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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE

MINUTES

NOVEMBER 28, 2017 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER
The mayor called the meeting to order at 7 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, Russo, Gaziano
Absent: 
Also Present: Administrator McArthur, Attorney Belardo, Engineer Timko, and Municipal Clerk/Assist. Admin. Szabo

EXECUTIVE SESSION – Resolution #2017-0388
Motion by Bianchi, second by Russo, and unanimously agreed that Resolution #2017-0388 be adopted and the meeting temporarily adjourned to Executive Session at 7:01 PM.

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.

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.

☒ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing, 124 NJ 478.

☒ 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.

☒ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing, 124 NJ 478.

Estimated Time of Disclosure or Upon Occurrence Of

Lafayette Bridge

Upon Conclusion of Litigation

Affordable Housing – Bernards Plaza/Dewy Meadows

Upon Appointment

Police Leadership Discussion and Succession Planning

Upon Appointment

The meeting resumed in open session at 7:55 PM and recessed in order to reconvene at Ridge HS, 268 S Finley Ave., Basking Ridge, NJ.
AGENDA SESSION

Continued Presentation and Discussion of Proposed Quarry Development Plan - Draft Concept Plan

Mayor Gaziano gave an overview of the legal process regarding redevelopment and steps taken to date regarding the proposed quarry redevelopment plan.

Joseph Sorge, President of JM Sorge, Inc., Environmental Consultants, and DEP designated LSRP Professional for the MQI site was present. He described his involvement with environmental issues at the quarry, and consequently his role as the LSRP professionally appointed by the DEP to address contaminated soil. He advised that the DEP remedial action plan regarding the contaminated fill has been completed and the final report submitted to them for their review. The DEP will review the report and respond accordingly.

David Placek, Member, Community Investment Partners; and Anthony Sblendorio, Member, Community Investment Partners, the potential developer were present and reviewed their development proposal.

PUBLIC COMMENT

The following commented on the proposed Quarry Redevelopment Plan:

Al LiCata, E. Oak Street
Todd Edelstein, Riverside Drive
Chau Shearer, Tall Timber Lane
Eric Russell, Smithfield Court
John Gray, Acken Road
Roger Marion, Stonehouse Road
Kevin Orr, Squire Court
Richard Huckins, Woodstone Road
Steven Kraus, Regent Circle
Michael Clodt, Thackeray Drive
Mark Williams, Dexter Drive
Eric Heinemann, Heath Drive
Ann Parsekian, Berta Place
Maria Splendorio, S. Maple
Bill Shearer, Tall Timber Lane
Steven Chaiken, Haas Road
Michael Gallager, 70 N. Finley
Marco Harunaz, Tall Timber Lane
Dan McCabe, Princeton Court
Mike Dougherty, Manchester Drive
Lisa Ellen, Pheasant Run Drive
Brett Hodges, Lord Stirling Road
Rita Zarabara, Thackeray Drive
Paul Humbert, Deer Creek Drive
Stella Pena, Tuxford Terrace
Lisa Winter, S. Maple Avenue
Bill Delorenzo, Linden Drive
Bill Allen, Holmesbrook Road

The mayor closed public comment and indicated that proposed developer would be holding two informational sessions on 11/30/17 and 12/4/17, from 7 PM to 9 PM, in the Warren Craft Meeting Room at Townhall; and that the committee would continue review of the proposal at their regular meeting on 12/12/17 at Townhall.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their activities.
FIRE & RESCUE APPOINTMENT

**Resolution #2017-0394** - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Inc. Matthew R. Perillo and Michele C. Modugno - Full Members; First Aid Squad of BRFC #1 – Sydney Collins - Junior Member

Motion by Bianchi, second by Carpenter, and unanimously agreed that Resolution #2017-0394 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 BRFC #1 is recommending the following individuals for appointment.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>MEMBERSHIP STATUS</th>
<th>AGENCY</th>
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<tr>
<td>Matthew R. Perillo</td>
<td>231 Douglas Road Far Hills, NJ 07931</td>
<td>Full</td>
<td>Liberty Corner Fire Company, Inc.</td>
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<tr>
<td>Michele C. Modugno</td>
<td>118 Dyckman Place Basking Ridge, NJ 07920</td>
<td>Full</td>
<td>Liberty Corner Fire Company, Inc.</td>
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<tr>
<td>Sydney Collins</td>
<td>80 Riverside Drive Basking Ridge, NJ 07920</td>
<td>Junior</td>
<td>First Aid Squad of BRFC #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 Russo, that Resolutions #2017-0393, #2017-0399, #2017-0406, #2017-0407, #2017-0417 and #2017-0418 be removed from the Consent Agenda, and that the balance of items be approved.

Roll Call:

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

**Begin Consent Agenda**

Approval of Minutes:

10/24/2017 Open Session,
These minutes were approved for content and release.
09/26/2017 & 10/24/2017 Closed Session
These minutes were approved for content only.
Resolution #2017-0389 - Change Order #1 Authorizing Purchasing from the Morris County Cooperative Pricing Council Contract #5 and Somerset County Co-Op #CC-0011-17 for Asphalt Road Materials for an Additional Amount of $20,000 for a New Not to Exceed amount of $80,000

WHEREAS, the Bernards Township Committee at their October 24, 2017 meeting approved Res # 2017-0386 authorizing the purchase of Asphalt Road Materials from the Morris County Cooperative Pricing Council Contract #5 and Somerset County Co-Op #CC-0011-17 in the amount of $60,000.00; and

WHEREAS, the Director of Public Works and Purchasing Agent requests a change order to be approved by the Township Committee for an additional amount of $20,000.00 for a new amount not to exceed of $80,000.00; and

WHEREAS, the Department of Public Works requests this change order to purchase Asphalt Road Materials from the lowest responsible bidder from the Morris County Cooperative Pricing Council Contract #5 and Somerset County Co-Op #CC-0011-17; and

WHEREAS, the Morris County Cooperative Pricing Council Contract #5 and Somerset County Co-Op #CC-0011-17 was awarded to Stavola Asphalt, PO Box 482, Red Bank, NJ 07701; and

WHEREAS, the Township is authorized to make purchases through Cooperative Purchasing Agreements pursuant to N.J.S.A. 52:34-6-1 and N.J.S.A.40A 11-12; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2017 Budget line item appropriations are Operating Budget, Streets and Roads line account #7-01-26-290-266.

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 Stavola Asphalt, PO Box 482, Red Bank, NJ 07701 through December 31, 2017.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the additional amount of $20,000.00 for a new not to exceed amount of $80,000.00 in Operating Budget, Streets and Roads line account #7-01-26-290-266.

