

TABLE OF CONTENTS

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

April 24, 2018 – COMBINED AGENDA/REGULAR MEETING

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

CALL TO ORDER	3
ROLL CALL	3
EXECUTIVE SESSION - RESOLUTION #2018-0232	3
PUBLIC COMMENT	3
TOWNSHIP COMMITTEE/STAFF COMMENTS	4
UNFINISHED BUSINESS	4
<i>ORDINANCE #2385 - ACCEPTING A STORMWATER FACILITY MAINTENANCE AGREEMENT AND AN AMENDED WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 77 LIBERTY CORNER ROAD, BLOCK 9601, LOT 5.01, FROM UNITED STATES GOLF ASSOCIATION TO THE TOWNSHIP OF BERNARDS – PUBLIC HEARING</i>	
<i>ORDINANCE #2387 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS APPROPRIATING \$4,489,400.00 FOR VARIOUS CAPITAL IMPROVEMENTS – PUBLIC HEARING</i>	<i>4</i>
FIRE & RESCUE APPOINTMENT	4
<i>RESOLUTION #2018-0226 - APPOINTMENT TO MEMBERSHIP IN TOWNSHIP OF BERNARDS VOLUNTEER FIRST AID SQUAD OF THE BRFC #1 ADIL PATEL, FULL MEMBER</i>	
<i>RESOLUTION #2018-0226 - APPOINTMENT TO MEMBERSHIP IN TOWNSHIP OF BERNARDS VOLUNTEER FIRST AID SQUAD OF THE BRFC #1 ADIL PATEL, FULL MEMBER</i>	<i>4</i>
NEW BUSINESS	4
<i>CONSENT AGENDA</i>	
<i>Approval of Minutes - 04/10/2018 Open Session.....</i>	<i>5</i>
<i>Resolution #2018-0215 - Approval of the Bill List Dated 04/24/2018.....</i>	<i>5</i>
<i>Resolution #2018-0216 - Personnel Appointment, Eric Basek, Court Security Officer – Municipal Court.....</i>	<i>7</i>
<i>Resolution #2018-0217 - Claimant Certification Requirement</i>	<i>7</i>
<i>Resolution #2018-0218 - Acceptance of Bernards Township Environmental Commission 2017 Annual Report</i>	<i>7</i>
<i>Resolution #2018-0219 - Unused Vacation Accrual Due Detective William Seiple Bernards Township Police Department.....</i>	<i>9</i>
<i>Resolution #2018-0220 - Personnel Appointment, Thomas Morrell, Groundskeeper – Public Works Department.....</i>	<i>9</i>
<i>Resolution #2018-0221 - Personnel Appointment, Valerie Thornton, Senior Library Assistant Adult Circulation - Bernards Township Library.....</i>	<i>9</i>
<i>Resolution #2018-0222 - Personnel Appointment, Jorge Casacuberta, Superintendent of Public Works – Public Works Department.....</i>	<i>10</i>
<i>Resolution #2018-0224 - Authorization for Tax Refunds</i>	<i>10</i>
<i>Resolution #2018-0225 - In Recognition of the Harry W. and Patricia Knox Family as Honorees of The Order of the Friendly Sons of the Shillelagh.....</i>	<i>10</i>
<i>Resolution #2018-0227- Authorizing Submission of a Grant Proposal by the Friends of the Kennedy-Martin-Stelle Farmstead to the Somerset County Cultural and Heritage Commission for an Historic Preservation Grant in the amount of \$245,400.....</i>	<i>11</i>
<i>Resolution #2018-0228 - Acceptance of Donation and Insertion of Revenue Item Into the 2018 Golf Utility Budget \$10,561.00 from the United States Golf Association for the Purpose of Funding a SoloRider Golf Cart.....</i>	<i>12</i>
<i>Resolution #2018-0229 - Award of Bid for Lurline Drive and Hessian Street Reconstruction to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 In the Amount of \$832,819.32.....</i>	<i>13</i>

<i>Resolution #2018-0230 - Change Order #1 – Increase of \$7,500.00 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 \$ 12,500.00</i>	<i>14</i>
<i>Resolution #2018-0231 - Change Order # 1 – Increase of \$6,000.00 Professional Services Contract for Alternate Special Counsel Stephen O. Davis, Esq., of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. For a New Not to Exceed Amount of \$11,000.00 ...</i>	<i>15</i>
<i>RESOLUTION #2018-0223 - IN CELEBRATION OF THE 101ST BIRTHDAY OF FRANK CAVALLO.....</i>	<i>15</i>
<i>ORDINANCE #2388 - ACCEPTING A BIO-RETENTION BASIN, DRAINAGE & ACCESS EASEMENT ON PROPERTY LOCATED AT 3415 VALLEY ROAD, BLOCK 9002, LOT 1, FROM BONNIE BRAE TO THE TOWNSHIP OF BERNARDS - INTRODUCTION</i>	<i>16</i>
EXECUTIVE SESSION (CONTINUED FROM EARLIER SESSION IF REQUIRED).....	16
ADJOURNMENT.....	16

CALL TO ORDER

The mayor called the meeting to order at 7:30 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, Gaziano, Malay, Carpenter
Absent: Bianchi
Also Present: Assistant Administrator Monaco, Administrator McArthur, Attorney Belardo, and Deputy Clerk Pisano

EXECUTIVE SESSION - [Resolution #2018-0232](#)

Motion by Baldassare, second by Malay, and unanimously agreed that Resolution #2018-0232 be approved. The meeting temporarily adjourned to Executive Session at 7:32 PM. (Due to time constraints, the executive session discussions authorized under this resolution continued after the regular agenda items concluded.)

