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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 mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Absent:

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

EXECUTIVE SESSION – [Resolution #2012-0062](#)

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2012-0062 be amended to include an executive session discussion on MQI v. Bernards Township, and Basking Ridge Restaurants v. Bernards Township, and that the amended resolution be approved. The meeting temporarily adjourned to executive session at 7:32 PM.

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 collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

PBA Contracts.

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

The employee(s) and nature of discussion is **Brian Bobowicz - compensation; Nancy Koederitz-terms and conditions of employment/compensation.**

Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed. **Block 9601, L8, L9, L11, L12, L13, L14**

Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. *Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.*

MQI v. Bernards Township Tax Appeal.

Basking Ridge Restaurants v. Bernards Township

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

AMEND AGENDA

Motion by Gaziano, second by Carpenter, and unanimously agreed to add Resolutions #2012-0092 to the agenda.

AGENDA PORTION OF MEETING

Nothing listed.

PUBLIC COMMENT

Eileen Scott, Wellington Drive; and Lulla 19 Quennberry Way, Basking Ridge, commented on tree replacement in Lafayette Watch, and sidewalk plowing at Wellington and Allen Roads.

CORRESPONDENCE

Committee and staff members reported on their recent activities.

REPORTS

[Resolution #2012-0077](#) - *Acceptance of Bernards Township Shade Tree Commission Application for Tree City USA Recertification & 2011 Annual Report*

Motion by Malay, second by Gaziano, and unanimously agreed that Resolution #2012-0077 be approved.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

WHEREAS, pursuant to § 2-17.4b. of the Revised General Ordinances of the Township of Bernards, the Shade Tree Commission shall make an annual report to the Township Committee; and.

WHEREAS, the Shade Tree Commission is submitting a report pursuant to this requirement.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the following report be accepted.

Report

Community Forestry Program Administration:

- The Bernards Township Shade Tree Commission (STC) consists of seven volunteer Member positions appointed by the Township Committee (governing Body), two alternates, a board secretary, a Township Committee liaison and a Department of Public Works advisor. The commission ended the term with one resignation and openings for two alternate members.

Training and Professional Development

- The Bernards Township STC has maintained its training objective of having all Commissioners CORE trained as well as exceeding the total CEU credits required. We are also seeking to have an additional DPW staff member CORE trained to broaden the knowledge base in DPW.

Public Education/Awareness/Outreach:

- The Bernards Township STC was involved in the Township throughout 2011 from a proactive as well as reactive perspective. Our DPW staff is second to none and clearly helps project a consistent message to our residents where living in a beautiful and safe township is work not rhetoric. In the spring, our community celebrates the incorporation of our Township known as "Charter Day". The STC, led by our Arborist and Forester, instructed residents on native ferns and plant life that will naturally draw insect life indigenous to our area, promoting biodiversity. Residents learned a great deal about the natural plantings and what they encourage to thrive within Bernards Township.
- The STC celebrated Arbor Day at the Middle School with a Resolution from our Township Committee and a dedicated planting by the governing body of the Middle School following their reading of the resolution. The Middle School will be responsible for nurturing these trees under our watchful eyes.
- The destructive Nor'easter of October 29, 2011, caused tremendous tree damage to our Community. The STC estimates greater than 3% loss of trees within the Township Right of Way that will place a significant strain on already stressed resources.

Statement of Tree Budget:

- The 2011 Budget was decreased 4.4% from 2010 (\$6,450 from \$6,750). The STC use of the "Reserves for Developers Tree Replacement Fund" was also impacted. Plantings for 2011 have been completed by DPW; saving money, allowing better coordination and providing better results in tree survival. In-kind services are estimated by total approximately \$21,100. 2011 storm damage and budget impact may trickle down to STC budgeted funds and availability of utilizing in-kind services in the future.

Plan Implementation:

- The renewal of the Community Forestry Management Plan for 2008-2012 was approved by the State of New Jersey in 2009. In 2012, the Commission will create a Community Forestry Management Plan for 2013-2017 to be submitted for approval by the Township Committee and subsequently for State approval.
- The STC continued identifying tree hazards throughout the community. Significant work was done to prepare a Storm Damage Report on the October 29, 2011 storm that damaged many trees in town and caused wide spread power outages. Information from this report was used by the CFO/Township Administrator to report to the Township Committee.
- Bernards Township achieved the goal of 40% tree canopy this year. This accomplishment contributed to the Township earning a silver certification from Sustainable Jersey in 2011.
- A STC representative serves on the Township Planning Board and the Township Tree Protection Committee. This Committee examines/approves any requests for tree removals when permits are required.
- Windshield surveys by STC volunteers and DPW staff continued in 2011. Tree hazards and potential new tree planting locations were identified.
- The tree inventory project moved into the next phase this year with the help of the Township GPS expert. GPS location data, address, photo and tree details were surveyed for over 130 trees. From this information, the Township GPS expert created a Shade Tree overlay map. The tree inventory work will continue throughout 2012.
- Communications between STC, DPW and Somerset County tree crews continue to be strong during 2011. Improved methods of tree hazard notification via email and joint meetings assisted in this area. The STC webpage on the Township website continues to be enhanced for better communication with residents.
- Approximately 31 replacement trees were planted in 2011. The trees were planted by DPW personnel, many tree removals were handled by DPW personnel, or the contracted tree service – Cascade Tree.
- Bernards Township was also approved for Tree City USA certification for the sixth year. The renewal application will be submitted by the end of January, 2012.

