# TOWNSEND TOWNSHIP - TOWNSHIP COMMITTEE

**MINUTES**  
**FEBRUARY 28, 2017 – COMBINED AGENDA/REGULAR MEETING**

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

## CALL TO ORDER

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## ROLL CALL

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## AMEND AGENDA

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## EXECUTIVE SESSION – RESOLUTION #2017-0134

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## PUBLIC COMMENT

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## CORRESPONDENCE

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## TOWNSHIP COMMITTEE/STAFF COMMENTS

- Page 4

## FIRE & RESCUE APPOINTMENT

- Page 4

### 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

## UNFINISHED BUSINESS

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### BERNARDS TOWNSHIP PLANNING BOARD RESOLUTION 2017-01-17
- Recommendation that Block 6001, Lot 6 (Former Quarry) is an Area in Need of Redevelopment

### 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

### 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

## NEW BUSINESS

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### CONSENT AGENDA

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#### Resolution #2017-0135
- Approval of the Bill List Dated 02/28/2017

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

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

#### 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

#### 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

#### Resolution #2017-0140
- Authorizing 2016 Application for Tonnage Grant

#### Resolution #2017-0141
- Authorizing the Issuance of a Clothing Bin License to Turnkey Enterprises, LLC for Placement at Fellowship Village

#### Resolution #2017-0142
- Authorization for the Use of Competitive Contracting Solicitations of Request for Proposals 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

#### Resolution #2017-0144
- Acceptance of Bernards Township Environmental Commission 2016 Annual Report

#### Resolution #2017-0145
- Emergency Temporary Appropriation - Operations
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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 .................................................................................................................. 15
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) ........................................................................................................... 16
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EXECUTIVE SESSION – (CONTINUED FROM EARLIER SESSION IF NEEDED) ......................................................... 19

ADJOURNMENT .......................................................................................................................................................... 19
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/Assistant 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.

<table>
<thead>
<tr>
<th>Reason for Closed Session</th>
<th>Estimated Time of Disclosure or Upon Occurrence Of</th>
</tr>
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<tbody>
<tr>
<td>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.</td>
<td>Upon conclusion of litigation.</td>
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<tr>
<td>Litigation - Affordable Housing</td>
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<tr>
<td>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</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>MEMBERSHIP STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zachary Borchert</td>
<td>23 Tysley Street, Basking Ridge, NJ 07920</td>
<td>Junior Member</td>
</tr>
<tr>
<td>Julia Byrnes</td>
<td>45 Stockmar Drive, Basking Ridge, NJ 07920</td>
<td>Junior Member</td>
</tr>
</tbody>
</table>

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed 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. 40A: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. 40A: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. 40A: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.
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<tr>
<th>Check #</th>
<th>Check Date</th>
<th>Vendor</th>
<th>Amount Paid</th>
<th>Reconciled/Void Ref Num</th>
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**Notes:**
- Checks marked with "VOID" refer to voided transactions.
- Amounts are in dollars.
- Vendor names and addresses are provided for each transaction.
WHEREAS, continued tax exempt status of the Society pursuant to both State and Federal law; and

the activities of the Society undertaken in furtherance of the public purpose for which the leasehold was granted, the

submit an annual report to the Township setting out the use to which the building was put during the preceding year,

WHEREAS

located at 15 West Oak Street, Block 73, Lot 10, Basking Ridge;

Society of Somerset Hills entered into a 50 year lease agreement for lease of the township-owned Brick Academy

WHEREAS

Resolution #2017-0136

TRUST FUNDS                           T-13           33,317.26             0.00             0.00        33,317.26
CAPITAL FUND                          C-04            6,982.49             0.00             0.00         6,982.49
DOG FUND                              7-12              327.70             0.00             0.00           327.70

Total Of All Funds:            2,604,311.99             0.00             0.00     2,604,311.99

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111045  02/28/17   S0913    SHEDLOCK CAR CARE                      600.00             0.00             0.00            600.00
111046  02/28/17   S0956    SOMERSET HEALTH CARE FOUNDATION          100.00             0.00             0.00           100.00
111047  02/28/17   TO066    CENGAGE LEARNING CREDIT SVCs                 100.31             0.00             0.00           100.31
111048  02/28/17   TO101    TRIANGLE COMMUNICATIONS                           1,441.00             0.00             0.00        1,441.00
111049  02/28/17   TO174    TAYLOR & FRANCIS/ROYALUX                    121.94             0.00             0.00          121.94
111050  02/28/17   TO327    TRI-STATE MATERIALS, LLC                      773.75             0.00             0.00           773.75
111051  02/28/17   TO402    TOWER AS COST EHRY                     2,395.14             0.00             0.00        2,395.14
111052  02/28/17   TO411    TOECAO, SUSANNE                              500.00             0.00             0.00          500.00
111053  02/28/17   TO422    TOMAXANK LANE , INC.                      230.00             0.00             0.00          230.00
111054  02/28/17   TO001    UNITREC INC.                               2,927.54             0.00             0.00        2,927.54
111055  02/28/17   U0000    UNION LIFE INSURANCE COMPANY               410.59             0.00             0.00          410.59
111056  02/28/17   V0008    VITAL COMMUNICATIONS, INC.               1,834.08             0.00             0.00        1,834.08
111057  02/28/17   V0037    VILLAGE SUPERMARKET, INC.                         86.41             0.00             0.00           86.41
111058  02/28/17   V0056    VERIZON WIRELESS                              1,864.39             0.00             0.00        1,864.39
111059  02/28/17   V0058    VERIZON                                  145.46             0.00             0.00          145.46
111060  02/28/17   V0084    VERIZON                                  588.29             0.00             0.00          588.29
111061  02/28/17   V0124    VERIZON BUSINESS FIOS                  364.99             0.00             0.00          364.99
111062  02/28/17   V0185    VERIZON NETWORK FLEET                        708.92             0.00             0.00          708.92
111063  02/28/17   W0016    WARRENVILLE TRUE VALUE                             459.99             0.00             0.00          459.99
111064  02/28/17   W0055    WEXFORD TRUE VALUE                             649.59             0.00             0.00          649.59
111065  02/28/17   Y0203    YADIN-ISAAC,IZRAAAN                          150.00             0.00             0.00          150.00
111066  02/28/17   Y0058    YADIN-ARIS,IZRAAAN                           1,747.35             0.00             0.00        1,747.35

