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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

FEBRAUARY 13, 2018 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 7:31 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: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Absent:

Also Present: Administrator McArthur, Attorney Belardo, Engineer Timko, and Deputy Municipal Clerk Pisano

EXECUTIVE SESSION – [Resolution #2018-0122](#)

Motion by Gaziano, second by Malay and unanimously agreed that Resolution #2018-0122 be amended to include *Attorney Client Privilege; Verizon BR LLC Liquor License*, and that the amended resolution be approved. The meeting temporarily adjourned to Executive Session at 7:32 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.

<u>Reason for Closed Session</u>	<u>Estimated Time of Disclosure or Upon Occurrence Of</u>
<input checked="" type="checkbox"/> Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. <i>Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.</i> Attorney Client Privilege Dolce/Verizon Liquor License Attorney Client Privilege Lafayette Lane Bridge Litigation - Affordable Housing Far Hills	Upon conclusion of litigation

The meeting resumed in open session at 8:00 PM.

PUBLIC COMMENT

Lisa Winter, 507 N Maple Ave, and Richard Huckins, 67 Woodstone, commented on participation in the Somerset County open space preservation survey.

Janet Ashnault, 309 Douglas Rd, commented on the Far Hills affordable housing proposal.

CORRESPONDENCE

[2018-01-19 Letter from Somerset County Regarding a Study for the Valley Road Bridge Over the Passaic River](#)

The committee acknowledged receipt of letter and ensuing study.

REPORTS

[Infrastructure Plan – DPW Supervisor/Asst. Administrator Pat Monaco](#)

DPW Supervisor/Asst. Administrator Monaco reviewed the infrastructure study conducted of the township and the methodology used. Current infrastructure includes; roadways, equipment, emergency services, and buildings. Challenges were highlighted, such as shorter life cycles of roads due to composite standards, and the magnitude and management of assets discussed. A long term budget analysis was provided.

	Annual Cost
Engineering	\$3,992,000.00
DPW	\$1,166,000.00
Parks	\$334,000.00
Emergency Services	\$265,000.00
Info. Syst.	\$150,000.00
Police	\$136,000.00
Total Annual	\$6,043,000.00

[Preliminary 2018 Budget Review - CFO/HR Officer Terri Johnson](#)

CFO/HR Officer Johnson provided a preliminary 2018 budget review. This is the first budget in recent years that transfers focus from open space to infrastructure projects that had been put off for the last few years. Highlights included plans to maintain aging infrastructure, preserve current service levels, have a zero municipal tax impact on residents, and ensure the Township's long term fiscal health. Johnson also stated that the Township's budget will be reviewed by the state this year as this is a requirement every three years.

AGENDA SESSION

[Update on Affordable Housing](#)

Belardo provided a comprehensive overview of the affordable housing regulations, applicable court rulings, the current status of where Bernards Township stands, and what is permissible to discuss in public at this point in time. Settlement discussions have taken place with the two interveners and action will be taken if and when the best option for Bernards Township is offered and accepted. The Township is waiting to receive its affordable housing obligation number for the 1999-2025 time period from Judge Miller.

The mayor opened the floor for public comment or questions regarding affordable housing and the following people commented:

- Joe Esposito, 22 High Hill Ct.
- Steve Chaikin, 97 Haas Rd.
- Richard Huckins, 67 Woodstone Dr.
- Rita Zarabara, 155 Thackeray Dr.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their recent activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2018-0133](#) - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 and First Aid Squad of Basking Ridge Fire Company #1 Jillian Carney, Junior Member and First Aid Squad of the Basking Ridge Fire Company #1 Lucas McCluskey, Junior Member Motion by Bianchi, second by Baldassare, and unanimously agreed that Resolution #2018-0133 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 the Basking Ridge Fire Company #1 respectively are recommending the following individuals for appointment:

NAME	ADDRESS	MEMBER STATUS	AGENCY
Jillian Carney	27 Byron Drive Basking Ridge NJ 07920	Junior	Basking Ridge Fire Company #1 & First Aid Squad of the Basking Ridge Fire Company#1
Lucas McCluskey	41 Ramapo Drive Basking Ridge NJ 07920	Junior	First Aid Squad of the Basking Ridge Fire Company #1

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.

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 Bianchi, second by Gaziano, that Resolution #2018-0128 be removed and the remainder of the Consent Agenda be approved.

Roll Call:

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

**** Begin Consent Agenda ****

Approval of Minutes

[01/24/2018 Open Session](#)

These minutes were approved for content and release.

Resolution #2018-0105- Approval of the Bill List Dated 02/13/2018

BE IT RESOLVED, that the bill list dated 02/13/2018 be audited, and if found correct, be paid.

February 13, 2018
01:09 PM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 02/13/18 to 02/13/18
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

=====

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CASH - CHECKING CURRENT CHECKING					
114657	02/13/18	90149 DEGRANDE, LORRAINE	34.60		1345 Direct Deposit
114658	02/13/18	90310 FALLON, BRIAN	31.93		1345 Direct Deposit
114659	02/13/18	90315 JOHNSON, TERRI	135.80		1345 Direct Deposit
114660	02/13/18	90327 MCKNIGHT, ALEX	329.12		1345 Direct Deposit
114661	02/13/18	90395 NERI, MARK	11.64		1345 Direct Deposit
114662	02/13/18	90562 LAKATOS, MICHAEL	27.00		1345 Direct Deposit
114663	02/13/18	90576 CALJEAN, PATRICIA	731.20		1345 Direct Deposit
114664	02/13/18	72053 UNITED STATES GOLF ASSOCIATION	110.00		1346
114665	02/13/18	A0161 ANCHOR RUBBER STAMP & PRINTING	22.50		1346
114666	02/13/18	A0168 ALLIED OIL COMPANY, LLC	9,907.50		1346
114667	02/13/18	A0249 APPLIED CONCEPTS, INC.	210.00		1346
114668	02/13/18	A0295 AUDIO EDITIONS	149.22		1346
114669	02/13/18	A0425 ATLANTIC TACTICAL	610.84		1346
114670	02/13/18	A0461 ALBRECHT, JIM	200.00		1346
114671	02/13/18	A0471 APEX AMERICAN ELECTRICAL	1,051.90		1346
114672	02/13/18	A0611 AMERICAN WEAR, INC	1,062.32		1346
114673	02/13/18	A0635 ABDO PUBLISHING COMPANY	1,262.90		1346
114674	02/13/18	A0636 AUSFAHL, JEFF	300.00		1346
114675	02/13/18	B0001 BAKER & TAYLOR, INC.	5,397.34		1346
114676	02/13/18	B0026 BERNARDS TOWNSHIP CURRENT	0.00	02/13/18 VOID	0