Date: 10/25/2017

Terri Johnson, Chief Financial Officer

Resolution #2017-0390 - Approval of the Bill Lists Dated 11/13/2017 & 11/28/2017

BE IT RESOLVED, that the bill lists dated 11/13/2017 and 11/28/2017 be audited, and if found correct, be paid.

November 28, 2017
12:29 PM
TOWNSHIP OF BERNARDS
Page No: 1

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Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 11/13/17 to 11/28/17
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CASH - CHECKING
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113685 11/13/17 90159 VOORHEES, MICHAEL 435.54 1329 Direct Deposit
113686 11/13/17 90219 PIZAK, ROHNGA 100.00 1329 Direct Deposit
113687 11/13/17 90224 CALLAHAN, DANIEL J 82.52 1329 Direct Deposit
113688 11/13/17 90227 SHINER, MICHAEL 89.38 1329 Direct Deposit
113689 11/13/17 90309 ROCHER, RICHARD 15.57 1329 Direct Deposit
113690 11/13/17 90327 MCKNIGHT, ALEX 25.63 1329 Direct Deposit
113691 11/13/17 90395 NERI, MARK 11.16 1329 Direct Deposit
113692 11/13/17 90400 ALBANESE, CHRISTOPHER 53.35 1329 Direct Deposit
113693 11/13/17 90405 RYAN, ELLEN (391RYA01) 159.24 1329 Direct Deposit
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113697 11/13/17 90591 STVESTER, MARY 302.04 1329 Direct Deposit
113698 11/13/17 90613 RIVERA, ANNNMARIE 121.63 1329 Direct Deposit
113699 11/13/17 A0044 APPROVED FIRE PROTECTION SYS 31.40 1329
113700 11/13/17 A0162 ACME DIESEL ELECTRIC, INC. 396.00 1329
113701 11/13/17 A0168 ALLIED OIL COMPANY, LLC 8,933.98 1329
113702 11/13/17 A0174 ALL SPORTS STADIUM, LLC 1,020.00 1329
113703 11/13/17 A0232 ARROW ELEVATOR, INC. 2,060.00 1329

TOWNSHIP COMMITTEE MINUTES
11/28/2017
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<td>1,642.97</td>
<td></td>
</tr>
<tr>
<td>113792</td>
<td>11/13/17</td>
<td>Legally Yours</td>
<td></td>
<td>330.00</td>
<td></td>
</tr>
<tr>
<td>113793</td>
<td>11/13/17</td>
<td>Lifesavers, Inc.</td>
<td></td>
<td>805.12</td>
<td></td>
</tr>
<tr>
<td>113794</td>
<td>11/13/17</td>
<td>Longstreet Sporting Goods, LLC</td>
<td></td>
<td>81.85</td>
<td></td>
</tr>
<tr>
<td>113795</td>
<td>11/13/17</td>
<td>Mobile Lumberyard Service, Inc.</td>
<td></td>
<td>188.78</td>
<td></td>
</tr>
<tr>
<td>113796</td>
<td>11/13/17</td>
<td>Moore Medical, LLC</td>
<td></td>
<td>59.80</td>
<td></td>
</tr>
<tr>
<td>113797</td>
<td>11/13/17</td>
<td>Moar's Auto Service</td>
<td></td>
<td>37.50</td>
<td></td>
</tr>
<tr>
<td>113798</td>
<td>11/13/17</td>
<td>Morton's Marketing Resources</td>
<td></td>
<td>133.96</td>
<td></td>
</tr>
<tr>
<td>113799</td>
<td>11/13/17</td>
<td>Middlesex County College</td>
<td></td>
<td>289.00</td>
<td></td>
</tr>
<tr>
<td>113800</td>
<td>11/13/17</td>
<td>RR Donnelly</td>
<td></td>
<td>147.00</td>
<td></td>
</tr>
<tr>
<td>113801</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>44.96</td>
<td></td>
</tr>
<tr>
<td>113802</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>56.00</td>
<td></td>
</tr>
<tr>
<td>113803</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>110.95</td>
<td></td>
</tr>
<tr>
<td>113804</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>274.80</td>
<td></td>
</tr>
<tr>
<td>113805</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>252.51</td>
<td></td>
</tr>
<tr>
<td>113806</td>
<td>11/13/17</td>
<td>Konica Minolta Business Sol.</td>
<td></td>
<td>162.00</td>
<td></td>
</tr>
<tr>
<td>113807</td>
<td>11/13/17</td>
<td>Moosewood Tree Service</td>
<td></td>
<td>9,352.00</td>
<td></td>
</tr>
<tr>
<td>113808</td>
<td>11/13/17</td>
<td>Mott Macdonald</td>
<td></td>
<td>8,236.00</td>
<td></td>
</tr>
</tbody>
</table>

TOWNSHIP COMMITTEE MINUTES
11/28/2017
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NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that all bids be rejected and that the Purchasing Agent is authorized by the Township Committee to re-advertise.

Resolution #2017-0391 - Rejection of Bids for the Replacement of Pedestrian Bridge Over Harrison Brook at Lafayette Lane

WHEREAS, the Township of Bernards received bids on Thursday, August 23, 2017, at 10:30 AM for the Replacement of Pedestrian Bridge Over Harrison Brook at Lafayette Lane. The bid summary is as follows:

<table>
<thead>
<tr>
<th>BIDDERS NAME</th>
<th>TOTAL BID AMOUNT (BASE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reivax Contracting Corp.</td>
<td>$242,786.00</td>
</tr>
<tr>
<td>Kalogridis Contracting LLC</td>
<td>$247,370.00</td>
</tr>
<tr>
<td>T. Fiotakis Construction LLC</td>
<td>$266,190.00</td>
</tr>
<tr>
<td>Salmon Bros.</td>
<td>$334,865.00</td>
</tr>
</tbody>
</table>

WHEREAS, the bids received substantially exceed the project’s cost estimate; and

WHEREAS, it is the combined recommendation of the Township Engineer, Township Administrator and Purchasing Agent to reject all bids pursuant to N.J.S.A. 40A:11-13.2(a).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that all bids be rejected and that the Purchasing Agent is authorized by the Township Committee to re-advertise.
Resolved, that a copy of this resolution shall be on file, available for public inspection in the office of the Bernards Township Purchasing Agent, 1 Collyer Lane, Basking Ridge, New Jersey 07920.

**Resolution #2017-0392** - Personnel Appointment, Josiane Romera, Library Assistant, Adult Circulation, Bernards Township Library

WHEREAS, the part time Library Assistant – Adult Circulation position became available due to a retirement; and

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

WHEREAS, Josiane Romera has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Township Administrator and Chief Financial Officer/Human Resources Officer recommend appointment of Josiane Romera to part time Library Assistant - Adult Circulation.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Josiane Romera be appointed part time Library Assistant - Adult Circulation with a hire date of Tuesday, November 29, 2017 at an hourly rate of $14.50 for an average of 8 hours per week.

