TOWNHISP COMMITTEE MINUTES
07/11/2017
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ORDINANCE #2370 - ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 45 CHURCH STREET, BLOCK 7501, LOT 4, FROM THE BOARD OF TRUSTEES OF THE PRESBYTERIAN CHURCH OF LIBERTY CORNER N.J. TO THE TOWNSHIP OF BERNARDS – INTRODUCTION

ADJOURNMENT

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

TOWNSHIP COMMITTEE/STAFF COMMENTS

FIRE & RESCUE APPOINTMENTS

RESOLUTION #2017-0288 - APPOINTMENT TO MEMBERSHIP IN TOWNSHIP OF BERNARDS VOLUNTEER BASKING RIDGE FIRE COMPANY #1, JONATHAN SALOMAN – JUNIOR MEMBER AND FIRST AID SQUAD OF BASKING RIDGE FIRE COMPANY #1, VICTORIA ANDERSON – JUNIOR MEMBER

UNFINISHED BUSINESS

NEW BUSINESS

CONSENT AGENDA

06/27/2017 Open Session

06/27/2017 Executive Session

Resolution #2017-0283 – Approval of the Bill List Dated 07/11/2017

Resolution #2017-0284 – Authorizing a Waiver to the Township’s Noise Ordinance to NJ Transit For Power Line Improvements Along the Railroad Tracks

Resolution #2017-0285 – Commendation on Attaining Eagle Scout Designation Christopher Lloyd Lynn

Resolution #2017-0286 – Personnel Appointment, Jacqueline Barber – Administrative Coordinator – Library

Resolution #2017-0287 – Issuance of Solicitor Licenses & Brothers Treats, LLC – James Walsh, Linda Walsh, Elisha Walsh, Jonah Walsh License Period 07/01/2017 – 12/31/2017

Resolution #2017-0289 – Waiver Payments for Eligible Employees that Opt Out of the State of New Jersey, Division of Pensions and Benefits, State Health Benefits Plan

Resolution #2017-0290 – Award of Purchase Orders for Identified Vendor(s) – John Dobash Construction & Tile LLC, Rudeo Products, Inc

Resolution #2017-0291 – Award of Bid, for One (1) 2018 International Model 7400 4 X 2 Chassis With a Dump Body, Spreader & Snow Plow (Or Equal) to Brown’s Hunterdon International LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ 08804 in the Amount of $195,317.00

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Resolution #2017-0295 – Award of Bid Renewal for 2017-2018 Janitorial Services for Bernards Township Library to Best Cleaning Building Service Inc., 1121 Edgewater Avenue – Unit 21, Ridgefield, NJ 07657

RESOLUTION #2017-0296 – CHANGE ORDER #6 – INCREASE OF $15,000.00 AUTHORIZING CONTINUING AWARD OF CONTRACT FOR LEGAL SERVICES, SPECIAL COUNSEL HEROLD LAW, P.A. WITH RESPECT TO INSURANCE COVERAGE ISSUES IN THE ISBR AND UNITED STATES DEPARTMENT OF JUSTICE (“USDOJ”) CASES – FOR A NEW NOT TO EXCEED AMOUNT OF $237,500.00

ORDINANCE #2370 – ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 45 CHURCH STREET, BLOCK 7501, LOT 4, FROM THE BOARD OF TRUSTEES OF THE PRESBYTERIAN CHURCH OF LIBERTY CORNER N.J. TO THE TOWNSHIP OF BERNARDS – INTRODUCTION

ADJOURNMENT

TOWNSHIP COMMITTEE MINUTES

07/11/2017

Page 2 of 13
CALL TO ORDER
The mayor called the meeting to order at 8:02 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL
Present: Bianchi, Carpenter, Malay, Gaziano
Absent: Russo
Also Present: Administrator McArthur, Attorney Visconi, Engineer Timko, and Deputy Municipal Clerk Pisano

PUBLIC COMMENT
Todd Edelstein, Riverside Dr. – commented on TC meeting video postings, retail at Dewey Meadow vs. potential quarry redevelopment, and Spring Valley Boulevard /Acken Rd intersection.

TOWNSHIP COMMITTEE/STAFF COMMENTS
Committee and staff members reported on their activities.

