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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

FEBRUARY 28, 2017 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 7:30 PM. 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 (by phone), Russo, Gaziano

Absent:

Also Present: Attorney Joseph Sordillo, Administrator McArthur, Engineer Timko, Municipal Clerk/Assist. Admin. Szabo

AMEND AGENDA

Motion by Carpenter, second by Russo and unanimously agreed that the agenda be amended to include Resolution #2017-0156.

EXECUTIVE SESSION – [Resolution #2017-0134](#)

Motion by Carpenter, second by Russo, and unanimously agreed that Resolution #2017-0134 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.

Estimated Time of Disclosure
or Upon Occurrence Of

Reason for Closed Session

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

Litigation - 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

Upon conclusion of litigation.

Meeting resumed in open session at 8:03 PM.

PUBLIC COMMENT

Bill Allen, Holmesbook Drive, Basking Ridge; and Jennifer Speal, Osbourne Place, Basking Ridge, commented on the quarry redevelopment.

CORRESPONDENCE

None listed.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members commented on their recent activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2017-0152](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Inc., Zachary Borchert – Junior Member and First Aid Squad of Basking Ridge Fire Company #1, Julia Byrnes – Junior Member

Motion by Carpenter, second by Russo, and unanimously agreed that Resolution #2017-0152 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, Inc. and the First Aid Squad of Basking Ridge Fire Company #1 are recommending the following individuals for appointment as Junior members

NAME	ADDRESS	MEMBERSHIP STATUS
Zachary Borchert	23 Tysley Street, Basking Ridge, NJ 07920	Junior Member
Julia Byrnes	45 Stockmar Drive, Basking Ridge, NJ 07920	Junior Member

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed as Junior members of the Liberty Corner Fire Company, Inc. and the First Aid Squad of Basking Ridge Fire Company #1 respectively, effective this date.

UNFINISHED BUSINESS

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

Bianchi questioned retaining jurisdiction of the redevelopment at the township committee level rather than at the Planning Board level. Both Acting Attorney Joseph Sordillo and the contract purchaser's attorney Ann Babineau opined that either entity could retain jurisdiction.

[Resolution #2017-0156](#) - Declaring the Millington Quarry, Inc. Property is a Non-Condemnation Redevelopment Area According to the Statutory Criteria Set Forth in N.J.S.A. 40A:12A-6

Motion by Carpenter, second by Russo, that Resolution #2017-0156 be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq (the "Redevelopment Law"), and specifically N.J.S.A. 40A: 12A-6.a, the Township Committee of Township of Bernards (the "Township") is empowered to authorize the Planning Board of the Township ("Planning Board") to undertake a preliminary investigation to determine whether a proposed area is a "redevelopment area" as defined in the Redevelopment Law; and

WHEREAS, the Township Committee, by way of a Resolution No. 2016-0311, authorized and directed the Planning Board to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether

the property identified as Block 6001, Lot 6, located at 135 Stonehouse Road, and commonly referred to as the Millington Quarry (the "Study Area" or "Quarry Property"), constitutes an area in need of non-condemnation redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board authorized David Banisch, P.P., AICP (the "Planning Consultant") to conduct an investigation to determine whether the Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Study"); and

WHEREAS, the Planning Consultant prepared a Study entitled "Preliminary Investigation for Determination as Redevelopment Area" dated November 2016 (the "Report"), which details the findings and recommendations relevant to whether the Study Area should be designated as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Board, having provided the requisite notices and all jurisdictional requirements of the Redevelopment Law having been met, conducted a public hearing on December 6, 2016, whereat the Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the Study and the Report to the Planning Board; and

WHEREAS, in addition to the presentation of the Planning Consultant, at the public hearing the Planning Board heard testimony and evidence from members of the general public, who also were given an opportunity to cross-examine the Planning Consultant and address questions to the Planning Board concerning the potential designation of the Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Consultant concluded that the Study Area satisfies the criteria of Section 5 of the Redevelopment Law, N.J.S.A. 40:A:12A-5, as well as Section 3 of the Redevelopment Law; and that the Study Area should be deemed an area in need of non-condemnation redevelopment; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Report and his testimony provide substantial evidence to support the findings that the Study Area satisfies criteria of the Redevelopment Law, N.J.S.A. 40:A:12A-5, that the public questions and comments did not erode the Planning Consultant's testimony or conclusions, and that the collective designation of the Study Area as an area in need of non-condemnation redevelopment is necessary for the effective redevelopment of the Study Area; and

WHEREAS, by a vote of 9 to 0, the Planning Board unanimously voted to recommend that the Township Committee find that the Study Area be designated as an area in need of non-condemnation redevelopment meeting criteria of the Redevelopment Law, N.J.S.A. 40:A:12A-5 as set forth by the Planning Consultant; and

WHEREAS, the Planning Board adopted a Resolution memorializing the public hearing and decision at its January 17, 2017 meeting; and

WHEREAS, the Planning Board submitted its Resolution, along with a copy of the Report and all exhibits presented at the public hearing to the Township Clerk for distribution to the Mayor and Township Committee for consideration thereof; and

WHEREAS, after review and consideration of the Planning Board's recommendation, including all documents submitted therewith, the Township Committee agrees with the conclusion of the Planning Board that the Study Area meets the aforementioned criteria for redevelopment area designation, and the Township Committee finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Township Committee further agrees with the recommendation of the Planning Board that the Study Area be designated as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law, and

WHEREAS, the Township Committee now desires to designate the Study Area as an area in need of non-condemnation redevelopment, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Township Committee further desires to authorize and direct the Township Planner and other Township professionals and appropriate staff to work with the Township Committee to prepare a redevelopment plan for the Study Area and present same to the entire Township Committee pursuant to N.J.S.A. 40A:12A-7e.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards that:

1. The aforementioned recitals, including the Study, Report and exhibits presented at the December 6, 2016 public hearing before the Planning Board are incorporated herein as though fully set forth at length.
2. The Township Committee hereby designates the Study Area as an area in need of non-condemnation redevelopment pursuant to N.J.S.A. 40A:12A-6, satisfying the criteria of Section 5 of the Redevelopment Law, N.J.S.A. 40A:12A-5, as well as Section 3 of the Redevelopment Law as set forth in the Report and recommended by the Planning Board.
3. The Township Planner and other Township professionals and appropriate staff are hereby directed to work with the Township Committee to prepare a redevelopment plan for the each of the parcels of the Study Area (to be hereinafter referred to as the Redevelopment Area), and present same to the entire Township Committee pursuant to N.J.S.A. 40A:12A-7e.
4. The Clerk of the Township shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval by regular and certified mail (return receipt requested).

