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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

FEBRUARY 14, 2017 – COMBINED AGENDA/REGULAR MEETING

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EXECUTIVE SESSION – (CONTINUED FROM EARLIER SESSION IF NEEDED)	23
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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: Bianchi , Carpenter, Malay, Gaziano
Absent: Russo
Also Present: Administrator McArthur, Attorney Belardo (left at 8:10 PM), Engineer Timko, and Municipal Clerk/Assist. Admin. Szabo

EXECUTIVE SESSION – [Resolution #2017-0107](#)

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2017-0107 be approved. The meeting temporarily adjourned to Executive Session at 7:34 PM. Note that executive session discussions authorized under this resolution were held just prior to and immediately following the open session meeting.

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.

	<u>Reason for Closed Session</u>	<u>Estimated Time of Disclosure or Upon Occurrence Of</u>
<input checked="" type="checkbox"/>	<p>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. <i>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.</i></p> <p>Affordable Housing Litigation - ISBR Bernards Township et al - Case 16:cv-01369 (MAS) v. (LHG); USDOJ v. Bernards Township et al - Case 3:16-cv-08700-MAS-LHG; Bernards Township v. QBE Specialty Insurance Company/Summit Risk Services et al - Arbitration Case 01-16-0003-5508</p>	Upon conclusion of litigation.

The meeting resumed in open session at 8:05 PM.

[Resolution #2017-0133](#) - In Recognition of Outstanding Service to Bernards Township - Donald Wadsworth

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2017-0133 be approved.

WHEREAS, Donald Wadsworth has rendered his resignation from the Pool Commission and during his tenure has given innumerable hours to our local government, its democratic process, and to the citizens of Bernards Township; and

WHEREAS, Don was first appointed to the Pool Commission in 1986 in its formative years with an expanding and demanding membership; that year he served as the Swim Team Parent Liaison and Chair of Lawn Care Subcommittee. Over the past 30 years he has served as Vice Chair for nearly 10 years and most recently as the Finance Committee Chair for over 15 years; and

WHEREAS, Don has seen the facility grow exponentially during his tenure - the addition of feature pools; support buildings constructed and renovated and renovated again; slides and water play areas added; and many, many coats of plaster and paint; and

WHEREAS, Don has kept the Pool Commission financially on track throughout, forecasting surplus funds, advising whether or not to take on large projects, and determining if fees can cover expenses. His input has helped to keep Pleasant Valley Pool in stable operation. His expertise and historic knowledge of the facility will be sorely missed and likely will not be matched; and

WHEREAS, Don's decades of service provided continuity and balance among others to ensure the operations remained top notch and the infrastructure up to date for future generations.

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

[Resolution #2017-0114](#) - Commendation on Attaining Eagle Scout Designation - Collin Michael Leigh, Christopher Erikson Kohl and Salvatore Frank Pedalino

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2017-0114 be approved.

WHEREAS, the Township Committee is very pleased to recognize the outstanding personal effort Collin Michael Leigh, Christopher Erikson Kohl and Salvatore Frank Pedalino of reaching the rank of Eagle Scout; and

WHEREAS, Collin, Christopher and Salvatore are members of Troop 555 of Basking Ridge, have been active scouts, demonstrating outstanding leadership within their Troop, and have contributed many service hours to their community during their years in scouting; and

WHEREAS, of the total national enrollment of the scouting program, only a small percentage reach this prestigious rank, which they will carry as a badge of honor.

NOW THEREFORE BE IT RESOLVED that the Township Committee offers its best wishes for continued success, and congratulations for a personal achievement that will serve as a reminder of the importance of the pursuit of excellence throughout their lives.

PUBLIC COMMENT

Elaine Kusel, Granville Way; Gregory Begg, Pitney Court; and Todd Edelstein, Riverside Drive; commented on the ISBR litigation.

Bill Allen, Holmesbrook Road, commented on the Quarry Redevelopment Plan.

CORRESPONDENCE

[01/16/17 Request from Fellowship Senior Living, Inc. Regarding Condition 31 of Resolution of the Planning Board Concerning Off-Road Paths in Accordance with the Township Master Plan \(Engineer's Report\)](#)

Committee members discussed condition #31 of the resolution of the Planning Board for Fellowship Senior Living, Inc. and Engineer's Timko's recommendation that they not be required to construct off-road paths for the reasons set forth in the report. They concurred with Timko's position and a memorializing resolution will be prepared for the next meeting.

[11/07/2017 Letter from Vincent Bisogno – Decision on Title 39 Enforcement as to Speeding, Handicapped Parking, Space Usage and Parking, as Well as Any Other Motor Vehicle Violations to be Enforced on Public Streets \(Police Report\)](#)

The Committee reviewed the police report regarding this matter which recommended that a Title 39 ordinance not be adopted for reasons set forth in the report. They concurred with Bobowicz’s position and a memorializing resolution will be prepared for the next meeting.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2017-0130](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Brian Breslow – Full Member; Liberty Corner First Aid Squad, Harrison Berger - Full Member

Motion by Malay, second by Carpenter, and unanimously agreed that Resolution #2017-0130 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 #1 and the Liberty Corner First Aid Squad, Inc.; and

WHEREAS, the Liberty Corner Fire Company and the Liberty Corner First Aid Squad, Inc. are recommending the following individuals for appointment:

NAME	ADDRESS	MEMBERSHIP STATUS	AGENCY
Brian Breslow	38 Watchung Drive Basking Ridge, NJ 07920	Full Member	Liberty Corner Fire Company
Harrison Berger	11 Crosswood Way Warren, NJ 07059	Full Member	Liberty Corner First Aid Squad

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

UNFINISHED BUSINESS

None

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

Roll Call:

Aye: Bianchi, Carpenter, Malay, Gaziano

Nay:

Abstain:

Motion carried.

*** Begin Consent Agenda***

Approval of Minutes:

01/24/2017 – These minutes were approved for content and release.

01/24/2017 – Executive Session - These minutes were approved for content only.

Resolution #2017-0108 - Approval of the Bill List Dated 02/14/2017

BE IT RESOLVED, that the bill list dated 02/14/2017 be audited, and if found correct, be paid.

