07/01/10	S0780 STATE OF NEW JERSEY	75.75	07/01/10 VOID	997
76384	07/01/10	S0780 STATE OF NEW JERSEY	13.65		998
76386	07/13/10	90011 BOBOWICZ, BRIAN	256.56		1000
76387	07/13/10	90128 SZABO, DENISE	67.58		1000
76388	07/13/10	90365 ROESE, MADELEINE	543.09		1000
76389	07/13/10	A0005 OHLIN SALES, INC. D/B/A	44.13		1000
76390	07/13/10	A0161 ANCHOR RUBBER STAMP & PRINTING	52.50		1000
76391	07/13/10	A0162 ACME DIESEL ELECTRIC, INC.	88.00		1000
76392	07/13/10	A0174 ALL SPORTS STADIUM, LLC	1,073.00		1000
76393	07/13/10	A0258 ACCUMED DIAGNOSTIC LAB	230.00		1000
76394	07/13/10	A0259 AT&T MOBILITY & SUBSIDIARIES	3,725.00		1000
76395	07/13/10	A0295 AUDIO EDITIONS	185.19		1000
76396	07/13/10	A0399 ABSOLUTE AUTO TRUCK SALVAGE CO	362.25		1000
76397	07/13/10	A0419 ARCO STEEL COMPANY	310.00		1000
76398	07/13/10	A0425 ATLANTIC TACTICAL	854.99		1000
76399	07/13/10	A0486 AIRGAS SAFETY INC	72.49		1000
76400	07/13/10	A0487 ABLE MECHANICAL, INC.	1,401.15		1000
76401	07/13/10	B0001 BAKER & TAYLOR, INC.	6,619.84		1000
76402	07/13/10	B0003 BAKERS AUTO PARTS, INC.	49.28		1000
76403	07/13/10	B0014 BREWER ASSOCIATES	82.50		1000
76404	07/13/10	B0026 BERNARDS TOWNSHIP CURRENT	4,096.69		1000
76405	07/13/10	B0028 BERNARDS TWP. SEWERAGE AUTH.	0.00		1000
76406	07/13/10	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	607,028.12		1000
76407	07/13/10	B0040 H. K. BUZBY & SONS	1,030.06		1000
76408	07/13/10	B0070 BASKING RIDGE CARPET CLEANING	260.00		1000
76409	07/13/10	B0076 BERNARDS TOWNSHIP TRUST FUND	70,000.00		1000
76410	07/13/10	B0077 BERNARDS TOWNSHIP	2,507.07		1000
76411	07/13/10	B0386 BOOK WHOLESALERS INC (BWI)	21.96		1000
76412	07/13/10	B0464 BOSSY FROG PRODUCTIONS, LLC	550.00		1000