FIRE & RESCUE APPOINTMENTS
Resolution #2017-0288 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1, Jonathan Saloman - Junior Member and First Aid Squad of Basking Ridge Fire Company #1, Victoria Anderson – Junior Member
Motion by Bianchi, second by Carpenter, and unanimously agreed that Resolution #2017-0288 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 Basking Ridge Fire Co. #1 and First Aid Squad of Basking Ridge Fire Company #1 is recommending the following individuals for appointment:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>MEMBER STATUS</th>
<th>AGENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jonathan Saloman</td>
<td>66 Summit Drive</td>
<td>Junior</td>
<td>Basking Ridge Fire Company #1</td>
</tr>
<tr>
<td></td>
<td>Basking Ridge, NJ 07920</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victoria Anderson</td>
<td>4 Concord Lane</td>
<td>Junior</td>
<td>First Aid Squad of Basking Ridge Fire</td>
</tr>
<tr>
<td></td>
<td>Basking Ridge, NJ 07920</td>
<td></td>
<td>Company #1</td>
</tr>
</tbody>
</table>

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed to the agency and membership status as stated above effective this date.

UNFINISHED BUSINESS
None

NEW BUSINESS
Consent Agenda
The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study, linked to the posted agenda on the website, are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by township committee action and placed on the regular agenda under new business.

Motion by Carpenter, second by Malay, that the Consent Agenda be approved.

Roll Call:
Aye: Carpenter, Bianchi, Malay, Gaziano
BE IT RESOLVED,  
that the bill list dated 7/11/2017 be audited, and if found correct, be paid.