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>	Upon resolution
<input checked="" type="checkbox"/> Affordable Housing. 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 <i>South Jersey Publishing</i> , 124 NJ 478. Board Appointments.	Upon appointments

The meeting resumed in open session at 7:57 PM and stood in recess until 8:00 PM.

PUBLIC COMMENT

Todd Edelstein, Riverside Dr. commented on S Maple Ave. construction, township job postings, and election candidates.

Jorge Casacuberta, Murtle Rd, E. Brunswick commented on his pending employment with Bernards Township.

John Crane, Decker St, commented on problems with Verizon and broadcasting meetings.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their activities.

UNFINISHED BUSINESS

[Ordinance #2385](#) - *Accepting a Stormwater Facility Maintenance Agreement and an Amended Wetlands Conservation Easement on Property Located at [77 Liberty Corner Road, Block 9601, Lot 5.01](#), from United States Golf Association to the Township of Bernards – Public Hearing*

The deputy clerk read the ordinance by title and the mayor opened the public hearing. There were no comments and the hearing was closed.

Motion by Baldassare, second by Malay, that Ordinance #2385 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried

[Ordinance #2387](#) - *An Ordinance of the Township of Bernards Appropriating \$4,489,400.00 for Various Capital Improvements – Public Hearing*

The deputy clerk read the ordinance by title and the mayor opened the public hearing. There were no comments and the hearing was closed.

Motion by Malay, second by Gaziano, that Ordinance #2387 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried

FIRE & RESCUE APPOINTMENT

[Resolution #2018-0226](#) - *Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the BRFC #1 Adil Patel, Full Member*

Motion by Baldassare, second by Gaziano, and unanimously agreed that Resolution #2018-0226 be approved.

WHEREAS, § 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 #1 and the Liberty Corner First Aid Squad, Inc.; and

WHEREAS, the First Aid Squad of the BRFC #1 is recommending, Adil Patel, for appointment as a Full member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Adil Patel is hereby appointed as a member of the First Aid Squad of the BRFC #1 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 Malay, second by Baldassare, that Resolution #2018-0223 be removed from the Consent Agenda, and the remaining items be approved.

Roll Call:

Aye: Baldassare, Gaziano, Malay, Carpenter

Nay:

Abstain:
Motion carried.

**** Begin Consent Agenda ****

Approval of Minutes - 04/10/2018 Open Session

These minutes were approved for content and release.

Resolution #2018-0215 - Approval of the Bill List Dated 04/24/2018

BE IT RESOLVED, that the bill list dated 4/24/2018 be audited, and if found correct, be paid.