February 14, 2017
12:39 PM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to Last Range of Check Dates: 02/02/17 to 02/14/17
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 Num
CASH - CHECKING CURRENT CHECKING					
110711	02/02/17	H0061 HARRAH'S RESORT ATLANTIC CITY	202.00		1288
110712	02/02/17	H0312 HEFFERNAN, ROBERT F	5,706.25		1288
110713	02/02/17	N0006 NEW JERSEY AMERICAN WATER CO.	124.42		1288
110714	02/02/17	P0014 PUBLIC SERVICE ELEC. & GAS CO	5,102.36		1288
110715	02/02/17	S0628 STATE OF NEW JERSEY-HB	6,503.96		1288
110716	02/02/17	U0105 US BANK CUST BV001 TRST&CRDTRS	132.91		1288
110717	02/02/17	V0026 VNA OF SOMERSET HILLS	5,759.50		1288
110718	02/02/17	V0056 VERIZON WIRELESS	2,157.03		1288
110719	02/02/17	V0058 VERIZON	113.35		1288
110720	02/02/17	V0084 VERIZON	313.31		1288
110721	02/02/17	V0177 VERIZON	386.53		1288
110722	02/14/17	72053 UNITED STATES GOLF ASSOCIATION	110.00		1289
110723	02/14/17	A0028 AMERICAN PUBLIC WORKS ASSN.	410.00		1289
110724	02/14/17	A0150 ATLANTIC SALT, INC.	29,430.39		1289
110725	02/14/17	A0162 ACME DIESEL ELECTRIC, INC.	270.00		1289
110726	02/14/17	A0168 ALLIED OIL COMPANY, LLC	9,935.58		1289
110727	02/14/17	A0295 AUDIO EDITIONS	16.00		1289
110728	02/14/17	A0425 ATLANTIC TACTICAL	259.22		1289
110729	02/14/17	A0461 ALBRECHT, JIM	200.00		1289
110730	02/14/17	A0471 APEX AMERICAN ELECTRICAL	844.50		1289
110731	02/14/17	A0562 AMCHAR WHOLESAL INC	5,615.21		1289
110732	02/14/17	A0611 AMERICAN WEAR, INC	1,093.60		1289
110733	02/14/17	A0623 ACCOUNTING RESEARCH &	205.00		1289
110734	02/14/17	A0624 ALICE TRAINING INSTITUTE, LLC	1,190.00		1289
110735	02/14/17	B0001 BAKER & TAYLOR, INC.	5,105.81		1289
110736	02/14/17	B0026 BERNARDS TOWNSHIP CURRENT	0.00	02/14/17 VOID	0
110737	02/14/17	B0026 BERNARDS TOWNSHIP CURRENT	12,037.33		1289
110738	02/14/17	B0029 BERNARDS TWP BD OF EDUCATION	6,884,250.72		1289
110739	02/14/17	B0031 BERNARDSVILLE PRINT CENTER	1,258.26	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110740	02/14/17	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	1,024,381.49	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110741	02/14/17	B0044 BASKING RIDGE ANIMAL HOSPITAL	679.00	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110742	02/14/17	B0203 DIFRANCESCO, BATEMAN, COLEY, YOSP	1,083.44	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110743	02/14/17	B0311 BOBCAT OF CENTRAL JERSEY	42.61	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110744	02/14/17	B0413 BROWNELLS, INC	209.48	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110745	02/14/17	B0469 BEATLEMANIA AGAIN, LLC	500.00	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110746	02/14/17	B0480 BRISTOL-DONALD CO, INC	168.57	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110747	02/14/17	B0536 BAYSHORE RECYCLING CORPORATION	371.28	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110748	02/14/17	B0581 BUY WISE AUTO PARTS	1,037.69	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110749	02/14/17	B0593 BASKING RIDGE COUNTRY CLUB	137.91	02/14/17 VOID	1289 (Reason: BAD PRINT JOB)
110750	02/14/17	B0600 BRANCHBURG SPORTS COMPLEX, LLC	100.00		1289
110751	02/14/17	B0614 BERNARDSVILLE PEDIATRICS	250.00		1289
110752	02/14/17	B0633 BEST CLEANING BUILDING SERVICE	950.00		1289
110753	02/14/17	B0637 BERNARDS CAFE	144.94		1289
110754	02/14/17	B0676 BOWLERO NORTH BRUNSWICK	224.85		1289
110755	02/14/17	B0707 BRIGHT WHITE PAPER CO.	141.54		1289
110756	02/14/17	B0708 BURTON TRENT	15,000.00		1289
110757	02/14/17	C0024 COURIER NEWS	83.85		1289
110758	02/14/17	C0136 RUTGERS, THE STATE UNIVERSITY	940.00		1289
110759	02/14/17	C0234 CAMBRIA MACK TRUCKS, INC.	56.33		1289
110760	02/14/17	C0241 COOPER ELECTRIC SUPPLY	1,294.14		1289
110761	02/14/17	C0482 CABLEVISION OF RARITAN VALLEY	178.69		1289
110762	02/14/17	C0491 CHARNSTROM	107.89		1289
110763	02/14/17	C0636 CENTER POINT LARGE PRINT	95.08		1289
110764	02/14/17	C0654 CIRCLE LINE SIGHTSEEING	533.50		1289
110765	02/14/17	C0685 CONSTELLATION NEWENERGY, INC	3,805.14		1289
110766	02/14/17	C0697 BB&T/CPS	71.61		1289
110767	02/14/17	C0734 CHERMERKA, WILLIAM	250.00		1289
110768	02/14/17	D0033 DEMCO, INC	453.28		1289
110769	02/14/17	D0339 DEER CARCASS REMOVAL SVC, LLC	1,168.00		1289
110770	02/14/17	D0380 DRIVERS TIRE & SERVICE CENTER	2,515.68		1289
110771	02/14/17	D0628 DCRP	189.73		1289
110772	02/14/17	D0740 DOVER BRAKE & CLUTCH	149.96		1289
110773	02/14/17	D0754 DC EXPRESS	676.00		1289
110774	02/14/17	D0755 DUKES, MARGARET	15.00		1289
110775	02/14/17	E0185 EDWARDS TIRE COMPANY	1,089.00		1289
110776	02/14/17	E0205 EAGLE POINT GUN SHOP	8,003.00		1289
110777	02/14/17	F0001 FEDEX	160.40		1289
110778	02/14/17	F0003 FOLEY, INCORPORATED	606.59		1289
110779	02/14/17	F0047 FULLERTON FORD	22.95		1289
110780	02/14/17	F0158 FLEMINGTON DEPARTMENT STORE	30.00		1289
110781	02/14/17	F0273 FLOWERS ON THE RIDGE	58.95		1289
110782	02/14/17	F0298 FWDSL & ASSOCIATES LP	47,946.20		1289

110783	02/14/17	F0299	FASTENAL CO.	1,014.51	1289
110784	02/14/17	F0324	FLAGSHIP DENTAL PLANS	307.94	1289
110785	02/14/17	F0326	FX AUTOMOTIVE LLC	292.06	1289
110786	02/14/17	F0330	FIDELITY SECURITY LIFE INS	212.30	1289
110787	02/14/17	F0352	THE FUNPLEX	233.93	1289
110788	02/14/17	G0032	GM FENCE	1,300.25	1289
110789	02/14/17	G0066	GRAINGER INC	896.00	1289
110790	02/14/17	G0098	JCP&L	153.25	1289
110791	02/14/17	G0267	GARDEN STATE VINYL DESIGNS	375.00	1289
110792	02/14/17	G0333	BEDMINSTER CAR WASH	44.90	1289
110793	02/14/17	G0461	GLOBAL AUTO MALL	2,198.14	1289
110794	02/14/17	G0500	GREEN BROOK ELECTRONICS	74.24	1289
110795	02/14/17	H0029	HUMPHREYS PEST CONTROL, INC.	748.80	1289
110796	02/14/17	H0061	HARRAH'S RESORT ATLANTIC CITY	810.00	1289
110797	02/14/17	H0235	HOOVER TRUCK CENTERS	128.13	1289
110798	02/14/17	H0375	HICKS PAVING, LLC	60.00	1289
110799	02/14/17	I0011	INTERNATIONAL INSTITUTE	200.00	1289
110800	02/14/17	I0067	INDUSTRIAL RUBBER COMPANY	211.57	1289
110801	02/14/17	I0152	IWS TRANSFER SYSTEMS OF NJ	2,747.88	1289
110802	02/14/17	J0002	JAEGER LUMBER	351.94	1289
110803	02/14/17	J0093	JOHNNY ON THE SPOT	65.00	1289
110804	02/14/17	J0123	JERSEY PAPER PLUS (JCP PAPER)	658.00	1289
110805	02/14/17	J0150	FORD OF JERSEY CITY	557.34	1289
110806	02/14/17	K0039	KOBESKY, GREGG S.	199.99	1289
110807	02/14/17	K0252	KOHLER WASTE SERVICES, INC.	125.00	1289
110808	02/14/17	K0259	KONICA MINOLTA PREMIER FINANCE	122.00	1289
110809	02/14/17	K0259	KONICA MINOLTA PREMIER FINANCE	167.07	1289
110810	02/14/17	K0274	KELLER & KIRKPATRICK, INC	300.00	1289
110811	02/14/17	K0297	KONICA MINOLTA PREMIER FINANCE	137.58	1289
110812	02/14/17	L0054	LORCO PETROLEUM SERVICES	150.50	1289
110813	02/14/17	L0181	LAND'S END, INC.	92.75	1289
110814	02/14/17	L0289	LEE, KATHERINE	90.00	1289
110815	02/14/17	L0386	L.E.A.D.	125.00	1289
110816	02/14/17	L0402	L.A. FRAME CO.	1,962.07	1289
110817	02/14/17	M0006	MGL PRINTING SOLUTIONS	87.00	1289
110818	02/14/17	M0010	MOBILE LAWNMOWER SERVICE, INC.	408.15	1289
110819	02/14/17	M0055	MCASC	80.00	1289
110820	02/14/17	M0178	MARK'S AUTO SERVICE	75.00	1289
110821	02/14/17	M0493	MCELROY, DEUTSCH, MULVANEY &	12,248.41	1289
110822	02/14/17	M0518	KONICA MINOLTA BUSINESS SOL.	47.56	1289
110823	02/14/17	M0518	KONICA MINOLTA BUSINESS SOL.	147.76	1289
110824	02/14/17	M0518	KONICA MINOLTA BUSINESS SOL.	60.69	1289
110825	02/14/17	M0518	KONICA MINOLTA BUSINESS SOL.	110.95	1289
110826	02/14/17	M0518	KONICA MINOLTA BUSINESS SOL.	252.51	1289
110827	02/14/17	M0815	M & M PERROTTIS	46.94	1289
110828	02/14/17	M0823	MOOSEWOOD TREE SERVICE	4,008.00	1289
110829	02/14/17	M0830	MOTT MACDONALD	244.90	1289
110830	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	37,478.10	1289
110831	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	130.70	1289
110832	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	250.68	1289
110833	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	184.02	1289
110834	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	22.17	1289
110835	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	15.50	1289
110836	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	22.17	1289
110837	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	22.17	1289
110838	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	15.50	1289
110839	02/14/17	N0006	NEW JERSEY AMERICAN WATER CO.	130.70	1289
110840	02/14/17	N0010	NNJ CHAPTER NIGP -C/O SOMERSET	80.00	1289
110841	02/14/17	N0017	NJ STATE LEAGUE OF MUNICIPAL.	110.00	1289
110842	02/14/17	N0030	NJ STATE ASSN.-CHIEFS/POLICE	500.00	1289
110843	02/14/17	N0032	NJ STATE DEPT HEALTH/SR SVCS	1,263.60	1289
110844	02/14/17	N0053	NJ UNEMPLOYMENT COMP. FUND	4,291.27	1289
110845	02/14/17	N0131	NJ POLICE TRAFFIC OFFICER ASSN	50.00	1289
110846	02/14/17	N0304	NRPA	600.00	1289
110847	02/14/17	N0311	NEW JERSEY EMERG PREP ASSN	180.00	1289
110848	02/14/17	N0322	NEXTEL COMMUNICATIONS	81.42	1289
110849	02/14/17	O0021	OFFICE DEPOT	1,442.57	1289
110850	02/14/17	O0029	OLDE MILL INN	414.00	1289
110851	02/14/17	O0102	OCLC, INC	489.51	1289
110852	02/14/17	O0105	O.C.A. BENEFIT SERVICES, LLC	89.10	1289
110853	02/14/17	P0046	RESERVE ACCOUNT	1,572.12	1289
110854	02/14/17	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	47.85	1289
110855	02/14/17	P0538	PROVIDENT LIFE & ACCIDENT	325.96	1289
110856	02/14/17	P0546	PETER RUBINETTI PRIVATE DISP	1,586.00	1289
110857	02/14/17	Q0002	CINTAS CORP. - #062	359.75	1289
110858	02/14/17	R0004	RECORDED BOOKS INC.	162.08	1289
110859	02/14/17	R0005	RECORDER PUBLISHING CO., INC	248.90	1289
110860	02/14/17	R0010	REIDER ASSOCIATES	3,438.90	1289
110861	02/14/17	R0025	RIDGE RESTAURANT	116.42	1289
110862	02/14/17	R0369	RUTGERS - NJAES - OFFICE OF	690.00	1289
110863	02/14/17	R0376	RUDCO PRODUCTS	5,883.00	1289
110864	02/14/17	R0408	RADATA, INC	625.00	1289
110865	02/14/17	R0490	R & H TRUCK PARTS AND SERVICE	1,277.51	1289
110866	02/14/17	R0505	RENTACRATE, LLC	350.00	1289
110867	02/14/17	R0509	REIVAX CONTRACTING CORPORATION	11,099.50	1289
110868	02/14/17	S0016	STORR TRACTOR COMPANY	6,041.82	1289
110869	02/14/17	S0021	S & S WORLDWIDE, INC.	2,604.31	1289
110870	02/14/17	S0191	SOMERSET COUNTY RECYCLING PROG	60,555.15	1289
110871	02/14/17	S0443	STAPLES ADVANTAGE	259.42	1289
110872	02/14/17	S0628	STATE OF NEW JERSEY-HB	219,766.72	1289
110873	02/14/17	S0875	SUNLIGHT GENERAL CAPITAL	63.44	1289
110874	02/14/17	S0957	SHERMAN, MARIE	210.00	1289
110875	02/14/17	S0958	SCENIC LANDSCAPING LLC	500.00	1289
110876	02/14/17	S0959	SHERMAN, COURTNEY	150.00	1289
110877	02/14/17	T0037	TJ'S SPORTWIDE TROPHY & AWARDS	231.00	1289
110878	02/14/17	T0049	TROPICANA ATLANTIC CITY	362.28	1289
110879	02/14/17	T0066	CENGAGE LEARNING CREDIT SVCS	98.01	1289

