## TABLE OF CONTENTS

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

January 26, 2016 – COMBINED AGENDA/REGULAR MEETING

(Click on the page number to go directly to that page)

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CALL TO ORDER</td>
<td>3</td>
</tr>
<tr>
<td>ROLL CALL</td>
<td>3</td>
</tr>
<tr>
<td>REPORTS</td>
<td>3</td>
</tr>
<tr>
<td><strong>RESOLUTION #2016-0099 - ACCEPTANCE OF THE CONSTRUCTION OFFICIAL’S 2015 ANNUAL REPORT</strong></td>
<td>3</td>
</tr>
<tr>
<td>AGENDA PORTION OF MEETING</td>
<td>4</td>
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<tr>
<td><strong>RESOLUTION #2016-0098 - COMMENDATION TO JANICE MIRIANA FIELDS AS THE RECIPIENT OF THE 2015 WOMAN OF THE YEAR AWARD FROM CENTER FOR ITALIAN AND ITALIAN AMERICAN CULTURE</strong></td>
<td>4</td>
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<tr>
<td>CORRESPONDENCE</td>
<td>4</td>
</tr>
<tr>
<td>PUBLIC COMMENT</td>
<td>4</td>
</tr>
<tr>
<td>TOWNSHIP COMMITTEE/STAFF COMMENTS</td>
<td>4</td>
</tr>
<tr>
<td>FIRE &amp; RESCUE APPOINTMENT</td>
<td>4</td>
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<tr>
<td><strong>RESOLUTION #2016-0095 - APPOINTMENT TO MEMBERSHIP IN TOWNSHIP OF BERNARDS VOLUNTEER LIBERTY CORNER FIRE COMPANY – ANTHONY MILITO, FULL MEMBER; BRANDON W. PIERSON AND MICHAEL LAVY, JUNIOR MEMBERS; AND KEVIN ELDREDGE, AUXILIARY MEMBER; FIRST AID SQUAD OF BASKING RIDGE FIRE COMPANY #1 – CHRISTIAN WHALEY; FULL MEMBER</strong></td>
<td>4</td>
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<tr>
<td>UNFINISHED BUSINESS</td>
<td>5</td>
</tr>
<tr>
<td><strong>ORDINANCE #2330 - ACCEPTING A STREAM BUFFER CONSERVATION EASEMENT ON PROPERTY LOCATED AT 305 KING GEORGE ROAD, BLOCK 8501, LOT 42, FROM BASKING RIDGE AUTOMOTIVE, LLC, TO THE TOWNSHIP OF BERNARDS (MAP) – PUBLIC HEARING</strong></td>
<td>5</td>
</tr>
<tr>
<td>NEW BUSINESS</td>
<td>5</td>
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<tr>
<td><strong>CONSENT AGENDA</strong></td>
<td>5</td>
</tr>
<tr>
<td>Approval of Minutes:</td>
<td>5</td>
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<tr>
<td>01/12/2016 Meeting Open Session,</td>
<td>5</td>
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<tr>
<td>01/12/2016 Executive Session</td>
<td>5</td>
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<td><strong>Resolution #2016-0097 - Approval of the Bill List Dated 01/26/2016</strong></td>
<td>6</td>
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<tr>
<td><strong>Resolution #2016-0100 - Resolution Authorizing the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to Lease, License, Rent or Otherwise Permit the Use of the Farmstead Property for Classes, Programs, Events and Meetings Consistent with the Purpose of a Renewal Lease Agreement to Christina White to Use Space Solely as a Studio for Art Production, Including Fabric Art and Beading and Instruction and Other Permitted Artistic Uses</strong></td>
<td>6</td>
</tr>
<tr>
<td><strong>Resolution #2016-0101 - 2016 Dodge Charger Pursuit Law Enforcement Vehicle from Morris County Cooperative Pricing Council Contract #15A, Item #7A to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962, In the Amount Not to Exceed $26,509.50</strong></td>
<td>7</td>
</tr>
<tr>
<td><strong>Resolution #2016-0102 - Appointment to the Parks, Pathways &amp; Recreation Committee. Georgeann DiRienzo</strong></td>
<td>8</td>
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<td><strong>Resolution #2016-0103 - Confirmation of Environmental Commission Chairman – Michael Kelly</strong></td>
<td>9</td>
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<td><strong>Resolution #2016-0104 - Pill Hill Landfill NJDEP Post-Closure Monitoring</strong></td>
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<td><strong>Resolution #2016-0105 - Pill Hill Landfill NJDEP Post-Closure Escrow Request</strong></td>
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Resolution #2016-0106 - Approval of Developer’s Agreement, Pingry Athletic Center, 131 Martinsville Road, Block 11601 Lot 3.01

Resolution #2016-0107 - Authorizing 2015 Application for Tonnage Grant

Resolution #2016-0108 - Issuance of a Rotational Towing License To Mike’s Towing & Recovery, 643 East Main Street, Bridgewater NJ For the 2 Year Period of February 1st, 2016 to January 31st, 2018

Resolution #2016-0109 - Award of Bid for 2016-2018 Golf Course Maintenance at Coakley Russo Golf Course to Shearon Environmental Design of NJ, Inc., 5160 Militia Hill Road, Plymouth Meeting, PA 19462