April 24, 2018
11:34 AM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 04/24/18 to 04/24/18
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					
115555	04/24/18	90038 FORGIONE, LUCY A.	514.40	1360	Direct Deposit
115556	04/24/18	90220 BETTLER, DENNIS	25.00	1360	Direct Deposit
115557	04/24/18	90224 CALLAHAN, DANIEL J	86.21	1360	Direct Deposit
115558	04/24/18	90227 SHIMSKY, MICHAEL	74.97	1360	Direct Deposit
115559	04/24/18	90239 SCHLEY, DAVID L	130.00	1360	Direct Deposit
115560	04/24/18	90326 O'CONNELL, JUDY	28.00	1360	Direct Deposit
115561	04/24/18	90403 MARTIN, DAVID	13.00	1360	Direct Deposit
115562	04/24/18	90507 GANDER, JENNIFER	25.28	1360	Direct Deposit
115563	04/24/18	90545 CONNOR, ANTHONY	27.00	1360	Direct Deposit
115564	04/24/18	90550 KRUG, JOHN	25.09	1360	Direct Deposit
115565	04/24/18	90552 HRABOVSKY, GEORGE	19.86	1360	Direct Deposit
115566	04/24/18	90563 CARTOCCIO, KAITLIN	55.00	1360	Direct Deposit
115567	04/24/18	90586 COLEMAN, SAMPSON	26.01	1360	Direct Deposit
115568	04/24/18	90603 LEONHARD, MARIA	200.00	1360	Direct Deposit
115569	04/24/18	90604 KIEFER, CYNTHIA	70.60	1360	Direct Deposit
115570	04/24/18	90613 RIVERA, ANNMARIE	62.00	1360	Direct Deposit
115571	04/24/18	A0035 PENWORTHY/AMERICAN MEDIA	155.26	1361	
115572	04/24/18	A0123 AMERICAN PUBLIC HEALTH ASSN	200.00	1361	
115573	04/24/18	A0126 AFLAC NEW YORK	347.48	1361	
115574	04/24/18	A0194 AARDVARK ENTERTAINMENT INC	1,575.00	1361	
115575	04/24/18	A0237 ACCUCUT SYSTEMS	54.00	1361	
115576	04/24/18	A0338 AFLAC	550.92	1361	
115577	04/24/18	A0398 STERLING BACKCHECK	152.00	1361	
115578	04/24/18	A0415 AAUW SOMERSET HILLS CHAPTER	91.00	1361	
115579	04/24/18	A0425 ATLANTIC TACTICAL	339.37	1361	
115580	04/24/18	A0461 ALBRECHT, JIM	2,100.00	1361	
115581	04/24/18	A0631 AROLDI, CARLEY	175.00	1361	
115582	04/24/18	B0001 BAKER & TAYLOR, INC.	4,561.18	1361	
115583	04/24/18	B0014 BREWER ASSOCIATES	95.69	1361	
115584	04/24/18	B0015 BRODART COMPANY	152.52	1361	
115585	04/24/18	B0026 BERNARDS TOWNSHIP CURRENT	3,521.81	1361	
115586	04/24/18	B0029 BERNARDS TWP BD OF EDUCATION	7,404,480.75	1361	
115587	04/24/18	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	526,549.28	1361	
115588	04/24/18	B0038 BERNARDS TOWNSHIP (COURT)	112.88	1361	
115589	04/24/18	B0044 BASKING RIDGE ANIMAL HOSPITAL	155.00	1361	
115590	04/24/18	B0058 BALLY'S ATLANTIC CITY	188.00	1361	
115591	04/24/18	B0076 BERNARDS TOWNSHIP TRUST FUND	175,000.00	1361	
115592	04/24/18	B0098 BERNARDS TOWNSHIP (RECREATION)	3,299.11	1361	
115593	04/24/18	B0203 DIFRANCESCO,BATEMAN,COLEY,YOSP	7,408.83	1361	
115594	04/24/18	B0616 BENCHMARK PROF SEMINARS INC	295.00	1361	
115595	04/24/18	B0633 BEST CLEANING BUILDING SERVICE	4,400.00	1361	
115596	04/24/18	B0734 BOSCOBEL RESTORATION, INC	1,430.00	1361	
115597	04/24/18	C0024 GANNETT NEW JERSEY NEWSPAPERS	13.76	1361	
115598	04/24/18	C0068 CENOGENICS CORPORATION	89.93	1361	
115599	04/24/18	C0083 CDW GOVERNMENT, INC.	28.74	1361	
115600	04/24/18	C0289 CHIEF SUPPLY	943.51	1361	
115601	04/24/18	C0345 COURIER NEWS SUBSCRIPTIONS	347.44	1361	
115602	04/24/18	C0443 57 WEST DEER PROCESSING	1,500.00	1361	
115603	04/24/18	C0482 CABLEVISION OF RARITAN VALLEY	34.95	1361	
115604	04/24/18	C0545 AHS HOSPITAL CORP	759.00	1361	
115605	04/24/18	C0597 CLIFFSIDE BODY CORPORATION	854.64	1361	
115606	04/24/18	C0606 CAPSTONE PRESS, INC.	167.86	1361	
115607	04/24/18	C0636 CENTER POINT LARGE PRINT	93.48	1361	
115608	04/24/18	C0777 CORELOGIC	5,675.62	1361	
115609	04/24/18	C0779 CASTRANOVO, DONNA & STEVEN	79.06	1361	
115610	04/24/18	C0781 CORELOGIC	5,992.87	1361	
115611	04/24/18	C0785 CAMPBELL, JESSICA & BRYAN	390.00	1361	
115612	04/24/18	C0786 CORDEIRO, VASCO & JANINE	25.00	1361	
115613	04/24/18	D0020 DELTA DENTAL OF NJ	12,645.31	1361	
115614	04/24/18	D0754 DC EXPRESS	562.00	1361	
115615	04/24/18	E0294 EORIO, LYNDSEY & DANIEL	390.00	1361	
115616	04/24/18	F0001 FEDEX	31.24	1361	
115617	04/24/18	F0158 FLEMINGTON DEPARTMENT STORE	261.45	1361	
115618	04/24/18	F0331 FAMULA, KIM	340.00	1361	
115619	04/24/18	F0362 FRENCH & PARRELLO ASSOC P. A.	1,457.50	1361	
115620	04/24/18	F0365 FUCHS, FRED & SPEAKMAN, SALLY	50.00	1361	
115621	04/24/18	G0004 GALLS, INC.	210.95	1361	
115622	04/24/18	G0066 GRAINGER INC	626.33	1361	
115623	04/24/18	G0098 JCP&L	17,424.38	1361	