Community Stewardship Incentive Program

- A Business Stimulus Fund Application was awarded from the State of NJ for \$7,000. A tree maintenance proposal with the application was submitted in November of 2009. After the required paperwork was finally approved, the project was completed by an outside consultant in the fall of 2010. The trees in downtown Basking Ridge section of the Township were cut back after several years of growth.

*Michael Viola
STC Vice Chairman*

[Resolution #2012-0086](#) - *Division of Community Affairs Affordable Housing 2011 Annual Monitoring Report*

Motion by Malay, second by Carpenter, that Resolution #2012-0086 be approved.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

WHEREAS, The Division of Community Affairs sends annual monitoring reports as part of Bernards Township substantive certification; and,

WHEREAS, submission of an up-to-date report is required and has been completed; and,

WHEREAS, the committee has reviewed the report and authorizes submission.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Municipal Housing Liaison is authorized to sign the Monitoring Report (said report will remain on file with the Bernards Township Municipal Housing Liaison), for submission to The Division of Community Affairs.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their recent activities.

FIRE & RESCUE APPOINTMENTS

[Resolution #2012-0013](#) - *Appointment to Membership in Township of Bernards Volunteer, Liberty Corner Fire Company, Junior Member, Christian Speal*

Motion by Malay, second by Gaziano, and unanimously agreed that Resolution #2012-0013 be approved.

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

WHEREAS, the **Liberty Corner Fire Company** is recommending Christian Speal, Basking Ridge, NJ, for appointment as a Junior Firefighter's Auxiliary member;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Christian Speal is hereby appointed as a Junior Member of the Liberty Corner Fire Company effective this date.

[Resolution #2012-0083](#) - *Appointment to Membership in Township of Bernards Volunteer, Liberty Corner First Aid Squad, Inc., Mary Susan Frost*

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2012-0083 be approved.

WHEREAS, §2-16.1 of the Revised General Ordinances of the Township of Bernards, there shall be a first aid department known as the “Township of Bernards First Aid and Emergency Department” consisting of the First Aid Squad of the Basking Ridge Fire Company #1 and the Liberty Corner First Aid Squad, Inc.,

WHEREAS, Mary Susan Frost, 18 Wayne Terrace, Basking Ridge, NJ, has been recommended by the Liberty Corner First Aid Squad, Inc. for appointment,

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

UNFINISHED BUSINESS

[Ordinance #2181](#) - *An Ordinance Authorizing the Township of Bernards to Enter into the Second Amendment to Lease Agreement with The Friends of The Kennedy-Martin-Stelle Farmstead, Inc., to Modify the Maintenance Terms and Conditions of the Original Lease – Public Hearing*

The clerk read the ordinance by title and requested that the ordinance be tabled to 02/14/2012 due to deficiency in notice.

Motion by Malay, second by Gaziano, that Ordinance #2181 be tabled to 02/14/2012.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

[Ordinance #2182](#) - *Accepting a Wetlands Conservation Easement on Property Located at 140 Allen Road, Block 11201, Lot 4, from Genesis Property Management, LLC, to the Township of Bernards – Public Hearing*

The clerk read the ordinance by title and requested that the ordinance be tabled to 02/14/2012 due to deficiency in notice.

Motion by Malay second by Gaziano, that Ordinance #2182 be tabled to 02/14/2012.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

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 Carpenter, second by Gaziano, that the Consent Agenda be approved.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

****Begin Consent Agenda****

Approval of Minutes:

01/10/2012 – Open Session

These minutes were approved for content and release.

01/10/2012 – Executive Session

These minutes were approved for content only.

Resolution #2012-0064 - Approval of the Bill List Dated 01/24/2012

BE IT RESOLVED, that the bill list dated 01/24/2012 be audited, and if found correct, be paid.