**Resolution #2017-0395** - Authorization of the Sale at Public Auction of the Township’s Personal Property Not Needed for Public Use through USGovBid

WHEREAS, the Purchasing Agent has presented the following listing of personal property which are no longer needed for public use by the Township of Bernards:

<table>
<thead>
<tr>
<th>Description</th>
<th>Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998 A/C Charge Machine</td>
<td>Robinaire 34700</td>
</tr>
<tr>
<td>1997 Graco Line Lazer</td>
<td>3500</td>
</tr>
<tr>
<td>1999 Titan Proliner</td>
<td>PL3100</td>
</tr>
<tr>
<td>Grace Paint Machine</td>
<td>217-480/HEC</td>
</tr>
<tr>
<td>Toro Debris Blower</td>
<td>30393</td>
</tr>
<tr>
<td>(20) Fabric Chrome Stacking Chairs</td>
<td></td>
</tr>
<tr>
<td>Wisconsin Robin Vibroplate</td>
<td>EY18-3W</td>
</tr>
<tr>
<td>Steel Pedestrian Bridge</td>
<td></td>
</tr>
<tr>
<td>96 Toro Groundsmaster 325D Mower</td>
<td>30798</td>
</tr>
<tr>
<td>2000 Dodge Van 1500</td>
<td>Vin # 2B7HB11YXYK178015</td>
</tr>
<tr>
<td>Assorted Cubicle Panels</td>
<td></td>
</tr>
<tr>
<td>Misc Furniture (Desks/Chairs/Tables)</td>
<td></td>
</tr>
<tr>
<td>Lateral File Cabinets (2)</td>
<td></td>
</tr>
<tr>
<td>Misc Overhead Door Parts</td>
<td></td>
</tr>
<tr>
<td>Movin Cool Office Pro 24</td>
<td></td>
</tr>
<tr>
<td>HP Plotter 800</td>
<td></td>
</tr>
<tr>
<td>Area Rug</td>
<td></td>
</tr>
<tr>
<td>1999 Ford Van</td>
<td>VIN # 1FDXE40F9XHA85911</td>
</tr>
</tbody>
</table>

WHEREAS, pursuant to N.J.S.A.40A:11-36, “Sale or other disposition of personal property,” the governing body may authorize the public sale of municipal owned property no longer needed for public use; and

WHEREAS, the sale of surplus property shall be conducted through USGovBid pursuant to State Contract T2581/A-70967 in accordance with the terms and conditions of the state contract; and

WHEREAS, the terms and conditions of the agreement entered into with USGovBid is available on-line at; www.USGovBid.com and placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the sale will be conducted online and the address of the auction site is; www.USGovBid.com; and
WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-09; and

WHEREAS, no express or implied warranty is made for the property subject to sale. All property is being sold in “as is”-“where is” condition; and

WHEREAS, all sales are final; and

WHEREAS, method of payment is Cash, Certified Check, Money Order or Company Check (with bank letter guaranteeing funds-mandatory); and

WHEREAS, all merchandise shall be removed within 10 business days from the time and date of issuance of the Buyers Certification otherwise buyers will be charged $ 10.00 per day per item storage fee; and

WHEREAS, this resolution shall be published in accordance with provisions of N.J.S.A. 40A-11-36.

BE IT RESOLVED, that the Resolution (or Notice of the date, time and place of the auction, with a description of the items to be sold) shall be published in an official newspaper as required by N.J.S.A. 40A:11-36(3).

BE IT FURTHER RESOLVED, that the Bernards Township Committee does hereby declare that the personal property listed above are surplus and no longer needed for Township use; and

NOW, THEREFORE BE IT RESOLVED, that the Township Committee does hereby authorize the purchasing agent to enter into an agreement with USGovBids to conduct an internet auction of surplus property identified.

Resolution #2017-0396 - Authorizing a Not to Exceed Amount of $103,000 to Set-up a Reserve for Preliminary Expenses Out of the Capital Improvement Fund in the General Capital Fund for Professional Services and Related Expenses to Cover the Cost of Preparing Technical Specifications and Estimating Procurement Costs for the Stonehouse Road and Southard Park Bridges

WHEREAS, the Township Committee of the Township of Bernards hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking; and the purpose of these preliminary costs are for professional services and related expenses for preparation of technical specifications and plans, and construction cost estimating the replacement of the Stonehouse Road and Southard Park Pedestrian Bridges.

NOW, THEREFORE, BE IT RESOLVED that the amount appropriated for preliminary costs shall not exceed $103,000.00 in total and the Chief Financial Officer is authorized to set up a Reserve for Preliminary Expenses out of the Capital Improvement Fund in the General Capital Fund.

Resolution #2017-0397 - Authorization for Tax Refund, Block 10604 Lot 12

WHEREAS, a tax overpayment exists because the property owner’s mortgage company overpaid for the year 2017 taxes; and

WHEREAS, the tax collector is recommending a refund be issued.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby approve and authorize the following refund.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Quarter &amp; Year</th>
<th>Amount</th>
<th>Issue Refund To</th>
</tr>
</thead>
<tbody>
<tr>
<td>10604/12</td>
<td>4Q17</td>
<td>$3,985.96</td>
<td>Corelogic Centralized Refunds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>PO Box 9202</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Coppell TX 75019-9760</td>
</tr>
</tbody>
</table>

Resolution #2017-0398 - Authorizing and Approving Purchase of One Toro Groundmaster 7210 from the Educational Services Commission of New Jersey NJ State Approved Co-Op #65MCESSCPS, Bid #15/16-08 to Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 in the Amount Not to Exceed $25,784

WHEREAS, the Township of Bernards Department of Public Works wishes to purchase one (1) Toro Groundmaster 7210;

<table>
<thead>
<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>UNIT TOTAL</th>
</tr>
</thead>
</table>
TOWNSHIP COMMITTEE MINUTES
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<table>
<thead>
<tr>
<th>1</th>
<th>Toro Groundmaster 7210</th>
<th>$22,812.80</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>WITH SELECTED OPTIONS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>72” Side Discharge Mower Deck</td>
<td>$2,971.20</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$25,784.00</td>
</tr>
</tbody>
</table>

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award this purchase to Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 in the amount of $25,784.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation to be charged is line account #C-04-55-366-I02 ($25,784.00) and;

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 in the amount not to exceed $25,784.00.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed $25,784.00. Monies are available in the Capital Ordinance #2366, line account, Grounds Equipment #C-04-55-366-I02.