115624	04/24/18	G0497	GARTH, LORI	75.00	1361
115625	04/24/18	G0592	GHANDI, DEEPAK & POOJA	320.00	1361
115626	04/24/18	H0312	HEFFERNAN, ROBERT F	5,706.25	1361
115627	04/24/18	H0398	HWANG, YOONHWA	390.00	1361
115628	04/24/18	H0399	HUANG, YANHUA	25.00	1361
115629	04/24/18	I0118	IZZO, MICHELLE	775.00	1361
115630	04/24/18	I0156	INAMPUDI, PADMA & SATISH	390.00	1361
115631	04/24/18	J0214	JIMENEZ, JULIEANNE	50.00	1361
115632	04/24/18	J0215	JOISH, VIJAY & SAHANA	390.00	1361
115633	04/24/18	K0039	KOBESKY, GREGG S.	467.49	1361
115634	04/24/18	K0259	KONICA MINOLTA PREMIER FINANCE	167.07	1361
115635	04/24/18	K0331	KONICA PREMIER FINANCE	82.60	1361
115636	04/24/18	L0187	LAKELAND BUS COMPANY	1,750.00	1361
115637	04/24/18	L0324	LUSARDI, DONALD & HEATHER	720.00	1361
115638	04/24/18	L0412	LEBOEUF, GLENN W.	225.00	1361
115639	04/24/18	L0416	LI, QINGWEI	25.00	1361
115640	04/24/18	M0008	MILLINGTON QUARRY, INC.	617,789.58	1361
115641	04/24/18	M0062	CAVENDISH SQUARE PUBLISHING	195.54	1361
115642	04/24/18	M0165	METRO HYDRAULIC JACK CO.	554.80	1361
115643	04/24/18	M0261	M.A.I.N., INC.	39.51	1361
115644	04/24/18	M0279	MITZNER, SCOTT C.	1,147.50	1361
115645	04/24/18	M0493	MCELROY, DEUTSCH, MULVANEY &	16,691.06	1361
115646	04/24/18	M0518	KONICA MINOLTA BUSINESS SOL.	38.67	1361
115647	04/24/18	M0518	KONICA MINOLTA BUSINESS SOL.	31.85	1361
115648	04/24/18	M0627	MODERN HANDLING EQUIPMENT CO	720.25	1361
115649	04/24/18	M0792	MAGNETMAILERS.COM, LLC	373.53	1361
115650	04/24/18	M0863	MELAMED, CHRISTINE	50.00	1361
115651	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	136.00	1361
115652	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	16.18	1361
115653	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	831.82	1361
115654	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	100.23	1361
115655	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	78.98	1361
115656	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	40.54	1361
115657	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	40.54	1361
115658	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	355.05	1361
115659	04/24/18	N0006	NEW JERSEY AMERICAN WATER CO.	95.08	1361
115660	04/24/18	N0017	NJ STATE LEAGUE OF MUNICIPAL.	115.00	1361
115661	04/24/18	N0030	NJ STATE ASSN.-CHIEFS/POLICE	298.00	1361
115662	04/24/18	N0389	NJ MOTOR VEHICLE COMMISSION	60.00	1361
115663	04/24/18	N0389	NJ MOTOR VEHICLE COMMISSION	60.00	1361
115664	04/24/18	N0468	NORCIA CORPORATION	6,177.50	1361
115665	04/24/18	N0470	NATIONWIDE	82.65	1361
115666	04/24/18	N0475	NATIONSTAR	1,720.99	1361
115667	04/24/18	O0003	ORIENTAL TRADING COMPANY, INC.	242.88	1361
115668	04/24/18	O0021	OFFICE DEPOT	1,290.96	1361
115669	04/24/18	O0102	OCLC, INC	193.94	1361
115670	04/24/18	P0014	PUBLIC SERVICE ELEC. & GAS CO	29,477.37	1361
115671	04/24/18	P0538	PROVIDENT LIFE & ACCIDENT	260.44	1361
115672	04/24/18	P0589	PETTET, ASHLEY	200.00	1361
115673	04/24/18	R0004	RECORDED BOOKS INC.	417.38	1361
115674	04/24/18	R0005	RECORDER PUBLISHING CO., INC	146.30	1361
115675	04/24/18	R0009	REGENT BOOK COMPANY INC.	44.94	1361
115676	04/24/18	R0010	REIDER ASSOCIATES	2,655.00	1361
115677	04/24/18	R0408	RADATA, INC	675.00	1361
115678	04/24/18	S0016	STORR TRACTOR COMPANY	11,592.21	1361
115679	04/24/18	S0067	SOMERSET COUNTY TREASURER	5,614,355.27	1361
115680	04/24/18	S0068	SOMERSET COUNTY TREASURER	531,897.65	1361
115681	04/24/18	S0072	SOMERSET COUNTY GOVERNING OFF.	35.00	1361
115682	04/24/18	S0083	SOMERSET COUNTY ASSESSORS ASSN	410.00	1361
115683	04/24/18	S0091	SOMERSET COUNTY TREASURER	56,015.61	1361
115684	04/24/18	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	216.00	1361
115685	04/24/18	S0135	CJHRC-CENTRAL JERSEY HOUSING	53,957.08	1361
115686	04/24/18	S0185	SUBURBAN JOINT INSURANCE FUND	167,357.49	1361
115687	04/24/18	S0191	SOMERSET COUNTY RECYCLING PROG	60,638.63	1361
115688	04/24/18	S0278	STATE TREASURER OF NEW JERSEY	50.00	1361
115689	04/24/18	S0443	STAPLES ADVANTAGE	129.99	1361
115690	04/24/18	S0456	STONE CENTER AT BRIDGEWATER	38.20	1361
115691	04/24/18	S0597	SHOWCASES	298.00	1361
115692	04/24/18	S0604	SMITH TRACTOR & EQUIPMENT, INC	285.30	1361
115693	04/24/18	S0659	SANTORO, RANDY	13.60	1361
115694	04/24/18	S0875	SUNLIGHT GENERAL CAPITAL	107.25	1361
115695	04/24/18	S0997	STREET COP TRAINING LLC	298.00	1361
115696	04/24/18	T0049	TROPICANA ATLANTIC CITY	79.31	1361
115697	04/24/18	T0051	TRI-COUNTY COURT ADMIN. ASSOC.	70.00	1361
115698	04/24/18	T0066	CENGAGE LEARNING CREDIT SVCS	523.51	1361
115699	04/24/18	T0074	TREASURER - STATE OF N.J.	350.00	1361
115700	04/24/18	T0088	TERRE CO. OF NJ, INC.	665.75	1361
115701	04/24/18	T0227	T.R.M. TRANSMISSIONS INC.	242.52	1361
115702	04/24/18	T0308	TORO NSN	1,740.00	1361
115703	04/24/18	T0378	THE GUARDIAN LIFE INS CO OF AM	83.88	1361
115704	04/24/18	T0402	TOWER AS CUST EBURY	52,625.56	1361
115705	04/24/18	T0422	TOMAHAWK LAKE , INC.	380.00	1361
115706	04/24/18	T0431	TILCON INC. OF NY	257,675.09	1361
115707	04/24/18	U0001	UNITEMP INC.	336.00	1361
115708	04/24/18	U0077	UTZ, JOHN	895.00	1361
115709	04/24/18	U0090	UNUM LIFE INSURANCE COMPANY	361.41	1361
115710	04/24/18	V0026	VNA OF SOMERSET HILLS	5,149.00	1361
115711	04/24/18	V0058	VERIZON	459.61	1361
115712	04/24/18	V0084	VERIZON	293.30	1361
115713	04/24/18	V0194	VANDYKE, GEORGE & MARILYN	180.00	1361
115714	04/24/18	W0014	BEYER-WARNOCK FLEET	1,248.59	1361
115715	04/24/18	W0016	WARRENVILLE TRUE VALUE	18.97	1361
115716	04/24/18	W0056	WELDON CONCRETE CO.	386.48	1361
115717	04/24/18	W0071	WARD, GORDON T	100.00	1361
115718	04/24/18	W0259	VENTURA, MIESOWITZ, KEOUGH &	5,889.00	1361
115719	04/24/18	W0320	WHITEHOUSE WIND SYMPHONY	500.00	1361
115720	04/24/18	W0339	W.B. MASON	310.98	1361
115721	04/24/18	W0358	WAVELENGTH AUDIO VIDEO LLC	950.00	1361
115722	04/24/18	X0005	XTEL COMMUNICATION	378.47	1361
115723	04/24/18	X0005	XTEL COMMUNICATION	2,149.74	1361