76413	07/13/10	B0480	BRISTOL-DONALD CO, INC	89.00		1000
76414	07/13/10	B0536	BAYSHORE RECYCLING CORPORATION	400.00		1000
76415	07/13/10	B0581	BUY WISE AUTO PARTS	651.14		1000
76416	07/13/10	B0584	BARON, JOHN R.	67.94		1000
76417	07/13/10	C0024	COURIER NEWS	71.72		1000
76418	07/13/10	C0028	CY DRAKE LOCKSMITHS, INC.	1,206.40		1000
76419	07/13/10	C0037	CLERK'S PETTY CASH	17.20		1000
76420	07/13/10	C0178	CMF BUSINESS SUPPLIES, INC.	594.80		1000
76421	07/13/10	C0241	COOPER ELECTRIC SUPPLY	133.50		1000
76422	07/13/10	C0301	WILLIAM C. CORSON	2,237.00		1000
76423	07/13/10	C0371	CAMELBACK SKI RESORT	739.63		1000
76424	07/13/10	C0408	CHAMPION UNIFORM SUPPLY	936.40		1000
76425	07/13/10	C0530	CIT FINANCIAL SERVICES	479.60		1000
76426	07/13/10	C0587	CRAFT OIL CORPORATION	323.43		1000
76427	07/13/10	C0591	C A SPINELLA, INC	9,750.00		1000
76428	07/13/10	C0613	CIGNA GROUP INSURANCE	1,947.88		1000
76429	07/13/10	D0002	DANLINE QUALITY BRUSHES	460.00		1000
76430	07/13/10	D0063	DELUXE INTERNATIONAL TRUCKS	483.49		1000
76431	07/13/10	D0124	DOERR, MARION	1,500.00		1000
76432	07/13/10	D0215	D LOVENBERG'S PORTABLE TOILETS	720.00		1000
76433	07/13/10	D0380	DRIVERS TIRE & SERVICE CENTER	5,837.15		1000
76434	07/13/10	E0185	EDWARDS TIRE COMPANY	2,655.00		1000
76435	07/13/10	E0224	EXCELLENT BUILDING SERVICES	1,205.00		1000
76436	07/13/10	E0231	EKA ASSOCIATES, P.A.	2,437.50		1000
76437	07/13/10	F0024	FISCHER, JOSEPH	1,090.00		1000
76438	07/13/10	F0047	FULLERTON FORD	1,380.45		1000
76439	07/13/10	F0148	FAIRFIELD MAINTENANCE INC	3,204.19		1000
76440	07/13/10	F0230	THE FINISHING TOUCH	490.00		1000
76441	07/13/10	F0271	FOXHOLE CAFE	408.00		1000
76442	07/13/10	G0008	GAYLORD BROTHERS INC.	126.98		1000
76443	07/13/10	G0012	GILL ASSOCIATES	915.25		1000
76444	07/13/10	G0033	GREAT SWAMP GREENHOUSES	287.84		1000
76445	07/13/10	G0066	GRAINGER INC	652.39		1000
76446	07/13/10	G0098	JCP&L	0.00	07/13/10 VOID	0
76447	07/13/10	G0098	JCP&L	1,848.41		1000
76448	07/13/10	G0106	GFOA OF NJ	90.00		1000
76449	07/13/10	G0326	GARDEN STATE MESSENGER INC.	666.00		1000
76450	07/13/10	G0366	GEMPLER'S	118.85		1000
76451	07/13/10	H0029	HUMPHREYS PEST CONTROL, INC.	85.00		1000
76452	07/13/10	H0181	HOUSER WELDING SUPPLY	243.15		1000
76453	07/13/10	H0228	HARCOURT, DANIELLE	282.00		1000
76454	07/13/10	H0246	HOME DEPOT CREDIT SERVICES	223.95		1000
76455	07/13/10	H0290	HENDERSON PRODUCTS, INC.	30.01		1000
76456	07/13/10	I0067	INDUSTRIAL RUBBER COMPANY	141.95		1000
76457	07/13/10	J0015	JESCO, INC.	385.00		1000
76458	07/13/10	J0052	J.H. REID ON-SITE RECYCLING	525.00		1000
76459	07/13/10	J0080	JANSEN, BUCCO, DEBONA & SEMRAU	333.65		1000
76460	07/13/10	J0123	JERSEY PAPER PLUS (JCP PAPER)	187.60		1000
76461	07/13/10	J0150	JERSEY CITY FORD/LINCOLN/	390.49		1000
76462	07/13/10	K0026	KEN RENT	50.00		1000
76463	07/13/10	K0039	KOBESKY, GREGG S.	380.03		1000
76464	07/13/10	K0133	KOENIG, STUART R., ESQ.	6,954.75		1000
76465	07/13/10	L0033	LANE, LORRIE	500.00		1000
76466	07/13/10	L0038	LIN-GATE EQUIPMENT SALES & SVC	88.06		1000
76467	07/13/10	L0314	LAFLAMME, JOHN	1,101.43		1000
76468	07/13/10	L0318	LEE, JAESIK	50.00		1000
76469	07/13/10	M0001	MARTINSVILLE AUTO PARTS	342.55		1000
76470	07/13/10	M0010	MOBILE LAWNMOWER SERVICE, INC.	74.75		1000
76471	07/13/10	M0031	METRO SWIM SHOP, INC.	436.00		1000
76472	07/13/10	M0397	MONMOUTH PARK RACETRACK	282.00		1000
76473	07/13/10	M0409	MAD SCIENCE OF WEST NEW JERSEY	975.00		1000
76474	07/13/10	M0441	MAIN LINE COMMERCIAL POOLS, INC	5,814.64		1000
76475	07/13/10	M0444	MAGLOCLEN	400.00		1000
76476	07/13/10	M0683	MCKOANE, JENNIE	95.00		1000
76477	07/13/10	M0686	MAESTRO SOCCER ACADEMY	750.00		1000
76478	07/13/10	M0687	MOBILITY BUILDERS, LLC	63.00		1000
76479	07/13/10	N0006	NEW JERSEY AMERICAN WATER CO.	42,116.84		1000
76480	07/13/10	N0023	TREASURER, STATE OF NEW JERSEY	11,227.00		1000
76481	07/13/10	N0032	NJ STATE DEPT HEALTH/SR SVCS	91.80		1000
76482	07/13/10	N0139	NORTHEAST FLUID POWER CO, INC	1,360.00		1000
76483	07/13/10	N0343	NEWTECH RECYCLING, INC.	870.00		1000
76484	07/13/10	N0389	NJ MOTOR VEHICLE COMMISSION	180.00		1000
76485	07/13/10	O0021	OFFICE DEPOT	1,961.40		1000
76486	07/13/10	O0095	OLD CASTLE PRECAST PIPE	2,590.00		1000
76487	07/13/10	O0097	OLEKSY, ALBERT	115.00		1000
76488	07/13/10	P0046	RESERVE ACCOUNT	2,363.36		1000
76489	07/13/10	P0377	PRINCETON HYDRO, LLC	912.25		1000
76490	07/13/10	P0411	LYRASIS	3,419.08		1000
76491	07/13/10	P0450	PLYMOUTH PARK TAX SERVICES LLC	25,244.08		1000
76492	07/13/10	P0503	PENNSYLVANIA ACADEMY OF FINE	75.00		1000
76493	07/13/10	P0505	PALUMBO, JOHN	1,765.21		1000
76494	07/13/10	P0506	PETERS, CAROL	175.00		1000