Date: 11/1/2017

Terri Johnson, Chief Financial Officer

Resolution #2017-0401 - Authorizing Execution of an Agreement to Accept Public Works Commodities and Services Through Somerset County Commodity Resale Agreement ID#201SCCRS 01/01/2018 to 12/31/2021

WHEREAS, the County of Somerset is a leader in the concept of shared services as evidenced by a history of Interlocal Services Agreements pursuant to N.J.A.C. 40:8A-1 et. seq. and Cooperative Pricing System #2-SOCCP pursuant to N.J.S.A. 40A:11-11(5) and N.J.A.C. 5:34-7 et. seq.; and

WHEREAS, the County of Somerset is desirous of contracting public works services to the County municipalities and public units in accordance with N.J.S.A. 40:8A-1 et. seq. and the terms of an agreement, copy of which is on file with the Clerk of the Board; and

WHEREAS, the County of Somerset is desirous of implementing a Commodity Resale System in accordance with N.J.A.C. 5:34-7 for the resale of gasoline, diesel fuel, snow removal chemicals, and public works materials and supplies and will act as Lead Agency for the County municipalities and public units desiring membership; and

WHEREAS, the Township of Bernards wishes to enter into this Master Agreement for services as described above.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we hereby authorize execution of the agreement by the Mayor and Clerk to accept public works commodities and services through cooperative and joint purchasing and services with Somerset County for the period of January 1, 2018 to December 31, 2021.

Resolution #2017-0402 - Authorizing and Approving Purchase of a 4-Ton Falcon RME Asphalt Hot Patcher Recycling Dump Trailer from McGrath Municipal Equipment, LLC., P.O. Box 422, Springfield, NJ 07081, a Member of the National Joint Powers Alliance Cooperative Agreement (NJPA) In the Amount Not to Exceed $31,512

WHEREAS, N.J.S.A. 52:34-6.2(b)(3) authorizes any contracting unit to purchase goods, or to contract for services through the use of a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey or within any other state; and
WHEREAS, the National Powers Alliance (NJPA) as the Lead Agency, has offered voluntary participation in a National Government Cooperative Pricing System for the provision of goods and services; and

WHEREAS, the Qualified Purchasing Agent and the Township Administrator have recommended that the Township of Bernards participate in this Cooperative Pricing System for the provision of goods and services.

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2017 Capital Budget for the same and the line item appropriation or ordinance to be charged is Capital Ordinance #2366, line account #C-04-55-366-B02; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue a purchase order McGrath Municipal Equipment, LLC., P.O. Box 422, Springfield, NJ 07081 in the Amount Not to Exceed $31,512.00.

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 $31,512.00. Monies are available in Capital Ordinance #2366, line account #C-04-55-366-B02.

Resolution #2017-0403 - 2018 Fee Schedule for Pleasant Valley Pool

WHEREAS, The Director of Parks & Recreation and the Pool Commission have recommended that fees be adopted for the 2018 pool season,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following will constitute the fees for membership in, and use of, the municipal pool for 2018:

<table>
<thead>
<tr>
<th>Fee Type</th>
<th>2018 Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENT FAMILY MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 395.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 460.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 495.00</td>
</tr>
<tr>
<td>RESIDENT TWO PERSON HOUSEHOLD MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 295.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 360.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 390.00</td>
</tr>
<tr>
<td>RESIDENT SINGLE MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 195.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 240.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 265.00</td>
</tr>
<tr>
<td>RESIDENT SENIOR CITIZEN MEMBERSHIP (60+ years old)</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 70.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 80.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 90.00</td>
</tr>
<tr>
<td>RESIDENT INITIATION FEES (Paid First Membership Year)</td>
<td></td>
</tr>
<tr>
<td>Family or Two Person Membership Initiation Fee</td>
<td>$ 350.00</td>
</tr>
<tr>
<td>Includes an additional 3 complimentary guest visit credits</td>
<td></td>
</tr>
<tr>
<td>Single Membership Initiation Fee</td>
<td>$ 175.00</td>
</tr>
<tr>
<td>Includes 1 additional complimentary guest visit credit</td>
<td></td>
</tr>
<tr>
<td>NON-RESIDENT FAMILY MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 675.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 725.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 775.00</td>
</tr>
<tr>
<td>NON-RESIDENT SINGLE MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Special Rate - Through February 28</td>
<td>$ 315.00</td>
</tr>
<tr>
<td>Early Rate - Through April 30</td>
<td>$ 350.00</td>
</tr>
<tr>
<td>Regular Rate - Beginning May 1</td>
<td>$ 375.00</td>
</tr>
<tr>
<td>UPGRADE OF SINGLE MEMBERSHIP</td>
<td></td>
</tr>
<tr>
<td>Initiation Fee (Plus appropriate membership fee)</td>
<td>$150/$175</td>
</tr>
<tr>
<td>LAPSED MEMBERSHIP RE-REGISTRATION</td>
<td></td>
</tr>
<tr>
<td>Family or 2-Person Membership Re-Registration</td>
<td>$ 150.00</td>
</tr>
<tr>
<td>Single Membership Re-Registration</td>
<td>$ 75.00</td>
</tr>
</tbody>
</table>

Both in addition to appropriate membership fee

FAMILY SPONSORED BABYSITTER/NANNY PASS | $ 150.00 |

<table>
<thead>
<tr>
<th>Fee Type</th>
<th>2018 Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAILY GUEST RATES</td>
<td></td>
</tr>
<tr>
<td>2 Complimentary Guest Passes Included With Each Membership</td>
<td>$ -</td>
</tr>
<tr>
<td>Weekday - All Guests, Ages 3 &amp; Up</td>
<td>$ 9.00</td>
</tr>
<tr>
<td>Weekend/Holiday - Guests Ages 13-59</td>
<td>$ 12.00</td>
</tr>
<tr>
<td>Weekend/Holiday - Guests Ages 3-12 &amp; 60+</td>
<td>$ 10.00</td>
</tr>
<tr>
<td>Guests under 3 years old</td>
<td>FREE</td>
</tr>
<tr>
<td>Part Time Hours, Weekdays - All Guests, Ages 3 &amp; Up</td>
<td>$ 6.00</td>
</tr>
<tr>
<td>Full Time Hours, After SPM - All Guests, Ages 3 &amp; Up</td>
<td>$ 6.00</td>
</tr>
</tbody>
</table>

PRE-PAID DISCOUNTED GUEST VISIT CREDITS
10 Visits, Guests 3 & Up, Valid Any Day During Season

| Early Rate - Through April 30 | $ 90.00 |
| Regular Rate - Beginning May 1 | $ 100.00 |

SWIM TEAM

| $ 80.00 |
| $ 10.00 |
|--for families with 3 or more children participating |
| $ 10.00 |
| $ 20.00 |