TOWNSHIP COMMITTEE MINUTES

04/24/2018

Page 6 of 16

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	154	0	15,715,966.02	0.00
Direct Deposit:	16	0	1,382.42	0.00
Total:	170	0	15,717,348.44	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	9,478.14	0.00	0.00	9,478.14
CURRENT FUND	8-01	14,658,069.46	0.00	0.00	14,658,069.46
DOG FUND	8-12	521.79	0.00	0.00	521.79
GOLF COURSE UTILITY	8-26	3,927.88	0.00	0.00	3,927.88
Year Total:		14,662,519.13	0.00	0.00	14,662,519.13
CAPITAL FUND	C-04	8,592.00	0.00	0.00	8,592.00
PUBLIC GRANTS	G-02	3,592.88	0.00	0.00	3,592.88
TRUST FUNDS	T-13	150,551.26	0.00	0.00	150,551.26
PROJECT		882,615.03	0.00	0.00	882,615.03
Total Of All Funds:		15,717,348.44	0.00	0.00	15,717,348.44

Resolution #2018-0216 - Personnel Appointment, Eric Basek, Court Security Officer – Municipal Court
WHEREAS, the part time position of Court Security Officer became vacant as a result of a resignation; and

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

WHEREAS, Eric Basek has applied for and is qualified to fill said position; and

WHEREAS, the Court Administrator, Township Administrator and Human Resources Officer recommend appointment of Eric Basek to part time Court Security Officer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Eric Basek be appointed part time Court Security Officer effective May 1, 2018, at an hourly rate of \$20.00 during municipal court operations.

Resolution #2018-0217 - Claimant Certification Requirement

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer of the Township of Bernards recommends that a claimant signature only be required for Refunds, Advance Payments, Employee Reimbursements, or for services provided exclusively and entirely by an individual (i.e. sole proprietors); and

WHEREAS, the Chief Financial Officer and Township Administrator recommend the adoption of this Claimant Signature policy.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that, effective immediately, claimant’s signatures will only be required for Refunds, Advance Payments, Employee Reimbursements, or for services provided exclusively and entirely by an individual.

Resolution #2018-0218 - Acceptance of Bernards Township Environmental Commission 2017 Annual Report

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

WHEREAS, the Environmental Commission is submitting a report pursuant to this requirement.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the following report be accepted.

The following is a summary of the 2017 activities of the Bernards Township Environmental Commission (“EC” or “Commission”).

Mission Statement

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

Goals

The Commission accomplishes its mission via:

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

2017 Summary

General:

As an advisory body, the EC continued to provide commentary to the Planning Board, Board of Adjustment, and Township Committee regarding environmental impacts and issues. During 2017, the EC:

- (a) Analyzed 24 Development Applications (Board of Adjustment/Planning Board Applications)
- (b) Conducted 5 tree removal site reviews

Budget

In 2017, the EC committee spent \$ 271.44 of the \$1,000.00 allotted budget.

2017 Accomplishments

The EC accomplished its mission in 2017 through the following initiatives:

Development Application Reviews

The EC reviews and comments on environmental concerns related to property development applications. The EC comments within 2017 calendar year emphasized green infrastructure to promote storm water infiltration; awareness of infill material for a proposed multi-use turf field; reminders of the Township’s website on organic yard care and Integrated Pest Management Resolution; and suggested stormwater best management practices to protect wetlands and surface water bodies.

Tree Removal Applications

The EC works cooperatively with the Township’s Shade Tree Commission and Engineering Department to assess proposed tree removal applications. The assessments focus on any safety issues associated with the tree; the health of the tree; and overall appropriateness of the removal requests. Typically tree removals are completed in conjunction with replacement/mitigation measures.