ORDINANCE #2331 - AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BERNARDS, CHAPTER 3 “BUILDING AND HOUSING,” SECTION 1 “STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY,” SUBSECTION 1 “CONSTRUCTION FEE SCHEDULE” AND SUBSECTION 2 “CONSTRUCTION RECORDS CLEARANCE REQUIRED – INTRODUCTION

ORDINANCE #2332 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS TO SET CALENDAR YEAR 2016 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PER N.J.S.A. 40A: 4-45.14 - INTRODUCTION

MAYORAL APPOINTMENTS TO THE ZONING BOARD AND ENVIRONMENTAL COMMISSION

ADJOURNMENT
CALL TO ORDER
The mayor called the meeting to order at 8:00 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, Russo, Bianchi
Absent:
Also Present: Administrator McArthur, Attorney Belardo, Engineer Timko, and Municipal Clerk/Assist. Admin. Szabo

REPORTS
Resolution #2016-0099 - Acceptance of the Construction Official’s 2015 Annual Report
Motion by Malay, second by Carpenter that Resolution #2016-0099 be approved.

Roll Call:
Aye: Carpenter, Gaziano, Russo, Malay, Bianchi
Nay:
Abstain:
Motion carried

WHEREAS, pursuant to §12-1.4. of the Revised General Ordinances of the Township of Bernards, the Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Committee biannually a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act; and

WHEREAS, the 2015 annual report has been submitted as required.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following 2015 Annual Report of the Construction Official be accepted as submitted.

Pursuant to township ordinance, I respectfully submit this annual activity report for 2015

<table>
<thead>
<tr>
<th>Applications received and reviewed</th>
<th>2399</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits issued</td>
<td>2113</td>
</tr>
<tr>
<td>Permit updates issued</td>
<td>297</td>
</tr>
<tr>
<td>Additions</td>
<td>75</td>
</tr>
<tr>
<td>Alterations</td>
<td>2234</td>
</tr>
<tr>
<td>New residential unit permits</td>
<td>14</td>
</tr>
<tr>
<td>Residential demolition permits</td>
<td>4</td>
</tr>
<tr>
<td>Certificates of Occupancy issued</td>
<td>81</td>
</tr>
<tr>
<td>Certificates of Approval issued</td>
<td>2048</td>
</tr>
<tr>
<td>Inspections conducted</td>
<td>7088</td>
</tr>
<tr>
<td>Penalties Collected</td>
<td>$ 4400.00</td>
</tr>
<tr>
<td>Revenue</td>
<td>$791,411.46</td>
</tr>
<tr>
<td>Expenditures</td>
<td>$649,764.13</td>
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<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<tr>
<td>Applications</td>
<td>2146</td>
<td>2530</td>
<td>3028</td>
<td>2596</td>
<td>2399</td>
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<tr>
<td>Permit Issued</td>
<td>1891</td>
<td>2172</td>
<td>2747</td>
<td>2330</td>
<td>2113</td>
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<tr>
<td>Permit Updates</td>
<td>219</td>
<td>265</td>
<td>281</td>
<td>239</td>
<td>297</td>
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<tr>
<td>Additions</td>
<td>60</td>
<td>57</td>
<td>57</td>
<td>47</td>
<td>78</td>
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<tr>
<td>Alterations</td>
<td>1875</td>
<td>2195</td>
<td>2609</td>
<td>2341</td>
<td>2234</td>
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<tr>
<td>New Residential Unit Permits</td>
<td>13</td>
<td>14</td>
<td>10</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>Residential Demolitions</td>
<td>9</td>
<td>6</td>
<td>6</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>Certificates of Occupancy</td>
<td>77</td>
<td>85</td>
<td>73</td>
<td>77</td>
<td>81</td>
</tr>
<tr>
<td>Certificates of Approval</td>
<td>1842</td>
<td>1798</td>
<td>2349</td>
<td>2226</td>
<td>2048</td>
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<tr>
<td>Inspections</td>
<td>6562</td>
<td>7230</td>
<td>8762</td>
<td>7460</td>
<td>7088</td>
</tr>
<tr>
<td>Penalties revenue</td>
<td>$25,300.00</td>
<td>$12,450.00</td>
<td>$11,750.00</td>
<td>$18,650.00</td>
<td>$4,400.00</td>
</tr>
</tbody>
</table>
AGENDA PORTION OF MEETING

Resolution #2016-0098 - Commendation to Janice Miriana Fields as the Recipient of the 2015 Woman of the Year Award from Center for Italian and Italian American Culture

Motion by Gaziano, second by Russo, and unanimously agreed that Resolution #2016-0098 be approved.