114677	02/13/18	B0026	BERNARDS TOWNSHIP CURRENT	22,458.88	1346
114678	02/13/18	B0031	BERNARDSVILLE PRINT CENTER	1,458.08	1346
114679	02/13/18	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	1,085,851.24	1346
114680	02/13/18	B0044	BASKING RIDGE ANIMAL HOSPITAL	600.00	1346
114681	02/13/18	B0203	DIFRANCESCO,BATEMAN,COLEY,YOSP	1,746.28	1346
114682	02/13/18	B0241	BANISCH ASSOCIATES, INC.	113.60	1346
114683	02/13/18	B0320	BRIDGEWATER SPORTS ARENA	332.00	1346
114684	02/13/18	B0469	BEATLEMANIA AGAIN, LLC	500.00	1346
114685	02/13/18	B0480	BRISTOL-DONALD CO, INC	129.98	1346
114686	02/13/18	B0518	BERNARDSVILLE HARDWARE	302.11	1346
114687	02/13/18	B0556	BRT TECHNOLOGIES, LLC	1,750.00	1346
114688	02/13/18	B0654	BRIDGEWATER CHEVROLET	45.18	1346
114689	02/13/18	B0668	BEARING DEPOT & SUPPLY INC	217.50	1346
114690	02/13/18	B0691	BOGLE, LAURIE	85.00	1346
114691	02/13/18	C0024	GANNETT NEW JERSEY NEWSPAPERS	30.10	1346
114692	02/13/18	C0136	RUTGERS, THE STATE UNIVERSITY	350.00	1346
114693	02/13/18	C0208	NJCA COA	150.00	1346
114694	02/13/18	C0241	COOPER ELECTRIC SUPPLY	3,054.30	1346
114695	02/13/18	C0482	CABLEVISION OF RARITAN VALLEY	178.61	1346
114696	02/13/18	C0545	AHS HOSPITAL CORP	772.80	1346
114697	02/13/18	C0597	CLIFFSIDE BODY CORPORATION	1,339.33	1346
114698	02/13/18	C0613	CIGNA GROUP INSURANCE	1,591.53	1346
114699	02/13/18	C0697	BB&T/CPS	69.52	1346
114700	02/13/18	C0745	CLARKE CATON HINTZ	460.70	1346
114701	02/13/18	C0769	CAPPIELLO, MICHAEL & MAURA	35.00	1346
114702	02/13/18	C0771	COMPUTER SHARP, INC	1,680.00	1346
114703	02/13/18	C0774	COLONIAL LIFE & ACC INSURANCE	1,126.50	1346
114704	02/13/18	D0020	DELTA DENTAL OF NJ	12,625.68	1346
114705	02/13/18	D0033	DEMCO, INC	392.94	1346
114706	02/13/18	D0041	STICKEL, KOENIG, SULLIVAN&DRILL	275.00	1346
114707	02/13/18	D0380	DRIVERS TIRE & SERVICE CENTER	3,737.25	1346
114708	02/13/18	D0628	DCRP	318.88	1346
114709	02/13/18	D0740	DOVER BRAKE & CLUTCH	55.80	1346
114710	02/13/18	D0748	DR HORTON, INC	21,068.66	1346
114711	02/13/18	D0767	DIGGERLAND USA 1, LLC	330.00	1346
114712	02/13/18	E0008	EBS CO SUBSCRIPTION SERVICES	5,000.00	1346
114713	02/13/18	E0098	EMBLEM ENTERPRISES, INC	90.00	1346
114714	02/13/18	E0231	EKA ASSOCIATES, P.A.	641.25	1346
114715	02/13/18	E0247	THE ELM GROUP, INC.	918.97	1346
114716	02/13/18	F0003	FOLEY, INCORPORATED	63.68	1346
114717	02/13/18	F0047	FULLERTON FORD	1,490.11	1346
114718	02/13/18	F0289	FIRE FIGHTER ONE	75,922.40	1346
114719	02/13/18	F0298	FWDSL & ASSOCIATES LP	38,510.07	1346
114720	02/13/18	F0299	FASTENAL CO.	8.40	1346
114721	02/13/18	F0324	FLAGSHIP DENTAL PLANS	349.03	1346
114722	02/13/18	F0326	FX AUTOMOTIVE LLC	54.00	1346
114723	02/13/18	F0330	FIDELITY SECURITY LIFE INS	228.83	1346
114724	02/13/18	G0004	GALLS, INC.	368.97	1346
114725	02/13/18	G0066	GRAINGER INC	2,067.30	1346
114726	02/13/18	G0098	JCP&L	3,813.95	1346
114727	02/13/18	G0133	GARDEN STATE LABORATORIES, INC	390.00	1346
114728	02/13/18	G0333	BEDMINSTER CAR WASH	73.90	1346
114729	02/13/18	G0497	GARTH, LORI	75.00	1346
114730	02/13/18	G0500	GREEN BROOK ELECTRONICS	171.85	1346
114731	02/13/18	G0584	GOLDSTEIN, LINDA	3,000.00	1346
114732	02/13/18	G0585	GUPTA, VIVEK & PREETI	140.00	1346
114733	02/13/18	H0061	HARRAH'S RESORT ATLANTIC CITY	855.00	1346
114734	02/13/18	H0075	HARBOR FREIGHT TOOLS	17.98	1346
114735	02/13/18	H0235	HOOVER TRUCK CENTERS	515.77	1346
114736	02/13/18	H0246	HOME DEPOT CREDIT SERVICES	237.97	1346
114737	02/13/18	H0277	HUFF N PUFF CHIMNEY SERVICE	70.00	1346
114738	02/13/18	H0375	HICKS PAVING, LLC	120.00	1346
114739	02/13/18	H0389	HISHMEHS CUSTOM UPHOLSTERY	525.00	1346
114740	02/13/18	I0067	INDUSTRIAL RUBBER COMPANY	37.43	1346
114741	02/13/18	I0128	INNOVATIVE DOCUMENT IMAGING	445.00	1346
114742	02/13/18	I0152	IWS TRANSFER SYSTEMS OF NJ	1,657.38	1346
114743	02/13/18	I0154	INDOOR SPORTS PAVILION LLC	500.00	1346
114744	02/13/18	J0002	JAEGER LUMBER	252.00	1346
114745	02/13/18	J0093	JOHNNY ON THE SPOT	65.00	1346
114746	02/13/18	J0123	JERSEY PAPER PLUS (JCP PAPER)	484.50	1346
114747	02/13/18	J0141	J&D SALES AND SERVICE	347.45	1346
114748	02/13/18	J0150	FORD OF JERSEY CITY	4,316.05	1346
114749	02/13/18	J0203	JAY TREBLE, VIDEOTEK	1,600.00	1346
114750	02/13/18	K0036	KONICA MINOLTA BUSINESS	385.61	1346
114751	02/13/18	K0039	KOBESKY, GREGG S.	216.00	1346
114752	02/13/18	K0252	KOHLER WASTE SERVICES, INC.	125.00	1346
114753	02/13/18	K0259	KONICA MINOLTA PREMIER FINANCE	122.00	1346
114754	02/13/18	K0259	KONICA MINOLTA PREMIER FINANCE	167.07	1346
114755	02/13/18	L0389	LEVIN, CAROL SIMON	125.00	1346
114756	02/13/18	L0407	LIGHTON INDUSTRIES, INC	91,701.78	1346
114757	02/13/18	L0411	LEVITZ, JASON	292.66	1346
114758	02/13/18	M0006	MGL PRINTING SOLUTIONS	1,786.50	1346
114759	02/13/18	M0010	MOBILE LAWNMOWER SERVICE, INC.	401.90	1346
114760	02/13/18	M0062	CAVENDISH SQUARE PUBLISHING	195.54	1346
114761	02/13/18	M0094	MUSIC THEATRE INTERNATIONAL	2,335.00	1346
114762	02/13/18	M0465	RR DONNELLEY	147.00	1346
114763	02/13/18	M0518	KONICA MINOLTA BUSINESS SOL.	43.04	1346
114764	02/13/18	M0518	KONICA MINOLTA BUSINESS SOL.	505.02	1346
114765	02/13/18	M0518	KONICA MINOLTA BUSINESS SOL.	45.99	1346
114766	02/13/18	M0518	KONICA MINOLTA BUSINESS SOL.	161.34	1346
114767	02/13/18	M0792	MAGNETMAILERS.COM, LLC	2,144.34	1346
114768	02/13/18	M0815	M & M FERROTTIS	386.60	1346
114769	02/13/18	M0837	MORRIS CO CODE OFFICIALS ASSOC	25.00	1346
114770	02/13/18	M0859	MAXX'S FLEET REPAIRS, LLC	1,955.00	1346
114771	02/13/18	N0006	NEW JERSEY AMERICAN WATER CO.	37,478.10	1346
114772	02/13/18	N0006	NEW JERSEY AMERICAN WATER CO.	179.46	1346
114773	02/13/18	N0006	NEW JERSEY AMERICAN WATER CO.	319.04	1346
114774	02/13/18	N0006	NEW JERSEY AMERICAN WATER CO.	321.11	1346
114775	02/13/18	N0006	NEW JERSEY AMERICAN WATER CO.	37,478.10	1346
114776	02/13/18	N0010	NNJ CHAPTER NIGP -C/0 SOMERSET	80.00	1346