Public Comment

A public comment period is set aside in each meeting, which allows citizens to bring environmental questions and concerns to the attention of the EC. The public comments are recorded in the meeting minutes and, as appropriate, the EC advises the citizen(s) on the question itself or directs them to the proper Township personnel.

Charter Day:

The EC participated in Charter Day 2017 distributing informational materials on backyard composting and global food waste issues. We setup and staffed a booth displaying information on helpful hints to start composting on your own or improve any current composting activities. The EC would like to continue this Charter Day theme in the future and strives to introduce food waste recycling as part of Charter Day activities. The EC has established a long term goal of making Charter Day a “zero waste day” (https://en.m.wikipedia.org/wiki/Zero_waste).

The EC looks forward to continuing to serve Bernards Township and its residents in 2018.

Respectfully submitted on behalf of the Bernards Township Environmental Commission,

(Signed, April 9, 2018)

John Engdahl

Environmental Commission Chairperson, 2017

[Resolution #2018-0219](#) - *Unused Vacation Accrual Due Detective William Seiple Bernards Township Police Department*

WHEREAS, the Township Committee adopted Resolution No. 2018-0066 at their regularly scheduled meeting of January 2, 2018, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

WHEREAS, William Seiple's employment terminated on April 13, 2018; and

WHEREAS, per the requirements of the Township's Personnel Policy, William Seiple is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$56.24. If the employee uses vacation time prior to his resignation date, the calculation below could be less but not more.

	Total Hours Available	Amount Due
2017 Vacation Accrual	62.50	\$ 3,515.00
2018 Vacation Accrual	42.00	\$ 2,362.08
Total	104.50	\$ 5,877.08

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the unused accrued vacation payment be approved and distributed in the next available pay cycle.

CFO CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Police S&W, Line Account #7-01-25-240-101 (\$3,515.00) and Police S&W Line Account #8-01-25-240-101 (\$2,362.08) for an amount not to exceed \$5,877.08.

Date: 4/10/2018

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, CFO

[Resolution #2018-0220](#) - *Personnel Appointment, Thomas Morrell, Groundskeeper – Public Works Department*

WHEREAS, the full time Groundskeeper position become vacant due to a resignation; and

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

WHEREAS, Thomas Morrell has applied for and is qualified to fill said position; and

WHEREAS, the Superintendent of Public Works, Township Administrator and Chief Financial Officer/Human Resources Officer recommend appointment of Thomas Morrell to full time Groundskeeper.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Thomas Morrell be appointed full time Groundskeeper with a hire date of Monday, April 30, 2018 at an hourly rate of \$15.38 for a 40 hour work week. This offer of employment is contingent upon the results of pre-employment screening as per Township policy.

[Resolution #2018-0221](#) - *Personnel Appointment, Valerie Thornton, Senior Library Assistant Adult Circulation - Bernards Township Library*

WHEREAS, the full time Senior Library Assistant 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, Valerie Thornton 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 Valerie Thornton to the position of full time Senior Library Assistant.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Valerie Thornton be appointed full time Senior Library Assistant with a hire date of April 30, 2018 at an hourly rate of \$21.75 for a 35 hour work week.

Resolution #2018-0222 - Personnel Appointment, Jorge Casacuberta, Superintendent of Public Works – Public Works Department

WHEREAS, the full time position of Superintendent of Public Works become vacant due to a promotion; and

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

WHEREAS, Jorge Casacuberta has applied for and is qualified to fill said position; and

WHEREAS, the Township Administrator and Chief Financial Officer/Human Resources Officer recommend appointment of Jorge Casacuberta to full time Superintendent of Public Works.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jorge Casacuberta be appointed full time Superintendent of Public Works with a hire date of Monday, May 7, 2018 at an annual rate of \$125,000.00 for a 40 hour work week.

Resolution #2018-0224 - 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
1902/8	2018	\$7,869.98	Citimortgage Inc PO Box 23689 Rochester NY 14692
10002/8.01/condo	2018	\$2,619.02	Corelogic Attn: Refund Dept PO Box 9202 Coppell TX 75019-9766
8701/342/condo	2018	\$1,073.74	Kathleen O'Neill 103 Potomac Dr Basking Ridge NJ 07920
6902/6	2018	\$6,162.28	Garland & Ulla P Jenkins 240 Lyons Rd Basking Ridge NJ 07920
3704/1.02	2018	\$7,414.50	Peter & Lauren Seminara 24 Clairvaux Ct Basking Ridge NJ 07920
10002/9.03/condo	2018	\$5,426.81	Steven R Glickman 60 Battalion Dr Basking Ridge NJ 07920
10703/21	2018	\$3,804.46	Citimortgage, Inc PO Box 23689 Rochester NY 14692

Resolution #2018-0225 - In Recognition of the Harry W. and Patricia Knox Family as Honorees of The Order of the Friendly Sons of the Shillelagh

WHEREAS, Harry W. Knox proudly served his country as a Marine during World War II and the Korean War; and

WHEREAS, Harry W. Knox married Patricia Mooney on the anniversary of Pearl Harbor 12/07/1957 and was married for 31 years and blessed with 6 children; and

WHEREAS, Harry and Patricia were active members of the West Orange community and Harry was a founding father of the West Orange Chapter of the Friendly Sons of the Shillelagh, serving as President from 1967-1968 and 1981; and

WHEREAS, Pat relocated to the Basking Ridge section of Bernards Township in 1997 joining her daughter and family; and

WHEREAS, the youngest son of Harry and Patricia, Thomas P. Knox, lost his life on 09/11/2001 and the Thomas P. Knox Memorial Foundation was created to provide financial scholarships to qualified students of Seton Hall Preparatory School and other charities to keep Tommy's legacy alive.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards recognizes the Harry W. and Patricia Knox Family as Honorees of The Order of the Friendly Sons of the Shillelagh and is grateful for their family's outstanding service to the community.