01/24/12

TOWNSHIP OF BERNARDS

Page No: 1

Check Register By Check Date

13:19:16

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 01/24/12 to 01/24/12
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					
82088	01/24/12	72053 UNITED STATES GOLF ASSOCIATION	110.00		1069
82089	01/24/12	72067 HOROWITZ, ROBERT I.	180.00		1069
82090	01/24/12	90340 GRISWOLD, BRANDON	825.00		1069
82091	01/24/12	90395 NERI, MARK	78.96		1069
82092	01/24/12	90504 COWELL, TRICIA	26.88		1069
82093	01/24/12	90525 BAXTER, CHRISTOPHER	3,067.00		1069
82094	01/24/12	90531 GIRARD, FRANK	3,067.00		1069
82095	01/24/12	90547 SEARING, JILL	55.80		1069
82096	01/24/12	A0028 AMERICAN PUBLIC WORKS ASSN.	328.00		1069
82097	01/24/12	A0060 ANJEC	320.00		1069
82098	01/24/12	A0126 AFLAC NEW YORK	608.94		1069
82099	01/24/12	A0168 ALLIED OIL COMPANY, LLC	31,894.60		1069
82100	01/24/12	A0194 AARDVARK ENTERTAINMENT INC	787.50		1069
82101	01/24/12	A0306 AMERICAN PLANNING ASSOCIATION	600.00		1069
82102	01/24/12	A0338 AFLAC	1,216.81		1069
82103	01/24/12	A0398 STERLING (ABSO)	48.25		1069
82104	01/24/12	A0425 ATLANTIC TACTICAL	3,409.66		1069
82105	01/24/12	A0461 ALBRECHT, JIM	200.00		1069
82106	01/24/12	A0487 ABLE MECHANICAL, INC.	13,967.77		1069
82107	01/24/12	A0528 ANDERS, LINDA	250.00		1069
82108	01/24/12	B0001 BAKER & TAYLOR, INC.	4,756.93		1069
82109	01/24/12	B0014 BREWER ASSOCIATES	50.00		1069
82110	01/24/12	B0026 BERNARDS TOWNSHIP CURRENT	19,428.54		1069
82111	01/24/12	B0029 BERNARDS TWP BD OF EDUCATION	8,225,611.42		1069
82112	01/24/12	B0031 BERNARDSVILLE PRINT CENTER	12.44		1069
82113	01/24/12	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	515,066.52		1069
82114	01/24/12	B0038 BERNARDS TOWNSHIP (COURT)	35.50		1069
82115	01/24/12	B0044 BASKING RIDGE ANIMAL HOSPITAL	310.00		1069
82116	01/24/12	B0098 BERNARDS TOWNSHIP (RECREATION)	46.13		1069
82117	01/24/12	B0203 DIFRANCESCO, BATEMAN, COLEY	5,364.97		1069
82118	01/24/12	B0223 BERNARDS TWP. OPEN SPACE FUND	4,802.47		1069
82119	01/24/12	B0386 BOOK WHOLESALERS INC (BWI)	66.72		1069
82120	01/24/12	B0469 BEATLEMANIA AGAIN, LLC	500.00		1069
82121	01/24/12	B0519 AUDIO GO	211.87		1069
82122	01/24/12	B0581 BUY WISE AUTO PARTS	290.99		1069
82123	01/24/12	B0609 BALTIMORE COUNTY POLICE	330.00		1069
82124	01/24/12	B0613 BILBY, JOSEPH	200.00		1069
82125	01/24/12	B0615 BRAUN, GEOFFREY	360.00		1069