TOWNSHIP COMMITTEE MINUTES

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114777	02/13/18	N0017	NJ STATE LEAGUE OF MUNICIPAL.	205.00	1346
114778	02/13/18	N0017	NJ STATE LEAGUE OF MUNICIPAL.	115.00	1346
114779	02/13/18	N0032	NJ STATE DEPT HEALTH/SR SVCS	1,372.80	1346
114780	02/13/18	N0035	NEW JERSEY PLANNING OFFICIALS	475.00	1346
114781	02/13/18	N0040	NATIONAL FIRE PROTECTION ASSN.	175.00	1346
114782	02/13/18	N0042	NJ LIBRARY TRUSTEE ASSOCIATION	180.00	1346
114783	02/13/18	N0083	NJRPA	1,125.00	1346
114784	02/13/18	N0084	NEW YORK METS GROUP SALES DEPT	1,905.00	1346
114785	02/13/18	N0124	NJACCHO	75.00	1346
114786	02/13/18	N0187	NJ ENVIRONMENTAL HEALTH ASSOC	550.00	1346
114787	02/13/18	N0189	NEW JERSEY FIRE EQUIPMENT CO.	4,000.00	1346
114788	02/13/18	N0244	NORTHERN TOOL & EQUIPMENT CO.	1,359.16	1346
114789	02/13/18	N0333	NJ PUBLIC SAFETY ACCRED COAL	300.00	1346
114790	02/13/18	N0339	NJWLE	225.00	1346
114791	02/13/18	N0415	NATIONAL FUEL OIL INC	9,982.25	1346
114792	02/13/18	N0419	NIXON, PAMELA	100.00	1346
114793	02/13/18	O0021	OFFICE DEPOT	1,529.20	1346
114794	02/13/18	O0105	O.C.A. BENEFIT SERVICES, LLC	108.90	1346
114795	02/13/18	P0005	PITNEY BOWES, INC.	1,401.26	1346
114796	02/13/18	P0046	RESERVE ACCOUNT	5,751.21	1346
114797	02/13/18	P0500	PACE COLLISION SERVICES INC.	1,716.00	1346
114798	02/13/18	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	41.77	1346
114799	02/13/18	P0538	PROVIDENT LIFE & ACCIDENT	260.44	1346
114800	02/13/18	P0546	PETER RUBINETTI PRIVATE DISP	1,586.00	1346
114801	02/13/18	P0576	PATTERSON, CHRISTOPHER S.	1,300.00	1346
114802	02/13/18	P0587	BENSON FAMILY GOLF	200.00	1346
114803	02/13/18	P0592	PERMITTECHNATION	50.00	1346
114804	02/13/18	P0602	PRAXAIR DISTRIBUTION, INC	307.55	1346
114805	02/13/18	P0627	POST,POLAK,GOODSELL	15,000.00	1346
114806	02/13/18	P0628	PENNJERSEY MACHINERY, LLC	575.15	1346
114807	02/13/18	P0629	PICONE, CLAIRE W	551.27	1346
114808	02/13/18	Q0002	CINTAS CORP. - #062	353.25	1346
114809	02/13/18	R0004	RECORDED BOOKS INC.	431.28	1346
114810	02/13/18	R0005	RECORDER PUBLISHING CO., INC	295.65	1346
114811	02/13/18	R0020	REED & FERRINE	6,216.00	1346
114812	02/13/18	R0023	RICHIES TIRE SERVICE, INC.	1,414.91	1346
114813	02/13/18	R0025	RIDGE RESTAURANT	311.25	1346
114814	02/13/18	R0050	ROTO-ROOTER	199.00	1346
114815	02/13/18	R0490	R & H TRUCK PARTS AND SERVICE	445.88	1346
114816	02/13/18	R0493	RIDGE BAGEL & CAFE	379.38	1346
114817	02/13/18	S0011	SHERWIN-WILLIAMS COMPANY	580.05	1346
114818	02/13/18	S0016	STORR TRACTOR COMPANY	27,090.13	1346
114819	02/13/18	S0036	SOMERSET COUNTY PARK COMM.	3,400.00	1346
114820	02/13/18	S0062	STAR LEDGER	99.20	1346
114821	02/13/18	S0072	SOMERSET COUNTY GOVERNING OFF.	35.00	1346
114822	02/13/18	S0091	SOMERSET COUNTY	61,599.90	1346
114823	02/13/18	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	612.50	1346
114824	02/13/18	S0191	SOMERSET COUNTY RECYCLING PROG	60,596.89	1346
114825	02/13/18	S0443	STAPLES ADVANTAGE	1,039.63	1346
114826	02/13/18	S0536	SOMERSET COUNTY BUSINESS	2,125.00	1346
114827	02/13/18	S0628	STATE OF NEW JERSEY-HB	215,953.71	1346
114828	02/13/18	S0691	SUPERIOR DISTRIBUTORS	493.17	1346
114829	02/13/18	S0741	SUBURBAN CONSULTING ENGINEERS	13,038.90	1346
114830	02/13/18	S0929	ST JAMES CHURCH	50.00	1346
114831	02/13/18	S0988	SU, TING & WENLEI HE	17,000.00	1346
114832	02/13/18	S0989	SCARAMOZZINO, PASCAL	340.00	1346
114833	02/13/18	T0025	TRUKMANN'S INC. C/O	979.17	1346
114834	02/13/18	T0055	T & M ASSOCIATES	1,492.26	1346
114835	02/13/18	T0066	CENGAGE LEARNING CREDIT SVCS	71.97	1346
114836	02/13/18	T0090	TREASURER, STATE OF NEW JERSEY	1,267.00	1346
114837	02/13/18	T0101	TRIANGLE COMMUNICATIONS	355.00	1346
114838	02/13/18	T0372	TLO, LLC	119.70	1346
114839	02/13/18	T0422	TOMAHAWK LAKE , INC.	380.00	1346
114840	02/13/18	T0438	TOP GOLF USA INC	940.00	1346
114841	02/13/18	U0001	UNITEMP INC.	5,086.87	1346
114842	02/13/18	V0008	VITAL COMMUNICATIONS, INC.	2,015.72	1346
114843	02/13/18	V0026	VNA OF SOMERSET HILLS	5,149.00	1346
114844	02/13/18	V0037	VILLAGE SUPERMARKET, INC.	274.82	1346
114845	02/13/18	V0056	VERIZON WIRELESS	977.98	1346
114846	02/13/18	V0058	VERIZON	1,781.91	1346
114847	02/13/18	V0073	VAIL INDUSTRIAL SUPPLIES	358.97	1346
114848	02/13/18	V0084	VERIZON	670.28	1346
114849	02/13/18	V0124	VERIZON BUSINESS FIOS	569.98	1346
114850	02/13/18	V0140	VANTAGEPOINT TRANSFER AGENTS	11,834.68	1346
114851	02/13/18	V0177	VERIZON	425.62	1346
114852	02/13/18	V0185	VERIZON NETWORK FLEET	530.60	1346
114853	02/13/18	W0016	WARRENVILLE TRUE VALUE	1,504.88	1346
114854	02/13/18	W0074	WELSH'S MOTOR SALES, INC.	1,138.52	1346
114855	02/13/18	W0170	WELLS FARGO RE TAX SERVICE	6,717.85	1346
114856	02/13/18	W0213	WT COX SUBSCRIPTIONS, INC.	58.21	1346
114857	02/13/18	W0259	VENTURA, MIESOWITZ, KEOUGH &	3,217.50	1346
114858	02/13/18	W0277	WOODLANDS WILDLIFE REFUGE, INC	50.00	1346
114859	02/13/18	W0339	W.B. MASON	182.11	1346
114860	02/13/18	W0347	EDWARD WACKS & ASSOCIATES, LLC	335.40	1346
114861	02/13/18	W0356	WANG, HONG & GANLIN CHANG	112,341.59	1346
114862	02/13/18	X0003	XEROX CORPORATION	245.79	1346
114863	02/13/18	X0005	XTEL COMMUNICATION	368.90	1346