[Resolution #2018-0227- Authorizing Submission of a Grant Proposal by the Friends of the Kennedy-Martin-Stelle Farmstead to the Somerset County Cultural and Heritage Commission for an Historic Preservation Grant in the amount of \\$245,400](#)

WHEREAS, the Township Committee of the Township of Bernards acquired the Kennedy-Martin-Stelle Farmstead as part of an open space acquisition; and

WHEREAS, the Township Committee of the Township of Bernards recognizes the historical significance of the Kennedy-Martin-Stelle Farmstead and believes it prudent to preserve; and

WHEREAS, the Kennedy-Martin-Stelle Farmstead is a community landmark that reflects the rich heritage of Bernards Township; and

WHEREAS, Bernards Township acquired the property with municipal open space funds in 1999; in 2001 appointed a task force to preserve the Farmstead; and undertook successful preservation grant requests totaling \$839,657; and

WHEREAS, the Township Committee has entrusted the Friends of the Kennedy-Martin-Stelle Farmstead to be stewards of the Farmstead Property; and

WHEREAS, it is the mission of the Friends of the Kennedy-Martin-Stelle Farmstead to preserve and operate the Farmstead, which is listed on the New Jersey and National Registers of Historic Places, as Farmstead Arts, a non-profit center for fine, performing and practical arts; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2010 grant for \$176,483 from the Garden State Historic Preservation Trust to prepare the interior of the English Barn for public use, including the elevation of two transverse beams that limited use of the west end of the barn, installation of a concrete slab and partial wood floor; and a weather-tight emergency-egress door on the south side of the barn; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2014 grant for \$140,424 from the Somerset County Historic Preservation Grant program to prepare the English Barn for three season, ADA compliant occupancy including installing a north entrance store front, basic lighting fixtures and exterior lights, a rat slab in the drop stalls, preservation of the drop stall flapper doors and drop stall and view panel lighting; to repair and stabilize the basement steps, finish off the plaster ceiling in the dining room and install fire resistant sheet rock in the closet under the second floor staircase in the farmhouse; to preserve and restore the Ice House roof; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2016 grant for \$188,433 from the Somerset County Historic Preservation Grant program to enhance utilization to and access of the English Barn by stabilizing the storage platform level above the dropped stalls at the east end of the barn and to stabilize and close the exterior envelope of the Cow Shed including demolition of the non-historic west aisle, new concrete footings for wood posts, repairs to and reinforcement of surviving heavy timber frame, new wood shingle roof and clapboard siding, including painting, and new doors and windows at the building perimeter; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead believe it is imperative to complete the requested work to improve the overall usability, accessibility and safety of the Farmstead; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead believe the requested work to the cow shed, dairy barn foundation adjacent to the English Barn and the ADA improvements are necessary as these structures and areas contribute to the unique historic assemblage that makes the Farmstead such a valuable resource for historical education; and

WHEREAS, the requested funds will enable preparation of the English Barn and Cow Shed for three season, day and evening, ADA compliant public use, will contribute to the safety of the English Barn and the Cow Shed; and

WHEREAS, fine and performing artists and practical arts practitioners are already using the Farm House and English Barn for fine and performing arts programming; and

WHEREAS, the English Barn, Farm House, Cow Shed, Ice House and Well House at the Farmstead have been preserved and restored with generous assistance from Bernards Township, Somerset County, the Historical Society of the Somerset Hills, the New Jersey Historic Trust, the 1772 Foundation, the Bernardsville Rotary Club, the Bona Fides of Basking Ridge, members of the Friends of the Kennedy-Martin-Stelle Farmstead, foundations, and over 140 local volunteers; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead undertook successful preservation grant requests including twelve Somerset County Historic Preservation Grants totaling \$1,506,777, two Garden State Preservation Trust Grants totaling \$616,393, and a 1772 Foundation Grant for \$11,500, and successfully managed the use of these grants; and

WHEREAS, the Township Committee of the Township of Bernards believes this property is an excellent candidate for a grant from the Somerset County 2018 Historic Preservation Grant Program; and

WHEREAS, there are no Township of Bernards matching funds required.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize the Kennedy-Martin-Stelle Farmstead to submit a grant application to the Somerset County 2018 Historic Preservation Grant Program.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor and Clerk are hereby authorized to sign the grant on behalf of the township.