82126	01/24/12	C0024	COURIER NEWS	88.44	1069
82127	01/24/12	C0208	NJCACOA	200.00	1069
82128	01/24/12	C0241	COOPER ELECTRIC SUPPLY	87.20	1069
82129	01/24/12	C0309	COPPER KETTLE DELICATESSEN	231.90	1069
82130	01/24/12	C0476	CIT-E-NET LLC	1,500.00	1069
82131	01/24/12	C0493	COMPUMENTOR	1,375.00	1069
82132	01/24/12	C0597	CLIFFSIDE BODY CORPORATION	4,009.28	1069
82133	01/24/12	C0613	CIGNA GROUP INSURANCE	1,823.54	1069
82134	01/24/12	D0020	DELTA DENTAL OF NJ	12,219.62	1069
82135	01/24/12	D0033	DEMCO	147.51	1069
82136	01/24/12	D0083	DAILY RECORD	14.04	1069
82137	01/24/12	D0339	DEER CARCASS REMOVAL SVC, LLC	48.00	1069
82138	01/24/12	D0380	DRIVERS TIRE & SERVICE CENTER	416.20	1069
82139	01/24/12	D0635	DELAMATER, JAMES	180.00	1069
82140	01/24/12	E0007	ENGINEERING PETTY CASH	12.13	1069
82141	01/24/12	E0185	EDWARDS TIRE COMPANY	440.77	1069
82142	01/24/12	E0224	EXCELLENT BUILDING SERVICES	5,378.00	1069
82143	01/24/12	E0231	EKA ASSOCIATES, P.A.	825.00	1069
82144	01/24/12	E0235	ESRI, INC.	4,950.00	1069
82145	01/24/12	E0246	EMSL ANALYTICAL, INC.	750.00	1069
82146	01/24/12	F0001	FEDEX	23.94	1069
82147	01/24/12	F0047	FULLERTON FORD	714.63	1069
82148	01/24/12	F0123	FODALE, EDWARD	180.00	1069
82149	01/24/12	F0166	FARINA, GEORGE	360.00	1069
82150	01/24/12	F0297	FISCHER CONTRACTING, INC.	7,448.00	1069
82151	01/24/12	G0066	GRAINGER INC	398.72	1069
82152	01/24/12	G0098	JCP&L	11,035.83	1069
82153	01/24/12	G0201	GENERAL CODE LLC	1,195.00	1069
82154	01/24/12	G0326	GARDEN STATE MESSENGER INC.	788.00	1069
82155	01/24/12	G0464	GENOVA, BURNS & GIANTOMASI	4,114.63	1069
82156	01/24/12	G0466	GLOBUS DESIGN ASSOCIATES	697.50	1069
82157	01/24/12	H0029	HUMPHREYS PEST CONTROL, INC.	183.00	1069
82158	01/24/12	H0074	HILL, SUSAN	40.00	1069
82159	01/24/12	H0246	HOME DEPOT CREDIT SERVICES	309.53	1069
82160	01/24/12	H0276	HART, CAROLYN SUE	40.00	1069
82161	01/24/12	H0297	HESS CORPORATION	14,427.31	1069
82162	01/24/12	H0318	HALLER, GREGORY A & PAMELA	1,519.87	1069
82163	01/24/12	H0321	HUTCHINSON, FRED	35.00	1069
82164	01/24/12	I0110	INFOLINK/LIBRARY LINK NJ	15.00	1069
82165	01/24/12	I0122	INNOVATIONAL CONSTRUCTION &	10,125.00	1069
82166	01/24/12	J0025	JAMES F. HURLEY INSURANCE	500.00	1069
82167	01/24/12	J0080	JANSEN, BUCCO, DEBONA & SEMRAU	609.00	1069
82168	01/24/12	J0150	JERSEY CITY FORD/LINCOLN/	104.83	1069
82169	01/24/12	K0036	KONICA MINOLTA BUSINESS	332.85	1069
82170	01/24/12	K0039	KOBESKY, GREGG S.	189.75	1069
82171	01/24/12	K0059	KAYSER, JOHN P	620.00	1069
82172	01/24/12	L0231	LEXIS/NEXIS-MATTHEW BENDER&CO.	232.65	1069
82173	01/24/12	L0239	LABOR LAW CENTER	119.80	1069
82174	01/24/12	L0335	LEVIN, E. BETTY	200.00	1069
82175	01/24/12	L0337	LAUGH OUT LOUD PRODUCTIONS	200.00	1069
82176	01/24/12	M0006	MGL PRINTING SOLUTIONS	56.00	1069
82177	01/24/12	M0015	MOORE MEDICAL, LLC	122.35	1069
82178	01/24/12	M0178	MARK'S AUTO SERVICE	125.84	1069
82179	01/24/12	M0235	MORRISTOWN MEMORIAL HOSPITAL	926.00	1069
82180	01/24/12	M0279	MITZNER, SCOTT C.	1,090.00	1069
82181	01/24/12	M0342	MORTON'S MARKETING RESOURCES	1,120.86	1069
82182	01/24/12	M0375	PHYSIO-CONTROL CORP.	675.00	1069
82183	01/24/12	M0482	MOSKAL, DENNIS	180.00	1069
82184	01/24/12	M0518	KONICA MINOLTA BUSINESS SOL.	1,041.14	1069
82185	01/24/12	M0623	MILLER, ALEX	450.00	1069
82186	01/24/12	M0721	M L RUBERTON CONST & SAFETY	21,524.00	1069
82187	01/24/12	M0722	MARSTON, CHRISTINE	40.00	1069
82188	01/24/12	N0006	NEW JERSEY AMERICAN WATER CO.	37,866.68	1069
82189	01/24/12	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	220.00	1069
82190	01/24/12	N0030	NJ STATE ASSN.-CHIEFS/POLICE	200.00	1069
82191	01/24/12	N0102	NJ MOTOR VEHICLE COMMISSION	150.00	1069
82192	01/24/12	N0187	NJ ENVIRONMENTAL HEALTH ASSOC	600.00	1069
82193	01/24/12	N0290	NATIONAL LAWN SPRINKLERS, INC.	12,125.00	1069
82194	01/24/12	N0322	NEXTEL COMMUNICATIONS	165.22	1069
82195	01/24/12	N0334	NATIONAL SAFETY PRODUCTS, INC	240.14	1069
82196	01/24/12	N0389	NJ MOTOR VEHICLE COMMISSION	60.00	1069
82197	01/24/12	N0406	NOVELLO, ANGELA & ANTHONY	85.00	1069
82198	01/24/12	O0003	ORIENTAL TRADING COMPANY, INC.	269.08	1069
82199	01/24/12	O0021	OFFICE DEPOT	2,291.94	1069
82200	01/24/12	O0047	ON SITE FLEET SERVICE, INC.	737.39	1069
82201	01/24/12	O0102	OCLC, INC	324.82	1069
82202	01/24/12	P0005	PITNEY BOWES, INC.	180.00	1069
82203	01/24/12	P0125	PWANJ	90.00	1069
82204	01/24/12	P0377	PRINCETON HYDRO, LLC	1,136.60	1069
82205	01/24/12	P0380	POWERCO, INC.	245.78	1069
82206	01/24/12	P0415	PERTH AMBOY SPRING WORKS	507.00	1069
82207	01/24/12	P0501	PENNSYLVANIA HORTICULTURAL	1,008.00	1069
82208	01/24/12	P0511	PERFORMANCE TRAILERS INC.	13,613.50	1069
82209	01/24/12	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	20.00	1069
82210	01/24/12	R0023	RICHIES TIRE SERVICE, INC.	1,044.80	1069
82211	01/24/12	R0025	RIDGE RESTAURANT	78.25	1069