Checking Account Totals                    Paid       Void        Amount Paid        Amount Void
------------------------------------------------------------------------------------------------------------------------------------
Total:    149          1       2,604,311.99               0.00

Report Totals Paid       Void    Amount Paid        Amount Void
------------------------------------------------------------------------------------------------------------------------------------
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:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>General Administration S&amp;W</td>
<td>$256,100.00</td>
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<td>General Administration OE</td>
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<td>Environmental Commission OE</td>
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<td>Agricultural Advisory / Open Space Committees O/E</td>
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<td><strong>Total Land Use Administration</strong></td>
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<td>Code Enforcement OE</td>
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<td><strong>Total Code Enforcement</strong></td>
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<td>Unemployment Insurance</td>
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<td>Crossing Guards OE</td>
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<td>Office of Emergency Mgt. OE</td>
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<td>Aid to Volunteer Fire Companies</td>
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<td>Fire Official S&amp;W</td>
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<td>Fire Official / Fire Hydrants OE</td>
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<td>Municipal Prosecutor</td>
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<td><strong>Total Public Safety</strong></td>
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<td>Streets and Road Maintenance S&amp;W</td>
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<td>Streets and Road Maintenance OE</td>
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<td>Streets and Road Maint. - Snow S&amp;W</td>
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<td>Streets and Road Maint. - Snow OE</td>
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<td>Vehicle Maintenance S&amp;W</td>
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<td>Vehicle Maintenance OE</td>
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<td>Solid Waste Collection S&amp;W</td>
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<td>Solid Waste Collection OE</td>
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<td>Public Buildings S&amp;W</td>
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<td>Public Buildings OE</td>
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<td>Other Public Works Functions - Shade Tree S&amp;W</td>
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<td>Other Public Works Functions - Shade Tree OE</td>
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<td>Other Public Works Functions – Street Light Maint. OE</td>
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<td>Municipal Services Act OE</td>
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<td><strong>Total Public Works Functions</strong></td>
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<td>Public Health Services S&amp;W</td>
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<td>Public Health Services OE</td>
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<td>Animal Control Services S&amp;W</td>
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<td><strong>Total Health and Human Services</strong></td>
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<td>Recreation Services &amp; Programs S&amp;W</td>
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<td>Recreation Services &amp; Programs OE</td>
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<td>Grounds OE</td>
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<td>Pool Commission S&amp;W</td>
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<td>Pool Commission OE</td>
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<td><strong>Total Parks and Recreation Functions</strong></td>
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<td>Community Service S&amp;W</td>
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<td>Deer Task Force S&amp;W</td>
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<td>Deer Task Force OE</td>
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<td>Charter Day OE</td>
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<td>Labor Day Bike Races S&amp;W</td>
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<td>Labor Day Bike Races OE</td>
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<tr>
<td>Pay for Performance - S&amp;W</td>
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<td>Utilities</td>
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<td><strong>Total Landfill/Solid Waste Disposal Costs</strong></td>
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<td>Public Defender</td>
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<td>Municipal Court S&amp;W</td>
<td>$228,150.00</td>
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<td>Municipal Court OE</td>
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<td>Social Security</td>
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<tr>
<td>Police &amp; Fire Retirement System</td>
<td>$1,074,204.00</td>
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</tbody>
</table>
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
   Temporary Appropriations – Golf O.E.
   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.

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.


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

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

Liberty Corner Fire Company

<table>
<thead>
<tr>
<th>William Allen</th>
<th>Peter Aprahamian</th>
<th>Michael Barth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carl Blanchard</td>
<td>John Borchert</td>
<td>Lou Carlucci</td>
</tr>
<tr>
<td>Ron DePasquale</td>
<td>Marc Friedman</td>
<td>Laurie Gazzale *</td>
</tr>
<tr>
<td>Christopher Hurst</td>
<td>Scott Kessel</td>
<td>Gerald Modugno</td>
</tr>
<tr>
<td>Charles Pisano, Jr.</td>
<td>Robert Scannello</td>
<td>Christian Speal</td>
</tr>
<tr>
<td>Richard Vindici</td>
<td>Kenneth White</td>
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</tr>
</tbody>
</table>

Liberty Corner First Aid Squad

<table>
<thead>
<tr>
<th>Charlotte Meiner-Fohl</th>
<th>LouAnn Jones</th>
<th>Fred Miller</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elaine French</td>
<td>David Lai-Len</td>
<td>Mark Rosenblum</td>
</tr>
<tr>
<td>Don Hart</td>
<td>Leslie Ludlow</td>
<td>Greg Taylor</td>
</tr>
</tbody>
</table>
**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:

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>A</td>
<td>$215,000.00</td>
<td>Purchase of Motor Vehicle Fleet Replacements including, but not limited to DPW Equipment Vehicles, Passenger Vehicles and Fleet Software</td>
</tr>
<tr>
<td>B</td>
<td>$65,000.00</td>
<td>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</td>
</tr>
</tbody>
</table>

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