Committeeman Malay disconnected from the meeting at this point.

[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 – 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 Carpenter, second by Russo, that Ordinance #2359 be adopted and advertised as required by law.

Roll Call:

Aye: Bianchi, Carpenter, Russo, Gaziano
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 Carpenter, second by Russo, that Resolution #2017-0148 be removed from the Consent Agenda and that the balance of items be approved.

Roll Call:

Aye: Bianchi, Carpenter, Russo, Gaziano
Nay:
Abstain:
Motion carried.

Begin Consent Agenda

[Resolution #2017-0135](#) - *Approval of the Bill List Dated 02/28/2017*

BE IT RESOLVED, that the bill list dated 02/28/2017 be audited, and if found correct, be paid.

February 28, 2017
10:18 AM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 02/28/17 to 02/28/17
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					
110916	02/28/17	70128 HEROLD LAW	34,668.00		1290
110917	02/28/17	90025 DE MOTT, CAROL ANN	138.00		1290
110918	02/28/17	A0044 APPROVED FIRE PROTECTION SYS	534.90		1290
110919	02/28/17	A0063 APPRAISAL CONSULTANTS CORP	4,500.00		1290
110920	02/28/17	A0126 AFLAC NEW YORK	347.48		1290
110921	02/28/17	A0150 ATLANTIC SALT, INC.	28,705.55		1290
110922	02/28/17	A0162 ACME DIESEL ELECTRIC, INC.	2,020.97		1290
110923	02/28/17	A0168 ALLIED OIL COMPANY, LLC	9,768.76		1290
110924	02/28/17	A0232 ARROW ELEVATOR, INC.	200.00		1290
110925	02/28/17	A0295 AUDIO EDITIONS	198.46		1290
110926	02/28/17	A0338 AFLAC	550.92		1290
110927	02/28/17	A0381 BLACK LAGOON	250.00		1290
110928	02/28/17	A0398 STERLING BACKCHECK	21.97		1290
110929	02/28/17	A0425 ATLANTIC TACTICAL	1,123.02		1290
110930	02/28/17	A0509 AERIAL RISE LLC	2,042.34		1290
110931	02/28/17	A0559 ARCARI IOVINO ARCHITECTS,PC	419.96		1290
110932	02/28/17	A0563 ACCSES NEW JERSEY, INC	3,500.00		1290
110933	02/28/17	A0625 ARVIND GUPTA	10,746.09		1290
110934	02/28/17	B0021 BASKING RIDGE FIRE CO.	45,000.00		1290
110935	02/28/17	B0022 BASKING RIDGE FIRST AID SQUAD	15,000.00		1290
110936	02/28/17	B0024 BEN SHAFFER RECREATION INC	879.52		1290
110937	02/28/17	B0025 BERNARDS TOWNSHIP CAPITAL FUND	1,500,000.00		1290
110938	02/28/17	B0026 BERNARDS TOWNSHIP CURRENT	0.00	02/28/17 VOID	0
110939	02/28/17	B0026 BERNARDS TOWNSHIP CURRENT	6,939.38		1290
110940	02/28/17	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	526,502.38		1290
110941	02/28/17	B0038 BERNARDS TOWNSHIP (COURT)	135.27		1290
110942	02/28/17	B0203 DIFRANCESCO,BATEMAN,COLEY,YOSP	3,868.76		1290
110943	02/28/17	B0610 BYRNE, PATRICK & TRACEY	135.00		1290
110944	02/28/17	B0633 BEST CLEANING BUILDING SERVICE	4,400.00		1290
110945	02/28/17	B0637 BERNARDS CAFE	429.86		1290
110946	02/28/17	B0708 BURTON TRENT	15,000.00		1290
110947	02/28/17	C0008 CHILDREN'S PRESS	156.00		1290
110948	02/28/17	C0024 COURIER NEWS	31.82		1290
110949	02/28/17	C0037 CLERK'S PETTY CASH	26.51		1290
110950	02/28/17	C0200 CALIBRE PRESS, INC.	836.00		1290
110951	02/28/17	C0309 COPPER KETTLE DELICATESSEN	157.30		1290
110952	02/28/17	C0434 CENTRAL JERSEY CONSTRUCTION	12,954.05		1290
110953	02/28/17	C0482 CABLEVISION OF RARITAN VALLEY	31.08		1290
110954	02/28/17	C0597 CLIFFSIDE BODY CORPORATION	1,077.84		1290
110955	02/28/17	C0613 CIGNA GROUP INSURANCE	1,549.79		1290
110956	02/28/17	C0685 CONSTELLATION NEWENERGY, INC	633.45		1290
110957	02/28/17	D0020 DELTA DENTAL OF NJ	12,621.21		1290
110958	02/28/17	D0116 DUBIN GLASS	275.00		1290
110959	02/28/17	D0380 DRIVERS TIRE & SERVICE CENTER	1,704.26		1290
110960	02/28/17	E0144 E-Z PASS	100.00		1290
110961	02/28/17	E0275 ERS AUTOMOTIVE LLC	760.96		1290
110962	02/28/17	F0001 FEDEX	123.53		1290