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82212	01/24/12	R0050	ROTO-ROOTER	662.00	1069
82213	01/24/12	R0304	RANDOM HOUSE, INC.	63.75	1069
82214	01/24/12	R0357	ROYAL CHEVROLET	334.64	1069
82215	01/24/12	R0369	RUTGERS - NJAES - OFFICE OF	175.00	1069
82216	01/24/12	R0441	RUTGERS-DIV CONTINUING STUDIES	220.00	1069
82217	01/24/12	S0013	SNAP-ON TOOLS CORPORATION	205.00	1069
82218	01/24/12	S0021	S & S WORLDWIDE, INC.	2,072.86	1069
82219	01/24/12	S0035	SIRCHIE FINGER PRINT LAB	142.38	1069
82220	01/24/12	S0036	SOMERSET COUNTY PARK COMM.	3,100.00	1069
82221	01/24/12	S0067	SOMERSET COUNTY TREASURER	4,794,379.50	1069
82222	01/24/12	S0068	SOMERSET COUNTY TREASURER	504,189.58	1069
82223	01/24/12	S0202	SUBURBAN PROPANE	822.78	1069
82224	01/24/12	S0275	SCOTT, MICHAEL I	360.00	1069
82225	01/24/12	S0415	SPORTWORLD	690.00	1069
82226	01/24/12	S0443	STAPLES ADVANTAGE	104.72	1069
82227	01/24/12	S0590	SHAW, JULIE	185.00	1069
82228	01/24/12	S0628	STATE OF NEW JERSEY-HB	185,864.26	1069
82229	01/24/12	S0720	SCIORTINO, RICO	360.00	1069
82230	01/24/12	T0003	ENVIROTEST LABORATORIES, INC.	2,275.00	1069
82231	01/24/12	T0101	TRIANGLE COMMUNICATIONS	385.00	1069
82232	01/24/12	T0154	TILCON NEW YORK, INC.	146.52	1069
82233	01/24/12	T0325	TOP LINE CONSTRUCTION CORP	11,277.26	1069
82234	01/24/12	U0022	UNIVERSAL COMPUTING SERVICES	368.85	1069
82235	01/24/12	V0020	VILLAGE OFFICE SUPPLY	289.50	1069
82236	01/24/12	V0026	VNA OF SOMERSET HILLS	209.00	1069
82237	01/24/12	V0037	VILLAGE SUPERMARKET, INC.	416.90	1069
82238	01/24/12	V0052	VERMONT SYSTEMS, INC.	6,253.00	1069
82239	01/24/12	V0056	VERIZON WIRELESS	2,463.39	1069
82240	01/24/12	V0058	VERIZON	2,375.10	1069
82241	01/24/12	V0059	VERIZON CABS	202.37	1069
82242	01/24/12	V0084	VERIZON	263.90	1069
82243	01/24/12	V0138	VEOLIA ES SOLID WASTE OF NJ	3,287.69	1069
82244	01/24/12	W0014	BEYER-WARNOCK FLEET	23,780.45	1069
82245	01/24/12	W0019	WEST CHESTER MACHINERY & SUPPLY	26.00	1069
82246	01/24/12	W0092	WEST GROUP	55.00	1069
82247	01/24/12	W0187	WASTE MANAGEMENT OF NJ, INC	1,893.15	1069
82248	01/24/12	W0210	WILD, ANN	330.00	1069

Report Totals	Paid	Void	Amount Void	Amount Paid
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Checks:	161	0	0.00	14,580,783.08
Direct Deposit:	0	0	0.00	0.00
	=====	=====	=====	=====
Total:	161	0	0.00	14,580,783.08

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND	1-01	134,754.20	0.00
GOLF COURSE UTILITY	1-26	23.85	0.00
Year Total:		134,778.05	0.00
CURRENT FUND	2-01	14,326,145.38	0.00
DOG FUND	2-12	561.00	0.00
TRUST FUNDS	2-13	32,653.27	0.00
GOLF COURSE UTILITY	2-26	2,526.25	0.00
Year Total:		14,361,885.90	0.00
CAPITAL FUND	C-04	79,738.03	0.00
GRANT FUND	G-02	4,381.10	0.00
Total Of All Funds:		14,580,783.08	0.00

Resolution #2012-0071 - Personnel Appointment, Kathy Wright, Accounting Specialist – Finance Department

WHEREAS, the full time position of Accounting Specialist became available due to a resignation within the Finance Department; and,

WHEREAS, the Treasurer, Township Administrator, and Human Resource Officer have deemed it necessary to fill this position; and,

WHEREAS, Kathy Wright has applied for and is qualified to fill said position; and

WHEREAS, the Treasurer, Township Administrator, and Human Resource Officer recommend appointment of Kathy Wright to the position of full time Accounting Specialist; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Kathy Wright be appointed full time Accounting Specialist effective January 30, 2012 at an hourly rate of \$19.00 for a 40-hour workweek. Offer of employment is contingent upon the results of pre-employment screening as per township policy.

[Resolution #2012-0072](#) - Award of Change Order #1, National Lawn Sprinklers, Inc., In the amount of \$1,500.00; 3.43% Increase

WHEREAS, the Public Works Department requests a change order to be approved by the Township Committee at its regular meeting on 01/24/2012. This change order is listed below for your review and approval; and

Vendor	CO	Original Award	Amount of Increase	New Total
	Number 1	\$43,750.00	\$1,500.00 3.43% Increase	\$45,250.00
TOTAL CO	CO #1		\$1,500.00 3.43% Increase	\$45,250.00

WHEREAS, it is the recommendation of the Director of Public Works and Purchasing Agent to award this change order to National Lawn Sprinklers, Inc.(RA2011-0322); and

WHEREAS, the Treasurer has certified that funds are available in the budget or the line item appropriations Capital Ordinance # 2161 line account # C-04-55-161-D01.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to National Lawn Sprinklers, Inc., 645 North Broadway, North White Plains, NY 10603 in the amount of \$ 1,500.00 for a new total amount of \$ 45,250.00.

TREASURER'S CERTIFICATION

I, Terri Johnson, Treasurer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced project change order in the amount of \$ 1,500.00. Monies are available in Capital Ordinance # 2161 line account # C-04-55-161-D01. This change order results in a new award amount of \$45,250.00.