TOWNSHIP COMMITTEE MINUTES

JULY 13, 2010

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76495	07/13/10	Q0002	CINTAS CORP. - #062	177.00	1000
76496	07/13/10	R0005	RECORDER PUBLISHING COMPANY	102.51	1000
76497	07/13/10	R0010	REIDER ASSOCIATES	1,945.00	1000
76498	07/13/10	R0019	RECREONICS, INC.	831.86	1000
76499	07/13/10	R0025	RIDGE RESTAURANT	44.50	1000
76500	07/13/10	R0282	REID SOUND	2,499.00	1000
76501	07/13/10	R0395	R & R PUMP & CONTROL SVC, LLC	760.00	1000
76502	07/13/10	R0402	RELIABLE WOOD PRODUCTS	900.00	1000
76503	07/13/10	S0016	STORR TRACTOR COMPANY	2,010.47	1000
76504	07/13/10	S0021	S & S WORLDWIDE, INC.	3,204.66	1000
76505	07/13/10	S0105	FUNPLEX	1,302.55	1000
76506	07/13/10	S0191	SOMERSET COUNTY RECYCLING PROG	57,627.56	1000
76507	07/13/10	S0202	SUBURBAN PROPANE	246.01	1000
76508	07/13/10	S0204	SEQUOIA INVESTMENTS	2,507.07	1000
76509	07/13/10	S0227	SHEARON ENVIROMENTAL DESIGN CO	23,596.22	1000
76510	07/13/10	S0278	STATE TREASURER OF NEW JERSEY	100.00	1000
76511	07/13/10	S0401	SOMERSET COUNTY PARK COMM	56.00	1000
76512	07/13/10	S0415	SPORTWORLD	170.00	1000
76513	07/13/10	S0443	STAPLES ADVANTAGE	615.47	1000
76514	07/13/10	S0478	SCIENTIFIC WATER CONDITIONING	131.84	1000
76515	07/13/10	S0508	SOUTH JERSEY ENERGY	198.45	1000
76516	07/13/10	S0524	STATE TOXICOLOGY LABORATORY	140.00	1000
76517	07/13/10	S0604	SMITH TRACTOR & EQUIPMENT, INC	2,179.09	1000
76518	07/13/10	S0704	SPACE ODYSSEY LLC	745.67	1000
76519	07/13/10	S0779	SOBREVILLA, VERONICA	125.00	1000
76520	07/13/10	S0781	SHEA, ANN & RICHARD	107.50	1000
76521	07/13/10	T0074	TREASURER - STATE OF N.J.	750.00	1000
76522	07/13/10	T0087	TOTAL MEDIA INC.	60.85	1000
76523	07/13/10	T0090	TREASURER, STATE OF NEW JERSEY	30.00	1000
76524	07/13/10	T0142	TODD HARRIS CO., INC.	45.40	1000
76525	07/13/10	T0154	TILCON NEW YORK, INC.	2,843.71	1000
76526	07/13/10	T0343	TOOMAN, CRAIG	92.00	1000
76527	07/13/10	U0010	UPSTART	26.15	1000
76528	07/13/10	U0084	US BANK-CUST/SASS MUNI VI DTR	15,983.13	1000
76529	07/13/10	U0085	US BANK CUST-PRO CAPITAL I LLC	473.00	1000
76530	07/13/10	U0086	USADI, ADAM	230.00	1000
76531	07/13/10	V0009	VNA COMMUNITY CARE, INC.	5,854.75	1000
76532	07/13/10	V0026	VNA OF SOMERSET HILLS	317.25	1000
76533	07/13/10	V0037	VILLAGE SUPERMARKET, INC.	29.01	1000
76534	07/13/10	V0056	VERIZON WIRELESS	1,073.26	1000
76535	07/13/10	V0058	VERIZON	3,002.51	1000
76536	07/13/10	V0059	VERIZON CABS	202.37	1000
76537	07/13/10	V0124	VERIZON BUSINESS FIOS	250.96	1000
76538	07/13/10	W0016	WARRENVILLE TRUE VALUE	795.85	1000
76539	07/13/10	W0056	WELDON CONCRETE CO.	868.56	1000
76540	07/13/10	W0187	WASTE MANAGEMENT OF NJ, INC	6,136.52	1000
76541	07/13/10	W0259	VENTURA, MIESOWITZ, KEOUGH &	4,174.50	1000
76542	07/13/10	W0264	WOODRUFF ENERGY	566.17	1000
76543	07/13/10	X0005	XTEL COMMUNICATION	2,508.33	1000