SWIM DIAPER

| $ 6.00 |

PHOTO I.D. REPLACEMENT

| Per ID for 1 - 2 IDs | $ 10.00 |
| 3 or More IDs, Same Family, Reprinted Same Time | $ 30.00 |

No Charge for ID Reprints with Renewal in January & February

NOTES REGARDING FEES:
1. Re-Registration Fees are charged when those who previously held membership within the last 10 years, have paid the initiation fee and wish to re-join the pool after a lapse in membership. All current membership eligibility qualifications must be met.
2. Each membership includes two complimentary guest passes, valid anytime during facility operating hours.
3. Renewing members may have a replacement ID printed at no charge in January and February during the Parks & Recreation Department’s normal business hours.
4. Waving of Fees:
   o Each season Fire Company & First Aid Squad Volunteers will each receive one complimentary punch pass redeemable for up to five family visits to the pool regardless of membership status.
   o The families or individuals recognized by the Township who lost an immediate family member in the September 11th tragedy are eligible for a pool membership with all membership fees, initiation fees and activity fees waived. Children of eligible families may have a free individual membership up to the age of 23. If the surviving spouse re-marries then annual membership fees will be assessed, per type of membership. Free membership to the pool will be extended to the eligible families as long as they meet the requirements for membership to Pleasant Valley Pool, i.e. remain a resident of Bernards Township. Guest fees will be the responsibility of the family.
   o Initiation fees, membership fees, guest fees, activity fees and late fees will not be waived under any circumstances for other than those reasons listed above.
5. Full refunds for membership are issued only if the Department is notified in writing prior to opening day for the season. Once the pool has opened a 50% refund of membership fees will be issued only if the Department is notified in writing prior to the start of full time hours. Refund dates for swim lesson and swim team programs will be noted on their respective registration forms. All Department policies and procedures regarding refunds apply to Pleasant Valley Pool fees.

Resolution #2017-0404 - Change Order # 2-Authorizing an Additional Payment of $100 to M.A.I.N (Morris Automated Information Network, Inc.) for two staff members to attend the 2017 M.A.I.N. Continuing Education Event for a New Not to Exceed of $59,364.16
WHEREAS, the Bernards Township Committee adopted Resolution # 2017-0179 on March 28, 2017 to M.A.I.N (Morris Automated Information Network, Inc.) as the provider of Database, Telecom, Operating, Downloadable Materials and Integrated Library System (ILS) Assessments for the Bernards Township Library in the Amount of $58,676.16; and

WHEREAS, the Bernards Township Committee adopted Resolution # 2017-0298 on July 25, 2017 approving Change Order #1 for additional payment to M.A.I.N (Morris Automated Information Network, Inc.) for Deep Freeze Software Maintenance Renewal in the Amount of $ 588.00; and

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WHEREAS, the State of New Jersey in N.J.S.A.40:54-12.1 provides for Municipal Libraries to make certain purchases without advertising for bids, in particular for (3) specialized library services; and

WHEREAS, the Bernards Township Library is a full participating member library of M.A.I.N. (Morris Automated Information Network, Inc.) since 1997; and

WHEREAS, it is the combined recommendation of the Library Director, Administrator and Purchasing Agent to recommend a change order in the amount of $100.00 for an additional payment to M.A.I.N. for two staff members to attend the 2017 M.A.I.N. Continuing Education Event on December 6, 2017; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; line account #7-01-29-390-222.

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 M.A.I.N (Morris Automated Information Network, Inc.), in the amount of $100.00 for a new not to exceed amount of $59,364.16.

<table>
<thead>
<tr>
<th>CFO CERTIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 $100.00. Monies are available in line account #7-01-29-390-222.</td>
</tr>
<tr>
<td>Date: 11/6/2017</td>
</tr>
<tr>
<td>Terri Johnson, Chief Financial Officer</td>
</tr>
</tbody>
</table>

Resolution #2017-0405 - Authorizing the Issuance of a Limousine License to Bernardsville Coach & Livery

WHEREAS, Richard Stompf, Bernardsville Coach & Livery, 67 Smithfield Court, Basking Ridge, NJ 07920 (the “applicant”), has applied for a Limousine License; and

WHEREAS, the application submitted by the applicant is in compliance with Chapter 4, Section 8 of the Revised General Ordinances of the Township of Bernards; and

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

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

Resolution #2017-0408 – 2018 Annual Parking Decal Fees for the Stonehouse Road Bus, Basking Ridge and Lyons Train Stations Commuter Parking Lots

WHEREAS, pursuant to §8-7.6 of the Revised General Ordinances of the Township of Bernards the annual fee for resident and nonresident parking decals will be set by resolution of Township Committee for persons utilizing the Stonehouse Road Bus and Basking Ridge and Lyons Train Stations Commuter Parking Lots (“commuter lots”); and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the annual fees for parking at all township commuter lots are hereby set as follows:

- Resident Decal Fee: $160.00
- Non Resident Decal Fee: $260.00
- Decal Replacement Fee: $5.00

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that the daily fees for parking at the Basking Ridge Train Station commuter lot is set as follows:

- Resident Fee: $5.00
NOW THEREFORE BE IT FINALLY RESOLVED, that pursuant to §8-7.6.b of the Revised General Ordinances of the Township of Bernards fees are non-refundable and will not be prorated.

Resolution #2017-0409 - Release of Executive Session Minutes
WHEREAS, the topics discussed in the minutes below no longer need to be kept private.

NOW THEREFORE BE IT RESOVED, by the Township Committee of the Township of Bernards that the following minutes, previously approved for content, now be approved for release.