TOWNSHIP COMMITTEE MINUTES

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110880	02/14/17	T0101	TRIANGLE COMMUNICATIONS	90.00	1289
110881	02/14/17	T0360	T.R. WENIGER, INC.	14,700.00	1289
110882	02/14/17	T0372	TLO, LLC	114.50	1289
110883	02/14/17	T0378	THE GUARDIAN LIFE INS CO OF AM	172.42	1289
110884	02/14/17	T0413	37 STONEHOUSE, LLC	81.33	1289
110885	02/14/17	U0001	UNITEMP INC.	672.00	1289
110886	02/14/17	U0111	US BANK CUST FOR PC 6 LLC	1,167.03	1289
110887	02/14/17	V0020	VILLAGE OFFICE SUPPLY	593.47	1289
110888	02/14/17	V0037	VILLAGE SUPERMARKET, INC.	71.34	1289
110889	02/14/17	V0056	VERIZON WIRELESS	229.17	1289
110890	02/14/17	V0058	VERIZON	1,745.30	1289
110891	02/14/17	V0059	VERIZON CABS	204.83	1289
110892	02/14/17	V0073	VAIL INDUSTRIAL SUPPLIES	342.27	1289
110893	02/14/17	V0084	VERIZON	184.98	1289
110894	02/14/17	V0124	VERIZON BUSINESS FIOS	569.98	1289
110895	02/14/17	V0130	VERIZON CENTER	28,719.58	1289
110896	02/14/17	V0140	VANTAGEPOINT TRANSFER AGENTS	15,824.26	1289
110897	02/14/17	V0185	VERIZON NETWORK FLEET	557.48	1289
110898	02/14/17	W0016	WARRENVILLE TRUE VALUE	748.89	1289
110899	02/14/17	W0056	WELDON CONCRETE CO.	666.52	1289
110900	02/14/17	W0074	WELSH'S MOTOR SALES, INC.	113.60	1289
110901	02/14/17	W0339	W.B. MASON	247.62	1289
110902	02/14/17	X0003	XEROX CORPORATION	20.88	1289
110903	02/14/17	X0003	XEROX CORPORATION	193.41	1289
110904	02/14/17	X0003	XEROX CORPORATION	292.81	1289
110905	02/14/17	B0031	BERNARDSVILLE PRINT CENTER	1,258.26	1289
110906	02/14/17	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	1,024,381.49	1289
110907	02/14/17	B0044	BASKING RIDGE ANIMAL HOSPITAL	679.00	1289
110908	02/14/17	B0203	DIFRANCESCO,BATEMAN,COLEY,YOSP	1,083.44	1289
110909	02/14/17	B0311	BOBCAT OF CENTRAL JERSEY	42.61	1289
110910	02/14/17	B0413	BROWNELLS, INC	209.48	1289
110911	02/14/17	B0469	BEATLEMANIA AGAIN, LLC	500.00	1289
110912	02/14/17	B0480	BRISTOL-DONALD CO, INC	168.57	1289
110913	02/14/17	B0536	BAYSHORE RECYCLING CORPORATION	371.28	1289
110914	02/14/17	B0581	BUY WISE AUTO PARTS	1,037.69	1289
110915	02/14/17	B0593	BASKING RIDGE COUNTRY CLUB	137.91	1289

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	193	12	8,564,400.01	1,029,869.73
Direct Deposit:	0	0	0.00	0.00
Total:	193	12	8,564,400.01	1,029,869.73

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	193	12	8,564,400.01	1,029,869.73
Direct Deposit:	0	0	0.00	0.00
Total:	193	12	8,564,400.01	1,029,869.73

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	6-01	21,109.77	0.00	0.00	21,109.77
GOLF COURSE UTILITY	6-26	3,974.00	0.00	0.00	3,974.00
Year Total:		25,083.77	0.00	0.00	25,083.77
CURRENT FUND	7-01	8,338,977.94	0.00	0.00	8,338,977.94
DOG FUND	7-12	2,912.38	0.00	0.00	2,912.38
GOLF COURSE UTILITY	7-26	2,455.16	0.00	0.00	2,455.16
Year Total:		8,344,345.48	0.00	0.00	8,344,345.48
CAPITAL FUND	C-04	31,714.71	0.00	0.00	31,714.71
PUBLIC GRANTS	G-02	69.75	0.00	0.00	69.75
TRUST FUNDS	T-13	163,186.30	0.00	0.00	163,186.30
Total Of All Funds:		8,564,400.01	0.00	0.00	8,564,400.01

Resolution #2017-0109 - Authorizing and Approving Purchase of one (1) 2017 Ford Fusion S FWD from NJ State Contract # T0099 (A86922) to Hertrich Fleet Services Inc., 1427 Bay Rd, Milford, DE 19963 - In the Amount Not to Exceed \$17,400.00

WHEREAS, the Township of Bernards Construction Department wishes to purchase one (1) 2017 Ford Fusion S FWD;

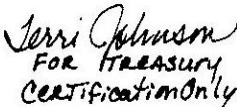
QTY	DESCRIPTION	UNIT TOTAL
1	2017 Ford Fusion S FWD, 4 DR, Oxford White Quote # 01182017-01	\$17,400.00
	TOTAL	\$17,400.00

WHEREAS, it is the combined recommendation of the Construction Official, Administrator and Purchasing Agent to award this purchase to; Hertrich Fleet Services Inc., 1427 Bay Rd, Milford, DE 19963 in the amount of \$17,400.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation to be charged is line account #7-01-22-195-252 (\$17,400.00); 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) 2017 Ford Fusion S FWD to Hertrich Fleet Services Inc., 1427 Bay Rd, Milford, DE 19963 in the Amount Not to Exceed \$17,400.00

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 \$17,400.00 Monies are available in the 2017 Budget, Construction Department Operating Expenses line account #7-01-22-195-252.
 FOR TREASURY CERTIFICATION ONLY
Date: 1/19/2017 Terri Johnson, Chief Financial Officer

Resolution #2017-0110 - Authorization for Tax Refund, Block 4301, Lot 10

WHEREAS, a tax overpayment exists because the property owner overpaid the first quarter 2017 taxes through the sale of the property; and

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 be hereby approve and authorize the following refund.