WHEREAS, the Center for Italian & Italian American Culture (CIIAC) is a 501 c(3) non-profit organization dedicated to preserving, promoting and celebrating the rich culture Italians and Italian Americans share; achieving its goals through cultural programs, language classes, educational lectures, regional dinners and more; and

WHEREAS, Janice Miriana Fields, a 24 year resident of Bernards Township is an active member of the CIIAC; and

WHEREAS, Janice was recently recognized by the CIIAC as the 2015 Woman of the Year for her contributions to the CIIAC as well as the community at large; and

WHEREAS, a few of Janice’s contributions to the community at large include spearheading a grassroots coalition to stop the construction of a cellular tower in a residential area, serving as a member of the Somerset County Office on Aging, the Somerset County Commission on the Status of Woman, as President of the Somerset County Federation of Republican Women, in 2009 as the Regional Director for the Women’s Coalition on the 2009 Chris Christie for Governor Campaign, and as a Somerset County State Committeewoman; and

WHEREAS, Janice is proud of her Italian heritage, and credits it to her fiery energy and no-nonsense approach to her professional and personal life.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby congratulate Janice Miriana Fields for receiving this prestigious award and for her contributions to the community.

The mayor presented the resolution to Ms. Fields.

CORRESPONDENCE

None listed.

PUBLIC COMMENT

Barry Fields commended the township on its management of the Blizzard earlier this week.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members commented on their recent activities.

FIRE & RESCUE APPOINTMENT

Resolution #2016-0095 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company – Anthony Milito, Full Member; Brandon W. Pierson and Michael Lavy, Junior Members; and Kevin Eldridge, Auxiliary Member; First Aid Squad of Basking Ridge Fire Company #1 – Christian Whaley; Full Member

Motion by Malay, second by Gaziano, and unanimously agreed that Resolution #2016-0095 be approved.

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

WHEREAS, pursuant to §2-16.1 of the Revised General Ordinances of the Township of Bernards, there shall be a first aid department known as the "Township of Bernards First Aid and Emergency Department" consisting of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad, Inc.; and
WHEREAS, the Liberty Corner Fire Company, and the First Aid Squad of Basking Ridge Fire Company #1 is recommending the following individuals for appointment:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>MEMBERSHIP STATUS</th>
<th>AGENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthony Milito</td>
<td>91 Milito Way</td>
<td>Full Member</td>
<td>Liberty Corner Fire Company</td>
</tr>
<tr>
<td>Brandon W. Pierson</td>
<td>347 Grist Mill Drive,</td>
<td>Junior Member</td>
<td>Liberty Corner Fire Company</td>
</tr>
<tr>
<td>Michael Lavy</td>
<td>54 Sentinel Drive, Basking Ridge, NJ 07920</td>
<td>Junior Member</td>
<td>Liberty Corner Fire Company</td>
</tr>
<tr>
<td>Kevin Eldridge</td>
<td>223 Arrowood Way, Basking Ridge, NJ 07920</td>
<td>Auxiliary Member</td>
<td>Liberty Corner Fire Company</td>
</tr>
<tr>
<td>Christian Whaley</td>
<td>20 Lee Place, Basking Ridge, NJ 07920</td>
<td>Full Member</td>
<td>First Aid Squad of Basking Ridge Fire Company #1</td>
</tr>
</tbody>
</table>

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed effective this date.

UNFINISHED BUSINESS

Ordinance #2330 - Accepting a Stream Buffer Conservation Easement on Property Located at 305 King George Road, Block 8501, Lot 42, from Basking Ridge Automotive, LLC, to the Township of Bernards (Map) – 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 Russo, that Ordinance #2330 be adopted and advertised as required by law.

Roll Call:
- Aye: Carpenter, Gaziano, Malay, Russo, Bianchi
- 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, linked to the posted agenda on the website, 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 Malay, second by Russo, that the Consent Agenda be approved.

Roll Call:
- Aye: Carpenter, Gaziano, Russo, Malay, Bianchi
- Nay:
- Abstain:
- Motion carried.

**Begin Consent Agenda**

Approval of Minutes:

01/12/2016 Meeting Open Session,

These minutes were approved for content and release.
**Resolution #2016-0097 - Approval of the Bill List Dated 01/26/2016**

BE IT RESOLVED, that the bill list dated 01/26/2016 be audited, and if found correct, be paid.
Resolution #2016-0100 - Resolution Authorizing the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to Lease, License, Rent or Otherwise Permit the Use of the Farmstead Property for Classes, Programs, Events and Meetings Consistent with the Purpose of a Renewal Lease Agreement to Christina White to Use Space Solely as a Studio for Art Production, Including Fabric Art and Beading and Instruction and Other Permitted Artistic Uses

WHEREAS, the Township of Bernards owns the real property identified as Block 185, Lot 20.03, consisting of approximately 4.397± acres, and located along King George Road in the Township of Bernards, County of Somerset, State of New Jersey (the “Property”); and

### Resolution #2016-0100

The Township Committee of the Township of Bernards, New Jersey, hereby issues this Resolution #2016-0100 on 01/26/2016, pursuant to the provisions of N.J.S.A. 40A:9-16(g) and N.J.S.A. 40A:9-8, as follows:

The Township Committee hereby authorizes the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to lease, license, rent or otherwise permit the use of the Farmstead property for classes, programs, events and meetings consistent with the purpose of a renewal lease agreement with Christina White to use space solely as a studio for art production, including fabric art and beading and instruction and other permitted artistic uses.