110963	02/28/17	F0158 FLEMINGTON DEPARTMENT STORE	58.00		1290
110964	02/28/17	F0273 FLOWERS ON THE RIDGE	61.95		1290
110965	02/28/17	F0299 FASTENAL CO.	316.18		1290
110966	02/28/17	G0066 GRAINGER INC	668.92		1290
110967	02/28/17	G0098 JCP&L	23,000.41		1290
110968	02/28/17	G0201 GENERAL CODE LLC	2,508.60		1290
110969	02/28/17	G0278 GRAMCO	250.00		1290
110970	02/28/17	G0331 GLOBAL EQUIPMENT COMPANY INC	162.90		1290
110971	02/28/17	G0497 GARTH, LORI	75.00		1290
110972	02/28/17	G0500 GREEN BROOK ELECTRONICS	58.52		1290
110973	02/28/17	G0518 GARDEN STATE BOBCAT, INC	3,846.25		1290
110974	02/28/17	G0573 GMP CONTRACTING, LLC	785.65		1290
110975	02/28/17	G0574 GOLUBIC, THOMAS & ELIZABETH	135.00		1290
110976	02/28/17	H0312 HEFFERNAN, ROBERT F	5,706.25		1290
110977	02/28/17	K0036 KONICA MINOLTA BUSINESS	417.05		1290
110978	02/28/17	K0259 KONICA MINOLTA PREMIER FINANCE	167.07		1290
110979	02/28/17	K0274 KELLER & KIRKPATRICK, INC	1,737.50		1290
110980	02/28/17	L0187 LAKELAND BUS COMPANY	845.00		1290
110981	02/28/17	M0053 MORRIS COUNTY PUBLIC SAFETY	110.00		1290
110982	02/28/17	M0062 CAVENDISH SQUARE PUBLISHING	193.91		1290
110983	02/28/17	M0178 MARK'S AUTO SERVICE	37.50		1290
110984	02/28/17	M0279 MITZNER, SCOTT C.	1,125.00		1290
110985	02/28/17	M0428 MIKE'S TOWING & RECOVERY, INC.	2,950.00		1290
110986	02/28/17	M0493 MCELROY, DEUTSCH, MULVANEY &	11,739.19		1290
110987	02/28/17	M0516 MOUNTAIN LANDSCAPE CONTRACTORS	9,757.11		1290
110988	02/28/17	M0518 KONICA MINOLTA BUSINESS SOL.	44.06		1290
110989	02/28/17	M0518 KONICA MINOLTA BUSINESS SOL.	252.51		1290
110990	02/28/17	M0518 KONICA MINOLTA BUSINESS SOL.	162.00		1290
110991	02/28/17	M0546 MORATH, CHRISTOPHER & PATRICIA	750.00		1290
110992	02/28/17	M0607 MUSIC WITH CARE	500.00		1290
110993	02/28/17	M0669 MUSEUM OF EARLY TRADES&CRAFTS	75.00		1290
110994	02/28/17	M0815 M & M PERROTTIS	278.27		1290
110995	02/28/17	M0837 MORRIS COUNTY BUILDING OFFICIA	45.00		1290
110996	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	350.79		1290
110997	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	98.75		1290
110998	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	79.76		1290
110999	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	358.92		1290
111000	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	638.08		1290
111001	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	77.76		1290
111002	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	77.52		1290
111003	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	124.03		1290
111004	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	250.68		1290
111005	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	184.02		1290
111006	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	28.83		1290
111007	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	22.17		1290
111008	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	22.17		1290
111009	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	135.49		1290
111010	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	124.03		1290
111011	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	15.50		1290
111012	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	130.70		1290
111013	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	808.86		1290
111014	02/28/17	N0006 NEW JERSEY AMERICAN WATER CO.	561.36		1290
111015	02/28/17	N0017 NJ STATE LEAGUE OF MUNICIPAL.	1,890.00		1290
111016	02/28/17	N0030 NJ STATE ASSN.-CHIEFS/POLICE	275.00		1290
111017	02/28/17	N0035 NEW JERSEY PLANNING OFFICIALS	525.00		1290
111018	02/28/17	N0040 NATIONAL FIRE PROTECTION ASSN.	175.00		1290
111019	02/28/17	N0042 NJ LIBRARY TRUSTEE ASSOCIATION	140.00		1290
111020	02/28/17	N0050 NJ SHADE TREE FEDERATION	145.00		1290