Date: 1/10/2012

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Treasurer

[Resolution #2012-0073](#)- Authorization for Tax Refund, Block 11201, Lot 8

WHEREAS, the following tax overpayment exists because the homeowner has made a tax overpayment; and

Block & Lot	Quarter & Year	Amount	Issue Refund To
11201/8	1Q12	5,499.69	Seal Spout Corp POBox 74 Liberty Corner NJ 07938

WHEREAS, the tax collector is recommending a refund be issued.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby approve and authorize the this refund.

Resolution #2012-0074 - Personnel Appointment, Frank Dietl – Laborer – Department of Public Works

WHEREAS, the full time position of Laborer became available due to movement within the Public Works Department; and,

WHEREAS, the Director of Public Works, Township Administrator, and Human Resource Officer have deemed it necessary to fill this position; and,

WHEREAS, Frank Dietl has applied for and is qualified to fill said position; and

WHEREAS, the Director of Public Works, Township Administrator, and Human Resource Officer recommend appointment of Frank Dietl to full time Laborer; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Frank Dietl be appointed full time Laborer effective February 6, 2012 at an hourly rate of \$15.09 for a 40-hour workweek. Offer of employment is contingent upon the results of pre-employment screening as per township policy.

Resolution #2012-0075 - Approval of Developer's Agreement, 180-188 Mount Airy Road, LLC, Block 2401 Lot 3

WHEREAS, Section 21-58A of the Revised Land Use Ordinance of the Township of Bernards requires that as a condition of final approval, a Developer's Agreement pursuant to Section 21-58A.1. shall be provided by the applicant for review and comment of the Township Engineer, in consultation with the Township Attorney as the Township Engineer may deem appropriate, and

WHEREAS, the Developer's Agreement must be approved by the Township Committee upon recommendation of the Township Engineer; and

WHEREAS, there shall be executed a Developer's Agreement between the developer and the Township incorporating all of the terms and conditions of approval imposed by the board in the form set forth in "Appendix C" of the Revised Land Use Ordinance of the Township of Bernards; and

WHEREAS, a developer must use the pre-printed form which is available from the Township Engineering Department; and

WHEREAS, the Township Engineer may revise the pre-printed form from time to time, provided such revisions may not alter the substance of such forms authorized by an ordinance implementing the revision; and

WHEREAS, 180-188 Mount Airy Road, LLC has submitted a Developer's Agreement with respect to Block 2401 Lot 3 pursuant to preliminary approval by the Planning Board dated August 16, 2011; and final approval dated August 16, 2011; and

WHEREAS, the Township Engineer and Township Attorney have approved the Developer's Agreement;

NOW THEREFORE BE IT RESOLVED, pursuant to Section 21-58A of the revised Land Use Ordinance of the Township of Bernards that the aforesaid developer's agreement is hereby approved as to form and substance by the Township Committee of the Township of Bernards.

[Resolution #2012-0076](#) - *Appointment to the Bernards Township Beautification Task Force*

WHEREAS, the pursuant to Resolution #2012-0067, the Township Committee appointed a Beautification Task Force; and

WHEREAS, Linda Sims, 20 Dogwood Way, Basking Ridge, NJ has expressed an interest in serving on the Task Force.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Linda Sims is hereby appointed to the Beautification Task Force for a one-year term to expire 12/31/2012.

[Resolution #2012-0084](#) - *Award of Change Order #1, Mountain Road Improvements Fischer Contracting, Inc. - Increase of \$7,600.00*

WHEREAS, the Engineering Department requests a change order to be approved by the Township Committee at its regular meeting on January 24, 2012. This change order is listed below for your review and approval; and

Vendor	CO	Original Award	Adjusted Amount	New Total
Fischer Contracting, Inc.	Number 1	\$451,466.20	+ \$7,600.00 (+1.68%)	\$459,066.20
TOTAL CO			+\$7,600.00 (+1.68%)	\$459,066.20

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award this change order to Fischer Contracting, Inc., and

WHEREAS, the Treasurer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2154 line account # C-04-55-154-A02

BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to Fischer Contracting, Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 in the amount of \$7,600.00 for a new total amount of \$ 459,066.20.

TREASURER'S CERTIFICATION

I, Terri Johnson, Treasurer of the Township of Bernards, hereby certify that adequate funds are available for this change order in the amount of \$ \$ 7,600.00 in the budget or the line item appropriation Capital Ordinance # 2154 line account # C-04-55-154-A02 for a new not to exceed amount of \$ 459,066.20.

Date: 1/13/12

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Treasurer

[Resolution #2012-0085](#) - Authorizing Acceptance and Insertion of Revenue Item Into the 2011 Budget, Subgrant Award of the Federal Fiscal Year 2011 of Department of Homeland Security Emergency Management Performance Grant Program to the Bernards Township Office of Emergency Management - \$5,000

WHEREAS, the Township has been awarded a \$5,000 Subgrant Award for the Federal Fiscal Year 2011 Department of Homeland Security Emergency Management Performance Grant Program to the Bernards Township Office of Emergency Management Initial Assessment Grant

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby accept the grant and authorize the mayor and clerk to execute the agreement on behalf of the township.

WHEREAS, the Bernards Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Sub-grant Award calls for a match in the amount of \$5,000.00 which the Bernards Township Office of Emergency Management adequately satisfies through the 2011 Bernards Township approved budget for salaries and wages and fringe benefits.