### Checking Account Totals

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<th>Amount Void</th>
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<td>1</td>
<td>14,695,719.26</td>
<td>0.00</td>
</tr>
<tr>
<td>Direct Deposit:</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total:</td>
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<td>14,695,719.26</td>
<td>0.00</td>
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### Report Totals

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<th>Void</th>
<th>Amount Paid</th>
<th>Amount Void</th>
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<tbody>
<tr>
<td>Checks:</td>
<td>114</td>
<td>1</td>
<td>14,695,719.26</td>
<td>0.00</td>
</tr>
<tr>
<td>Direct Deposit:</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total:</td>
<td>114</td>
<td>1</td>
<td>14,695,719.26</td>
<td>0.00</td>
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### Totals by Year-Fund

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<th>Revenue Total</th>
<th>G/L Total</th>
<th>Total</th>
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<td>72,956.22</td>
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<td>GOLF COURSE UTILITY</td>
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<td>CURRENT FUND</td>
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<tr>
<td>DOG FUND</td>
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<td>6-26</td>
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<td>CAPITAL FUND</td>
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<td>PUBLIC GRANTS</td>
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<td>4,583.54</td>
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<tr>
<td>TRUST FUNDS</td>
<td>T-13</td>
<td>31,257.33</td>
<td>0.00</td>
<td>0.00</td>
<td>31,257.33</td>
</tr>
</tbody>
</table>

Total Of All Funds: 14,695,719.26

01/26/2016
Page 7 of 19
TOWNSHIP COMMITTEE MINUTES
WHEREAS, the Property contains an “English Barn,” “Farm House,” Wagon House,” “Cow Shed,” and other ancillary structures, which are on the New Jersey Historic Register and the National Register of Historic Places; and

WHEREAS, the Township and the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. (“Friends”) entered into Lease Agreement C1775-1, dated March 29, 2005, for the Property (the “Lease”), which was thereafter amended to increase the term of the Lease; and

WHEREAS, Sections 2 and 3 of the Lease provide that Friends may provide access to Township residents for meetings and other appropriate events, provide alternate uses, and sublet or assign any interests in the Lease, subject to the prior written approval of the Township; and

WHEREAS, by email dated January 7, 2016, the Friends requested approval to permit a lease agreement renewal with Christina White for use of space solely as for art production, including fabric art and beading and instruction and other permitted Artistic Uses; and

WHEREAS, the Township Committee has reviewed the proposed non-exclusive license agreement and finds it consistent with public purposes of the Lease and Mission and Vision of the Friends.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, in the County of Somerset and State of NJ, that the Township of Bernards hereby grants authorization to the Friends of the Kennedy-Martin-Stelle Farmstead, Inc., to enter into a non-exclusive lease agreement with Christina White for a 12 month period of February 1, 2016 to February 1, 2017; and

BE IT FURTHER RESOLVED that the Township hereby explicitly reserves the right to revoke the authorization herein granted to Friends at its sole discretion.

Resolution #2016-0101 - Award of Purchase Order Authorizing and Approving Purchase of One (1) 2016 Dodge Charger Pursuit Law Enforcement Vehicle from Morris County Cooperative Pricing Council Contract #15A, Item #7A to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962, In the Amount Not to Exceed $26,509.50

WHEREAS, the Township of Bernards Police Department wishes to purchase, one (1) 2016 Dodge Charger Pursuit Police Car;

<table>
<thead>
<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2016 Dodge Charger Police All Wheel Drive - Black</td>
<td>$26,315.00</td>
</tr>
<tr>
<td></td>
<td>WITH ADDITIONAL OPTIONS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Delete Factory Base Prep Police Package</td>
<td>($525)</td>
</tr>
<tr>
<td></td>
<td>Delete Service Manuals, Undercoating, Mats</td>
<td>($250)</td>
</tr>
<tr>
<td></td>
<td>Fleet Park Assist Group (Camera/Sensors)</td>
<td>$332.50</td>
</tr>
<tr>
<td></td>
<td>Activate front wig-wags</td>
<td>$155</td>
</tr>
<tr>
<td></td>
<td>Power Heated Mirros</td>
<td>$57</td>
</tr>
<tr>
<td></td>
<td>Brooking rear tail light flashers</td>
<td>$425</td>
</tr>
<tr>
<td></td>
<td>Driver side LED spotlight</td>
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</tr>
<tr>
<td></td>
<td>Front Corner LED lamps</td>
<td>INCLUDED</td>
</tr>
<tr>
<td></td>
<td>Rear corner LED lamps</td>
<td>INCLUDED</td>
</tr>
<tr>
<td></td>
<td>Deactivate rear doors/windows</td>
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</tr>
<tr>
<td></td>
<td>Fleet key</td>
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<tr>
<td></td>
<td>Full Size Spare</td>
<td>INCLUDED</td>
</tr>
<tr>
<td></td>
<td>5 Additional Key Fobs</td>
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</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$26,509.50</td>
</tr>
</tbody>
</table>

WHEREAS, it is the combined recommendation of the Police Chief, Administrator and Purchasing Agent to award this purchase to; Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962 in the amount of $26,509.50; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation or ordinance to be charged is line account #6-01-25-251-295; and
WHEREAS, the Township is authorized to make purchases through cooperative and State contracts pursuant to N.J.S.A. 40A:11-10 and –12.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order for one (1) 2016 Dodge Charger Pursuit AWD Police Car awarded to; Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07962 in the amount not to exceed $26,509.50.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed $26,509.50. Monies are available in the Police Car O.E. line account #6-01-25-251-295.