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
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Checks:	199	1	2,138,130.33	0.00
Direct Deposit:	7	0	1,301.29	0.00
	=====	=====	=====	=====
Total:	206	1	2,139,431.62	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
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Checks:	199	1	2,138,130.33	0.00
Direct Deposit:	7	0	1,301.29	0.00

Totals by Year-Fund	206	1	2,139,431.62		0.00	
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
CURRENT FUND	7-01	64,366.36	0.00	0.00	64,366.36	
CURRENT FUND	8-01	1,764,949.15	0.00	0.00	1,764,949.15	
DOG FUND	8-12	3,260.26	0.00	0.00	3,260.26	
GOLF COURSE UTILITY	8-26	871.14	0.00	0.00	871.14	
Year Total:		1,769,080.55	0.00	0.00	1,769,080.55	
CAPITAL FUND	C-04	118,844.50	0.00	0.00	118,844.50	
PUBLIC GRANTS	G-02	1,811.50	0.00	0.00	1,811.50	
TRUST FUNDS	T-13	157,791.10	0.00	0.00	157,791.10	
PROJECT		27,537.61	0.00	0.00	27,537.61	
Total Of All Funds:		2,139,431.62	0.00	0.00	2,139,431.62	

Resolution #2018-0108 - Adoption of the Liberty Corner First Aid Squad (LCFAS), 2018 By-Laws, and Acknowledgement of 2018 Membership Roster

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

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

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

1. The LCFAS 2018 By-Laws are adopted as submitted.
2. The LCFAS 2018 Roster of members is acknowledged as submitted.

Resolution #2018-0119 - Authorizing 2017 Application for Tonnage Grant

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards hereby endorses the submission of the 2017 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Pat Monaco, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

[Resolution #2018-0120](#) - *Issuance of Solicitor Licenses for Myles L. Jenkins and Michael Fiechter, Royal Enterprise Solutions, Inc., for the period of 01/01/2018 – 06/30/2018*

WHEREAS, Myles L. Jenkins and Michael Fiechter of Royal Enterprise Solutions, Inc., 15 Corporate Place South, Suite 150, Piscataway, NJ 08854 have applied for Solicitor's Licenses for the license period of 01/01/2018 to 06/30/2018, effective 02/13/2018, for the purpose of door-to-door sales for Verizon FiOS; and

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

WHEREAS, the Municipal Clerk, the Chief of Police, and the Zoning Officer have reviewed the said 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 #2018-0121](#) - *Authorizing a Place-to-Place Transfer of Liquor License #1802-44-003-006, AEK Enterprises LLC*

WHEREAS, Myles L. Jenkins and Michael Fiechter of Royal Enterprise Solutions, Inc., 15 Corporate Place South, Suite 150, Piscataway, NJ 08854 have applied for Solicitor's Licenses for the license period of 01/01/2018 to 06/30/2018, effective 02/13/2018, for the purpose of door-to-door sales for Verizon FiOS; and

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

WHEREAS, the Municipal Clerk, the Chief of Police, and the Zoning Officer have reviewed the said 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 #2018-0123](#) - *Acceptance of the Friends of the Kennedy Martin-Stelle Farmstead 2017 Annual Report*

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

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

WHEREAS, the 2017 annual report has been submitted as required.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the 2017 Annual Report of the Friends of the Kennedy Martin-Steele Farmstead be acknowledged as submitted.

[Resolution #2018-0124](#) - *Commendation on Attaining Eagle Scout Designation Conor Mahoney, Brandon Wellington Pierson and Patrick H. Zadroga*

WHEREAS, the Township Committee is very pleased to recognize the outstanding personal effort of Conor Mahoney, Brandon Wellington Pierson and Patrick H. Zadroga, in reaching the rank of Eagle Scout; and

WHEREAS, Conor, Brandon and Patrick, are members of Troop 555 of Patriots' Path Council, and have been active scouts, demonstrating outstanding leadership within their Troop, and have contributed many service hours to their community during their years in scouting; and

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

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

[Resolution #2018-0125](#) - Award of Contract to CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512, as the BPU Direct Install Contractor for Energy Efficient Measures for the Bernards Township Library, in the Amount of \$1,325.37

WHEREAS, the State of New Jersey Board of Public Utilities awarded a contract to CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512 for the New Jersey Clean Energy Direct Install Program; and

WHEREAS, the Township of Bernards is participating in the NJ Clean Energy Direct Install Program for the Bernards Township Library of which a summary of the costs, the projected savings, and the estimated payback period of the investment is included; and

WHEREAS, the total cost of improvements totals \$4,417.91 of which the Bernards Township Library contributory portion totals \$1,325.37; and

WHEREAS, the BPU Energy Assessment calculations show an annual savings at \$748.26 with a payback period of approximately 1.80 years on the Township funded portion; and

WHEREAS, it is the combined recommendation of the Bernards Township Library Board, Director of Public Works, Purchasing Agent, and Administrator to award this contract to: CMC Energy Services; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation or ordinance to be charged is line account #8-01-LI-R01-C05.

WHEREAS, this contract has been awarded to CMC Energy Services 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 contract be awarded to CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512; and

NOW, THEREFORE BE IT FURTHER 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: CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512 in the amount of \$1,325.37.

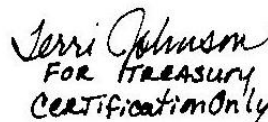
I agree to the terms as stated in the Resolution and by signing this document I, am committed to follow all terms of this award.

Anthony Tortomasi, Energy Advisor

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. Monies are available in the Library Reserves, line account #8-01-LI-R01-C05 in the amount not to exceed \$1,325.37.