TOWNSHIP COMMITTEE MINUTES

02/28/2017

111021	02/28/17	N0317	NEW YORK TIMES - SUBSCRIPTIONS	759.66	1290
111022	02/28/17	N0322	NEXTEL COMMUNICATIONS	81.42	1290
111023	02/28/17	N0415	NATIONAL FUEL OIL INC	7,010.59	1290
111024	02/28/17	N0460	NATIONAL CRIMINAL ENFORCEMENT	325.00	1290
111025	02/28/17	O0021	OFFICE DEPOT	323.51	1290
111026	02/28/17	O0116	OBERLY, BARRY	980.00	1290
111027	02/28/17	P0014	PUBLIC SERVICE ELEC. & GAS CO	3,980.65	1290
111028	02/28/17	P0415	PERTH AMBOY SPRING WORKS	2,149.48	1290
111029	02/28/17	P0538	PROVIDENT LIFE & ACCIDENT	325.96	1290
111030	02/28/17	P0592	PERMITTECHNATION	50.00	1290
111031	02/28/17	P0602	PRAXAIR DISTRIBUTION, INC	22.00	1290
111032	02/28/17	R0004	RECORDED BOOKS INC.	346.33	1290
111033	02/28/17	R0023	RICHIES TIRE SERVICE, INC.	1,776.74	1290
111034	02/28/17	R0025	RIDGE RESTAURANT	591.55	1290
111035	02/28/17	R0393	RESEARCH&DESIGN LANDSCAPE LLC	15,781.00	1290
111036	02/28/17	R0408	RADATA, INC	625.00	1290
111037	02/28/17	S0072	SOMERSET COUNTY GOVERNING OFF.	140.00	1290
111038	02/28/17	S0083	SOMERSET COUNTY ASSESSORS ASSN	50.00	1290
111039	02/28/17	S0105	FUNFLEX	110.00	1290
111040	02/28/17	S0378	STAVOLA ASPHALT	866.00	1290
111041	02/28/17	S0443	STAPLES ADVANTAGE	129.63	1290
111042	02/28/17	S0508	SOUTH JERSEY ENERGY	4,814.87	1290
111043	02/28/17	S0524	STATE TOXICOLOGY LABORATORY	295.00	1290
111044	02/28/17	S0628	STATE OF NEW JERSEY-HB	218,112.84	1290
111045	02/28/17	S0913	SHEDLOCK CAR CARE	600.00	1290
111046	02/28/17	S0956	SOMERSET HEALTH CARE FOUNDATN	100.00	1290
111047	02/28/17	T0066	CENGAGE LEARNING CREDIT SVCS	100.31	1290
111048	02/28/17	T0101	TRIANGLE COMMUNICATIONS	1,441.00	1290
111049	02/28/17	T0174	TAYLOR & FRANCIS/ROUTLEDGE	121.94	1290
111050	02/28/17	T0327	TRI-STATE MATERIALS, LLC	773.75	1290
111051	02/28/17	T0402	TOWER AS CUST EBURY	2,395.14	1290
111052	02/28/17	T0421	TOSCANO, SUZANNE	500.00	1290
111053	02/28/17	T0422	TOMAHAWK LAKE , INC.	230.00	1290
111054	02/28/17	U0001	UNITEMP INC.	2,927.54	1290
111055	02/28/17	U0090	UNUM LIFE INSURANCE COMPANY	410.59	1290
111056	02/28/17	V0008	VITAL COMMUNICATIONS, INC.	1,824.08	1290
111057	02/28/17	V0037	VILLAGE SUPERMARKET, INC.	86.41	1290
111058	02/28/17	V0056	VERIZON WIRELESS	1,864.39	1290
111059	02/28/17	V0058	VERIZON	145.46	1290
111060	02/28/17	V0084	VERIZON	588.29	1290
111061	02/28/17	V0124	VERIZON BUSINESS FIOS	364.99	1290
111062	02/28/17	V0185	VERIZON NETWORK FLEET	708.92	1290
111063	02/28/17	W0016	WARRENVILLE TRUE VALUE	459.99	1290
111064	02/28/17	X0005	XTEL COMMUNICATION	1,747.35	1290
111065	02/28/17	Y0203	YADIN-ISRAEL,AZZAN	150.00	1290

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	149	1	2,604,311.99	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	149	1	2,604,311.99	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	149	1	2,604,311.99	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	149	1	2,604,311.99	0.00

Totals by Year-Fund						
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
CURRENT FUND	6-01	50,735.30	0.00	0.00	50,735.30	
CURRENT FUND	7-01	2,512,895.46	0.00	0.00	2,512,895.46	
DOG FUND	7-12	327.70	0.00	0.00	327.70	
GOLF COURSE UTILITY	7-26	53.78	0.00	0.00	53.78	
Year Total:		2,513,276.94	0.00	0.00	2,513,276.94	
CAPITAL FUND	C-04	6,982.49	0.00	0.00	6,982.49	
TRUST FUNDS	T-13	33,317.26	0.00	0.00	33,317.26	
Total Of All Funds:		2,604,311.99	0.00	0.00	2,604,311.99	

Resolution #2017-0136 - Acknowledgement of 2016 Historical Society Annual Report

WHEREAS, pursuant to Ordinance #994, on January 12, 1990 the Township of Bernards and the Historical Society of Somerset Hills entered into a 50 year lease agreement for lease of the township-owned Brick Academy located at 15 West Oak Street, Block 73, Lot 10, Basking Ridge; and

WHEREAS, pursuant to said agreement and N.J.S.A. 40A:12-14c, the Historical Society of Somerset Hills must submit an annual report to the Township setting out the use to which the building was put during the preceding year, the activities of the Society undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the Society pursuant to both State and Federal law; and

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 Historical Society of Somerset Hills be acknowledged as submitted and placed on file with the Municipal Clerk.

[Resolution #2017-0137](#) - *Adoption of the Liberty Corner First Aid Squad (LCFAS), [2017 By-Laws](#), and Acknowledgement of 2017 Membership Roster*

WHEREAS, pursuant to SECTION 2-16. of the Revised General Ordinances of the Township of Bernards there shall be First Aid and Emergency Department known as the "Township of Bernards First Aid and Emergency Department made up of the First Aid Squad of the Basking Ridge Fire Company No. 1 and the Liberty Corner First Aid Squad, Inc.; and

WHEREAS, the rules and regulations now and hereafter adopted by the Township Committee, as the same may be amended or supplemented, for the regulation and control of the Department and the personnel thereof are hereby made the rules and regulations of the Township First Aid and Emergency Department; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards as follows:

1. The LCFAS 2017 By-Laws are adopted as submitted.
2. The LCFAS 2017 Roster of members is acknowledged as submitted.

[Resolution #2017-0138](#) - *Memorializing Resolution of the Township Committee to Not Impose Conditions 11 and 31 of the Planning Board's October 18, 2016 Resolution Granting Preliminary and Final Site Plan Approval and Other Relief to Allow Fellowship Senior Living, Inc., to Expand Its Health and Community Center*

WHEREAS, on October 18, 2016, the Bernards Township Planning Board adopted a memorializing resolution ("resolution") granting preliminary and final site plan approval and other relief to Fellowship Village Senior Living, Inc., to allow it to expand its health and community center; and

WHEREAS, condition 11 of the resolution provides: *Title 39 Enforcement*. *The applicant shall consent to Title 39 enforcement on the property by the Bernards Township Police Department and shall request Title 39 enforcement in accordance with NJSA 39:5A-1 as to speeding, handicapped parking, space usage and parking, as well as any other motor vehicle violations to be enforced on public streets. It shall be up to the Bernards Township Committee to decide whether or not to agree to such a request for Title 39 enforcement. In the event that the Bernards Township Committee decides to agree to Title 39 enforcement, only the Bernards Township committee can subsequently rescind such enforcement, regardless of whether the applicant requests such rescission or not; and*