Block & Lot	Quarter & Year	Amount	Issue Refund To
4301/10	1Q17	\$10,746.09	Arvind Gupta c/o Anjali Reddi 69 Blazier Rd Martinsville NJ 08836

Resolution #2017-0111 - Issuance of Solicitor's License Jonathan Frasco – Royal Enterprise Solutions, Inc. Period 01/01/2017 – 06/30/2017

WHEREAS, Jonathan Frasco of Royal Enterprise Solutions, Inc., 15 Corporate Place South, Suite 150, Piscataway, NJ 08854 has applied for a Solicitor's License for the license period of 01/01/2017 to 06/30/2017, effective 02/14/2017, for the purpose of door-to-door sales of Verizon Fios; and

WHEREAS, pursuant to Chapter 4, Section 2 of the Revised General Ordinances of the Township of Bernards, the applicant has provided the required documentation and paid the applicable fees; and

WHEREAS, the Municipal Clerk, the Chief of Police, and the Zoning Officer have reviewed the said application and found it complete.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards the application be approved as submitted.

[Resolution #2017-0112](#) - Acceptance of the Friends of the Kennedy Martin-Stelle Farmstead 2016 Annual Report

WHEREAS, pursuant to Ordinance #1775 originally adopted by the Township Committee of the Township of Bernards on March 29, 2005, authorizing a lease agreement with the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. for a 4.397 acre tract known as Block 185, Lot 20.03, King George Road, Basking Ridge; and

WHEREAS, pursuant to said lease, and N.J.S.A. 40A:12-14(c) the Friends of the Kennedy Martin-Steele Farmstead, Inc., must submit an annual report to the Township setting out in detail the progress of the buildings preservation, restoration, renovations or operations and the progress of all fund-raising activities and grant applications, the proposed use for the buildings upon commencement of operation, the occupancy and utilization of the buildings during the preceding year, the activities of the Tenant undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value of cost, if any, of such activities in furtherance of such purpose and an affirmation of the continued tax exempt status of the Tenant pursuant to both State and federal law.

WHEREAS, the 2016 annual report has been submitted as required.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the 2016 Annual Report of the Friends of the Kennedy Martin-Steele Farmstead be accepted as submitted.

**Friends of the Kennedy-Martin-Stelle Farmstead
Annual Report For 2016**

On behalf of the Friends of the Kennedy Martin Stelle Farmstead, we thank the members of the Township Committee; and the following departments, Administration, Public Works, Engineering, Police and Fire, Systems, Recreation and the Community Service Team for their support of the Farmstead. We appreciate all your efforts and confidence in us, and look forward to working with you in the future.

Farmstead Arts Grant Awards and Historic Preservation/Adaptive Re-Use

In 2016, the Friends filed final reports for work under the 2014 Somerset County Historic Preservation grant and the Garden State Historic Trust Preservation Grant. The Friends have repaid the Township in full pursuant to the agreement to provide bridge funding under the State Grant. The Friends would not have been able to accept the Garden State Historic Preservation grant without this bridge loan, and we are very grateful to the Township for making this available. The work completed under the State and County grants was detailed in the 2015 annual report.

In October 2016, the Friends were awarded a grant of \$188,433 through the Somerset County Historic Preservation Grant program. This money will be used for the following work using Michael Calafati as the architect, KSi Professional Engineers LLC of Farmingdale, NJ as structural engineers and a contractor to be determined based on competitive bidding:

English Barn: Enhanced utilization to and access of the English Barn to include a storage platform level above the dropped stalls at the east end of the barn and new stairs for access to the platform intended for staff use only.

Cow Barn: Stabilization and Closure to include demolition of the non-historic west aisle, new concrete footings for wood posts, repairs to and reinforcement of surviving heavy timber frame, new wood shingle roof and clapboard siding, including painting, and new doors and windows at the building perimeter.

The schedule is to have this work completed by July 1, 2017.

Arts Programming and General Operating Support - In 2016, The Friends received a general operating grant for 2017 of \$7,000 from the New Jersey State Council on the Arts through the Somerset County Cultural and Heritage Commission LAP Grant. We also received a grant of \$2020 from the Somerset County History Partnership Program to provide 4 history lectures and create a history brochure.

Activities Furthering the Public Purpose for Which the Leasehold Was Granted

Farm House public use: The house is in constant use as an arts center. As of this date, all five of the upstairs studios are licensed to artists, and the main floor is being used as art galleries, teaching studios and for small concerts and theatrical events.

English Barn public use: The English Barn was used for three theatrical productions in 2016, a comedy show, a special event honoring founding trustee John Campbell and the installation of a new historic marker, and an arts festival.

Calendar of Events at Farmstead Arts – January – December 2016

- Events/activities between January and December 31, 2016:
- 7 theater performances from May 6 – May 22, 2016 of The Dresser by the Lord Stirling Theater Company in the English Barn, benefitting 16 actors and theater staff (Lighting, sound, musicians) and 400 people
- 5 Concerts benefitting 220 people and 14 musicians
- Bert Lams and Fabio Mittino, Classical Guitar Duo on Jan 2, 2016 in the Farm House benefitting 2 musicians and 50 audience members
- Duo Cantiga with Katherine Harris, Soprano and guitarist Christopher Kenniff, Feb. 21, 2016 in the Farm House benefitting 2 musicians and 35 audience members
- Peter Tang's Chinese Ensemble, April 10, 2016 in the Farm House benefitting 4 musicians and 30 audience members
- Harpist Elaine Christy, May 15, 2016 in the Farm House benefitting 1 musician and 45 audience members
- Brass Works Brass Ensemble, June 2, 2016 in the English Barn benefitting 5 musicians and 150 people (see historic marker dedication below).
- 2 art shows featuring works by 36 artists benefitting 220 people
- Ridge High School Art Show, March - April 1, 2016 benefitting 4 adult teachers and 30 high school students, opening and gallery hours attended by 100 people
- Member Art Show featuring works by 16 artists benefitting 120 people, April 10 – May, 2016 in the Farm House.
- 2 Special Events
- Girl Scout Troop 61077 history and creative lesson, Feb. 5, 2016 benefitting 2 troop leaders and 7 girl scouts, ages 12 – 15
- Historic Marker Dedication with music by Brass Works Brass Quintet, June 2, 2016 in the English Barn, benefiting 5 musicians and 150 people
- Multiple art classes for all ages throughout the period in the Farm House and on the grounds, benefitting 3 teachers and 26 students of all ages, including 6, 2 and 1 week classes for all ages: Intro to Drawing classes for ages 8 – 12, teens and adults, Colored Pencil Drawing, Drawing and Painting for Teens, Play with Clay for ages 8 to adult, Landscape Drawing, Plein Air Workshops Participation in Weekend Journey Through the Past with 2 performances of What Price Freedom (a play performed by the Farmstead Players based on the life of Ephraim Martin), songs of the

Revolutionary War performed each day by William Ward dressed as George Washington, an art show by Gallery NJ artists, plein air painting and colonial crafts and games, benefiting over 300 people and 20 artists.

We also created a new season brochure using a professional graphic artist, expanded our mailing list by over 500 people, began an exciting new collaboration with the English Farm, another historic farm in Basking Ridge, and Young Audiences of New Jersey, and continued our collaborations with the Lyons Veterans Administration Hospital Greenhouses, the Girl Scouts, Boy Scouts, area schools, the Lord Stirling Theater Company, the Business Partnerships in Bernards and Bernardsville and various local businesses. We completed restorations and improvements to the historic property under the 2014 Somerset County Historic Preservation program, including the installing ceilings and windows to the past in the Farmhouse, stabilizing the basement steps, installing flooring in the Barn's drop stalls, installing a store front entrance in the Barn, restoring the drop stall doors in the Barn, and extending the ADA sidewalk to the Barn.

Human Resources

The Friends of the KMS Farmstead have no salaried employees. In 2016, we hired Katherine Harris as an independent contractor to work up to 15 hours a week as operations manager and Tammy DeVoe as an independent contractor to provide graphic design services as needed.

Trustees:

Ann Rosenblum – President
Carolyn Kelly – First Vice President
Peter Carhart – Second Vice President
Irene Grabowski – Board Secretary
Michael Kelly – Trustee and Asst. Treasurer
Leslie Stevens – Second Vice President
Rick Carlson - Trustee

Recording Secretary: Kim Hiscano.

2016 Township Committee Liaison: Carolyn Gaziano

Pro bono legal support: Nicholas San Filippo -- Attorney, Lowenstein Sandler

Pro bono book keeper: Dennis Dinsmore

Operating Revenues, Members' Dues and Donations – In 2016 the Friends received \$197,453 in government grants, \$8,081 in membership dues and donations, and \$33,678 in program revenue and other earned income, including fund raising.

Tax Exempt Status

The Friends of the KMS Farmstead have maintained tax exempt status under both state and federal law.

[Resolution #2017-0113](#) - *Tax Exemption Approval for Lynn S Snyder*

WHEREAS, the owner for Block 2502 Lot 4 has filed an application for total exemption on taxes due to a total and permanent disability of the deceased spouse, and

WHEREAS, the owner is entitled to the exemption as a result of the total and permanent disability per NJSA 54:4-3.30, and

WHEREAS, the Tax Assessor has approved said application in the year 2017 and every year the applicant is qualified, and

WHEREAS, the Tax Collector for the Township of Bernards recommends that the taxes on Block 2502 Lot 4, otherwise known as 32 Kinnan Way, currently owned by Lynn S Snyder be canceled for 2017 and therefore exempt for the duration of ownership and as long as the applicant meets all qualifications for said exemption.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the canceled as per recommendation of the Tax Collector.