Date: 1/29/2018



Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson
Chief Financial Officer

[Resolution #2018-0126](#) - Award of Contract to CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512, as the BPU Direct Install Contractor for Energy Efficient Measures for Various Township Facilities, in the Amount of \$12,286.23

WHEREAS, the State of New Jersey Board of Public Utilities awarded a contract to CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512 for the New Jersey Clean Energy Direct Install Program; and

WHEREAS, the Township of Bernards is participating in the NJ Clean Energy Direct Install Program for 5 facilities in the Township of which a summary of the costs, the projected savings, and the estimated payback period of the investment is included; and

WHEREAS, the total cost of improvements totals \$40,954.10 of which the Township's contributory portion totals \$12,286.23; and

WHEREAS, the BPU Energy Assessment calculations show an annual savings at \$5,304.75 with a payback period of approximately 1.18 years on the Township funded portion; and

WHEREAS, it is the combined recommendation of the Director of Public Works, Purchasing Agent and Administrator to award this contract to: CMC Energy Services; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation or Capital Ordinance #2337 line account #C-04-55-337-C03; and

WHEREAS, this contract has been awarded to CMC Energy Services 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 contract be awarded to: CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512; and

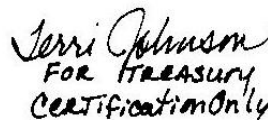
NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to: CMC Energy Services, 1249 South River Road, Suite 103, Cranbury, NJ 08512 in the amount of \$12,286.23.

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.

Anthony Tortomasi, Energy Advisor

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 amount not to exceed \$12,286.23. Monies are available in the 2016 Capital Account, Buildings-Energy Improvements Capital Ordinance # 2337 line account #C-04-55-337-C03.



Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson
Chief Financial Officer

Date: 1/29/2018

[Resolution #2018-0127](#) - Interlocal Services Agreement for the Provision of 2018 Somerset County Recycling Pickup to the Township of Bernards

WHEREAS, the Township of Bernards requires recycling pickup; and

WHEREAS, the County of Somerset has indicated a willingness to provide recycling pickup pursuant to and on the terms set forth herein and in a contract dated January 23, 2018; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, the County of Somerset already has in place a recycling pickup program.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the County of Somerset, to implement recycling pickup, subject to the terms and provisions set forth below and in a contract dated January 23, 2018.

THIS AGREEMENT, sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the County of Somerset for recycling pickup for the calendar year 2018 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The rate remains at \$23.85 per household. The number of households will be adjusted on a quarterly basis, when and if appropriate.

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 amount of \$23.85 per household. Monies will be made available after Budget Adoption, and subsequently transferred to Trust Fund – Reserve for Recycling. Note: Amount budgeted for curbside recycling is annually transferred to the Bernards Township Trust Fund after budget adoption. These funds are earmarked exclusively for Recycling Expenditures.

Date: 1/30/2018

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson,
Chief Financial Officer

[Resolution #2018-0129](#) - Awarding Professional Services Contract for the Pleasant Valley Park Culvert to Jon Moren, PE, License Number 24GE04697900 of the firm French & Parrello Associates, in the Not to Exceed Amount of \$26,962.00

WHEREAS, the Township of Bernards requires professional engineering services; and

WHEREAS, Jon Moren, PE, License Number 24GE04697900 of the firm French & Parrello Associates, 1800 Route 34, Suite 101, Wall, NJ 07719 has submitted a proposal dated January 26, 2018 outlining professional engineering services to the Township; 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 contract is awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

WHEREAS, the Chief Financial Officer has certified funds are available in account name, Pleasant Valley Park Culvert, line account #C-04-55-366-A04 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 Jon Moren, PE, License Number 24GE04697900 of the firm French & Parrello Associates, 1800 Route 34, Suite 101, Wall, NJ 07719 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 26, 2018.
2. The contract term is from February 13, 2018 through August 12, 2018 for professional engineering services not to exceed an amount of \$26,962.00.
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, CME, Township Engineer, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of this resolution 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.

Jon Moren, PE, License Number 24GE04697900

CFO 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 \$26,962.00. Monies are available in the 2017 Capital Ordinance #2366, line item appropriation: Pleasant Valley Park Culvert account #C-04-55-366-A04.

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Date: 1/30/2018

Terri Johnson, Chief Financial Officer

Resolution #2018-0130 - *Interlocal Services Agreement for the Provision of Supplying Vehicle Maintenance and Repair Service to the Basking Ridge Fire Company No. 1*

WHEREAS, the Basking Ridge Fire Company No. 1 requires vehicle maintenance and repair service; and

WHEREAS, Bernards Township has indicated a willingness to provide vehicle maintenance and repair service pursuant to and on the terms set forth herein; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:-8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, Bernards Township already has in place a vehicle maintenance and repair service.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the Basking Ridge Fire Company No. 1, to supply vehicle maintenance and repair service, subject to the terms and provisions set forth below.

This agreement, sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the Basking Ridge Fire Company No. 1 for vehicle maintenance and repair service through February 28, 2021 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The Basking Ridge Fire Company No. 1 shall be billed and will remit to the Township of Bernards on a monthly basis, the cost of vehicle maintenance and repair on a time and material basis.

[Resolution #2018-0131](#) - *Interlocal Services Agreement for the Provision of Supplying Vehicle Maintenance and Repair Service to the Liberty Corner First Aid*

WHEREAS, the Liberty Corner First Aid requires vehicle maintenance and repair service; and

WHEREAS, Bernards Township has indicated a willingness to provide vehicle maintenance and repair service pursuant to and on the terms set forth herein; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, Bernards Township already has in place a vehicle maintenance and repair service.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the Liberty Corner First Aid, to supply vehicle maintenance and repair service, subject to the terms and provisions set forth below.

This agreement, sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the Liberty Corner First Aid for vehicle maintenance and repair service through February 28, 2021 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The Liberty Corner First Aid shall be billed and will remit to the Township of Bernards on a monthly basis, the cost of vehicle maintenance and repair on a time and material basis.

[Resolution #2018-0132](#) - *Interlocal Services Agreement for the Provision of Supplying Vehicle Maintenance and Repair Service to the Liberty Corner Fire Company*

WHEREAS, the Liberty Corner Fire Company requires vehicle maintenance and repair service; and

WHEREAS, Bernards Township has indicated a willingness to provide vehicle maintenance and repair service pursuant to and on the terms set forth herein; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, Bernards Township already has in place a vehicle maintenance and repair service.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the Liberty Corner Fire Company, to supply vehicle maintenance and repair service, subject to the terms and provisions set forth below.

This agreement, sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the Liberty Corner Fire Company for vehicle maintenance and repair service through February 28, 2021 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The Liberty Corner Fire Company shall be billed and will remit to the Township of Bernards on a monthly basis, the cost of vehicle maintenance and repair on a time and material basis.