NOW THEREFORE BE IT RESOLVED, that the Township Of Bernards shall accept the award of the FY11 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Bernards Township Administrator/Chief Financial Officer Director of Emergency Management are authorized to sign the appropriate Subgrant award documents.

EXPLANATORY STATEMENT

This resolution authorizes acceptance of the 2011 Emergency Management grant that we were notified of in 2010 and a resolution #2010-0362 was approved for the 2010 grant instead of the 2011 grant award. This resolution is required to receive reimbursement from the 2011 Emergency Management grant.

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Dated:1/20/2012

[Resolution #2012-0087](#) - Resolution of Commendation Honoring Mark DePasquale, Recipient of 2012 Student Mayor's Arts Award

WHEREAS, the Mayor's Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township, and

WHEREAS, the Student Mayor's Art Award is presented to a current High School Junior or Senior who has demonstrated excellence in and a commitment to the fine or performing arts, and

WHEREAS, Mark DePasquale, a High School Junior, was nominated and selected for his excellence in the fine and performing arts for his outstanding work as a filmmaker including the

production of “Heroes in the Smoke” celebrating the Liberty Corner Fire Company’s 100th Anniversary and the award winning short film “Awake”, and for his leadership and dedication to the arts in his community through his generous work with local artists and community groups.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Mark DePasquale on this impressive achievement as the recipient of the 2012 Student Mayor’s Art Award.

Resolution #2012-0088 - Resolution of Commendation Honoring Kristina Lloyd, Recipient of 2012 Individual Mayor’s Arts Award

WHEREAS, the Mayor’s Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township, and

WHEREAS, the Individual Mayor’s Art Award is presented to an outstanding individual artist, professional, educator or community volunteer dedicated to supporting the arts in Bernards Township, and

WHEREAS, Kristina Lloyd was nominated and selected for her dedication to the arts in her community through her artistic work as a photographer, jewelry maker and visual artist and volunteer contribution to the Friends of the Kennedy-Martin-Stelle Farmstead as the gallery coordinator at Farmstead Arts.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Kristina Lloyd on this impressive achievement as the recipient of the 2012 Individual Mayor’s Art Award.

Resolution #2012-0089 - Resolution of Commendation Honoring Ridge Light Opera, Recipient of 2012 Organization Mayor’s Arts Award

WHEREAS, the Mayor’s Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township, and

WHEREAS, the Organization Mayor’s Art Award is presented to an outstanding non-profit organization, corporation, business or school dedicated to supporting the arts in Bernards Township, and

WHEREAS, Ridge Light Opera, a theatrical not for profit organization based in Bernards Township in existence for over 20 years, was nominated and selected for their outstanding contribution to the arts in Bernards Township for their work to preserve and maintain awareness of the musical treasures of Light Opera and Musical Theater of the 20th Century through high quality performance, education and community outreach.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Ridge Light Opera on this impressive achievement as the recipient of the 2012 Organization Mayor’s Art Award.

End Consent Agenda

[Ordinance #2183](#) - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 6 "Alcoholic Beverage Control," Section 5 "Person Under the Legal Age," Repealing Subsection 3 "Misrepresenting Age" – Introduction*

The clerk read the ordinance by title. Motion by Carpenter, second by Malay, that Ordinance #2183 be introduced on first reading, advertised as required by law, with a public hearing on 02/14/2012.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 6, "Alcoholic Beverage Control," Section 5 "Person Under the Legal Age" Subsection 3 "Misrepresenting Age" of the Revised General Ordinances of the Township of Bernards is hereby repealed: (new text is in double underline; deletions are ~~stricken~~):

§ 6-5.3. Misrepresenting Age-Reserved

~~It shall be unlawful for any person under the age of twenty one (21) years with exceptions as provided by law, to misrepresent or misstate his age for the purpose of inducing any retail licensee or any employee of any retail licensee to sell, serve or deliver any alcoholic beverage to him.~~

[Resolution #2012-0092](#) - *Resolution Consenting to All Way Stop Control in the Intersection of Church Street, Route 512; and Somerville Road*

Motion by Gaziano, second by Carpenter, that Resolution #2012-0092 be approved.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

WHEREAS, Church Street, Route 512; a Somerset County road intersects Somerville Road, a Township road; and

WHEREAS, Somerset County has determined there is a need to change the intersection to an all way stop configuration; and

WHEREAS, because Somerville Road is a Township road the Township must consent to the improvements.,

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards has no objections to the reconfiguration of the intersection of Somerville Road and Church Street Route 512 to all way stop control based on the following:

1. All turn lanes will be removed on all legs of the intersection with an all way stop control exclusively at the cost of Somerset County.

EXECUTIVE SESSION (Continuation of Earlier Session, if Needed)

At 8:33 PM, the meeting resumed executive session discussions, authorized earlier in the meeting pursuant to Resolution #2012-0062.

The committee resumed the open session at 9:08 PM. Malay left the meeting during executive session.

AMEND AGENDA

Motion by Carpenter, second by Gaziano to amend the agenda to add Resolution #2012-0095.

Roll Call

Aye: Carpenter, Gaziano, Malay, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

[Resolution #2012-0095](#) - *Authorizing the Execution of a Settlement Agreement in the Litigation Matters of Plaintiff, Basking Ridge Restaurants Associates, L.L.C. v. Township of Bernards, Defendant. Docket No. SOM-L-1964-11, OAL Docket No. ABC 08770-2011 S*

Motion by Carpenter, second by Gaziano to approve Resolution #2012-0095.