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Amount Paid</th>
<th>Reconciled/Void Ref Num</th>
</tr>
</thead>
<tbody>
<tr>
<td>PENWORTHY/AMERICAN MEDIA</td>
<td>468.61</td>
<td>1307</td>
</tr>
<tr>
<td>ACME DIESEL ELECTRIC, INC.</td>
<td>198.00</td>
<td>1307</td>
</tr>
<tr>
<td>ALLIED OIL COMPANY, LLC</td>
<td>8,210.85</td>
<td>1307</td>
</tr>
<tr>
<td>ALL SPORTS STADIUM, LLC</td>
<td>4,739.15</td>
<td>1307</td>
</tr>
<tr>
<td>MEDICAL LABORATORY DIAGNOSTICS</td>
<td>5,987.50</td>
<td>1307</td>
</tr>
<tr>
<td>ATLANTIS TACTICAL</td>
<td>282.60</td>
<td>1307</td>
</tr>
<tr>
<td>APPRAISAL SYSTEMS INC</td>
<td>3,080.00</td>
<td>1307</td>
</tr>
<tr>
<td>AMERICAN WEAR, INC</td>
<td>874.88</td>
<td>1307</td>
</tr>
<tr>
<td>ALICE TRAINING INSTITUTE, LLC</td>
<td>1,428.00</td>
<td>1307</td>
</tr>
<tr>
<td>BERNARDS TOWNSHIP CURRENT</td>
<td>74,064.31</td>
<td>1307</td>
</tr>
<tr>
<td>BERNARDSVILLE PRINT CENTER</td>
<td>31.84</td>
<td>1307</td>
</tr>
<tr>
<td>BERNARDS TOWNSHIP PAYROLL ACCT</td>
<td>578,416.99</td>
<td>1307</td>
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<tr>
<td>BASKING RIDGE ANIMAL HOSPITAL</td>
<td>950.50</td>
<td>1307</td>
</tr>
<tr>
<td>BASKING RIDGE GLASS &amp; MIRROR</td>
<td>2,197.07</td>
<td>1307</td>
</tr>
<tr>
<td>BAYSHORE RECYCLING CORPORATION</td>
<td>634.20</td>
<td>1307</td>
</tr>
<tr>
<td>BUY WISE AUTO PARTS</td>
<td>1,820.17</td>
<td>1307</td>
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<tr>
<td>EAST PERFORMANCE EXHAUST</td>
<td>1,950.00</td>
<td>1307</td>
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<tr>
<td>BLUE RAVEN ENTERTAINMENT</td>
<td>1,250.00</td>
<td>1307</td>
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<tr>
<td>CARNETT NEW JERSEY NEWSPAPERS</td>
<td>188.34</td>
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<tr>
<td>COW GOVERNMENT, INC.</td>
<td>285.00</td>
<td>1307</td>
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<tr>
<td>COOPER ELECTRIC SUPPLY</td>
<td>102.50</td>
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</tr>
<tr>
<td>CARLEVISION OF RARITAN VALLEY</td>
<td>178.71</td>
<td>1307</td>
</tr>
<tr>
<td>COMBAT SPORTS, LLC</td>
<td>700.00</td>
<td>1307</td>
</tr>
<tr>
<td>CLIFFSIDE BODY CORPORATION</td>
<td>30.00</td>
<td>1307</td>
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<tr>
<td>CIGNA GROUP INSURANCE</td>
<td>1,568.92</td>
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<tr>
<td>CONSTELLATION NEW ENERGY, INC</td>
<td>634.90</td>
<td>1307</td>
</tr>
<tr>
<td>BB&amp;T/CPS</td>
<td>95.15</td>
<td>1307</td>
</tr>
<tr>
<td>CLARKE GUY OTIS HINTS</td>
<td>212.50</td>
<td>1307</td>
</tr>
<tr>
<td>DRIVERS TIRE &amp; SERVICE CENTER</td>
<td>5,358.25</td>
<td>1307</td>
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<tr>
<td>DEACON EQUIPMENT, INC.</td>
<td>637.62</td>
<td>1307</td>
</tr>
<tr>
<td>DCP</td>
<td>274.47</td>
<td>1307</td>
</tr>
<tr>
<td>DOVER BRAKE &amp; CLUTCH</td>
<td>70.30</td>
<td>1307</td>
</tr>
<tr>
<td>DC EXPRESS</td>
<td>716.00</td>
<td>1307</td>
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<tr>
<td>EDM PUBLISHERS</td>
<td>158.48</td>
<td>1307</td>
</tr>
<tr>
<td>EKA ASSOCIATES, P.A.</td>
<td>438.75</td>
<td>1307</td>
</tr>
<tr>
<td>FDLS DISCHARGE &amp; ASSOCIATES LF</td>
<td>2,260.61</td>
<td>1307</td>
</tr>
<tr>
<td>FASTENAL CO.</td>
<td>472.08</td>
<td>1307</td>
</tr>
<tr>
<td>FUN EXPRESS, LLC</td>
<td>2,058.52</td>
<td>1307</td>
</tr>
<tr>
<td>FLAGSHIP DENTAL PLANS</td>
<td>270.20</td>
<td>1307</td>
</tr>
<tr>
<td>FX AUTOMOTIVE LLC</td>
<td>1,675.51</td>
<td>1307</td>
</tr>
<tr>
<td>FIDELITY SECURITY LIFE INS</td>
<td>212.30</td>
<td>1307</td>
</tr>
<tr>
<td>FERNICOLA, MICHAEL</td>
<td>1,100.00</td>
<td>1307</td>
</tr>
<tr>
<td>GILL ASSOCIATES</td>
<td>578.25</td>
<td>1307</td>
</tr>
<tr>
<td>GRAINGER INC</td>
<td>952.40</td>
<td>1307</td>
</tr>
<tr>
<td>JCPL</td>
<td>12.81</td>
<td>1307</td>
</tr>
<tr>
<td>GOLD TYPE BUSINESS MACHINES</td>
<td>550.00</td>
<td>1307</td>
</tr>
<tr>
<td>BEDMINSTER CAR WASH</td>
<td>110.25</td>
<td>1307</td>
</tr>
<tr>
<td>GUARDIAN WEAR</td>
<td>144.00</td>
<td>1307</td>
</tr>
<tr>
<td>GREEN BRICK ELECTRONICS</td>
<td>42.55</td>
<td>1307</td>
</tr>
<tr>
<td>GREEN ROCK RECYCLING</td>
<td>550.00</td>
<td>1307</td>
</tr>
<tr>
<td>HOBEMAYES PEST CONTROL, INC.</td>
<td>475.00</td>
<td>1307</td>
</tr>
<tr>
<td>THE HOBBY QUEST</td>
<td>1,100.00</td>
<td>1307</td>
</tr>
</tbody>
</table>