[Resolution #2017-0115](#) - *Personnel Appointment, Marcella Hoover – Deputy Court Administrator – Municipal Court*

WHEREAS, the full time position of Deputy Court Administrator has become available; and

WHEREAS, the Municipal Judge, Municipal Court Administrator, Township Administrator, and CFO/HRO have deemed it necessary to fill this position; and

WHEREAS, selection for the Deputy Court Administrator position is subject to the Recruitment Process as set forth in Rule 1:34-3, which was adopted by the Supreme Court of New Jersey effective September 13, 2011; and

WHEREAS, the Township of Bernards has complied with the Recruitment Process through joint participation of the municipality and the judiciary; and

WHEREAS, Marcella Hoover has applied for, is qualified to fill said position, and has been selected for appointment by the Municipal Judge, Township Administrator, CFO/HRO, the Bernards Township Municipal Court Administrator and the Municipal Division Manager; and

WHEREAS, Ms. Hoover has been approved by the Vicinage Assignment Judge as the candidate of choice for the Bernards Township Deputy Court Administrator position.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Marcella Hoover be appointed full-time Deputy Court Administrator on February 20, 2017 at an hourly rate of \$23.56. Ms. Hoover may be eligible for a salary adjustment upon the successful completion of her Initial Employment Period.

[Resolution #2017-0116](#) - *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 with Christina White to Use Space Solely as a Studio for Art Production 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

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 February 1, 2017, the Friends requested approval to permit a lease agreement renewal with Christina White for use of space solely as for art production 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 renewal with Christina White for a 12 month period of February 1, 2017 to February 1, 2018; 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 #2017-0117](#) - *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 Lease Agreement with Deborah Lavine to Use Space Solely as a Studio for Art Production 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

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 February 1, 2017, the Friends requested approval to permit a lease agreement with Deborah Lavine for use of space solely as for art production 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 Deborah Lavine for a 3 month period of March 1, 2017 to June 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 #2017-0118](#) - *Commendation to Kathleen Piedici as the Recipient of the 2017 Somerset County Commission on the Status of Women Outstanding Woman of the Year Award in the Category of Volunteerism Award*

WHEREAS, the Somerset County Commission on the Status of Women, in celebration of Women's History Month in March, sponsors a program to highlight women who have made significant contributions in their professional fields, to women's causes, or in community endeavors; and

WHEREAS, township resident, Kathleen (Kippy) Piedici, is an extraordinary volunteer while working full time as a Director at Solix Inc.; and

WHEREAS, Kippy has volunteered in various capacities including: Chairwoman of the Bernards Township Beautification Committee, the Director of the Alumni Association of the University of Michigan, and as the President of the Alumni Club of Washington DC, to name a few; and

WHEREAS, as the current President of the Bernards Township Library Board, Kippy is overseeing a major renovation of the Library; and

WHEREAS, Kippy also currently serves on the Board of Directors for the NJ Planning Officials of New Jersey and as a valued member of the Bernards Township Planning Board.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby commend Kathleen (Kippy) Piedici for her work volunteer work and congratulate her for receiving this prestigious award from the Somerset County Commission on the Status of Women.

[Resolution #2017-0119](#) - *Commendation to Caren Frost Olmsted as the Recipient of the 2017 Somerset County Commission on the Status of Women Outstanding Woman of the Year Award in the Category of Arts*

WHEREAS, the Somerset County Commission on the Status of Women, in celebration of Women's History Month in March, sponsors a program to highlight women who have made significant contributions in their professional fields, to women's causes, or in community endeavors; and

WHEREAS, township resident, Caren Frost Olmsted is the founding co-chair of ARTsee, a group of local artists who meet regularly to foster camaraderie and also sponsor two annual events each year. As a result of Caren's vision and organization, ARTsee has grown to an annual membership of approximately 40-50 artists from Basking Ridge, Bernardsville and surrounding towns; and

WHEREAS, when not organizing and participating in ARTsee, Caren continues to provide community enrichment through her mural projects; and

WHEREAS, Caren was the recipient of the 2014 Bernards Township Mayor's Art Award on behalf of ARTsee, recipient of the 2015 prestigious award of "Arts Educator of the Year," from Morris Arts; and

WHEREAS, Caren has served as Cultural Arts Chair on the Parks and Recreation Committee of Bernards Township, NJ.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby commend Caren's dedication to the Arts and congratulate her for receiving this prestigious award from the Somerset County Commission on the Status of Women.

[Resolution #2017-0120](#) - *Commendation to Carol Bianchi as the Recipient of the 2017 Somerset County Commission on the Status of Women Outstanding Woman of the Year Award in the Category of Government/Public Service*

WHEREAS, the Somerset County Commission on the Status of Women, in celebration of Women's History Month in March, sponsors a program to highlight women who have made significant contributions in their professional fields, to women's causes, or in community endeavors; and

WHEREAS, township resident, Carol Bianchi started her involvement in the public sector in 2009 as an organizer and co-leader of a citizens group "Citizens for a Clean and Safe Millington Quarry," which successfully worked with the government to stop the importation of fill to the quarry and to require testing for contamination and DEP oversight; and

WHEREAS, Carol was elected to the Township Committee in 2014, and continues to serve today in that capacity, having been selected as Mayor in 2016; and

WHEREAS, Carol created numerous initiatives to increase communications and provide information to residents; and

WHEREAS, Carol conducted extensive outreach to the community; and

WHEREAS, Carol served as the first female Chairperson of the Planning Board; Chairwoman of the Municipal Alliance Against Alcohol and Drug Abuse; and Chairwoman of the Sewer Authority, as well as numerous other boards; and

WHEREAS, Carol also serves as the Co-chair of the Somerset County Employer Legislative Committee (ELC) and the Somerset County Business Partnership Legislative Committee and as Vice President of the Somerset County Governing Officials Association; and Carol worked with these organizations to create a new collaboration in 2017 to more effectively represent and advocate for the Somerset County business community; and

WHEREAS, Carol earned the 2016 Somerset County Governing Elected Official of the Year award.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby commend Carol Bianchi for her work in government/public service, and congratulate her for receiving this prestigious award from the Somerset County Commission on the Status of Women.

[Resolution #2017-0121](#) - *Commendation to Carolyn Kelly as the Recipient of the 2017 Somerset County Commission on the Status of Women Outstanding Woman of the Year Award in the Category of the Arts*

WHEREAS, the Somerset County Commission on the Status of Women, in celebration of Women's History Month in March, sponsors a program to highlight women who have made significant contributions in their professional fields, to women's causes, or in community endeavors; and

WHEREAS, township resident, Carolyn Kelly was a founding member of the Friends of the Kennedy Martin Stelle Farmstead in 2004, and currently serves as a trustee and first Vice President; and

WHEREAS, over the last 12 years, Carolyn has tirelessly worked towards achieving the goals of preserving the Farmhouse and the English Barn, and creating a flourishing arts center for the community; and

WHEREAS, Carolyn was also instrumental in obtaining grants from Somerset County which funded the preservation; and recently the Farmstead was awarded the NJ Preservation Award, one of the highest honors for preservation and adaptive reuse.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby commend Carolyn Kelly for her commitment to the Arts and congratulate her for receiving this prestigious award from the Somerset County Commission on the Status of Women.

[Resolution #2017-0122](#) - *Change Order #1 Time Extension for a Professional Services Contract for Bernards Township Housing Element and Fair Share Plan and other Planning Matters to David Banisch, PP, NJ LIC # 33L100556500 of the firm Banisch Associates*

WHEREAS, the Bernards Township Committee adopted Resolution # 2015-0188 on April 14, 2015 awarded a professional services contract in the amount of \$ 30,000.00 to David Banisch, PP, NJ LIC # 33L100556500 of the firm Banisch Associates 111 Main St, Flemington, NJ 08822 for professional planning services; and

WHEREAS, additional time extension is required due to continuing litigation.

NOW BE IT RESOLVED by the Bernards Township Committee that the contract for professional planning services awarded to David Banisch, PP, NJ LIC # 33L100556500 of the firm Banisch Associates, 111 Main St, Flemington, NJ 08822 be extended to February 13, 2018.

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

[Resolution #2017-0123](#) - *Issuance of a Rotational Towing License To TJS Automotive Services, Inc., d/b/a Dave's Heavy Towing, 87 Old Camplain Road, Hillsborough, NJ 08844 For the 2 Year Period of February 14, 2017 to February 14, 2019*

WHEREAS, TJS Automotive Services, Inc., d/b/a Dave's Heavy Towing, 87 Old Camplain Road, Hillsborough, NJ 08844 has applied for a Rotational Towing License for a two year period of February 14, 2017 to February 14, 2019 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 TJS Automotive Services, Inc., d/b/a Dave's Heavy Towing, 87 Old Camplain Road, Hillsborough, NJ 08844 for the 2 year period, February 14, 2017 to February 14, 2019.