Date: 1/11/2016
Terri Johnson, Chief Financial Officer

Resolution #2016-0102 - Appointment to the Parks, Pathways & Recreation Committee. Georgeann DiRienzo

BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the following appointment is hereby made to the Parks, Pathways & Recreation Committee:

Georgann DiRienzo, A1, 1 yr. term, expiring 12/31/2016

Resolution #2016-0103 - Confirmation of Environmental Commission Chairman – Michael Kelly

WHEREAS, pursuant to §2-18.2 of the Bernards Township Revised General Ordinances, the Environmental Commission will yearly recommend one of its members to the Mayor, to serve as chairperson and presiding officer. Following receipt of such recommendation, and with the advice of the Township Committee, the Mayor shall designate one of the members of the Commission to serve as its chairperson and presiding officer; and

WHEREAS, the Environmental Commission has recommended to the Mayor that Michael Kelly be designated as chairperson and presiding officer for the year 2016.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby approve of the designation of Michael Kelly as the designated chairperson and presiding officer of the Environmental Commission for the year 2016.

Resolution #2016-0104 - Pill Hill Landfill NJDEP Post-Closure Monitoring

WHEREAS, Pill Hill Landfill was closed and NJDEP approved post-closure escrow for the ongoing post-closure maintenance of the site including environmental monitoring in 1996; and

WHEREAS, the landfill closure was approved in 1996 and post-closure environmental monitoring is required for 30 years until May 28, 2026; and

WHEREAS, available escrow as of 12/31/2015 is $59,645.17 and will not fully fund all monitoring until 2026; and

WHEREAS, NJDEP requires a commitment from the Township to pay for all additional costs of post-closure activities each year above the amount withdrawn or available from escrow in accordance with NJDEP requirements; and

WHEREAS, the Chief Financial Officer has certified funds that will be made available in the 2016 Current Fund Budget: Solid Waste Collections, Fees and Compensation line item appropriation #6-01-26-305-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Township of Bernards will be responsible for the additional costs of post-closure activities each year above the amount requested or available to be withdrawn from escrow in order for the Township to meet its ongoing obligation for post-closure maintenance activities at the Pill Hill Landfill until 2026.
CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate are budgeted annually for the above referenced monitoring. Monies will be available in the 2016 Current Fund Budget – Solid Waste Collections, Fees & Compensation line item appropriation #6-01-26-305-204.

Date: 1/14/2016

Terri Johnson
Chief Financial Officer

Resolution #2016-0105 - Pill Hill Landfill NJDEP Post-Closure Escrow Request

WHEREAS, Pill Hill Landfill was closed and NJDEP approved post-closure escrow for the ongoing post-closure maintenance of the site including environmental monitoring in 1996; and

WHEREAS, the landfill closure was approved in 1996 and post-closure environmental monitoring is required for 30 years until May 28, 2026; and

WHEREAS, with NJDEP approval, the post-closure escrow may be withdrawn to pay for required annual air and water monitoring and the financial plan for utilizing the balance of the fund over the next 12 years is as follows:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NO.</th>
<th>BEGINNING BALANCE</th>
<th>CONTRIBUTIONS TO FUND</th>
<th>INTEREST (Rate %)</th>
<th>PLANNED EXPENDITURES</th>
<th>ENDING BALANCE</th>
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</thead>
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<td>20</td>
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<td>59.65</td>
<td>0.001</td>
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<tr>
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<td>48.91</td>
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<tr>
<td>2019</td>
<td>23</td>
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<td>5,438.57</td>
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<tr>
<td>2020</td>
<td>24</td>
<td>38,133.63</td>
<td>38.13</td>
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<td>5,444.78</td>
<td>32,726.98</td>
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<td>2021</td>
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<td>32.73</td>
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<td>0.001</td>
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</tbody>
</table>

WHEREAS, available escrow as of 12/31/2015 is $59,645.17 and will not fully fund all monitoring until 2026; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Township of Bernards will be responsible for the additional costs of post-closure activities each year above the amount requested or available from escrow in accordance with NJDEP requirements.

Resolution #2016-0106 - Approval of Developer’s Agreement, Pingry Athletic Center, 131 Martinsville Road, Block 11601 Lot 3.01

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, The Pingry Corporation has submitted a Developer’s Agreement with respect to 131 Martinsville Road pursuant to preliminary approval by the Planning Board dated April 8, 2015; and final approval dated April 8, 2015; 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 #2016-0107 - Authorizing 2015 Application for Tonnage Grant

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards hereby endorses the submission of the 2015 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Pat Monaco, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution #2016-0108 - Issuance of a Rotational Towing License To Mike’s Towing & Recovery, 643 East Main Street, Bridgewater NJ For the 2 Year Period of February 1st, 2016 to January 31st, 2018

WHEREAS, Mike’s Towing & Recovery, 643 East Main Street, Bridgewater NJ 08807 has applied for a Rotational Towing License for a two year period of February 1st, 2016 to January 31st, 2018 for the purpose of providing municipal towing services on behalf of the Bernards Township; and
WHEREAS, pursuant to Chapter 3, Section 18 of the Revised General Ordinances of the Township of Bernards, the applicant has provided required documentation and paid the applicable fee; and

WHEREAS, the Municipal Clerk and Chief of Police have reviewed said application and found it complete and in compliance with the ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a Rotational Towing License be issued to Mike’s Towing & Recovery for the 2 year period, February 1st, 2016 to January 31st, 2018.