Resolution #2017-0283 - Approval of the Bill List Dated 07/11/2017

BE IT RESOLVED, that the bill list dated 7/11/2017 be audited, and if found correct, be paid.
### Yearly Totals by Fund

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Budget Total</th>
<th>Revenue Total</th>
<th>G/L Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Golf Course Utility</strong></td>
<td>7,950.33</td>
<td>7,950.33</td>
<td>0.00</td>
<td>7,950.33</td>
</tr>
<tr>
<td><strong>Public Grants</strong></td>
<td>854.75</td>
<td>854.75</td>
<td>0.00</td>
<td>854.75</td>
</tr>
<tr>
<td><strong>Capital Fund</strong></td>
<td>27,495.16</td>
<td>27,495.16</td>
<td>0.00</td>
<td>27,495.16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>98,308.57</td>
<td>98,308.57</td>
<td>0.00</td>
<td>98,308.57</td>
</tr>
</tbody>
</table>

### Checks

- **07/11/17**: 132 checks totaling $1,154,342.96.

### Void Checks

- 07/11/17: Void 0

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**Report Totals**

<table>
<thead>
<tr>
<th>Paid</th>
<th>Void</th>
<th>Amount Paid</th>
<th>Amount Void</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Direct Deposit:**

- Amount: 1,147,542.96
  - 0.00

**Direct Deposit Total:**

- Amount: 1,147,542.96
  - 0.00

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**TOWNSEND COMMITTEE MINUTES**

**07/11/2017**

**Page 6 of 13**
Resolution #2017-0284 - Authorizing a Waiver to the Township’s Noise Ordinance to NJ Transit For Power Line Improvements Along the Railroad Tracks
WHEREAS, NJ Transit proposes to transfer the power lines along the railroad tracks from wood poles to steel structures on Saturday July 22nd and Sunday July 23rd during the hours of 8 AM to 4 PM, at Lake Rd; and

WHEREAS, Sunday work is safer for the construction crews by reducing traffic immediately adjacent to the work site; and

WHEREAS, NJ Transit had proposed to start the project July 22nd but a waiver of the Township’s noise ordinance is required for Sunday July 23rd; and

WHEREAS, NJ Transit has requested a waiver from the Township’s Noise Ordinance, §3-9 of the Revised General Ordinances of the Township.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby expresses support for the project and grants the request for a waiver of the Township’s Noise Ordinance.

Resolution #2017-0285 - Commendation on Attaining Eagle Scout Designation Christopher Lloyd Lynn
WHEREAS, the Township Committee is very pleased to recognize the outstanding personal effort of Christopher Lloyd Lynn reaching the rank of Eagle Scout; and

WHEREAS, Christopher, a member of Troop 351 of Patriots’ Path Council, has been an active scout, demonstrating outstanding leadership within the Troop, and has contributed many service hours to his community during his years in scouting; and

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

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

Resolution #2017-0286 - Personnel Appointment, Jacqueline Barber – Administrative Coordinator – Library
WHEREAS, the responsibilities of the Library Administrative Assistant have been expanded to include accountabilities beyond basic administrative tasks and supervision of an employee; and

WHEREAS, Jacqueline Barber, in her current role as Administrative Assistant, has developed the skills and experience needed to effectively carry out the expanded responsibilities; and

WHEREAS, the role of Administrative Coordinator is appropriate for the new level of responsibility required within the Library; and

WHEREAS, the Library Director, Library Board, and Chief Financial Officer/Human Resources Officer recommend appointment of Jacqueline Barber to full time Administrative Coordinator.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jacqueline Barber be appointed full time Administrative Coordinator with a hire date of Monday, July 17, 2017 at an hourly rate of $26.00 for a 35 hour work week.
Resolution #2017-0287 - Issuance of Solicitor Licenses 5 Brothers Treats, LLC – James Walsh, Linda Walsh, Elisha Walsh, Jonah Walsh License Period 07/01/2017 - 12/31/2017

WHEREAS, James Walsh, Linda Walsh, Elisha Walsh and Jonah Walsh of 5 Brothers Treats, LLC, 80 Morristown Road, PMB 344, Bernardsville, NJ 07924 have applied for Solicitor Licenses for the license period 07/01/2017 to 12/31/2017, effective 07/11/2017, for the purposes of selling ice cream from a truck; and

WHEREAS, pursuant to Chapter 4, Section 2 of the Revised General Ordinances of the Township of Bernards, applicants have provided required documentation and paid the applicable fee; and

WHEREAS, the Municipal Clerk, the Chief of Police, the Health Officer, and the Zoning Officer have reviewed said applications and found them complete.