<table>
<thead>
<tr>
<th>DATE</th>
<th>TOPIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/24/2012</td>
<td>Land Acquisition – Pyne Property B9601, L8, 9, 11, 12, 13, 14</td>
</tr>
<tr>
<td>3/12/2013</td>
<td>Land Acquisition – Block 8502, Lot 4, 328 King George Road (PRC)</td>
</tr>
<tr>
<td>6/24/2014</td>
<td>Litigation – SOM-L-803-14 - Bernards Township Citizens for a Safe and Clean Quarry Inc. v. Bernards Township</td>
</tr>
<tr>
<td>7/15/2014</td>
<td>Litigation – SOM-L-803-14 - Bernards Township Citizens for a Safe and Clean Quarry Inc. v. Bernards Township</td>
</tr>
<tr>
<td>1/27/2015</td>
<td>Litigation Update – Bernards Township Citizens for a Safe and Clean Quarry v. BT, SOM-L-803-14</td>
</tr>
<tr>
<td>6/9/2015</td>
<td>Litigation – (Tax Court) St. Bernard’s Church v. Bernards</td>
</tr>
<tr>
<td>2/9/2016</td>
<td>Litigation – Bernards Citizens for a Safe and Clean Quarry v. Bernards SOM-L-803-14</td>
</tr>
<tr>
<td>7/12/2016</td>
<td>Personnel – Administrator’s Review</td>
</tr>
<tr>
<td>10/25/2016</td>
<td>Personnel - 2017 Board Appointments</td>
</tr>
<tr>
<td>11/29/2016</td>
<td>Personnel - Appointment of 2nd Assistant Administrator</td>
</tr>
<tr>
<td>11/29/2016</td>
<td>Personnel - Stipend for OEM Coordinator</td>
</tr>
<tr>
<td>12/13/2016</td>
<td>Personnel – Interviews for Deputy Police Chief</td>
</tr>
<tr>
<td>1/10/2017</td>
<td>Board Appointments – Planning Board A2</td>
</tr>
<tr>
<td>3/28/2017</td>
<td>Board Appointments</td>
</tr>
<tr>
<td>5/9/2017</td>
<td>Personnel – Board Appointments</td>
</tr>
<tr>
<td>8/15/2017</td>
<td>Land Acquisition – Block 3703, Lot 3 (Lyons Road)</td>
</tr>
</tbody>
</table>

Resolution #2017-0410 - Issuance of a Rotational Towing License To Tom DeLucas Towing, 390 Burnt Mills Road, Branchburg, NJ 08876 For the 2 Year Period of 11/28/17 to 11/28/19
WHEREAS, Tom DeLucas Towing, 390 Burnt Mills Road, Branchburg, NJ 08876 has applied for a Rotational Towing License for a two year period from November 28th, 2017 to November 28th, 2019 for the purpose of providing municipal towing services on behalf of Bernards Township; and

WHEREAS, pursuant to Chapter 4, Section 7 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 with the exception of the following employee and or agent listed on said application who has been found to not have met the minimum qualification requirements pursuant Chapter 4, Section 7.6 of the Revised General Ordinances of the Township of Bernards, and therefore shall not be involved or engage in any manner of business with the Township or its agents:

Kevin Courtney

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a Rotational Towing License be issued to Tom DeLucas Towing, for a 2 year period, 11/28/17 to 11/28/19.

Resolution #2017-0411 - Authorization for Tax Refund, Block 1806 Lot 9
WHEREAS, a tax overpayment exists because the property owner’s mortgage company overpaid for the year 2017 taxes; and

WHEREAS, the tax collector is recommending a refund be issued.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby approve and authorize the following refund.
Resolution #2017-0412 - Authorization for Tax Refund, Block 7901 Lot 15
WHEREAS, a tax overpayment exists because the property owner’s mortgage company overpaid for the year 2017 taxes; and

WHEREAS, the tax collector is recommending a refund be issued.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby approve and authorize the following refund.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Quarter &amp; Year</th>
<th>Amount</th>
<th>Issue Refund To</th>
</tr>
</thead>
<tbody>
<tr>
<td>7901/15</td>
<td>1Q18</td>
<td>$1,227.31</td>
<td>Wells Fargo Real Estate Tax Service, Attn: Financial Support Unit, MAC F2302-035, 1 Home Campus, Des Moines IA 50328-0001</td>
</tr>
</tbody>
</table>

Resolution #2017-0413 - Approval of Street Name for the Bell and CC Edwards Developers, LLC Subdivision Block 7702, Lots 10 & 11; 3526 & 3536 Valley Road – Fenwick Place
WHEREAS, pursuant to § 21-36.10 of the Revised Land Use Ordinances of the Township of Bernards, a developer shall submit all proposed street names to the Township Committee for its review and approval; and

WHEREAS, the developer has submitted the following proposed street name: FENWICK PLACE; and

WHEREAS, pursuant to § 21-36.10, the Township Engineer has reviewed the proposed street name and determined that it shall not conflict with or be mistaken for any existing street name in the municipality or postal zip code.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the street name FENWICK PLACE be approved; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that FENWICK PL be utilized as the official database name for FENWICK PLACE.

Resolution #2017-0414 - Approval of Maintenance Surety and Return of Improvement Performance Bond for Kenworthy Beneficiaries LLC-Spring Brook Farm (Kenworthy Court)
WHEREAS, the Engineer of the Township of Bernards, Somerset County, New Jersey, 07920, has received the following Maintenance Surety:

Name of Applicant: Kenworthy Beneficiaries LLC
Address: PO Box 156, Liberty Corner, NJ 07938
Maintenance Surety: # S-284483 (M)
Dated: 11/15/2017
Insurance Company: NGM Insurance Company
Address: 55 West Street, NH 03431
Amount: $119,717.10

WHEREAS, the aforesaid applicant is requesting return of their Improvement Performance Bond:

Name of Applicant: Kenworthy Beneficiaries LLC
Address: PO Box 156, Liberty Corner, NJ 07938
Performance Bond #: S-284483
Insurance Company: NGM Insurance Company
Address: 4601 Touchton Rd East, Suite 3400, Jacksonville, FL 32246
Amount: $215,490.78 (Reduction) Cash Portion: $23,943.42 (Reduction)

WHEREAS, the Township Engineer, after inspection, advises that the site has now been completed in compliance with Township regulations and recommends return of the Improvement Performance Bond to the applicant, and

WHEREAS, the Township Attorney has approved the Maintenance Surety as to its form and sufficiency.
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Maintenance Surety is hereby approved, and effective upon passage of this resolution for a two year period; and

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

Resolution #2017-0415 - Award of Change Order #1 for Liberty Corner Tennis Courts Improvements to Picerno-Giordano Increase of $19,145.00 (20%)

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

<table>
<thead>
<tr>
<th>Vendor</th>
<th>CO</th>
<th>Original Award</th>
<th>Amount of Increase</th>
<th>New Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number 1</td>
<td>CO #1</td>
<td>$95,725.00</td>
<td>$19,145.00 (20%)</td>
<td>$114,870.00</td>
</tr>
<tr>
<td>TOTAL CO</td>
<td>CO #1</td>
<td>$19,145.00 (20%)</td>
<td>$114,870.00</td>
<td></td>
</tr>
</tbody>
</table>

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award this change order to Picerno-Giordano, 200 Market Street, Kenilworth, NJ 07033; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget or the line item appropriation Capital Ordinance #2337, line account #C-04-55-337-K01.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey, that the Purchasing Agent is hereby authorized to issue a change order Picerno-Giordano, 200 Market Street, Kenilworth, NJ 07033 in the amount of $19,145.00 for a new total award of $114,870.00.