Resolution #2016-0109 - Award of Bid for 2016-2018 Golf Course Maintenance at Coakley Russo Golf Course to Shearon Environmental Design of NJ, Inc., 5160 Militia Hill Road, Plymouth Meeting, PA 19462

WHEREAS, the Township of Bernards received bids on Tuesday, December 22, 2015, at 2:30 P.M. for Golf Course Maintenance at the Coakley Russo Memorial Golf Course:

<table>
<thead>
<tr>
<th>BIDDERS NAME</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>Alt #1</th>
<th>Alt #2 2016</th>
<th>Alt #2 2017</th>
<th>Alt #2 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shearon Environmental Design of NJ, Inc.</td>
<td>$196,500</td>
<td>$204,400</td>
<td>$206,400</td>
<td>$12.50</td>
<td>$3,500</td>
<td>$3,500</td>
<td>$3,500</td>
</tr>
</tbody>
</table>

WHEREAS, it is the combined recommendation of the Director of Parks & Recreation, Administrator and Purchasing Agent to award the contract to Shearon Environmental Design of NJ, Inc., 5160 Militia Hill Road, Plymouth Meeting, PA 19462 in the amounts listed above including alternates; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations account #6-26-28-799-204 ($196,500.00)/#7-26-28-799-204 ($204,400.00)/#8-26-28-799-204 ($206,400.00) (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 two (2) additional one (1) year periods providing performance is satisfactory and that funds are appropriated in the annual budget.

WHEREAS, this contract has been awarded to Shearon Environmental Design of NJ, 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: Shearon Environmental Design of NJ, Inc., 5160 Militia Hill Road, Plymouth Meeting, PA 19462.

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 Shearon Environmental Design of NJ, Inc., (“Contractor”) shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated in the specifications for Golf Course Maintenance.
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 30 days written notice via certified mail.
8. The work contemplated under the Contract shall be completed between March 1, 2016 and December 31, 2018.
9. 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 I am committed to follow all terms of this award.

____________________________________________________
Alison Flynn, Vice President

**End Consent Agenda**

Ordinance #2331 - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 3 “Building and Housing,” Section 1 “State Uniform Construction Code Enforcing Agency,” Subsection 1 “Construction Fee Schedule” and Subsection 2 “Construction Records Clearance Required” – Introduction

The clerk read the ordinance by title. Motion by Malay, second by Russo that Ordinance #2331 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 02/09/2016.

Roll Call:

Aye: Carpenter, Gaziano, Malay, Russo, Bianchi
Nay:
Abstain:

Motion carried

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 3, “Building and Housing,” Section 1 “State Uniform Construction Code Enforcing Agency,” Subsection 1 “Construction Fee Schedule” of the Revised General Ordinances of the Township of Bernards is hereby amended:

(new text is in double underline; deletions are stricken):

§ 12-1.3. Construction Fee Schedule.

a) The fee for a construction permit shall be the sum of the subcode fees listed as follows, where applicable, and shall be paid before a permit is issued.

1. Building subcode fees:

(a) For new construction and additions: $0.031040 per cubic foot of building or structure volume. For commercial farm buildings as defined in N.J.S.A.52:27D-121 the fee shall be $0.008 per cubic foot for the first 100,000 cubic feet of construction and $0.006 for each cubic foot in excess of 100,000 cubic feet of building or structure volume.

(b) For renovations, alterations, and repairs, solar systems and communication towers: $27.26 per $1,000 for the first $50,000, $21.20 per $1,000 from $50,000 to $100,000 and $18.47 per $1,000 over $100,001 of the estimated cost of the work.

CFO CERTIFICATION
I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are budgeted for the above referenced contract. Monies will be available in the Golf Utility Operating accounts, Fees & Compensation line #6-26-28-799-204($196,500.00) #7-26-28-799-204($204,400.00) #8-26-28-799-204($206,400.00) (pending Township Committee budget approval)

Date: 1/19/2016

Terri Johnson, Chief Financial Officer
(c) For retaining walls:
   (1) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: $105.00.
   (2) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: $70.65.
   (3) A retaining wall of any size at other than a Class 3 residential structure the fee shall be calculated in accordance with Section 12-1.3(a)(1)(b) of this ordinance.

(d) For combination of renovations and additions: the sum of the fees computed separately as renovations and additions.

(e) Swimming pools.
   (1) For aboveground pools: $70.65.
   (2) For in-ground pools: $155.450.
   (3) For an in ground hot tubs $105.100.

(f) For the construction or placement of an unclassified structure, including but not limited to fences, tents, towers, sheds and temporary trailers: $70.65.

(g) The fee for a demolition permit shall be as follows:
   (1) Commercial building or structure: $155.450
   (2) Use Groups R-2, R-3, R-4 & R-5 building or structure: $80.75.
   (3) Unclassified structures, oil/fuel tank removal or abandonment or pools: $70.65 each.