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

Resolution #2017-0289 - Waiver Payments for Eligible Employees that Opt -Out of the State of New Jersey, Division of Pensions and Benefits, State Health Benefits Plan

WHEREAS, Bernards Township participates in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.); and

WHEREAS, Bernards Township has elected to participate in the State Health Benefits Program (SHBP) as adopted by Resolution #050459, voted on 11/29/05; and

WHEREAS, the State Health Benefits Program, in accordance with Chapter 92, P.L. 2007 and Chapter 2, P.L. 2010 allows the Township to make waiver payments to eligible employees that opt-out of the State Health Benefits Program; and

WHEREAS, the Township Administrator and the Human Resources Officer recommend the following waiver payments for Eligible Employees that provide proof of medical coverage that is not provided by the SHBP:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Dobash Construction &amp; Tile LLC</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>Rudco Products, Inc.</td>
<td>$40,000.00</td>
</tr>
</tbody>
</table>

These payments will be spread over 24 pays and disbursed through the regular payroll process.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the Township will offer to eligible employees the waiver payments for opting out of the State Health Benefit Program.

Resolution #2017-0290 - Award of Purchase Orders for Identified Vendor(s) – John Dobash Construction & Tile LLC., Rudco Products, Inc.

WHEREAS, the Township Committee of Bernards has adopted Ordinance #1854 “Known as Pay to Play” and P. L. 2004, Chapter 19; and

WHEREAS, pursuant to the ordinance window contracts determined to exceed $17,500.00 and within the bid threshold of $40,000.00 requires governing body approval; and

WHEREAS, the purchasing agent has determined that the value of the vendor(s) listed below will exceed $17,500.00 in purchases; and

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Dobash Construction &amp; Tile LLC</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>Rudco Products, Inc.</td>
<td>$40,000.00</td>
</tr>
</tbody>
</table>

WHEREAS, in anticipation of the listed expenditure, a Business Entity Disclosure Certification has been secured in compliance with N.J.S.A.19:44A 20-4 et seq., and that the principals of the said companies, have not made any
reportable contributions to a political or candidate committee in the Township of Bernards in the previous one year, and that the contract will prohibit the principals of said companies from making ANY contributions through the term of the contract pursuant to Bernards Township Ordinance #1854 adopted on February 28, 2006, that would prohibit any business entity or professional that procures goods, services or contracts from the Township without the formal bid process from making “any” contribution whatsoever in the prior calendar year.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendor listed above to maintain continuity and facilitate the ordering process through December 31, 2017.

Resolution #2017-0291 - Award of Bid, for One (1) 2018 International Model 7400 4 X 2 Chassis With a Dump Body, Spreader & Snow Plow (Or Equal) to Brown’s Hunterdon International LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ 08804 in the Amount of $195,317.00

WHEREAS, the Township received bids on Wednesday, June 28, 2017 at 11:00 A.M. for One (1) 2018 International Model 7400 4 X 2 Chassis with a Dump Body, Spreader & Snow Plow (Or Equal); and

<table>
<thead>
<tr>
<th>BIDDERS NAME</th>
<th>UNIT COST</th>
<th>TOTAL BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown’s Hunterdon International LLC</td>
<td>$195,317.00</td>
<td>$195,317.00</td>
</tr>
</tbody>
</table>

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator, and Purchasing Agent to award a contract to the lowest responsible bidder, Brown’s Hunterdon International LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ 08804; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations to be charged is Capital Ordinance #2361, line account #C-04-55-361-A01 ($195,317.00); and

WHEREAS, this contract has been awarded to Brown’s Hunterdon International LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ 08804, through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to: Brown’s Hunterdon International LLC, P.O. Box 98, 963 Rt. 173, Bloomsbury, NJ 08804 in the amount of $195,317.00.