WHEREAS, condition 31 of the resolution provides: *Off-Road Paths in Accordance with the Township Master Plan*. *In accordance with the Bicycle, Pedestrian and Greenway Plan of the 2010 Township Master Plan, the applicant shall construct, at its sole cost, an off-road path along the property's Martinsville Road and Allen Road frontages, and an off-road path on the southwesterly portion of the property extending toward Shannon Hill Road, to the extent the Bernards Township Committee in its sole discretion, decides that it wants either or both of these paths to be constructed. The paths shall be located within the public right-of-way and/or within a public easement deeded to the Township, with all details of the locations and construction of the paths being subject to review and approval by the township engineer. The paths shall be completed prior to issuance of a certificate of occupancy; and*

WHEREAS, the Township Committee reviewed these conditions at its meetings of 01/24/17 and 02/14/17; and

WHEREAS, the Township Committee received a written report dated 01/30/17 from Bernards Township Police Chief Brian Bobowicz relative to Condition 11 recommending that the condition not be imposed (said report on file with the municipal clerk); and the Township Committee concurred with this recommendation; and

WHEREAS, the Township Committee received a written report dated 01/27/17 from Township Engineer Thomas Timko relative to condition 31 recommending that the condition not be imposed (said report on file with the municipal clerk); and the Township Committee concurred with this recommendation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that this resolution memorialize the Township Committee's decision that conditions 11 and 31 of the Planning Board's October 18, 2016 Resolution Granting Preliminary and Final Site Plan Approval and Other Relief to Allow Fellowship Senior Living Inc., to Expand Its Health and Community Center not be imposed.

[Resolution #2017-0139](#) - Acceptance of Basking Ridge Fire Company #1, [2016 Annual Report](#), Adoption of the 2017 By-Laws, and Acknowledgement of 2017 Membership Roster

WHEREAS, pursuant to §2-14 of the Revised General Ordinances of the Township of Bernards the volunteer Fire Department of the Township of Bernards shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc.; and

WHEREAS, the Fire Department shall furnish annual reports, in writing to the Township Committee; and

WHEREAS, the Fire Department shall be governed by the rules and regulations adopted by resolution of the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards as follows regarding the BRFC:

1. The BRFC 2016 annual report is accepted as submitted.
2. The BRFC 2017 By-Laws are adopted as submitted.
3. The BRFC 2017 Roster of members is acknowledged as submitted.

[Resolution #2017-0140](#) - Authorizing 2016 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 2016 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 #2017-0141](#) - Authorizing the Issuance of a Clothing Bin License to Turnkey Enterprises, LLC for Placement at Fellowship Village

WHEREAS, Turnkey Enterprises, LLC has applied for a license to place one recycling clothing bin on Fellowship Village property located at 8000 Fellowship Road; and

WHEREAS, Turnkey Enterprises, LLC has submitted an application for licensing of this recycling clothing bin which is in compliance with Chapter 4, Section 13 of the Revised General Ordinances of the Township of Bernards; and

WHEREAS, the Municipal Clerk, Zoning Officer, and Administrator have reviewed said application and recommend approval.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that a license be issued to Turnkey Enterprises, LLC, for one recycling clothing bin at the location described above for a one-year term to expire 01/31/2018.

[Resolution #2017-0142](#) - *Authorization for the Use of Competitive Contracting Solicitations of Request for Proposals for Competitive Swim Lessons*

WHEREAS, the Bernards Township Recreation Department requires competitive contracting for competitive swim lessons; and

WHEREAS, the enacted 1999 Amendments, P.L. 1999, c. 440 of the Local Public Contracts Law N.J.S.A.40A: 11-4.3 et seq., requires the governing body to pass a resolution authorizing the use of competitive contracting for specialized goods and services; and

WHEREAS, it is the combined recommendation of the Recreation Director and Purchasing Agent to use the competitive contracting method in the procurement of specialized goods and services such as competitive swim lessons.

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 use competitive contracting for competitive swim lessons.

[Resolution #2017-0143](#) - *Acceptance of Liberty Corner Fire Company (LCFC), 2016 Annual Report, Adoption of the 2017 By-Laws, and Acknowledgement of 2017 Membership Roster*

WHEREAS, pursuant to §2-14 of the Revised General Ordinances of the Township of Bernards the volunteer Fire Department of the Township of Bernards shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc.; and

WHEREAS, the Fire Department shall furnish annual reports, in writing to the Township Committee; and

WHEREAS, the Fire Department shall be governed by the rules and regulations adopted by resolution of the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards as follows regarding the LCFC:

1. The LCFC 2016 annual report is accepted as submitted.
2. The LCFC 2017 By-Laws are adopted as submitted.
3. The LCFC 2017 Roster of members is acknowledged as submitted.

[Resolution #2017-0144](#) - *Acceptance of Bernards Township Environmental Commission 2016 Annual Report*

WHEREAS, pursuant to 2-18.5. of the Revised General Ordinances of the Township of Bernards, the Environmental Commission shall make an annual report to the Township Committee; and

WHEREAS, the Environmental 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.

February 13, 2017

The following is a summary of the 2016 activities of the Bernards Township Environmental Commission (“EC” or “Commission”).

Mission Statement

The Bernards Township Environmental Commission is responsible for ensuring that environmental issues in Bernards Township NJ are given the right priority in order to protect and preserve natural resources of the Township and surrounding areas including land, water, air, and bios (flora, fauna, wildlife).

Goals

The Commission accomplishes its mission via:

- (a) taking proactive stances on local environmental matters, and strengthening the local planning process
- (b) coordinating rational, balanced reviews of development applications for the appropriate township bodies
- (c) increasing public awareness and understanding of local and regional environmental issues
- (d) keeping abreast of, and being involved in, environmental issues that affect our surrounding areas and communities
- (e) staying up to date on ordinances and regulations for Bernards Township with training sessions.