(h) The fee for a permit to erect a sign:
   (1) Permanent sign: $3.00 per square foot of sign area. Fees for double-faced signs shall be based on the total square footage of one side only.

(i) Radon systems: $35.

(j) Roofing or siding: $70.65. (Use group R-2, R-3, R-4 & R-5) including Use Group U that’s an accessory to R-2, R-3, R-4 & R-5. All other Use groups charged per 12-1.3(a)(1)(b) of this ordinance.

(k) Asbestos abatement in accordance with N.J.A.C. 5:23-8: $70 and $14 per certificate of occupancy.

(l) Lead hazard abatement in accordance with N.J.A.C. 5:17: $70 and $14 per lead abatement certificate.

2. Certificates of occupancy fees, miscellaneous fees and waiver of fees:

   (a) The fee for a certificate of occupancy for Use Group R-2, R-3, R-4 & R-5 shall be $80.75.

   (b) The fee for a certificate of occupancy for other than Use Group R-2, R-3, R-4 & R-5 shall be 10% of the total Construction Permit fee.

   (c) The fee for a certificate of continued occupancy: $550.500.

   (d) The fee for a change of use: $350.300.

   (e) Certificate of approval: no fee.

   (f) Temporary certificate of occupancy: $30 for the issuance and or renewal of any temporary certificate.

   (g) Public swimming pools, spas and hot tubs except for one- or two-family residential property, review of
bonding and grounding certificate: $100 for each pool, spa or hot tub renewable every five years.

(h) Public swimming pools, spas and hot tubs except for one- or two-family residential property, electrical inspection to include issuance of certificate of compliance: $100 annually for each pool, spa or hot tub.

(i) The fee to reinstate a lapsed permit: 25% of the initial fee, provided that such application is made within one year from the date the initial permit lapsed. Thereafter, the fee to reinstate the permit shall be 100%.

(j) The fee for an application to the Construction Board of Appeals: $100, payable to the County of Somerset.

(k) The fee for an application for a variation:
   (1) Commercial: $100.
   (2) Use Groups R-2, R-3, R-4 and R-5: $50.

(l) Annual permits issued in accordance with N.J.A.C. 5:23-2.14(c):
   (1) One to 25 workers: $500 per worker.
   (2) Over 25 workers: $200 per worker.
   (3) Training fee in accordance with N.J.A.C. 5:23-4.18(a)5: $140 per subcode.

(m) The fee for plan review shall be 25% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. Plan review fees are not refundable.

(n) The minimum permit fee for a basic construction permit covering any or all of building, electrical, plumbing or fire protection work: $70.

(o) New Jersey State permit surcharge fees: Fess shall be collected in accordance with N.J.A.C. 5:23-4.19

(p) Waiver of fees; All construction permit fees, including the State of New Jersey training surcharge fee, for any work requiring a construction permit shall be waived for the following buildings:

1. Buildings owned and operated by Bernards Township, Somerset County, State of New Jersey or the Federal Government.

2. Buildings owned and operated by the Bernards Township Board of Education. In accordance with N.J.A.C. 5:23-3.11A(b)2, Buildings owned and operated by the Bernards Township Board of Education are subject to payment of the Plan Review fee as required in (m) above.

3. Designs solely to promote accessibility by the handicapped to an existing structure.

4. Rehabilitation of low or moderate income housing in accordance with N.J.S.A. 52:27 D-126d.

(q) Annual review for Commercial Backflow Prevention Device Certificate: $50 per device.

(r) Change of contractor: $25 per Subcode.

(s) Change of ownership of a permit: $100.

3. Electrical subcode fees:

   (a) Fixtures and devices. For the purpose of computing this fee, receptacles, switches, fixtures, convenience receptacles or similar fixtures and motors and devices of one horsepower or one kilowatt or less shall be counted and totaled.

      (1) First 50 fixtures or devices: $70.

(2) Each fixture or device over 50: $2 $4 each.

(b) Swimming pools, in ground spas and hot tubs: $180 $175.

(c) Storable pool or spa: $70 $65.

Calculating. For the purpose of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

(d) Motors/electrical devices:
   (1) One to 10 horsepower: $35.
   (2) To 50 horsepower: $50.
   (3) To 100 horsepower: $100.
   (4) Above 100 horsepower: $150.

(e) Transformers/generators:
   (1) One to 10 kilowatt: $35.
   (2) To 45 kilowatt: $50.
   (3) To 112.5 kilowatt: $100.
   (4) Above 112.5 kilowatt: $150.

(f) Services/panels/subpanels/transfer switches:
   (1) To 100 amperes: $70 $65.
   (2) To 200 amperes: $100.
   (3) To 300 amperes: $175.
   (4) To 400 amperes: $200.
   (5) To 800 amperes: $225.
   (6) To 1,000 amperes: $300.
   (7) To 1,200 amperes: $500.
   (8) Above 1,200 amperes: $750.

(g) Radon systems: $35 $30.

(h) Rain sensors for irrigation systems: $35 $30.