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
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Checks:	158	2	75.75	1,012,035.98
	=====	=====	=====	=====
Total:	158	2	75.75	1,012,035.98

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	0-01	888,565.50	0.00
DOG FUND	0-12	446.29	0.00
TRUST FUNDS	0-13	78,298.90	0.00
GOLF COURSE UTILITY	0-26	30,073.87	0.00
Year Total:		997,384.56	0.00
CURRENT FUND	9-01	363.00	0.00
CAPITAL FUND	C-04	10,465.00	0.00
GRANT FUND	G-02	3,823.42	0.00
Total Of All Funds:		1,012,035.98	0.00

**Resolution #2010-0248 - Giving the CFO/Administrator Authority to Approve Payment of Bills on or About July 27, 2010 , Due to Township Committee Meeting Cancellation; Lack of Quorum**

**WHEREAS**, the annual meeting schedule of the Township Committee adopted pursuant to Resolution #2010-0002, sets meetings for the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays after the 1<sup>st</sup> Monday of each month (twice a month); and

**WHEREAS**, at each scheduled meeting, the Township Committee is presented with a resolution authorizing payment of bills; and

**WHEREAS**, the regularly scheduled meeting of July 27, 2010, must be cancelled due to lack of quorum; and

**WHEREAS**, the next regularly scheduled meeting of the Township Committee is not until August 10, 2010; and

**WHEREAS**, the CFO/Administrator advises that failure to pay certain bills for a four week period will result in delinquencies on township accounts; and

**WHEREAS**, the CFO/Administrator recommends that the township committee give him the authority to approve payment of bills on or about July 27, 2010, to avoid delinquencies on township accounts.

**NOW THEREFORE BE IT RESVOLED**, by the Township Committee of the Township of Bernards that we do hereby authorize Bruce McArthur, CFO/Administrator, to audit the bills scheduled for payment on or around July 27, 2010, and give him the authority the approve payment; and,

**NOW THEREFORE BE IT FURTHER RESVOLED**, by the Township Committee of the Township of Bernards that the payment of bills authorized by Bruce McArthur on or around July 27, 2010, be memorialized in a resolution to be adopted by the Township Committee on August 10, 2010.