CFO CERTIFICATION

I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced change order in the Capital budget, Capital Ordinance #2337 in the amount of $19,145 and a new not to exceed amount of $114,870.00. Monies are available in the Capital line account #C-04-55-337-K01.

Date: 11/20/2017

Terri Johnson
Chief Financial Officer

Resolution #2017-0416 - Award of Purchase Orders for Identified Vendor – Flemington Department Store

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>Flemington Department Store</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 #2017-0393 - Resolution Authorizing a Shared Services Agreement with the Township of Bernards and Somerset County, Department of Public Works, for a Rectangular Rapid Flashing Beacon (RRFB) System and Driver Feedback Signs on Allen Road (CR 652)

Motion by Carpenter, second by Russo, that the Resolution be approved.

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

Motion carried.

WHEREAS, this Shared Services Agreement, made the 28th day of November, 2017, between the Township of Bernards, located at 1 Collyer Lane, Basking Ridge, NJ, 07920, hereinafter referred to as Municipality and the County of Somerset, located at Administration Building, 20 Grove Street, PO Box 3000, Somerville NJ, 08876, hereinafter referred to as County.

WHEREAS, pedestrian improvements will be constructed by Somerset County along Allen Road, County Route 652. These improvements include the installation of a rectangular rapid flashing beacon (RRFB) system (hereinafter referred to as a RRFB system) and driver feedback signs in conjunction with curb ramps and crosswalks across Allen Road, County Road 652; and

WHEREAS, the installation of the RRFB system will assist pedestrians in crossing Allen Road, County Route 652; and

WHEREAS, the driver feedback signs will be installed at two locations along Allen Road, County Route 652; and

WHEREAS, the Municipality has expressed a willingness to cooperate with the County in achieving the overall objective of safe and efficient movement of vehicular and pedestrian traffic along County roads; and

WHEREAS, it is the purpose of this Agreement to determine the responsibilities of the MUNICIPALITY and COUNTY in the cost of installation, maintenance, and operation of the said RRFB system and driver feedback signs; and

WHEREAS, the Board of Chosen of Freeholders of the County of Somerset, and the Township Committee of the Township of Bernards have determined that it is in, respectively, the County and Municipality’s best interest to enter into this Agreement;

NOW, THEREFORE, in consideration of the covenants contained herein, and pursuant to all applicable federal, state and local law and ordinances, the County and Municipality agree as follows;

1. The County will pay for and install the RRFB system in accordance with N.J.S.A. 39:4-120.1. The approved location is on Allen Road (CR 652) at Federal Drive.
2. The County will install driver feedback signs at two locations along Allen Road (CR 652).
3. The Municipality will pay for the material cost of the driver feedback signs at the two locations along Allen Road (CR 652). The estimated maximum material cost of the driver feedback signs is $20,000.
4. The Municipality will, in perpetuity, pay all costs for the future relocation or removal and installation of any portion of the RRFB system and any portion of the driver feedback signs.
5. The Municipality will, in perpetuity, at its own expense, periodically inspect and maintain the RRFB system and driver feedback signs, including operation of their LED lighting and solar powered battery system.
6. The Municipality shall defend, indemnify, protect and save harmless the County and its agents and employees from and against any and all suits, claims, losses, demands or damages of whatever kind of nature arising out of or claimed to rise out of or through any act, omission or fault or alleged act through the performance of any services, actions or operations in connection with this agreement or any breach or default of this agreement by the Municipality. This indemnification clause includes any and all claims and costs of same against the County related to the driver feedback signs and RRFB system except for intentional acts or negligence of the County.
7. The County shall allow the placement of any facility associated with the RRFB system and driver feedback signs within areas of its jurisdiction, where necessary, and further shall allow the Municipality, with its own employees or contract forces, to perform maintenance on these facilities or to open roadways or other areas under its jurisdiction, without need of permits.

8. The Municipality shall provide the necessary resolution authorizing it to enter into this agreement.

9. This Agreement shall not become binding on any party until it is fully executed by the Township of Bernards and the Somerset County Board of Chosen Freeholders designee.

IN WITNESS WHEREOF, the said Municipality has caused this Agreement to be signed and attested by their proper officers, its seal hereunto affixed and attested on the day and year first above written, and the County of Somerset has caused same to be signed by its Board of Chosen Freeholders of their duly authorized representative in accordance with the provisions of the existing statutes, attested by the Clerk of the Board of Chosen Freeholders and the Seal of the County of Somerset to be here under affixed.

Resolution #2017-0399 - Approving a Person-to-Person Transfer of Liquor License #1802-36-009-004 Valor Hospitality Partners LLC Receiver for Net Hospitality Management LLC to Valor Hospitality Partners LLC

Motion by Carpenter, second by Russo, that the resolution be approved.

Roll Call:

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

Resolution #2017-0406 - Establishing a Reserve Account for the Replacement of the Artificial Turf Athletic Fields at Mountain Park

Motion by Carpenter, second by Russo, that the resolution be approved.

Roll Call:

Aye: Bianchi, Carpenter, Russo, Malay, Gaziano
Nay:
Abstain:
Motion carried.
WHEREAS, pursuant to Resolution #2015-0276 adopted by the Bernards Township Committee on July 14, 2015, the annual fee schedule was established for the use of the artificial turf athletic fields; and

WHEREAS, the fees charged for the use of the artificial turf athletic fields are to recoup the full cost of construction, maintenance, and replacement of the playing surfaces over a 20 year period; and

WHEREAS, it is necessary to create a Reserve for Turf Field Replacement account to dedicate turf field revenue for future use; and

WHEREAS, the Reserve account will be funded from surplus:

<table>
<thead>
<tr>
<th>Year</th>
<th>From Account</th>
<th>Amount</th>
<th>To Account</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Fund Balance</td>
<td>$50,000</td>
<td>Reserve for Turf Field Replacement</td>
</tr>
<tr>
<td>2017</td>
<td>Fund Balance</td>
<td>$50,000</td>
<td>Reserve for Turf Field Replacement</td>
</tr>
</tbody>
</table>

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Reserve for Turf Field Replacement account be created and funded from Turf Field Rental Revenue annually.

Resolution #2017-0407 - Authorizing the Purchase of Electricity Supply Services for Public Use on an Online Auction Website

Motion by Russo, second by Malay, that the resolution be approved.