(i) Future conduit runs without connection:
   Up to 300 feet: $100 $75.
   Over 300 feet: $250 $200.

(j) Photovoltaic Solar Systems
   1. One to 50 kW: $70 $65
   2. 51 to 100 kW: $175
   3. Greater than 100 kW: $750

(k) Bonding of CSST Gas Piping: $35

4. Plumbing subcode fees:

   (a) Fixtures, including devices and stacks: $15.

   (b) Water service connection: $70 $65.

   (c) Sewer tie-in and septic: $70 $65.
(d) Gas piping including one outlet: $70.65. Each additional outlet shall be $5.

(e) Boilers (including pool heaters): $70.65.

(f) Water-cooled air-conditioning and refrigeration systems: $100.

(g) Air-conditioning systems: $35.30.

(h) Backflow preventers:
   (1) Use Groups R-2, R-3, R-4 and R-5: $35.
   (2) Other use groups: $125.

(i) Pumps: $70.65.

(j) Grease traps, interceptors and oil separators: $70.65.

(k) Solar heating devices: $70.65.

(l) Steam Generator (Shower): $35.30.

(m) LP Gas tank and associated piping: $75.

(n) Fuel oil piping: $35.

(o) Radiant floor heat: $70.65.

(p) Water heater – Fuel Fired: $70.65

(q) Water Heater-Electric: $35.30

(r) Swimming pool drains: $70.65

(s) Furnace: $70.65.00 in Use Group R-3, R-4 and R-5

(t) Gas Logs: $35.30.00 in Use Group R-3, R-4 and R-5

(u) Generators: $35.30.00 in Use Group R-3, R-4 and R-5

(v) Gas Fireplace: $70.65 in Use Group R-3, R-4 and R-5

5. Fire protection fees:
   (a) Automatic fire alarm systems:

   | Smoke, Heat Detectors and Mass evacuation speakers Fee |
   |-----------------------------------------------|--------|
   | 1 to 20                                      | $70.65 |
   | 21 to 100                                    | 120    |
   | 101 to 200                                   | 230    |
   | 201 to 400                                   | 600    |
   | 401 to 1,000                                 | 825    |
   | Over 1,000                                   | 1200   |

(b) Automatic fire sprinkler systems:
Sprinkler Heads Fee

<table>
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<tr>
<th>Heads Range</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 20</td>
<td>$100</td>
</tr>
<tr>
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<td>101 to 200</td>
<td>260</td>
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<tr>
<td>201 to 400</td>
<td>675</td>
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<tr>
<td>401 to 1,000</td>
<td>900</td>
</tr>
<tr>
<td>Over 1,000</td>
<td>1,350</td>
</tr>
</tbody>
</table>

(c) Pre-engineered systems:
1. CO₂ suppression: $150.
2. FM-200: $150.
3. Foam system: $150.
4. Dry chemical: $150.
5. Wet chemical: $150.

(d) Commercial kitchen hood: $100.

(e) Heat producing devices and venting:
1. Factory built wood fireplaces and solid fuel stoves: $70.65.
2. Furnaces $70.65. In all Use Groups except R-3, R-4 and R-5.
4. Factory built chimneys: $70.65.
5. Chimney relining: $70.65.

(f) Standpipe systems: $200 each riser.

(g) Fire pumps: $200.

(h) Preaction valve: $200.

(i) Dry pipe valve: $200.

(j) Drafting systems: $200.

(k) Smoke control system: $200.

(l) Supervisory and signaling devices: $15.40 each

(m) Fuel storage tank installation.
1. Use Group R-2, R-3, R-4 and R-5: $35.40
2. All other use groups: $200.

6. Elevator Subcode fees:

(a) Elevator Subcode fees shall be in accordance with the Elevator Subcode fee schedule as adopted in the New Jersey Uniform Construction Code.

SECTION 12-2. Construction Records Clearance Required (CRC)

§ 12-2.4. Fees.
The applicant shall submit with the application fees for the CRC as follows to cover the administrative cost:
a. CRC: $40. Requests more than 10 calendar days from change of occupancy or closing.

$75. Requests within 10 calendar days from change of occupancy or closing.

$125. Requests within 4 calendar days from change of occupancy or closing.

**Ordinance #2332 - An Ordinance of the Township of Bernards to set Calendar Year 2016 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 - Introduction**

The clerk read the ordinance by title. Motion by Russo, second by Gaziano that Ordinance #2332 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 02/09/2016.

Roll Call:

Aye: Carpenter, Gaziano, Malay, Russo, Bianchi

Nay:

Abstain:

Motion carried

**Mayoral Appointments to the Zoning Board and Environmental Commission:**

The mayor announced the following appointments:

**Zoning Board:**
Deborah Nungester, A1, filling the unexpired 2 year term of Baldassare, expiring 12/31/2016
John Surano, A2, filling the unexpired 2 year term of Breslin, expiring 12/31/2016

**Environmental Commission:**
David Tancredi, A1, filling the unexpired 2 year term of Mastrangelo, expiring 12/31/2016

**ADJOURNMENT**

By unanimous consent, the meeting adjourned at 8:23 PM.

Respectfully submitted,

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Denise Szabo
Municipal Clerk/Assistant Administrator

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Carol Bianchi
Mayor