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

______________________________
Todd E. Brown, CEO

CFO CERTIFICATION

I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of $195,317.00. Monies are available in Capital Ordinance #2361, line account #C-04-55-361-A01.

Date: 6/30/2017

______________________________
Terri Johnson, Chief Financial Officer

Resolution #2017-0292 - Award of Bid Renewal 2017-2018 for Hosted VOIP PBX Communications Awarded to XTel Communications, 401 Route 73 North, Bldg 10, Ste 106, Marlton, NJ 08053

WHEREAS, the Township of Bernards received bids four (4) on June 16, 2015 at 3:00 PM for Hosted VOIP PBX; and

WHEREAS, XTel Communications, has satisfactorily performed such services in 2016-2017; and

WHEREAS, this is the third year of a five year contract; and
WHEREAS, it is a combined recommendation of the IT Director, Township Administrator and Purchasing Agent that a renewal for the third year of the initial bid be awarded to XTel Communications, 401 Route 73 North, Bldg 10, Ste 106, Marlton, NJ.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to XTel Communications, 401 Route 73 North, Bldg 10, Ste 106, Marlton, NJ.

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

____________________________________________________
Elizabeth Sorino, Executive Vice President

Resolution #2017-0293 - Authorizing and Approving Purchase of Firefighters Protective Clothing and Equipment from New Jersey State Contract T0790 (A80961) to New Jersey Fire Equipment Company, 119-131 Rt 22, Green Brook, NJ 08812, in the Amount Not to Exceed $ 48,790.50

WHEREAS, the Township of Bernards wishes to purchase firefighters protective clothing and equipment from N. J. State Contract T0790 (A80961); and

WHEREAS, the N. J. State Division of Purchase and Property awarded a contract to New Jersey Fire Equipment Company, 119-131 Rt. 22 Green Brook, NJ 08812; and

WHEREAS, the Township is authorized to make purchases through cooperative and State contracts pursuant to N.J.S.A. 40A:11-10 and 12; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2016 Capital Budget for the same and the line item appropriation or ordinance to be charged is Capital Ordinance #2337, line account #C-04-55-337-H02; and

WHEREAS, it is the recommendation of the Purchasing Agent to purchase Firefighters Protective Clothing and Equipment from N. J. State Contract T0790 (A80961).

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to New Jersey Fire Equipment Company, 119-131 Rt. 22, Green Brook, NJ 08812.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed $48,790.50. Monies are available in Capital Ordinance #2337, line account #C-04-55-337-H02.

Date: 7/5/2017

Terri Johnson, Chief Financial Officer

Resolution #2017-0294 - Authorizing an Extension of Grace Period for the Third Quarter 2017 Taxes

WHEREAS, the State of New Jersey has not released all information needed for striking a rate timely, and

WHEREAS, this information is needed to produce the Final 2017/Preliminary 2018 tax bills, and

WHEREAS, as a result, the County of Somerset could not release the tax rate, and

WHEREAS, the Tax Collector must allow 25 calendar days for payment from the date of mailing pursuant to NJSA 54:4-66.3,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Tax Collector be authorized to extend the grace period for the third quarter 2017 up to and including the 25th day after the actual bills are mailed; and
NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that any payments received after the grace period for the third quarter 2017 will be charged interest from the original due date of August 1, 2017 as set by the guidelines set by NJSA 54:4-67 and Resolution # 2017-0017 passed by the Bernards Township Committee on January 4, 2017.

Resolution #2017-0295 - Award of Bid Renewal for 2017-2018 Janitorial Services for Bernards Township Library to Best Cleaning Building Service Inc., 1121 Edgewater Avenue - Unit 21, Ridgefield, NJ 07657

WHEREAS, The Township received bids on Wednesday, May 18, 2016 at 11:00 A.M. for Janitorial Services; and

WHEREAS, Best Cleaning Services, Inc., has performed such services in 2016-2017; and

WHEREAS, this is the second year of a three year contract; and

WHEREAS, it is a combined recommendation of the Library Director, Township Administrator and Purchasing Agent that a renewal for the second year of the initial bid be awarded to Best Cleaning Services, 1121 Edgewater Avenue, Unit 21, Ridgefield, NJ 07657.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to Best Cleaning Services, 1121 Edgewater Avenue, Unit 21, Ridgefield, NJ 07657.