[Resolution #2010-0249](#) - *Approval of Special Event Permit and Temporary Street Closure, Lord Stirling School – Annual Great Swamp Devil Run 15K and 5K Races – 10/24/2010*

**WHEREAS**, Joseph Gorga representing the Lord Stirling School, PO Box 369, 99 Lord Stirling Road, Basking Ridge, NJ 07920 “the applicant,” has requested a special event permit for 10/24/2010, from 10 A.M. to 4 P.M. for the purpose of holding the Great Swamp Devil Run 15K and 5K Races; and

**WHEREAS**, in connection with the special event, the applicant has requested that Lord Stirling Road for the entire length be temporarily closed; and

**WHEREAS**, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 4-4. et. seq.; and

**WHEREAS**, the Municipal Clerk, Police Chief, Recreation Director, Risk Manager, and have reviewed the application and recommend approval with the following conditions:

1. The applicant will hire one off-duty police officer to be billed directly by the police department.

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

[Resolution #2010-0250](#) - *Appointments to the Bernards Township Beautification Task Force*

**WHEREAS**, the Township Committee created a Beautification Task Force pursuant to Resolution #2010-0067 adopted on June 15, 2010.

**NOW THEREFORE BE IT RESVOLED**, by the Township Committee of the Township of Bernards that the following persons are hereby appointed as members of the Beautification Task Force for a term expiring 12/31/2010.

Last Name	FirstName	Position	Term	DateExpire	Address	City	State	Postal Code
Abel	Roberta	RM	1	12/31/2010	59 S. Alward Avenue	Basking Ridge	NJ	07920-
Harabedian	Mark	RM	1	12/31/2010	16 Morrison Street	Basking Ridge	NJ	07920-
Larner	Kevin	RM	1	12/31/2010	135 Spencer Road	Basking Ridge	NJ	07920-
Lordi	Linda	RM	1	12/31/2010	20 Countryside Drive	Basking Ridge	NJ	07920-
Piedici	Kathleen	RM	1	12/31/2010	73 Sycamore Court	Basking Ridge	NJ	07920-
Winston	Marilyn	RM	1	12/31/2010	79 Sycamore Court	Basking Ridge	NJ	07920-
Rivera	Carlos	RM	1	12/31/2010	105 Berkeley Circle	Basking Ridge	NJ	07920
Spitzer	Scott	RM	1	12/31/2010	96 Blackburn Road	Basking Ridge	NJ	07920

[Resolution #2010-0251](#) - *Vacation Payment Due Jennifer Silacci, Manager Recreation Programs, Department of Parks and Recreation*

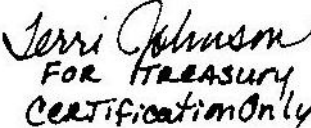
**WHEREAS**, the Township Committee adopted Resolution No. 060504 relating to retirement sick time incentive payout at their regularly meeting of November 22, 2006; and

**WHEREAS**, Jennifer Silacci has resigned from the Bernards Township Department of Parks and Recreation effective July 15, 2010; and

**WHEREAS**, per the requirements of the Township's Personnel Policy, Jennifer Silacci is entitled to a Vacation payment as calculated below based on an hourly rate of \$22.53. The calculation below could be less but not more:

	Total Hours Available	Amount Due
2010 Accrued Vacation	4 hours	\$90.12

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

TREASURER'S CERTIFICATION	
<p>I, Terri Johnson, Treasurer for Bernards Township, do hereby certify that there are adequate funds for this expenditure. Funds are available in the 2010 Current Fund Budget; Parks and Recreation S&amp;W #0-01-28-370-101, in the amount not to exceed \$90.12.</p> <p>Date: 7/6/10</p>	 <p>FOR TREASURY CERTIFICATION ONLY</p>

**Resolution #2010-0252** - Award of Bid for 2010 Sidewalk, Curbing and Drainage Improvements Co., Awarded to P.A. Contractors, Inc., in the Amount of \$ 119,174.00 for Base Bid and Alternates 1, 2A, 2B, 2C, 3A, 4A, and 4B (Excluding Alt 3B)

**WHEREAS**, the Township of Bernards received bids on Wednesday, June 30, 2010 for the 2010 Sidewalk, Curbing and Drainage Improvements. The bid summary for Base Bid and All Alternates is as follows:

BIDDER NAME	BASE BID	RIDGE HIGH SCHOOL ALT BID #1	LIBERTY COR SCHOOL ALT BID #2A	LIBERTY COR SCHOOL ALT BID #2B	LIBERTY COR SCHOOL ALT BID #2C	OAK ST SCHOOL ALT BID #3A	WILLIAM ANNIN SCHOOL ALT BID #4A	WILLIAM ANNIN SCHOOL ALT BID #4B	TOTAL BID
PA CONTRACTING	\$28,080	\$10,295.	\$15,320.	\$4,875.	\$1,820.	\$12,000.	\$26,065.	\$20,719.	\$119,174.
M SKY CONST.	\$28,590	\$15,760.	\$14,119.	\$6,050.	\$1,560.	\$11,525.	\$30,725.	\$14,740.	\$126,069.
GRABOWSKI CONST.	\$38,985	\$14,900.	\$12,100.	\$6,200.	\$1,170.	\$12,950.	\$20,295.	\$18,292.	\$127,392.
CMS CONST.	\$32,425	\$12,870.	\$21,430.	\$6,750.	\$1,092.	\$16,950.	\$21,525.	\$25,250.	\$139,792.
CIFELLI & SON GENERAL CONST.	\$36,410	\$27,600.	\$26,675.	\$10,750.	\$1,404.	\$24,125.	\$24,480.	\$31,318.	\$190,762.
DIAMOND CONST.	\$42,950	\$28,875.	\$31,675.	\$14,025.	\$1,300.	\$20,150.	\$22,550.	\$26,105.	\$193,630.

and;

**WHEREAS**, it is the combined recommendation of the Township Engineer, Administrator and Purchasing Agent to award this contract to PA Contractors Inc., 105 Davis Avenue, Kearny, NJ in the amount of \$ 119,174.00 for the Base Bid and Alternates 1, 2A, 2B, 2C, 3A, 4A, and 4B (Excluding Alt 3B); and

**WHEREAS**, the Treasurer has certified that funds are available in the budget; the line item appropriations or Capital ordinance to be charged is C-04-55-102-A03

**WHEREAS**, this contract has been awarded to PA Contractors Inc, 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: P.A. Contractors Inc, 105 Davis Avenue, Kearny, NJ 07032 in the amount of \$ 119,174.00; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and PA Contractors Inc ("Contractor") shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the 2010 Sidewalk, Curbing and Drainage Improvements.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
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 not to exceed the total bid amount 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 B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon 10 days written notice via certified mail.
8. The work contemplated under the Contract shall be completed within 30 calendar days from the day of commencement of the work.
9. 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.
10. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
11. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$500.00 per day for every day thereafter until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages
12. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within 10 days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

I agree to the terms as stated in this Resolution and by signing this document, as President of PA Contractors Inc., I am committed to follow all terms of this award.

\_\_\_\_\_  
 Carlos Da Rocha, President

**TREASURER'S CERTIFICATION**

I, Terri Johnson, Treasurer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$ 119,174.00. Monies are available in account # C-04-55-102-A03.

Date: 7/8/10

*Terri Johnson*  
 FOR TREASURY  
 CERTIFICATION ONLY

Terri Johnson, Treasurer

*\*\*End Consent Agenda\*\**

**Ordinance #2122** - *An Ordinance to Amend the Revised General Ordinance of the Township of Bernards, Chapter VII, "Traffic," Schedule IV, Parking Time Limited Regarding Turner Street and West Craig Street - Introduction*

The clerk read the ordinance by title. Motion by Pavlini, second by Malay, that Ordinance #2122 be introduced on first reading, advertised as required by law, with a public hearing on 08/10/2010.

Roll Call

Aye: Gaziano, Malay, Pavlini, Spitzer

Nay:

Abstain:

Motion carried.

**WHEREAS**, in order to promote the betterment of public safety there is a need to restrict parking during certain hours along Turner Street and West Craig Street.

**NOW, THEREFORE**, be it ordained by the Township Committee of the Township of Bernards in the County of Somerset as follows:

1. Schedule IV of Chapter VII, "Traffic" of the Revised General Ordinance of the Township of Bernards is hereby amended by the addition of the following:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limit</b>	<b>Location</b>
Turner Street	Both	4 Hours – 6 am to 7 pm Monday to Friday	Entire Length
West Craig Street	Both	4 Hours – 6 am to 7 pm Monday to Friday	Entire Length

The remainder of Schedule IV remains unchanged.

2. Regulatory signs shall be erected and maintained to affect the above restrictions.

**CONTINUATION OF EXECUTIVE SESSION IF REQUIRED**

Not required.

**ADJOURNMENT**

By unanimous consent, the meeting adjourned at 8:19 PM.

Respectfully submitted,

\_\_\_\_\_  
Denise Szabo  
Municipal Clerk/Assistant Administrator

\_\_\_\_\_  
Scott Spitzer  
Mayor