[Resolution #2017-0124](#) - *Commendation to Jody D'Agostini as the Recipient of the 2017 Somerset County Commission on the Status of Women Outstanding Woman of the Year Award in the Category of Hometown Hero*

WHEREAS, the Somerset County Commission on the Status of Women, in celebration of Women's History Month in March, sponsors a program to highlight women who have made significant contributions in their professional fields, to women's causes, or in community endeavors; and

WHEREAS, Bernards Township resident, Jody D'Agostini is a cofounder of Community in Crisis (CIC), a coalition of nearly 100 volunteers, community group leaders, law enforcement, clergy, medical professionals, mental health experts, local government officials and school representatives serving the five Somerset Hills communities in central NJ (Bernards Township, Bernardsville, Bedminster, Far Hills, Peapack-Gladstone); and

WHEREAS, CIC was formed in 2014 in response to a sudden and alarming increase in opioid abuse and overdose deaths among young people in the community and is united in the fight against the pills to heroin epidemic, committed to prevention and recovery, and to keep the stigma out of addiction.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby commend Jody D'Agostini for her work with Community in Crisis, and congratulate her for receiving this prestigious award from the Somerset County Commission on the Status of Women.

[Resolution #2017-0125 - Appointment of Census 2020 Advisory Committee](#)

WHEREAS, every ten years, the U.S. Census Bureau conducts a census of the population and housing of the United States; and

WHEREAS, Census data drive reapportionment and redistricting decisions, and directly affect the distribution of more than \$400 billion in federal funds each year; and

WHEREAS, the census is based on an up-to-date address list compiled from many sources; and

WHEREAS, the Township Committee of the Township of Bernards recognizes the importance of collecting accurate data to support the Census 2020 effort; and

WHEREAS, further to that effort the Township Committee wishes to appoint an advisory committee to coordinate the efforts of Census 2020 in Bernards Township by ensuring the accurate collection and interpretation of data.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint the following to the Bernards Township Census 2020 Advisory Committee:

William Draper – Township Demographer
Pat Monaco – Dir. of Public Works/ Asst. Administrator
David Centrelli – Township Tax Assessor
Nancy Koederitz- Zoning Officer/GIS
Chris Kyriacou- IT Director

[Resolution #2017-0126 - Acceptance of Bernards Township Shade Tree Commission Application for Tree City USA Recertification 2016 Annual Report](#)

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.

[Community Forestry Program Administration](#)

- *As of January 2016, the Bernards Township STC was comprised of a nine-member volunteer body with seven regular and two alternate commissioners appointed by the Bernards Township Committee as well as a part-time secretary and liaisons from each of the Township Committee and the Department of Public Works (DPW). We are pleased to count among our commissioners in 2016 a New Jersey certified tree expert, a forestry expert with B.S degrees in botany and forestry and a biologist with a forest ecology degree.*

[Training and Professional Development](#)

- *As of December 31, 2016, all nine commissioners and one DPW township employee were CORE-trained.*
- *Five STC commissioners earned a total of 56 CEU credits in 2016.*
- *Four commissioners attended the NJ Division Allegheny Society of American Foresters 2016 Annual Meeting on January 22, 2016 at Rutgers University in New Brunswick, N.J. The meeting focus was on tree health and the Emerald Ash Borer (EAB) threat.*
- *Two commissioners attended a Horticultural Symposium in Morristown N.J. in 1Q.*
- *One commissioner attended the Somerset County EAB conference in April.*
- *One commissioner attended the 2d annual Doyle Memorial saluting Branches: Arborists United for Veterans Remembrance day of Service in September.*
- *Two members attended the Great Swamp Watershed Association meeting in Morristown, N.J. in November where an outside tree expert spoke on EAB.*
- *Four members attended the 2016 Shade Tree Federation annual meeting in Atlantic City.*
- *Four members attended the 2016 NJ Invasive Species Task Force annual conference at Duke Farms in Hillsboro, N.J.*
- *Several commissioners conducted frequent web-based research related to EAB.*

Public Education/Awareness/Outreach

- The STC commemorated Arbor Day on April 29, 2016 with the reading of the Bernards Township Committee Arbor Day Resolution and distribution of 625 white pine seedlings at the four township public elementary schools. The Arbor Day events were attended by the mayor and another member of the Township Committee, multiple STC commissioners and hundreds of students. The school events were covered by the Bernardsville News.
- On April 30, 2016, the STC distributed nearly 100 bare root trees in conjunction with a native tree give-away program hosted by the Somerset County Park Commission Environmental Education Center and Go Green Committee honoring Arbor Day.
- The STC manned a booth at the annual Bernards Township Charter Day celebration on May 21, 2016. STC commissioners quizzed interested residents on their tree knowledge, provided information on the EAB menace (including washable EAB beetle tattoos to interested children) and distributed about two dozen trees well-established in pots.
- The township's Five in 5! initiative encouraging residents to plant 5,000 trees in response to defoliation suffered in superstorm Sandy reached completion a year early as we unofficially recorded our 5,000th tree planting in the 4th Quarter 2016. The township and STC hope to commemorate this accomplishment with a prominent tree planting ceremony in 2d Quarter 2017.
- We continue to update the STC section of the Bernards Township website with news and information helpful to township residents. To supplement the Report on Emerald Ash Borer presented to the Township Committee and posted on the township website in late 2014, the STC added the following materials in 2016:
 - a. Emerald Ash Borer Management Plan (March 16, 2016);
 - b. Plant a Tree in Six Easy Steps (December 2016);
 - c. Frequently Asked Q/As on Emerald Ash Borer - 75 Q/As on five topics (December 2016)
- The STC and DPW provided extensive support for the Children's Forestry Program of the Organization for Industrial, Spiritual and Cultural Advancement (OISCA) - a Japanese based environmental organization. STC provided recommendations on most suitable species, local growing concerns and critical liaison with township public schools; DPW provided logistical support as OISCA enlisted the local schools in an extensive cherry-tree planting endeavor on school properties. The September tree planting ceremonies were covered by the local media with an article and photograph in the Bernardsville News.
- Over the course of 2016, the Basking Ridge great white oak finally succumbed to the challenges of environment, drought and age. Although owned by the Basking Ridge Presbyterian Church and not the township, the white oak was a revered and iconic symbol of our community. At the request of church representatives, the STC met with church stewards to discuss whether extraordinary rescue efforts could be effective and consulted on possible memorial ceremonies marking the end of this historic chapter in Bernards Township.

Statement of Tree Budget

The 2016 STC budget consisted of (1) direct township funding; (2) an allocated portion of the DPW budget or expenses related to tree maintenance and cleanup on property under its jurisdiction; (3) a CSIP grant targeting hazardous ash trees in municipal parks; (4) fees assessed against developers and earmarked for planting trees under the direction of the STC and/or Township DPW; (5) mandatory tree planting expenses incurred by developers and property owners in satisfaction of Bernards Township zoning requirements, and (6) in-kind service hours by volunteers devoted to tree-related matters.

The Bernards Township STC budget for 2016 included the following:

Direct budget/expense		
STC township funding	\$4,980	
Department of Public Works Other Expense	49,000	
CSIP Grant	25,000	
Developers' Tree Planting Reserve (Balance 12/31/16)	174,762	
subtotal		\$253,742
In-kind volunteer hours at \$26.70/hr		
STC – 906 hours	24,190	
Garden Club – 220 hours	5,874	
subtotal		30,064
Total		\$283,806

Plan Implementation

The 3rd Community Forestry Assistance Act Five Year Plan, approved by the New Jersey Department of Forestry in February 2013, provided the roadmap for STC activities in 2016.

- In the 4th Quarter we unofficially recorded the 5,000th tree planting under the Bernards Township Five in 5! Program. We will celebrate the successful completion of this initiative with a tree planting ceremony in 2017 involving a white oak (in memory of the Basking Ridge great white oak) in a prominent location to be determined by the STC and Township Administrator.
- For the second straight year we partnered with the DPW to deploy NJ Department of Forestry EAB traps in Pleasant Valley Park (PVP). PVP is a high-use municipal recreation area in the southwest portion of Bernards Township, selected for its proximity to Bridgewater Township which had confirmed EAB sightings in 2014. According to the Department of Forestry, no EAB were identified in our PVP traps in 2015 or 2016. We will continue deploying traps until EAB beetles are trapped or we otherwise make positive EAB identification confirmed by the Department of Forestry. Based on the explosive rate of EAB infestation once established, a confirmed sighting will bring new urgency to the matter and we continue to keep the DPW and Township Committee updated.

- In the 1st Quarter, the STC identified an opportunity to proactively address the EAB menace in township parks. The STC worked closely with the Township Administrator, and DPW Director and successfully submitted a comprehensive application for a Community Forestry Program Community Stewardship Incentive Program (CSIP) grant and received the maximum \$25,000 to support our targeted hazardous tree removal project in Pleasant Valley Park. The initial stage of ash tree removals identified under the grant was completed in 3rd Quarter 2016. Further ash tree removals from Pleasant Valley and other municipal parks as well as other township occupied or maintained properties and right-of-ways along local road are anticipated to occur in accordance with our Emerald Ash Borer Management Plan.
- The STC held Arbor Day celebration in 2016 and will continue its Arbor Day and Bernards Township Charter Day activities in 2017.
- The STC filed an application to renew Tree City USA status for 2016. If approved, 2016 will mark our 12th consecutive year of Tree City USA status.
- The STC conducted windshield surveys to identify hazardous trees in two districts in 2016. Problem specimens were identified and referred to the DPW for pruning, removal or other appropriate corrective action. STC volunteers were supported by our NJ certified tree expert commissioner.
- The STC continued its tree inventory by locating ash trees in Pleasant Valley Park as part of our EAB management plan.
- The STC will continue to work with the Parks and Recreation Committee to enhance our township parks and facilities and provide sustainable tree resources. Our focus in 2017 will emphasize ash tree identification and removal in the parks and other public spaces under township jurisdiction.