[Resolution #2018-0134](#) - *Authorizing a Memorandum of Understanding between the Somerset County Prosecutor's Office and the Township of Bernards for Participation in the Fire Investigation Unit Specifically Naming Andrew Buterbaugh, and Mark Sylvester as the Participating Officials and Authorizing the Administrator to Execute Said Memorandum of Agreement for the Time Period of 2/14/2018-2/13/2019*

WHEREAS, for efficiency purposes and comprehensive investigation of arsons and other major crimes in the County of Somerset, the Somerset County Prosecutor has created the Somerset County Fire Investigation Unit; and

WHEREAS, the purpose of the Memorandum of Understanding is delineate the goals and responsibilities of the Fire Investigation Unit maximizing inter-agency cooperation in investigative endeavors involving fires; and

WHEREAS, the Points of Understanding are listed in the Memorandum of Understanding and have been reviewed by the Fire Official and is acceptable.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards, in the County of Somerset, State of New Jersey hereby authorizes a Memorandum of Understanding between the Somerset County Prosecutor's Office and the Township of Bernards for participation in the Fire Investigation Unit specifically naming Andrew Buterbaugh and Mark Sylvester as the participating members and authorizes the Administrator to execute said agreement for the Time Period of 2/14/2018-2/13/2019.

[Resolution #2018-0135](#) - Personnel Appointment, William Hannis – 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, Library Board and Chief Financial Officer/Human Resources Officer have deemed it necessary to fill this position; and

WHEREAS, William Hannis has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Chief Financial Officer/Human Resources Officer recommend the appointment of William Hannis to part time Library Assistant - Adult Circulation.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that William Hannis be appointed part time Library Assistant - Adult Circulation with a hire date of Wednesday, February 14, 2018 at an hourly rate of \$14.50 for an average of 17 hours per week.

[Resolution #2018-0136](#) - Personnel Appointment, Sapna Singhvi – 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, Library Board and Chief Financial Officer/Human Resources Officer have deemed it necessary to fill this position; and

WHEREAS, Sapna Singhvi has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Chief Financial Officer/Human Resources Officer recommend appointment of Sapna Singhvi to part time Library Assistant - Adult Circulation.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Sapna Singhvi be appointed part time Library Assistant - Adult Circulation with a hire date of Wednesday, February 14, 2018 at an hourly rate of \$14.50 for an average of 17 hours per week.

[Resolution #2018-0137](#) - Approval of Maintenance Surety and Return of Improvement Performance Bond for Winter Subdivision-Walden Place

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

Name of Applicant:	D.R. Horton, Inc.
Address:	Eight Neshaminy Interplex, Suite 115, Treose, PA 19053
Maintenance Surety: #	160676758
Dated:	10/02/2017
Insurance Company:	Liberty Mutual Insurance Company
Address:	200 Clarendon St., Boston, MA 02116
Amount:	\$104,904.18

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

Name of Applicant: D.R. Horton, Inc.
 Address: Eight Neshaminy Interplex, Suite 115, Trevoise, PA 19053
 Performance Bond #: 16063056
 Insurance Company: Liberty Mutual Insurance Company
 Address: 2055 Sugarloaf Circle, Duluth, GA 30097
 Amount: \$188,892.32 (Reduction) Cash Portion: \$20,988.04 (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 #2018-0138](#) - Award of Purchase Orders for Identified Vendor – Acme Diesel Electric, Inc., Visiting Nurse Association of Somerset Hills

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

Vendor	Not to Exceed
Acme Diesel Electric, Inc.	\$ 40,000.00
Visiting Nurse Association of Somerset Hills	\$ 40,000.00

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, 2018.

[Resolution #2018-0139](#) - Bernards Township is Authorizing a Down Payment Affordability Assistance Grant Pursuant to the Township Ordinance #2213 to Hannah Evelyn, 3610 Balsam Way Block 9001, Lot 36.04 in the Amount of \$15,000

WHEREAS, Hannah Evelyn, single (the “Homeowner”) is the contract purchaser of property designated as Lot 36.04 in Block 9001 (formerly identified as Lot 36.10 in Block 9001) on the Tax Map of the Township of Bernards in the County of Somerset, State of New Jersey, commonly known as 3610 Balsam Way (the “Property”); and

WHEREAS, the Homeowner seeks monetary assistance in the form of a forgivable grant through the Bernards Township Housing Down Payment Affordability Assistance Program for the purpose of buying an Affordable Unit; and

WHEREAS, the Township has an authorized down payment affordability assistance program pursuant to Ordinance #2213, Section 21.85.3d.; and

WHEREAS, the maximum amount of any Township grant shall not exceed \$15,000 and the Township shall not award more than two grants per calendar year; and

WHEREAS, the terms of the forgivable, interest free grant consist of the requirement that the Homeowner continue to own and occupy the Property as a primary residence for a five (5) year period or repay the grant in full; upon sale of the Affordable Unit; and

WHEREAS, based on the requirements of Ordinance #2213, the Homeowner has met the obligations for and is entitled to a Fifteen Thousand (\$15,000) grant (the "Grant").

NOW, THEREFORE, BE IT RESOLVED THAT the Township Committee of Bernards Township, County of Somerset, hereby authorizes the Grant provided the Homeowner executes a Repayment Note and Mortgage to the Township and recording of the same with the Somerset County Clerk.

[Resolution #2018-0141](#) - *Authorizing the Township Special Tax Attorney to Enter Into a Stipulation of Settlement Relative to the Tax Appeal Captioned 110 Allen Road LLC vs. Bernards Township, Tax Court of New Jersey, Docket No: 006072-2017*

WHEREAS, 110 Allen Road LLC ("Taxpayer"), the owner of the office building located at 110 Allen Road, Block 11201, Lot 15 on the Township of Bernards Tax Assessment Maps (the "Property"), filed an appeal of their 2017 tax assessment in the Tax Court of New Jersey, Docket No: 006072-2017; and

WHEREAS, the Township Committee of the Township of Bernards has considered the aforesaid tax appeal and the recommendations of its Township Tax Assessor and Special Tax Attorney; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal was negotiated which reduces the 2017 total tax assessment from a total tax assessment of \$22,195,900 to a reduced total tax assessment of \$20,178,000; and

WHEREAS, the Bernards Township Assessor's Office has inspected the property, examined the market and determined that the adjustment is warranted because of the historically large vacancy rates at, and the condition of the property as of the valuation date; and

WHEREAS, pursuant to the aforesaid settlement, Taxpayer waives interest on any refunds that are to be paid within 60 days from the date of judgment to "Brach Eichler, LLC and Allen Road LLC" and mailed to Daniel J. Pollak, Esq., Brach Eichler, LLC, 101 Eisenhower Parkway, Roseland, New Jersey 07068-1067; and

WHEREAS, the Freeze Act shall not be applicable and the assessment in 2018 has been once again set at \$22,195,900; and

WHEREAS, the Township Committee leaves the allocation between land and improvements of the aforesaid 2017 tax assessment on the Property to the Township of Bernards Tax Assessor's discretion with the direction that same be set so as to be most beneficial to the Township; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Bernards as a result of the aforesaid specific facts situation; and

WHEREAS, the Township Committee will make this settlement with Taxpayer without prejudice to its dealing with any other Bernards Township taxpayers' request for tax assessment reduction.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, as follows:

1. The Township of Bernards Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$2,017,900 total tax assessment reduction for the 2017 tax year for Block 11201, Lot 15, which most beneficial to the Township of Bernards and advised the Special Tax Attorney of that allocation.
2. The Special Tax Attorney is hereby authorized to execute the Stipulation of Settlement, a copy of which is annexed hereto relative to the tax appeal of 110 Allen Road LLC, Docket No: 006072-2017, reduces the 2017

total tax assessment on Block 11201, Lot 15 from a total tax assessment of \$22,195,900 to a reduced total tax assessment of \$20,178,000; all at allocations made by the Tax Assessor; which further provides that the taxpayer will waive interest on any refunds so long as refunds are paid within 60 days from the date of judgment to “Brach Eichler, LLC and Allen Road LLC” and mailed to Daniel J. Pollak, Esq., Brach Eichler, LLC, 101 Eisenhower Parkway, Roseland, New Jersey 07068-1067.