Roll Call:

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

WHEREAS, the Township of Bernards has determined to move forward with the EMEX Reverse Auction in order procure electricity for Township accounts; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Township of Bernards will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price for Street Lighting of $0.0532/kWh or less for a 12 month term, a price of $0.0541/kWh or less for an 18 month term, or a price of $0.0531/kWh or less for a 24 month term; the Township of Bernards may award a contract to the winning supplier for Street Lighting for the selected term; and

WHEREAS, if the auction achieves a price for metered electricity of $0.0781/kWh or less for a 12 month term, a price of $0.0774/kWh or less for an 18 month term, or a price of $0.0774/kWh or less for a 24 month term; the Township of Bernards may award a contract to the winning supplier for metered electricity for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Qualified Purchasing Agent of the Township of Bernards be and he hereby is authorized to execute on behalf of the Township of Bernards any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price for Street Lighting of $0.0532/kWh or less for a 12 month term, a price of $0.0541/kWh or less for an 18 month term, or a price of $0.0531/kWh or less for a 24 month term, and achieves a price for metered electricity of $0.0781/kWh or less for a 12 month term, a price of $0.0774/kWh or less for an 18 month term, or a price of $0.0774/kWh or less for a 24 month term; the Township of Bernards may award a contract to the winning supplier for metered electricity for the selected term.
Resolution #2017-0417 - Awarding Professional Services Contract for Professional Consulting Services Related to the Redevelopment Process at Millington Quarry to Kenneth Hart, LSRP, NJ Lic #565331 of the firm The Elm Group in the Not to Exceed Amount of $8,000

Motion by Malay, second by Russo, that the resolution be approved.

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

WHEREAS, the Township of Bernards requires professional environmental consulting services as related to the redevelopment process at Millington Quarry; and

WHEREAS, Kenneth Hart, LSRP, NJ Lic #565331 of the firm The Elm Group, 345 Wall Street, Research Park, Princeton, NJ 08540 has submitted a proposal dated November 21, 2017 outlining environmental consulting services as related to the redevelopment process at Millington Quarry; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in the 2017 Budget Fees and Compensation line account #7-01-20-110-204 line item appropriation or ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Kenneth Hart, LSRP, NJ Lic #565331 of the firm The Elm Group, 345 Wall Street, Research Park, Princeton, NJ 08540 as follows:
1. The contract will encompass services as outlined in the submitted proposal dated November 21, 2017.
2. The contract term is from November 28, 2017 through November 27, 2018 for professional services not to exceed an amount of $8,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Thomas Timko, PE, Township Engineer, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official Township newspaper and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

________________________________________
Kenneth Hart, LSRP, NJ Lic #565331
CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of $8,000.00. Monies are available in Fees and Compensation line account #7-01-20-110-204.

Date: 11/22/17

[Signature]
Terri Johnson, Chief Financial Officer

**Resolution #2017-0418 - Awarding Professional Services Contract for Environmental Consulting Services as Related to the Proposed Redevelopment of the Millington Quarry Site to Geoffrey Goll, PE, NJ Lic #39614 of the firm Princeton Hydro, LLC., 1108 Old York Road, Suite 1, PO Box 720, Ringoes, NJ 08551, in the Not to Exceed Amount of $10,000**

Motion by Carpenter, second by Russo, that resolution be approved.

Roll Call:

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

Motion carried.

WHEREAS, the Township of Bernards requires services for Environmental Consulting as related to the proposed redevelopment of the Millington Quarry site; and

WHEREAS, Geoffrey Goll, PE, NJ Lic #39614 of the firm Princeton Hydro, LLC, 1108 Old York Road, Suite 1, PO Box 720, Ringoes, NJ 08551 has submitted a proposal dated November 22, 2017 outlining Environmental Consulting Services to the Township as related to the proposed redevelopment of the Millington Quarry site; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in the 2017 Budget Fees and Compensation line account #7-01-20-110-204 line item appropriation or ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Geoffrey Goll, PE of the firm Princeton Hydro LLC, 1108 Old York Road, Suite 1, PO Box 720, Ringoes, NJ 08551 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 22, 2017.
2. The contract term is from November 28, 2017 through November 27, 2018 for professional environmental consulting services at an hourly rate of $260.00 in the not to exceed amount of $10,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Thomas Timko, PE, Township Engineer, who will be the chief contact for the Township of Bernards on this project.
NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of contract award be published in the official township newspaper, and a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

________________________________________
Geoffrey Goll, PE, License #39641

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of $10,000.00. Monies are available in Fees and Compensation line account #7-01-20-110-204.

Date: 11/22/2017

Terri Johnson, Chief Financial Officer


Russo recused
Motion by Bianchi, second by Carpenter, that Resolution #2017-0400 be approved.

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

WHEREAS, Bernards Township requires the services of an Insurance and Employee Benefits Risk Manager; and

WHEREAS, the Township wishes to appoint an Insurance & Employee Benefits Risk Manager.

Services performed by the Risk Manager include but are not limited to those described within the MS&H Risk Management Agreement executed by the Township for such services. Additionally, the Risk Manager shall assist in claims related matters for the Township from reporting to resolution thereof. The Risk Manager also provides Insurance and Employee Benefits related consulting services including an overview of coverages and insurance programs generally available to the Township, at the Township’s request. Other services rendered by the Risk Manager may include voluntary employee benefits and health care insurance programs reviews.

WHEREAS, since Bernards Township’s current insurance coverage commitment ends on December 31, 2017, there is an immediate need to assist the Municipality in understanding the various coverages available from the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund and such other Joint Insurance Funds and commercially available insurance as may be appropriate; and

WHEREAS, it is agreed that Risk Manager’s compensation for any placement of coverage with any Joint Insurance Fund shall be at 6% of the Fund’s agreed upon assessment the Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that Meeker Sharkey & Hurley; PO Box 227; Liberty Corner, NJ be and is hereby appointed Risk Manager for a three-year term expiring 11/28/2020, with compensation for any placement with a Joint Insurance Fund set at 6% of that Joint Insurance Fund’s agreed upon assessment; and
NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize execution of a contract with the Meeker Sharkey & Hurley in accordance with this appointment.

Ordinance #2375 - An Ordinance Accepting Kenworthy Court - Introduction
The clerk read the ordinance by title.

Motion by Malay, second by Russo, that Ordinance #2375 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 12/12/2017.

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

BE IT ORDAINED by the Township Committee of the Township of Bernards that Kenworthy Court, dedicated to public use be hereby accepted by the Township.

Said roadway, being shown on a map entitled “Spring Brook Farm, Lot 30, Block 172, Township of Bernards, Somerset County, NJ.” as prepared by Yannaccone, Villa and Aldrich, LLC, dated 01-06-2006, last revised 01-05-2007 and filed in the Somerset County Clerk’s Office on January 28, 2008, Book 6102, Page 2804-2805.

EXECUTIVE SESSION - (continuation of earlier session if required)
Not required.

ADJOURNMENT
The meeting adjourned at 11:40 PM.

Respectfully submitted,

___________________________
Denise Szabo
Municipal Clerk/Assistant Administrator

___________________________
Carolyn Gaziano
Mayor