Resolution #2018-0228 - Acceptance of Donation and Insertion of Revenue Item Into the 2018 Golf Utility Budget \$10,561.00 from the United States Golf Association for the Purpose of Funding a SoloRider Golf Cart

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a donation of \$10,561.00 from the Employee Giving Campaign of the United States Golf Association for the purpose of funding the purchase of a SoloRider golf cart and wishes to amend its 2018 budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bernards hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Golf Utility Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written

Consent of Director of Local Government Services - Donation Revenues Offset with Appropriations:

2018 USGA – SoloRider Golf Cart

BE IT FURTHER RESOLVED that a like sum of \$10,561.00 total be and the same is hereby appropriated under the caption of:

Golf Utility General Appropriations:
 (A) Operations – Other Expenses
 2018 USGA – SoloRider Golf Cart

[Resolution #2018-0229](#) - Award of Bid for Lurline Drive and Hessian Street Reconstruction to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 In the Amount of \$832,819.32

WHEREAS, the Township of Bernards received bids on Wednesday, April 11, 2018, at 10:30 AM for Lurline Drive and Hessian Street Reconstruction:

BIDDERS NAME	TOTAL BID AMOUNT
Top Line Construction Corp.	\$832,819.32
Reivax Contracting	\$880,642.00*
AJM Contractors, Inc.	\$903,345.00

**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 Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876, in the amount of \$832,819.32; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2382 line account #C-04-55-382-A01; and

WHEREAS, this contract has been awarded to Top Line Construction Corp., 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 Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876, in the amount of \$832,819.32.

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 Top Line Construction Corp. ("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 Lurline Drive and Hessian Street Reconstruction.
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 by August 15th, 2018.
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.

Steve Castela, President, Top Line Construction Corp.

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 \$832,819.32. Monies are available in the Capital Ordinance #2382 line item account #C-04-55-382-A01.

Date: 4/18/2018

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson, Chief Financial Officer

[Resolution #2018-0230](#) - Change Order #1 – Increase of \$7,500.00 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 \$ 12,500.00

WHEREAS, the Bernards Township Committee adopted Resolution #2018-0080 on January 2, 2018 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 2018 Current Fund Budget – Legal Fees and Compensation, line account # 8-01-20-155-204.

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 \$7,500.00 for a new not to exceed amount of \$12,500.00.

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 \$ 7,500.00 for a new not to exceed amount of \$ 12,500.00. Monies are available in the 2018 Current Fund Budget – Legal Fees and Compensation, line account # 8-01-20-155-204.

Date: 4/18/2018

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Terri Johnson
Chief Financial Officer

[Resolution #2018-0231](#) - Change Order # 1 – Increase of \$6,000.00 Professional Services Contract for Alternate Special Counsel Stephen O. Davis, Esq., of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. For a New Not to Exceed Amount of \$11,000.00

WHEREAS, the Bernards Township Committee adopted Resolution #2018-0012 on January 2, 2018 appointing Stephen O. Davis, Esq., of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C.; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2018 Current Fund Budget – Legal Fees and Compensation, line account #8-01-20-155-204, and Board of Health Fees and Compensation #8-01-27-330-204.

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; Stephen O. Davis, Esq., of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C in the amount of \$6,000.00 for a new not to exceed amount of \$11,000.00.

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.

Stephen O. Davis, Esq. of the Firm DiFrancesco Bateman, Coley,
Yospin, Kunzman, Davis, Lehrer & Flaum, P.C.,

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 for an additional amount of \$6,000.00 for a new not to exceed amount of \$11,000.00. Monies are available in the 2018 Current Fund Budget – Legal Fees and Compensation, line account # 8-01-20-155-204, and Board of Health Fees and Compensation #8-01-27-330-204

Terri Johnson
FOR TREASURY
CERTIFICATION ONLY

Date: 4/18/2018

Terri Johnson
Chief Financial Officer

****End Consent Agenda****

[Resolution #2018-0223](#) - In Celebration of the 101st Birthday of Frank Cavallo

Motion by Malay, second by Gaziano, and unanimously agreed that Resolution #2018-0223 be approved.

WHEREAS, Frank Cavallo of Basking Ridge celebrated his 101st birthday on April 10, 2018; and

WHEREAS, Frank Cavallo, born in Union NJ, is a first generation American whose parents immigrated from Naples, Italy; and

WHEREAS, Frank who married his wife of 45 years Minnie in June of 1951 and settled in the Basking Ridge section of Bernards Township in 1958; and

WHEREAS, Frank was a jeweler by profession in Millburn, NJ and also raised and sold rabbits at auction in Hackettstown, NJ; and

WHEREAS, Frank enjoys dancing claiming to be “a mean Lindy dancer” and is an avid gardener with a large fruit and vegetable garden and grows beautiful flower gardens; and

WHEREAS, Frank received a birthday card from President Trump for his 100th birthday.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards recognizes and salutes Frank Cavallo on achieving over a century of living.

Ordinance #2388 - Accepting a Bio-Retention Basin, Drainage & Access Easement on Property Located at 3415 Valley Road, Block 9002, Lot 1, from Bonnie Brae to the Township of Bernards - Introduction

The deputy clerk read the ordinance by title. Motion by Malay, second by Gaziano, that Ordinance #2388 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 05/15/2018.

Roll Call:

Aye: Baldassare, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey as follows:

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Bonnie Brae, having an address at P.O. Box 825, 3415 Valley Road, Basking Ridge, New Jersey, 07920, a Bio-Retention Basin, Drainage & Access Easement on Block 9002, Lot 1, in Bernards Township.
2. The agreement and easement are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

EXECUTIVE SESSION (continued from earlier session if required)

At 8:30 PM the committee resumed their Executive Session discussions authorized under Resolution #2018-0232 adopted earlier in the meeting.

ADJOURNMENT

The meeting resumed in open session at 8:53 PM and by unanimous consent immediately adjourned.

Respectfully submitted,

Rhonda Pisano
Deputy Municipal Clerk

John Carpenter
Mayor