- The settlement outlined above shall be without prejudice to the Township’s dealings with any Township’s taxpayers’ request for tax assessment reductions.

Resolution #2018-0142 - *Issuance of a Rotational Towing License To Mike’s Towing & Recovery, Inc., 643 East Main Street, Bridgewater, NJ For the 2 Year Period of February 13th, 2018 to February 13th, 2020*

WHEREAS, Mike’s Towing & Recovery, Inc., 643 East Main Street, Bridgewater, NJ 08807 has applied for a Rotational Towing License for a two year period, February 13th, 2018 to February 13th, 2020 for the purpose of providing municipal towing services on behalf of the Township of Bernards; 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.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a Rotational Towing License be issued to Mike’s Towing & Recovery, Inc. for the 2 year period, February 13th, 2018 to February 13th, 2020.

Resolution #2018-0143 - *Authorization for Tax Refunds*

WHEREAS, a tax overpayment exists because the property owner or mortgage company erroneously prepaid for the year 2018 taxes; and

WHEREAS, the owner or mortgage company has requested from the tax collector that 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 refunds.

Block & Lot	Quarter & Year	Amount	Issue Refund To
3502/37/condo	2018	\$2,454.93	Dovenmuehle Mortgage Inc. 1206 St Charles Rd Elgin IL 60120
7401/6	2018	\$4,911.70	James J & Marcella M Strutt 43 Old Coach Rd Basking Ridge NJ 07920
5701/9	2018	\$3,858.17	Dovenmuehle Mortgage Inc. 1206 St Charles Rd Elgin IL 60120
4102/19	2018	\$4,325.58	Corelogic 3001 Hackberry Rd Irving TX 75063
6403/9	2018	\$5,396.66	Nationstar c/o Corelogic PO Box 9225 Coppell TX 75019-9768
9001/11.14/CONDO	2018	\$1,690.65	Nationstar c/o Corelogic 3001 Hackberry Rd Irving TX 75063
1610/7	2018	\$2,593.66	Corelogic PO Box 9205 Coppell TX 75019-9214
9001/113	2018	\$4,818.85	Wells Fargo Home Mortgage 1 Home Campus MAC X2302-04D Des Moines IA 50328
8301/11.01	2018	\$5,579.15	Ocwen Loan Servicing LLC Tax/Escrow Dept 1661 Worthington Rd Suite #100

			West Palm Beach FL 33409
1306/3	2018	\$3,141.13	Dovenmuehle Mortgage Inc. 1206 St Charles Rd Elgin IL 60120
4402/13	2018	\$6,568.68	Matthew & Joalice Smyth 415 Mine Brook Rd Far Hills NJ 07931
4001/10	2018	\$6,925.21	Daniel Rivera 34 Canter Dr Basking Ridge NJ 07920
6801/3	2018	\$3,834.80	Provident Funding Associates Attn: Tax Dept PO Box 5914 Santa Rosa CA 95402-5914

Resolution #2018-0144 - Change Order #1 – Increase of \$671.44 Professional Services Contract for Special Counsel Jonathan E. Drill, Esq., of the firm Stickel, Koenig, Sullivan & Drill, LLC, for a New Not to Exceed Amount of \$ 5,671.44

WHEREAS, the Bernards Township Committee adopted Resolution #2017-0080 on January 2, 2017 appointing Jonathan E. Drill, Esq., of the firm Stickel, Koenig, Sullivan & Drill, LLC., as Special Counsel; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Affordable Housing COAH, line account # T-13-56-055-COA.

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; Jonathan E. Drill, Esq., of the firm Stickel, Koenig, Sullivan & Drill, LLC in the amount of \$671.44 for a new not to exceed amount of \$5,671.44.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a notice of this resolution 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 following all terms of this award.

Jonathan E. Drill, Esq.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced amount of \$ 671.44 for a new not to exceed amount of \$5,671.44. Monies are available in the Affordable Housing COAH, line account # T-13-56-055-COA.

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Date: 2/6/2018

Terri Johnson
Chief Financial Officer

Resolution #2018-0145 - Return of Improvement Performance Surety for Pingry Athletic Center Phase 2 & 3 Block 11601 Lots 3.01

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

Name of Applicant: The Pingry Corporation
Address: 131 Martinsville Road
Basking Ridge, NJ 07920
Performance Surety: 800005267
Insurance Company: Atlantic Specialty Insurance Company
Address: 77 Water Street

New York, NY 10005

Amount: \$4,235,414.78

Cash Portion: \$470,601.64

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

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

WHEREAS, no Maintenance Surety required.

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

End Consent Agenda

[Resolution #2018-0128](#) - Award of Bid for Beechwood Road Storm Sewer to JTG Construction, Inc., 188 Jefferson Street, Suite 387, Newark, NJ 07105, in the Amount of \$559,200.00

Motion by Baldassare, second by Bianchi, that Resolution #2018-0128 be approved.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried

WHEREAS, the Township of Bernards received bids on Wednesday, January, 24, 2018, at 10:30 AM for Beechwood Road Storm Sewer:

BIDDERS NAME	TOTAL BID AMOUNT
JTG Construction, Inc.	\$559,200.00
Stilo Excavation, Inc.	\$679,473.25
M.S.P. Construction Corp.	\$685,140.00
Top Line Construction Corp.	\$744,258.71
Reivax Contracting Corp.	\$752,130.00
Your Way Construction, Inc.	\$764,203.25
AJM Contractors, Inc.	\$803,550.00
Lucas Construction Group, Inc.	\$834,436.00*
Salmon Brothers, Inc.	\$894,575.00
Sanitary Construction Company, Inc.	\$936,830.00
Colonnelli Brothers, Inc.	\$963,650.00

**represents corrected total due to arithmetic error in bid proposal*

WHEREAS, it is the combined recommendation of the Township Engineer, Administrator and Purchasing Agent to award the contract to JTG Construction, Inc., 188 Jefferson Street, Suite 387, Newark, NJ 07105, in the amount of \$559,200.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2366 line account #C-04-55-366-A03; and

WHEREAS, this contract has been awarded to JTG Construction, Inc., 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: JTG Construction, Inc., 188 Jefferson Street, Suite 387, Newark, NJ 07105, in the amount of \$559,200.00.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and JTG Construction, Inc. ("Contractor") shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the Beechwood Road Storm Sewer.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days 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 resolution as Exhibit B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon five (5) days written notice via certified mail.
8. The work contemplated under the Contract shall be completed within ninety (90) days of the Notice to Proceed.
9. The Contractor shall commence the work not later than ten (10) calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
10. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
11. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$500.00 per day for every day thereafter until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages.
12. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within ten (10) days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

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.

Ana Pimenta, President, JTG Construction, Inc.

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 \$559,200.00. Monies are available in the Capital Ordinance, #2366, line item account #C-04-55-366-A03.

Date: 1/30/2018

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Chief Financial Officer

[Ordinance #2377](#) - An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending the Revised General Ordinances of the Township of Bernards, Chapter 12, "Building and Housing", Regarding Preoccupancy Records Inspections (Zoning Records Clearance) – Introduction
The deputy clerk read the ordinance by title.