2016 Summary

General:

As an advisory body, the EC continued to provide commentary to the Planning Board, Board of Adjustment, and Township Committee regarding environmental impacts and issues. During 2016, the EC:

- Analyzed 23 Board of Adjustment applications
- Analyzed 10 Planning Board applications
- Conducted 6 tree removal site reviews

Budget:

In 2016, the EC committee spent \$100.00 of the \$1000.00 allotted budget.

2016 Accomplishments

The EC accomplished its mission in 2016 through the following initiatives:

Charter Day:

The EC participated in Charter Day 2016 distributing informational materials. We setup and staffed a booth displaying information on:

- Pesticide-free organic lawn care
- High-efficiency LED lighting options
- Rain barrels to collect and store rain water for later use while reducing runoff
- Sustainable New Jersey Silver Certification for Bernards Township

We also gave away over one hundred indigenous white-pine tree seedlings.

2017 Plans:

- Provide analysis of ongoing applications.
- Perform tree removal permit site reviews.
- Setup and staff a Charter Day booth.
- Consultations with interested parties on lawn care.
- Look into more options for food recycling in the town.

The EC looks forward to continuing to serve Bernards Township and its residents in 2016.

Respectfully submitted on behalf of the Bernards Township Environmental Commission,

Michael Kelly, Environmental Commission Chairperson, 2016

Resolution #2017-0145- Emergency Temporary Appropriation - Operations

WHEREAS, an emergent condition has arisen with respect to the fact that the Township of Bernards is expected to enter into contracts, commitments or payments prior to the 2017 Budget adoption, and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$25,051,406.00.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations are hereby made in a total amount of \$25,051,406.00 as follows:

General Administration S&W	\$	256,100.00
General Administration OE	\$	15,180.00
Human Resources S&W	\$	140,230.00
Human Resources OE	\$	28,220.00
Township Committee S&W	\$	27,200.00
Township Committee OE	\$	41,925.00
Municipal Clerk S&W	\$	180,300.00
Municipal Clerk OE	\$	26,255.00
Financial Administration S&W	\$	228,820.00
Financial Administration OE	\$	20,200.00
Audit Services	\$	16,308.00
Purchasing Administration S&W	\$	77,020.00
Purchasing Administration OE	\$	15,550.00
Computer Network Administration S&W	\$	266,330.00
Computer Network Administration OE	\$	87,640.00
Revenue Administration S&W	\$	102,810.00
Revenue Administration OE	\$	31,862.00
Tax Assessment Administration S&W	\$	244,520.00
Tax Assessment Administration OE	\$	116,490.00
Legal Services	\$	375,000.00
Engineering Services S&W	\$	494,250.00
Engineering Services OE	\$	60,110.00
	Total General Government	\$ 2,852,320.00
Planning Board S&W	\$	88,080.00
Planning Board OE	\$	58,160.00
Bd. of Adjustment S&W	\$	152,990.00
Bd. of Adjustment OE	\$	74,200.00
Environmental Commission S&W	\$	1,200.00
Environmental Commission OE	\$	725.00
Agricultural Advisory / Open Space Committees O/E	\$	2,700.00
	Total Land Use Administration	\$ 378,055.00
Code Enforcement S&W	\$	519,670.00
Code Enforcement OE	\$	200,580.00
	Total Code Enforcement	\$ 720,250.00
Liability Insurance	\$	414,580.00
Workers Compensation Insurance	\$	304,060.00
Employee Group Insurance(SHBP Only)	\$	1,791,700.00
Waiver from Health Coverage	\$	70,400.00
Employee benefits (Other)	\$	102,350.00
Unemployment Insurance	\$	19,000.00
	Total Insurance	\$ 2,702,090.00
Police S&W	\$	4,656,270.00
Police OE	\$	254,880.00
Crossing Guards S&W	\$	125,000.00
Crossing Guards OE	\$	12,250.00
Police Cars	\$	83,500.00
Office of Emergency Mgt. S&W	\$	22,000.00
Office of Emergency Mgt. OE	\$	21,000.00
Aid to Volunteer Fire Companies	\$	90,000.00
Aid to Volunteer Ambulance	\$	30,000.00

Fire Official S&W	\$	135,370.00
Fire Official / Fire Hydrants OE	\$	406,350.00
Municipal Prosecutor	\$	41,000.00
Total Public Safety	\$	5,877,620.00
Streets and Road Maintenance S&W	\$	1,348,950.00
Streets and Road Maintenance OE	\$	389,720.00
Streets and Road Maint. - Snow S&W	\$	185,000.00
Streets and Road Maint. - Snow OE	\$	557,020.00
Vehicle Maintenance S&W	\$	225,850.00
Vehicle Maintenance OE	\$	311,675.00
Solid Waste Collection S&W	\$	64,500.00
Solid Waste Collection OE	\$	25,550.00
Public Buildings S&W	\$	141,670.00
Public Buildings OE	\$	229,850.00
Other Public Works Functions - Shade Tree S&W	\$	1,500.00
Other Public Works Functions - Shade Tree OE	\$	3,780.00
Other Public Works Functions – Street Light Maint. OE	\$	34,000.00
Municipal Services Act OE	\$	178,790.00
Total Public Works Functions	\$	3,697,855.00
Public Health Services S&W	\$	303,700.00
Public Health Services OE	\$	81,470.00
Animal Control Services S&W	\$	46,540.00
Contributions to Social Svc. Agencies	\$	23,080.00
Total Health and Human Services	\$	454,790.00
Recreation Services & Programs S&W	\$	376,950.00
Recreation Services & Programs OE	\$	279,100.00
Grounds S&W	\$	565,670.00
Grounds OE	\$	147,300.00
Pool Commission S&W	\$	301,130.00
Pool Commission OE	\$	244,280.00
Total Parks and Recreation Functions	\$	1,914,430.00
Community Service S&W	\$	61,070.00
Community Service OE	\$	8,200.00
Deer Task Force S&W	\$	60,000.00
Deer Task Force OE	\$	7,800.00
Charter Day S&W	\$	31,725.00
Charter Day OE	\$	4,500.00
Labor Day Bike Races S&W	\$	20,000.00
Labor Day Bike Races OE	\$	2,350.00
Pay for Performance - S&W	\$	515.00
Total Other Common Operating Functions	\$	196,160.00
Utilities	\$	672,500.00
	\$	672,500.00
Solid Waste Disposal S&W	\$	70,490.00
Solid Waste Disposal OE	\$	105,850.00
Total Landfill/Solid Waste Disposal Costs	\$	176,340.00
Public Defender	\$	13,000.00
Municipal Court S&W	\$	228,150.00
Municipal Court OE	\$	119,590.00
Total Municipal Court	\$	360,740.00
Public Employees Retirement System	\$	802,450.00
Social Security	\$	775,400.00
Police & Fire Retirement System	\$	1,074,204.00