Resolution #2017-0127 - Award of Change Order #2 (FINAL) for Hardscrabble Road Stream Bank Stabilization to Reivax Contracting Corp. Decrease of \$19,925.00 (24.91%)

WHEREAS, the Township Engineer requests the following change order be authorized by the Township Committee:

Vendor	CO	Original Award	Amount of Decrease	New Total
Reivax Contracting		\$80,000.00, RA#2016-0369		\$80,000.00
	CO # 2 (Final)	\$19,925.00 (24.91%)	\$19,925.00 (24.91%)	\$60,075.00
TOTAL CO				\$60,075.00

WHEREAS, this change order represents the final contract amount and includes the contract adjustment for the previous Change Order #1; and

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award this change order to Reivax Contracting Corp, 356 Thomas Street, Newark, NJ 07114; and

WHEREAS, the Chief Financial Officer is directed to credit Capital Ordinance #2233, line account #C-04-05-233-A05.

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: Reivax Contracting Corp, 356 Thomas Street, Newark, NJ 07114 in the amount of \$ 19,925.00 for a new total amount of \$ 60,075.00.

Resolution #2017-0128 - Return of Performance Surety for Verizon Corporate Services Group, Inc., 295 North Maple Ave.-Block 804 Lot 2

WHEREAS, the Township Engineer of the Township of Bernards, Somerset County, New Jersey, 07920, has the following Performance Surety:

Name of Applicant:	Verizon Corporate Services Group, Inc.
Address:	295 North Maple Ave. Basking Ridge, NJ 07920
Insurance Company:	Federal Insurance Company
Address:	15 Mountain View Rd Warren, NJ 07059
Amount: \$230,032.44	Cash Portion: \$25,559.16

WHEREAS, the aforesaid applicant is requesting return of their Performance Surety; and

WHEREAS, the Township Engineer recommends return of the Performance Surety to the applicant; and

WHEREAS, no Maintenance Surety required.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the aforesaid Performance Surety be released to the above named applicant.

[Resolution #2017-0129](#) - *Approving the Person-to-Person Transfer of Liquor License #1802-44-006-008 Wine Rack LLC, t/a The Wine Rack, to BR Wine Rack LLC, t/a The Wine Rack*

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1802-44-006-008 heretofore issued to Wine Rack LLC, t/a The Wine Rack, for premises located at 572A Allen Road, Basking Ridge, NJ 07920; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards does hereby approve, effective 02/28/2017, the transfer of the aforesaid Plenary Retail Distribution License to BR Wine Rack LLC, t/a The Wine Rack, and does hereby direct the Municipal Clerk to endorse the license certificate to BR Wine Rack LLC, t/a The Wine Rack: "This license, subject to all its terms and conditions, is hereby transferred to Wine Rack LLC t/a The Wine Rack, effective 02/28/2017.

[Resolution #2017-0131](#) - *Professional Services Contract for Alternate Special Counsel Stephen O. Davis, Esq., of the firm DiFrancesco Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C., on the Not to Exceed Amount of \$5,000.00*

WHEREAS, pursuant to N.J.S.A. 40a:9-139, in every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year; and

WHEREAS, John P. Belardo of the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP, was appointed Municipal Attorney for the Township of Bernards for a one year term from January 1, 2017 to December 31, 2017; and

WHEREAS, the Bernards Township Committee adopted Resolution #2017-0080 on January 3, 2017 awarded a professional services contract to Jonathan E. Drill, Esq., as Special Counsel in the event the municipal attorney is unable to represent the municipality; and

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

WHEREAS, this professional services contract is not subject to the requirements of N.J.S.A. 19:44A-20.4, *et seq* and Section 2-34 of the "Township Ordinances" as the Contract is under the threshold for the ordinance as well; and

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2017 Current Fund Budget – Legal Fees and Compensation, line account # 7-01-20-155-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Alternate Special Counsel Stephen O. Davis, Esq., of the firm

DiFrancesco Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C., 51 Mountain Boulevard, Warren, NJ 07059-5686 as follows:

1. The contract term is from February 14, 2017 through December 31, 2017 at the hourly rate of \$175.00, at a not to exceed amount of \$5,000.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
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. No payments in excess of the "not to exceed" contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service deliver.
5. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
6. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.

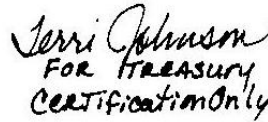
NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official Township newspaper, and a copy of the resolution be on file and available for public inspection, in the office of the Bernards Township Purchasing Department, Municipal Building, Basking Ridge, New Jersey 07920.

I agree to the terms as stated in the Resolution and by signing this document, I am committed to following all terms of this award.

Stephen O. Davis, Esq. of the Firm DiFrancesco Bateman, Coley,
Yospin, Kunzman, Davis, Lehrer & Flaum, P.C.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$ 5,000.00. Monies will be made available in the 2017 Current Fund Budget – Legal Fees 7-01-20-155-204.



Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Date: 2/8/2017

Terri Johnson
Chief Financial Officer

[Resolution #2017-0132](#) - *Authorizing Bernards Township to Enter into a Cooperative Pricing Agreement with the Cranford Police Cooperative Pricing System (ID#47-CPCPS)*

WHEREAS, Bernards Township is desirous of participating in a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-1 et seq., with the Cranford Police Cooperative Pricing System (ID#47-CPCPS) copy of which is attached hereto and made a part hereof; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, this agreement shall take effect upon approval and acceptance of the Director of the Division of Local Government Services for a period not to exceed five (5) years; and

WHEREAS, Bernards Township shall designate Francis J. Decibus, QPA, RPPO Purchasing Agent as designated representative on behalf of the township.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, hereby authorizes the Township to enter into the Cranford Police Cooperative Pricing System (ID # 47-CPCPS) for a period not to exceed five years.

NOW, THEREFORE BE IT FINALLY RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign such Agreement on behalf of Bernards Township.

[Bernards Township Planning Board Resolution 2017-01-17 – Recommendation that Block 6001, Lot 6 \(former Quarry\) is an Area in Need of Redevelopment](#)

Committee members acknowledged the below Planning Board resolution adopted on 01/17/17 recommending that they declare the subject area as a non condemnation redevelopment area under the standards set forth in 40A:12A-5.

While the committee concurred with the recommendation, they tabled further discussion of the method and process to the 02/28/2017 meeting because Attorney Belardo had a family emergency and had to leave the meeting unexpectedly.

**BERNARDS TOWNSHIP PLANNING BOARD RECOMMENDATION THAT BLOCK 6001, LOT 6 (FORMER QUARRY)
IS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Bernards Township Committee, by adoption of Resolution # 2016-0311 on August 9, 2016 in accordance with N.J.S.A. 40A:12A-6, authorized and directed the Planning Board to undertake a preliminary investigation to determine whether the property designated on the Township tax map as Block 6001, Lot 6, located at 135 Stonehouse Road, and commonly referred to as the Millington Quarry property (the "subject area"), is an area in need of redevelopment as a "Non- Condemnation Redevelopment Area";

WHEREAS, Board planning expert David Banisch, PP, AICP prepared at the direction of and for the Planning Board a report containing maps of the subject area and statements setting forth the basis for the investigation into whether the subject area is an area in need of redevelopment, which report is titled "Preliminary Investigation for Determination as Redevelopment Area," is dated November 2016 and is identified as the 2nd draft for public hearing on December 6, 2016 (the "report"), and which report concludes that the subject area is an area in need of redevelopment;

WHEREAS, on December 6, 2016, the Planning Board held a duly noticed public hearing on the report and on the question of whether the Planning Board should recommend to the Township Committee that the subject area be designated as an area in need of redevelopment;

WHEREAS, after reviewing the report and hearing sworn testimony from David Banisch, PP, AICP regarding the report, with Mr. Banisch being subject to cross examination and questioning by the Board members as well as by members of the public, and after hearing sworn testimony by members of the public, including John Crane, a Township resident who is an expert in residential land development and who has experience with redevelopment, including redevelopment of quarries, the Board has determined, for the reasons set forth below in its findings and conclusions, to recommend to the Mayor and Township Committee that the Township Committee should declare the subject area as a non-condemnation redevelopment area under the standards set forth in 40A:12A-5:

FINDINGS AND CONCLUSIONS

The subject area consists of one approximately 179.76-acre lot, with its west side abutting Stonehouse Road (County Route 613) and its north and east sides abutting the NJ Transit railroad line. Single-family detached residential neighborhoods in residentially zoned areas are located adjacent to Stonehouse Road and directly abut the northwest boundary of the subject area. On the opposite side of the NJ Transit railroad right-of-way are located additional single-family detached residential neighborhoods in residentially zoned areas. Likewise, single-family detached residential neighborhoods abut the subject area to the south.