Motion by Malay, second by Gaziano, that Ordinance #2377 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 02/27/2018.

Roll Call:

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

Motion carried.

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 12, titled “Building and Housing”, Section 12-2, titled “Construction Records Clearance Required (CRC)”, § 12-2.3, titled “Preoccupancy records inspection”, of the Revised General Ordinances of the Township of Bernards shall be amended as follows (new text is underlined):

§ 12-2.3 Preoccupancy records inspection. [Ord. #1769, 12-28-2004, added]

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits or zoning permits on subject premises. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code certificates and zoning certificates shall be issued prior to issuance of the CRC.

Ordinance #2378 - *An Ordinance of the Township of Bernards to set Calendar Year 2018 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 – Introduction*

The deputy clerk read the ordinance by title.

Motion by Baldassare, second by Gaziano, that Ordinance #2378 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 02/27/2018.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its Calendar Year 2018 Budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Bernards in the County of Somerset finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1.0 % increase in the budget for said year, amounting to \$268,055.04 in excess of the 2.5 % (\$670,137.60) increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and may be necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Bernards shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, may be increased up to 3.5 %, amounting to no more than \$938,192.64, and that the CY 2018 municipal budget for the Township of Bernards be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

[Ordinance #2379](#) - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending the Code of the Township of Bernards, Chapter 21, "Revised Land Use Ordinances", Regarding Escrow Deposits for Variance Applications – Introduction ([Memo from David Schley, Township Planner](#))*

The deputy clerk read the ordinance by title.

Motion by Malay, second by Gaziano, that Ordinance #2379 be introduced on first reading, advertised as required by law, referred to the Planning Board, and schedule for a public hearing on 03/13/2018.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 21, titled "Land Development", Table 901, titled "Application Fee and Escrow Deposit Fee Schedule", of the Code of the Township of Bernards shall be amended as follows (new text is underlined; deletions are ~~stricken~~):

TABLE 901			
Application Fee and Escrow Deposit Fee Schedule			
		Application Fee¹	Escrow Deposit
1.	Subdivisions		
	a.	Minor	\$300 + \$50/lot
	b.	Preliminary plat, major	\$500 + \$100/lot
	c.	Final plat, major	\$300 + \$25/lot
2.	Site Plans		
	a.	Preliminary plan (residential) ²	\$500 + \$25/dwelling unit
	b.	Preliminary plan (nonresidential) ³	\$500 + \$0.02/sq. ft. of building floor area + \$25/acre
	c.	Final plan (residential)	\$300 + \$10/dwelling unit
	d.	Final plan (nonresidential)	\$300 + \$0.01/sq. ft. of building floor area + \$25/acre
3.	Conditional Use		
	a.	Supplementary apartment	\$150
	b.	Other	\$250 + \$0.10/sq. ft. of conditional use building or structure
4.	Variances		
	a.	Appeals (N.J.S.A. 40:55D-70a)	
		1. Single-family residential	\$50
		2. Other	\$150
	b.	Interpretations (N.J.S.A. 40:55D-70b)	
		1. Single-family residential	\$50
		2. Other	\$150
	c.	Bulk variance (N.J.S.A. 40:55D-70c)	
		1. Single-family residential	\$100
		2. Other	\$250
	d.	Special reasons (N.J.S.A. 40:55D-70d)	
			\$500

NOTES:

1. No application fee shall exceed \$15,000.
2. Any nonresidential buildings in a predominantly residential site plan shall pay an escrow deposit of \$0.03 per square foot of nonresidential building floor area in addition to the residential escrow deposit.
3. Any residences in a predominantly nonresidential site plan shall pay \$25 per dwelling unit escrow deposit in addition to the nonresidential escrow deposit.
4. Document imaging: All documents associated with an application shall be provided to the Board in the digital format specified in Appendix A, Article VII, Digital Submission Standards. For those applicants not providing these documents in digital format, the following amounts shall be due and payable at the time of application to defray the cost of document imaging:
 - (a) Subdivisions and site plans: \$150.
 - (b) Variances: \$25.
5. Tax Map revision fee. In addition to the application fees set forth in Subparagraphs 1 and 2 above, the following amounts shall be due and payable at the time of application to defray the cost of professional services required to effect revisions to the Tax Map necessitated by the development application:
 - (a) Minor subdivision plat: \$75.00 per lot.
 - (b) Final major subdivision plat: \$50.00 per lot.
 - (c) Site plan application creating condominium units (whether residential or commercial units): \$50.00 per unit.
6. Amended application. Application fee shall be 1/2 of the original application fee but not to exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit unless sufficient funds remain in the escrow account from the original application, such that the Board determines a lesser amount is adequate to cover anticipated bills.
7. Extension of preliminary approval, final approval, or variance approval. Application fee shall be 1/2 of the original application fee but not to exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit for preliminary or final extensions, and \$300 for variance extensions, unless sufficient funds remain in the escrow account from the original application.
8. Conceptual approval. In the event that the developer chooses to submit an application for conceptual approval of the development plan, 25% of the entire preliminary development plan application fee and the entire escrow amount shall be paid at the time of such submission and the remainder shall be payable at the time of the submission of a complete application for preliminary approval.
9. Waiver of fees. Charitable, philanthropic, fraternal and religious nonprofit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 [26 U.S.C. § 501(c) or (d)] shall pay one-half (1/2) of the normal application fee. All governmental agencies of the Township of Bernards are exempt from the payment of any fee required under this chapter.
10. Variances involving subdivisions or site plans shall be accompanied by the application fee and escrow deposit in #1 and #2.
11. Additional escrow funds shall be required by the Board when the escrow balance has been depleted below the amount of the original deposit. The additional deposit shall be an amount sufficient to restore the escrow balance to the amount of the original escrow deposit unless the Board determines a lesser amount is adequate to cover anticipated bills. Whenever additional funds are required, the applicant shall be notified in writing and the additional deposit shall be remitted to the Board Secretary within ten (10) days of the date of the written notification.
12. Modification or elimination of a condition contained in a previously adopted resolution of approval. Application fee shall be \$300. Escrow deposit shall be \$1,000.
13. Informal review pursuant to N.J.S. 40:55D-10.1. Application fee shall be \$100, which shall be a credit toward the fee for the application for development.

The Township Clerk is directed to give notice at least ten days prior to hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Somerset County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.

Ordinance #2380 - An Ordinance Accepting Walden Place – Introduction

The deputy clerk read the ordinance by title.

Motion by Malay, second by Baldassare, that Ordinance #2380 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 02/27/2018.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

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

Said roadway, being shown on a map entitled "Major Subdivision of Block 6101: Lots 4, 5 and 6 (Tax Map Sheet 61), Township of Bernards, Somerset County, NJ." as prepared by Page Engineering Consultants, P.C., dated 03-30-2006, last revised 02/01/2011 and filed in the Somerset County Clerk's Office on March 9, 2015, Book 6777, Page 1975-1976.

EXECUTIVE SESSION - [Resolution #2018-0122](#) (continuation of earlier session if required)

At 9:54 PM the committee resumed their Executive Session discussions authorized under Resolution #2018-0122 adopted earlier in the meeting.

ADJOURNMENT

The meeting resumed in open session at 10:24 PM and by unanimous consent immediately adjourned.

Respectfully submitted,

Rhonda Pisano
Deputy Municipal Clerk

John Carpenter
Mayor