Roll Call

Aye: Carpenter, Gaziano, Spitzer, Pavlini

Nay:

Abstain:

Motion carried.

WHEREAS, there presently exists pending in the Superior Court of New Jersey, Law Division, Somerset County, an action captioned Basking Ridge Restaurants Associates, LLC (“BG”) v. Township of Bernards (“Bernards”), Docket No. SOM-L-1964-11, challenging the provisions of Bernards Township Ordinance No. 2119, Section 3-19 “Nuisance, Prohibited” (the “Law Division Litigation”);

WHEREAS, there also presently exists before the Office of Administrative Law, Honorable Patricia M. Kerins, litigation entitled Basking Ridge Restaurants, LLC v. Township of Bernards, Docket No. OAL ABC 08770-2011 S (the “Office of Administrative Law Litigation”);

WHEREAS, On June 28, 2011, the Bernards Township Committee (the “Township Committee”) adopted Resolution #2011-0300 (the “Resolution”) with respect to authorization of the 2011-2012 renewal of liquor license for BG;

WHEREAS, the Resolution renewed BG’s liquor license for the license year July 1, 2011, to June 30, 2012, subject to imposition of the following special condition pursuant to N.J.S.A. 33:1-32 (the “Special Condition”):

“Licensee shall not permit on the patio area or to emanate onto the patio area any music except acoustic music. Acoustic is defined as describing music or a musical instrument that is not electronically amplified.”

WHEREAS, the Special Condition was with respect to BG’s plenary retail consumption license 1802-33-005-009 at the premises located at Block 17.01, Lot 12, 185 Madisonville Road, Basking Ridge, in the Township of Bernards, State of New Jersey 07920 (the “Premises”);

WHEREAS, subsequent thereto on July 12, 2011, BG appealed imposition of the Special Condition (the “Appeal”) and after pleadings filed by both BG and the Township, on July 21, 2011, Director Jerry Fischer of the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control, entered an Order Extending Stay of Special Conditions Pending Appeal (the “Stay Order”) David N. Bregenzler, Esq., counsel to the Director by letter dated July 21, 2011, notified the Township and BG that the Appeal was transmitted to the Office of Administrative Law for a contested hearing;

WHEREAS, subsequent thereto, the Appeal was assigned to the Honorable Patricia M. Kerins, discovery was conducted, and the appeal was set down for trial on the following dates: January 23, January 24, January 25 and January 27, 2012;

WHEREAS, both BG and the Township, represented by respective counsel, appeared for trial on the morning of January 23, 2012, and settlement discussions with the input of the Honorable Patricia M. Kerins occurred, at which time a settlement proposal put forth by BG was outlined on the record before Judge Kerins. Counsel for the Township indicated that the BG’s settlement proposal would be discussed by the Bernards Township Committee in executive session at its Township Committee meeting on January 24, 2012, and a decision with respect to BG’s settlement proposal would be made; thereafter, the Township Attorney would advise counsel for BG and Judge Kerins as to whether the BG settlement proposal, in whole or in part, was acceptable to the Township Committee. If the Appeal was not settled, trial would commence on Wednesday, January 25, 2012;

WHEREAS, BG has agreed to dismiss the Appeal without prejudice. As a result thereof, the Resolution imposing the Special Condition will now remain in full force and effect as originally adopted by the Township Committee. Counsel for the Township will advise by letter and a copy of the Memorandum of Settlement to the attention of Director Fischer that both the Township and BG have consented to a dismissal of the Appeal, without prejudice, and that the Stay Order issued by Director Fischer in his Order dated July 21, 2011, is hereby dissolved and of no further force and effect;

WHEREAS, BG likewise agrees within five days of the date of adoption of this resolution by the Township Committee approving the Settlement Agreement, to file with the Superior Court Clerk, Somerset County, Law Division, a dismissal without prejudice of the action entitled Basking Ridge Restaurants, LLC v. Township of Bernards, Docket No. SOM-1964-11;

WHEREAS, BG and Bernards are now desirous of avoiding the time, expense, vexation, inconvenience, distraction and disagreement caused by the litigations by entering a Settlement Agreement of the Law Division Litigation and Office of Administrative Law Litigation;

WHEREAS, BG has agreed to dismiss the Law Division Litigation and Office of Administrative Law Litigation;

WHEREAS, BG has approved and executed the Settlement Agreement and all terms of the Settlement Agreement in its entirety are approved;

WHEREAS, the Township Committee of the Township of Bernards has authorized, after review and consultation with the Township Attorney, approval of the Settlement Agreement;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey that:

1. The Mayor and Clerk are authorized and directed to execute the Settlement Agreement on behalf of Bernards Township, and it is noted for the record that BG has previously executed the Settlement Agreement.
2. The Township Attorney is further authorized to execute any required documents which may be necessary in order to effectuate the terms of the Settlement Agreement in connection with the Law Division Litigation and the Office of Administrative Law Litigation.
3. The Settlement Agreement is on file with the Township Clerk and is a public record available for review upon request.

EXECUTIVE SESSION (Continuation of Earlier Sessions)

At 9:20 PM the meeting resumed executive session discussions authorized earlier in the meeting pursuant to Resolution #2012-0062.

ADJOURNMENT

The meeting resumed in open session at 10:39 PM and immediately adjourned.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

Mary Pavlini
Mayor