The subject area is the site of a formerly active quarry, which has been in the process of shutting down over the last few years. The report prepared by Mr. Banisch reveals that he examined the 2015 Millington Quarry license application and conferred with the owners of the quarry and determined that mining on the property for commercial sales has been completed. A memo prepared by Township Engineer Thomas Timko, PE, CME dated October 31, 2016 also describes the conditions on the property and this memo has been on file in this matter and available for public inspection along with the report prepared by Mr. Banisch. The memo prepared by Mr. Timko documents that mining on the property and in the subject area for commercial sales has been completed, and the only work going on in the subject area is reclamation work and soil contamination remediation work being done under the supervision of a LSRP. The Planning Board finds that all or nearly all rock that could be mined and sold commercially has been mined and sold and, after over 100 years of mining operations, the property is no longer viable as a commercial mining enterprise. The Planning Board finds that these conditions evidence the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes, which is one of the criteria under N.J.S.A. 40A:12A-5b warranting a determination that the subject area is in need of redevelopment.

Further, the Planning Board finds that industrial buildings no longer used for the quarrying and mining operations have been demolished and removed from the property over the course of the past 15 years. Two of the three remaining unused structures are slated for removal, which will leave the large site void of buildings and structures with the exception of a small office building that supported quarry operations that is located on the west side of the subject area, adjacent to Stonehouse Road. The Planning Board finds that the remaining small office building is no longer used for the commercial I industrial quarrying operations that have now ceased. The Planning Board finds that these conditions further evidence the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes, which is one of the criteria under N.J. S.A. 40A: 12A-5b warranting a determination that the subject area is in need of redevelopment.

Ann Parsekian, a member of the public, objected to the Planning Board finding that the criteria of N.J.S.A. 40A:12A-5b would be met due to her understanding that all buildings on the property would be demolished. The Board disagrees because, even if the small office building was also demolished (and the fact is that the small building has not been demolished), the demolition and removal of all buildings from the property would nonetheless constitute the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes, which is one of the criteria under N.J.S.A. 40A:12A-5b warranting a determination that the subject area is in need of redevelopment. The Planning Board notes and stresses that there are three (3) separate and distinct criteria established in N.J.S.A. 40A:12A-5b which can warrant a determination that the subject area is in need of redevelopment: (a) discontinuance of the use of building previously used for commercial, manufacturing or industrial purposes; or (b) abandonment of such buildings; or (c) buildings falling into disrepair as to be untenable. Satisfaction of any one of these three disjunctive criteria warrants a determination that the subject area is in need of redevelopment. There does not have to be buildings existing on the property that have been abandoned or which have fallen into disrepair as to be untenable to satisfy the criteria established under N.J.S.A. 40A:12A- 5b. The Planning Board concludes that discontinuance of use of buildings by way of demolition satisfies the criteria established under N.J.S.A. 40A:12A-5b.

The Planning Board further finds that the physical condition of the property -its topography, nature of the soil, and its location and lack of means of access - is another separate and distinct reason that warrants a determination that the subject area is an area is in need of redevelopment. As the maps reflect, the topography of the property is severe, with variable slope conditions that include cliffs and radical changes in elevation. This topography is in stark contrast to the land underlying the residential neighborhoods adjoining the property. The topographical and grade changes in the quarry vary from approximately 380 feet elevation to 142 feet elevation at the lowest point in the quarry. There is a dangerous sheer cliff with varying, exceptionally steep rock slopes on the east side of the property adjacent to the NJ Transit railroad right-of- way with an approximately 150-foot change in elevation (approximately 290 feet natural grade vs. 142 feet grade level at the lake at the bottom of the quarry) that characterizes the severity of the topographic conditions existing on the property. The landscape remaining after over 100 years of quarry and mining operations and resource extraction is void of the natural soils as they were removed as part of the quarrying and mining operations that have been conducted across nearly the entire site. As a result, the property includes areas of exposed rock with almost none of the natural topsoil remaining within the approximately 179-acre subject area. Some areas of the property have been filled with soil from off-site which has been imported in an attempt to rehabilitate previously mined areas. Additionally, overburden stockpiled on the south side of the site has been spread across areas previously mined that are void of topsoil. The portion of the property which is undergoing rehabilitation is quite small relative to the entire approximately 179-acre subject area. Additionally, soil contamination remediation work is being done under the supervision of a LSRP in the northwest portion of the property that accounts for approximately 40 acres of the 179-acre property that is capped with shale rock and void of any soil. Finally, while surrounded by existing single-family detached residential neighborhoods, access to roads for a permitted 2-acre residential development is limited due to the topography of the property and isolation from the local road network serving adjoining residential neighborhoods. (The M-1 zone in which the property is situated allows "stone quarrying ... until such time as all quarrying activity has ceased and the quarry use is abandoned," at which time single-family detached residential development is permitted in accordance with the zoning regulations applicable to the R-3 zone. The R-3 zone allows single-family detached residences on 2-acres minimum size lots.) As Mr. Banisch states in his report and as he explained during his testimony, the nature of the conditions of the property are so severe that the extent and scope of work to be done prior to development makes it unlikely that the property would be developed through the instrumentality of private capital. John Crane echoed a similar conclusion when he testified and explained that a conforming 2-acre lot size residential development is not likely to be developed on the property through the instrumentality of private capital due to the fact that the land development costs involved in such development are expected to be quite high as a result of the physical condition of the property. In this regard, the Planning Board also takes quasi-judicial notice that the owner of the property has not applied for a new rehabilitation plan approval.

These findings lead the Planning Board to further find that the physical condition of the subject area constitutes unimproved vacant land that has remained so for a period of 10 years prior to adoption of the Township Committee's Resolution # 2016- 0311 on August 9, 2016, and by reason of its location and lack of means of access to developed sections of the Township, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital, which is one of the criteria under N .J.S.A. 40A: 12A-5c warranting a determination that the subject area is in need of redevelopment.

Ms. Parsekian also objected to the Planning Board finding that the criteria of N.J.S.A. 40A: 12A-5c would be met due to her understanding that the property cannot be considered unimproved vacant land that has remained so for a period of 10 years prior to the adoption of the municipal resolution when there were buildings on the property and the property was used as a commercial quarrying and mining operation until just recently. The Board disagrees for the following reasons. First, the focus in determining whether the land was unimproved and vacant for the past 10 years for purposes of redevelopment analysis is not on use; it is on physical improvements. N.J.S.A. 40A:12A-5c does not mention nor require the non-use of land. The focus is on whether the land is undeveloped and the prospects for development through the instrumentality of private capital. Second, in the context of a large property -here approximately 179-acres in size -to be considered "vacant land" the property does not have to be totally devoid of buildings or structures. The Planning Board finds that the property, during the past 10 years when it was used as a quarry, was essentially vacant and unimproved and undeveloped, with only a handful of structures and buildings. The very nature of the quarrying and mining operation was to extract; not to build on or improve the property. Finally, the Board concludes and stresses that, even if it is assumed for arguments sake that part of the subject property does not meet the criteria for a redevelopment area determination, the statutory definition of a redevelopment area makes it clear that "a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion if found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part."

Finally, the Planning Board notes for purposes of completing the record that another member of the public, Bill Allen, submitted a memo to the Planning Board dated December 5, 2016, and then revised that memo and read it into the record during the hearing on December 6, 2016. Both of Mr. Allen's memos are part of the record in this matter. That said, the memos contain a number of recommendations addressing the future redevelopment of the subject area, which the Planning Board finds are outside the scope of the hearing, with the exception of a request by Mr. Allen to amplify the severity and dangerous condition of rock-face cliffs on the east side of the property adjacent to the NJ Transit rail line. The hearing's focus was whether to recommend to the Mayor and Township Committee that the subject area be determined to be an area in need of redevelopment. The issues before the Planning Board at this time are not what should be addressed in any subsequent redevelopment plan that may or may not be adopted. As such, while the Planning Board appreciates Mr. Allen's recommendations, they have not been incorporated into any of the Board's findings and conclusions, except that steep slope mapping will be revised to include a notation of the severe slopes and dangerous rock-face cliff on the northerly and easterly side of the property adjacent to the NJ Transit railroad line.

NOW, THEREFORE, BE IT RESOLVED by the Bernards Township Planning Board, by motion made and seconded on December 6, 2016, that the Board hereby recommends to the Mayor and Township Committee for the reasons set forth above in the findings and conclusions that the Township should declare the subject area as a non-condemnation redevelopment area under the standards set forth in N.J.S.A. 40A:12A-5.b and -5.c.

[Ordinance #2359](#) - *Accepting a Wetlands Conservation Easement on Property Located at [4 Royal Oak Drive; Block 9501, Lot 51](#), from Jason and Natanya Levitz to the Township of Bernards - Introduction*

The clerk read the ordinance by title. Motion by Malay, second by Carpenter that Ordinance #2359 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 02/28/2017.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Gaziano
Nay:
Abstain:
Motion carried

BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey as follows:

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Jason and Natanya Levitz, 4 Royal Oak Drive, Far Hills, NJ, 07931, a Wetlands Conservation Easement on Block 9501, Lot 51, in Bernards Township.
2. The easement is on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

EXECUTIVE SESSION – *(Continued from earlier session if needed)*

At 8:53 PM the committee resumed their Executive Session discussions authorized under Resolution #2017-0107 adopted earlier in the meeting.

ADJOURNMENT

The meeting resumed in open session at 10:04 PM and by unanimous consent immediately adjourned.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

Carolyn Gaziano
Mayor