Defined Contribution Retirement System	\$	13,000.00
Total Statutory Expenditures	\$	2,665,054.00
Municipal Library S&W	\$	1,437,430.37
Municipal Library OE	\$	944,771.63
Total Education Functions	\$	2,382,202.00
Children's Literacy Program-TEI Landmark Audio	\$	1,000.00
Total Grants	\$	1,000.00
Total Temporary Emergency	\$	25,051,406.00

Temporary Appropriations - S&W	11,751,570.00
Temporary Appropriations - OE	13,299,836.00
Total Temporary Appropriations	\$ 25,051,406.00

2. That said emergency temporary appropriations will be provided for in the 2017 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Resolution #2017-0146- Emergency Temporary Appropriation – Golf

WHEREAS, an emergent condition has arisen with respect to the fact that the Township of Bernards is expected to enter into contracts, commitments or payments prior to the 2017 Budget adoption, and no adequate provision has been made in the 2017 temporary appropriations for the aforesaid purpose; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$515,486.00.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards (not less that two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations are hereby made in a total amount of \$541,995.00 as follows:

Temporary Appropriations – Golf S&W	\$ 148,352.09
Temporary Appropriations – Golf O.E.	\$ 367,133.91
Total Temporary Emergency Appropriations:	\$ 515,486.00

2. That said emergency temporary appropriations will be provided for in the 2017 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Resolution #2017-0147 - Issuance of a Rotational Towing License To SHT Corporation, t/a Somerset Hills Towing, 19 Finderne Avenue, Bridgewater, NJ 08807 For the 2 Year Period of February 28, 2017 to February 28, 2019

WHEREAS, Michael Bessasparis of SHT Corporation, t/a Somerset Hills Towing, 19 Finderne Avenue, Bridgewater, NJ 08807 has applied for a Rotational Towing License for a two year period of February 28, 2017 to February 28, 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 SHT Corporation t/a Somerset Hills Towing for 2 year period, February 28, 2017 to February 28, 2019.

[Resolution #2017-0149](#) - Change Order #2 - Time Extension Professional Services for Professional Architectural Services for Restoration of the Lyons Train Station to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.

WHEREAS, the Bernards Township Committee adopted resolution #2015-0153 on March 10, 2015 awarding a professional architectural services contract to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.; and

WHEREAS the Bernards Township Committee adopted resolution #2016-0139 approving change order # 1 extending the professional services contract through March 15, 2017 to Daniel W. Lincoln, R.A., NJ Lic # 21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.; and

WHEREAS, the Township of Bernards requires additional time to conduct the Pre-Design/Schematic, Design Development, Construction Documents, Bidding and Negotiation, and Construction Administration of the Restoration of the Lyons Train Station.

NOW, THEREFORE BE IT RESOLVED by the Bernards Township Committee that the contract for professional architectural services to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C., be extended to December 31, 2017.

[Resolution #2017-0150](#) - Change Order #2 - Time Extension Awarding Professional Services Contract for Lyons Train Station Phase II Canopy Restoration to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.

WHEREAS, the Bernards Township Committee adopted resolution #2015-0171 on March 24, 2015 awarding a professional architectural services contract to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.; and

WHEREAS the Bernards Township Committee adopted resolution #2016-0160 approving change order # 1 extending the professional services contract through March 15, 2017 to Daniel W. Lincoln, R.A., NJ Lic # 21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C.; and

WHEREAS, the Township of Bernards requires additional time for the Lyons Train Station Phase II Canopy Restoration project.

NOW, THEREFORE BE IT RESOLVED by the Bernards Township Committee that the contract for professional architectural services for Lyons Train Station Phase II Canopy Restoration to Daniel W. Lincoln, R.A., NJ Lic #21A100899800 of the firm Daniel W. Lincoln, R.A., L.L.C., be extended to December 31, 2017.

[Resolution #2017-0151](#) - Approval of Special Event Permit Heartworks, Inc. – Yard Sale 19 Route 202, Basking Ridge, NJ – April 21 & 22, 2017 (Rain date April 23rd)

WHEREAS, Claudia Dey representing Heartworks, Inc., 19 Route 202, Basking Ridge, NJ, “the applicant,” has requested a special event permit for April 21 & 22, 2017, rain date April 23, from 8:00 AM to 6:00 PM for the purpose of holding a yard sale to benefit local families in crisis; and

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

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

WHEREAS, the applicant will hire an off-duty officer to control traffic.

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

[Resolution #2017-0153](#) - Personnel Appointment, Cynthia Kiefer – Administrative Assistant Planning/Zoning – Engineering Department

WHEREAS, the full time Administrative Assistant position is available due to a retirement, and

WHEREAS, the Township Engineer, Township Administrator and Chief Financial Officer/Human Resources Officer have deemed it necessary to fill this position; and,

WHEREAS, Cynthia Kiefer has applied for and is qualified to fill said position; and

WHEREAS, the Township, Township Administrator and Chief Financial Officer/Human Resources Officer recommend appointment of Cynthia Kiefer to full time Administrative Assistant – Planning/Zoning.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Cynthia Kiefer be appointed full time Administrative Assistant – Planning/Zoning with a hire date of Friday, March 17, 2017 at an hourly rate of \$28.00 for a 40 hour work week.