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

Kiho Kim, President

**End Consent Agenda**

Resolution #2017-0296 - Change Order #6 – Increase of $15,000.00 Authorizing Continuing Award of Contract for Legal Services, Special Counsel Herold Law, P.A. with Respect to Insurance Coverage Issues in the ISBR and United States Department of Justice (“USDOJ”) Cases - For a New Not to Exceed Amount of $237,500.00

Motion by Carpenter, second by Malay, that Resolution #2017-0296 be approved.

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

WHEREAS, the Bernards Township Committee adopted Resolution #2016-0239 on May 10, 2016 awarded a professional services contract in the amount of $17,500.00 to Special Counsel, Michael Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, the Bernards Township Committee adopted Resolution #2016-0293 on June 28, 2016 awarding change order # 1 in the amount of $17,500.00 in the amount not to exceed $ 35,000.00 to Special Counsel, Michael Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, the Bernards Township Committee adopted Resolution #2016-0330 on July 26, 2016 awarding change order # 2 in the amount of $20,000.00 in the amount not to exceed $ 55,000.00 to Special Counsel, Michael Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, the Bernards Township Committee adopted Resolution #2016-0382 on September 13, 2016 awarding change order # 3 in the amount of $65,000.00 in the amount not to exceed $ 120,000.00 to Special Counsel, Michael
Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, the Bernards Township Committee adopted Resolution #2016-0484 on December 16, 2016 awarding change order #4 in the amount of $67,500.00 in the amount not to exceed $187,500.00 to Special Counsel, Michael Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, the Bernards Township Committee adopted Resolution #2017-0182 on March 28, 2017 awarding change order #5 in the amount of $35,000.00 in the amount not to exceed $222,500.00 to Special Counsel, Michael Faul, Jr., of the firm Herold Law, with Respect to ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice (“USDOJ”); and

WHEREAS, there exists a continuing desire for retention of Special Counsel in connection with the Suburban Municipal JIF and MEL Coverage dispute regard ISBR v. Bernards Township 3:33-AV-0001 and United States Department of Justice Investigation (“USDOJ”); and

WHEREAS, there exists an amount of legal fees incurred in the period 5/21/17-5/31/17, but not paid due to insufficient funds in a professional services contract; and

WHEREAS, Mr. Faul has agreed to waive any of his fees incurred for the period of June 2017 as a part of this contract extension; and

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

NOW, THEREFORE BE IT RESOLVED, by the Bernards Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to; Herold Law, P.A., in the amount of $15,000.00 for a new not to exceed amount of $237,500.00 for the contract term from May 21, 2017 through May 20, 2018.

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

____________________________________________________
Craig S. Provorny, President

CFO CERTIFICATION
I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced change order in the amount of $15,000.00. Monies are available in the 2017 Current Fund Budget – Legal Expenses, Litigation, line account #7-01-20-155-20A for a new not to exceed amount of $237,500.00.

Date: 7/6/2017

Terri Johnson, Chief Financial Officer

Ordinance #2370 - Accepting a Wetlands Conservation Easement on Property Located at 45 Church Street, Block 7501, Lot 4, from The Board of Trustees of the Presbyterian Church of Liberty Corner N.J.to the Township of Bernards – Introduction
The deputy clerk read the ordinance by title.

Motion by Malay, second by Bianchi, that Ordinance #2370 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 07/25/2017.

Roll Call:
Aye: Bianchi, Carpenter, Malay, Gaziano
Nay:
Abstain:
Motion carried.
BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey as follows:

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from The Board of Trustees of the Presbyterian Church of Liberty Corner N.J., having an address at 45 Church Street, Liberty Corner, NJ, 07938, a Wetlands Conservation Easement on Block 7501, Lot 4, in Bernards Township.
2. The easement is on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

ADJOURNMENT
By unanimous consent, the meeting adjourned at 8:18 PM.

Respectfully submitted,

_____________________________
Rhonda Pisano
Deputy Municipal Clerk

_____________________________
Carolyn Gaziano
Mayor