[Resolution #2017-0154](#) - *Accepting a Certified List from Bernards Township Participating Volunteer Fire Companies and First Aid Squad For Eligibility in Length of Service Awards Program (LOSAP) for the Year 2016*

WHEREAS, the creation of a Length of Service Awards Program (LOSAP) for the volunteer fire and first aid squad members was approved by the voters of Bernards Township on November 5, 2002; and

WHEREAS, the Township Committee of the Township of Bernards approved the adoption of the Plan Document designating AIG VALIC as the service provider in Resolution #030353 on November 11, 2003; and

WHEREAS, the State of New Jersey, Department of Community Affairs, Division of Local Government Services has reviewed the Plan Document and supporting documentation and found the plan to be in compliance with the requirements of N.J.A.C. 5:30-14.25(b) on January 30, 2004; and

WHEREAS, each participating volunteer fire company and first aid squad has submitted a certified list to the Local Plan Administrator of those emergency service workers who have met the requirements of the plan as outlined in Ordinance #1576 (for BRFC/FA, and LCFC), and Ordinance # 2028 (for LCFAS).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following certified lists from each participating volunteer fire company and first aid squad be accepted and approved;

Basking Ridge Fire Company No. 1 and First Aid Squad

Jon Bently	Robert Fullagar III	Jane McArthur
John Brennan	Don Gazzale	Daniel McEnerly
Ben Carlin	Doug Gazzale	Jack McGrath
Doug Carroll	Laurie Gazzale *	Richard Moschello
Michelle D’Autorio	Richard Hall	Theodore Renz
Michael Delgado	Stephen B. Hayworth	Andrew Vaccarello
Patrick DiLorenzo	Steve Hornblow	Robert Vaias
Edmund Foley	Nicholas Ierubino	Peter von der Linde
Louise Fordham-Hale	Jody Jacobus	Duncan Watt
Robert Fullagar II	Arthur Marky	Christian Whaley

Liberty Corner Fire Company

William Allen	Peter Aprahamian	Michael Barth
Carl Blanchard	John Borchert	Lou Carlucci
Ron DePasquale	Marc Friedman	Laurie Gazzale *
Christopher Hurst	Scott Kessel	Gerald Modugno
Charles Pisano, Jr.	Robert Scanniello	Christian Speal
Richard Vindici	Kenneth White	

Liberty Corner First Aid Squad

Charlotte Meiner-Fohl	LouAnn Jones	Fred Miller
Elaine French	David Lai-Len	Mark Rosenblum
Don Hart	Leslie Ludlow	Greg Taylor

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be posted for a period of 30 days in the office of the Township Clerk, the Basking Ridge Fire Company, the Liberty Corner Fire Company and the Liberty Corner First Aid Squad.

End Consent Agenda

[Resolution #2017-0148](#) - Acknowledging March National Nutrition Month

Motion by Russo, second by Carpenter, that the Resolution #2017-0148 be approved.

Roll Call:

Aye: Bianchi, Carpenter, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, food is the substance by which life is sustained; and

WHEREAS, the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge March 2017 as National Nutrition Month and encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Approval of Minutes: [02/14/2017](#) and [02/14/2017](#) – Executive Session

Russo abstained. Motion by Carpenter, second by Bianchi, and unanimously agreed that the open session minutes be approved be approved for content and release, and that the executive session minutes be approved for content only.

[Ordinance #2360](#) - Accepting a Stormwater Facility Maintenance Agreement and an Amended Wetlands Conservation Easement on Property Located at [140 Allen Road, Block 11201, Lot 4](#), from Genesis Property Management, LLC, to the Township of Bernards – Introduction

The clerk read the ordinance by title.

Motion by Russo, second by Carpenter, that Ordinance #2360 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 3/14/17.

Roll Call:

Aye: Bianchi, Carpenter, Russo, 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 Genesis Property Management, LLC, a New Jersey limited liability company, with a mailing address of c/o RMA of New Jersey, 140 Allen Road, Basking Ridge, New Jersey, 07920, a Stormwater Facility Maintenance Agreement and an Amended Wetlands Conservation Easement on Block 11201, Lot 4, in Bernards Township.
2. The agreement and easement are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2361](#) - An Ordinance of the Township of Bernards Appropriating \$280,000.00 for Various Capital Improvements – Introduction

The clerk read the ordinance by title.

Motion by Russo, second by Carpenter, that Ordinance #2361 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 3/14/17.

Roll Call:

Aye: Bianchi, Carpenter, Russo, Gaziano

Nay:

Abstain:

Motion carried.

BE IT ORDAINED by the Township Committee of the Township of Bernards in the County of Somerset, New Jersey that the sum of \$280,000.00 is hereby appropriated from the Capital Improvement Fund for the following purposes:

A	\$215,000.00	Purchase of Motor Vehicle Fleet Replacements including, but not limited to DPW Equipment Vehicles, Passenger Vehicles and Fleet Software
B	\$65,000.00	Pleasant Valley Pool Facility Improvements including, but not limited to Reconfiguration of Main Office and Locker Rooms, Replacement of Water Features, Replacement of Split Rail Fencing, and Various Concrete Repair/Replacement

Any grant moneys received for the purposes described above hereof shall be applied to direct payment of the cost of the improvements and shall reduce the amount authorized from the capital improvement fund to the extent that such funds are so used.

The period of usefulness is five years or more. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services is on file with the Township Clerk and are available for public inspection.

BE IT FURTHER ORDAINED, this ordinance shall take effect immediately upon final passage and publication in accordance with law.

EXECUTIVE SESSION – (Continued from earlier session if needed)

At 8:49 PM the meeting resumed Executive Session discussions authorized under Resolution #2017-0152 adopted earlier in the meeting.

ADJOURNMENT

The meeting resumed in open session at 9:13 PM and immediately adjourned.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

Carolyn Gaziano
Mayor