

# TABLE OF CONTENTS

## BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

May 29, 2018 – COMBINED AGENDA/REGULAR MEETING

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

CALL TO ORDER .....	3
ROLL CALL.....	3
RESOLUTION #2018-0262 - AUTHORIZING AN EXECUTIVE SESSION MEETING OF THE BERNARDS TOWNSHIP COMMITTEE.....	3
PRESENTATION - STATE CHIEF'S ASSOCIATION POLICE ACCREDITATION AWARD .....	4
RESOLUTION #2018-0263 – COMMENDATION ON THE OCCASION OF YOUR RETIREMENT, BRUCE D. MCARTHUR, TOWNSHIP ADMINISTRATOR.....	4
PUBLIC COMMENT.....	4
CORRESPONDENCE.....	5
TOWNSHIP COMMITTEE/STAFF COMMENTS.....	5
FIRE & RESCUE APPOINTMENT .....	5
<i>RESOLUTION #2018-0270 - APPOINTMENT TO MEMBERSHIP IN TOWNSHIP OF BERNARDS VOLUNTEER FIRST AID SQUAD OF THE BASKING RIDGE FIRE COMPANY #1- EMMA RENZ, JUNIOR MEMBER; LIBERTY CORNER FIRE COMPANY- WILLIAM ALLEN, FULL MEMBER.....</i>	5
UNFINISHED BUSINESS.....	5
<i>PRESENTATION - DAY PITNEY REPRESENTING LCB SENIOR LIVING – REQUEST TO AMEND E-4 ZONING TO PERMIT A SENIOR LIVING FACILITY AT 219 MT. AIRY RD., B2301/L31 .....</i>	5
<i>ORDINANCE #2389 - ACCEPTING A THIRD AMENDED DECLARATION OF RESTRICTIONS RELATING TO PROPERTY LOCATED AT 37 KENWORTHY COURT, BLOCK 7301, LOT 42.04, FROM KENNETH S. PIZZO, JR. AND MEAGHAN PIZZO TO THE TOWNSHIP OF BERNARDS – PUBLIC HEARING .....</i>	5
<i>ORDINANCE #2390 - AN ORDINANCE ACCEPTING TALL TIMBER LANE – PUBLIC HEARING .....</i>	6
<i>ORDINANCE #2391 - AN ORDINANCE TO AMEND SALARY ORDINANCE #2345, FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BERNARDS ON AND AFTER MAY 29, 2018 – PUBLIC HEARING .....</i>	6
NEW BUSINESS.....	6
CONSENT AGENDA .....	6
<i>Approval of Minutes .....</i>	6
<i>05/15/2018 Open Session.....</i>	6
<i>05/15/2018 Executive Session.....</i>	6
<i>Resolution #2018-0237 - Appointment of Suburban Municipal Joint Insurance Fund Commissioner Sean McCarthy and Pat Monaco as Alternate.....</i>	7
<i>Resolution #2018-0250 - Appointment of an Additional Alternate Prosecutor, Brian Davis, Alternate #4.....</i>	7
<i>Resolution #2018-0260 - Approval of the Bill List Dated 05/29/2018.....</i>	7
<i>Resolution #2018-0261 - Requesting a Change In Title or Text of the 2018 Adopted Budget, Pursuant to NJS 40A:4-85.....</i>	9
<i>Resolution #2018-0264 - Authorization to Continue Existing Lease of Lyons Parking Area with New Jersey Transit on a Month to Month Basis While a New Agreement is Negotiated.....</i>	10
<i>Resolution #2018-0265 - Award of Bid for 2018 Road Improvements to AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011, in the Amount of \$1,654,763.75 .....</i>	10

<i>Resolution #2018-0266 - Authorization for Tax Refunds .....</i>	<i>12</i>
<i>Resolution #2018-0267- Approval of Special Event Permit Bernards Township Health Department, Twilight Challenge 5K Run – 06/03/2018 .....</i>	<i>12</i>
<i>Resolution #2018-0268 - Award of Purchase Order Authorizing and Approving Purchase of One (1) TC06 –Enforcer Pumper from Pierce Manufacturing Inc., a member of the Houston-Galveston Area Council Contract FS12-17 In the Amount Not to Exceed \$648,478.11.....</i>	<i>12</i>
<i>Resolution#2018-0269 - Authorizing the Mailing of Estimated 3rd Quarter 2018 Tax Bills .....</i>	<i>13</i>
<i>ORDINANCE #2392 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS, COUNTY OF SOMERSET, NEW JERSEY, REPEALING AND REPLACING SUBSECTION 6-4.3 ENTITLED “OPEN ADMISSION TO THE PUBLIC” OF SECTION 6-4 ENTITLED “REGULATIONS” OF CHAPTER 6 ENTITLED “ALCOHOLIC BEVERAGE CONTROL” WITH NEW SUBSECTION 6-4.3 ENTITLED “RESERVED” – INTRODUCTION .....</i>	<i>14</i>
<i>ORDINANCE #2393 - ACCEPTING VARIOUS EASEMENTS ON PROPERTY PRESENTLY KNOWN AS 3526 &amp; 3536 VALLEY ROAD, BLOCK 7702, LOTS 10 &amp; 11, TO BE KNOWN AFTER SUBDIVISION AS BLOCK 7702, LOTS 10.01 THRU 10.05 (FENWICK PLACE), FROM FENWICK BASKING RIDGE, LLC, TO THE TOWNSHIP OF BERNARDS, RELATING TO A SUBDIVISION APPROVAL GRANTED TO CHRISTOPHER BELL AND CC EDWARDS DEVELOPERS, LLC – INTRODUCTION .....</i>	<i>14</i>
<b>EXECUTIVE SESSION (CONTINUATION OF EARLY SESSION IF REQUIRED).....</b>	<b>15</b>
<b>ADJOURNMENT.....</b>	<b>15</b>

## 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, Bianchi, Gaziano (7:38 PM), Malay, Carpenter

Absent:

Also Present: Outgoing Administrator McArthur, Incoming Administrator Monaco, Attorney Belardo, Engineer Timko, and Municipal Clerk/Assist. Admin. Szabo

## **RESOLUTION #2018-0262 - Authorizing an Executive Session Meeting of the Bernards Township Committee**

Motion by Baldassare, second by Bianchi, and unanimously agreed that Resolution #2018-0262 be approved. The meeting temporarily adjourned to Executive Session at 7:31 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> <b>Affordable Housing Litigation SOM-L-899-15</b> <b>MTGLQ Investors v. Martin – 196 English Place</b>	Upon resolution Upon resolution
<input checked="" type="checkbox"/> 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. <b>Board Appointments</b>	Upon appointment.

The meeting resumed in open session at 8 PM.

**PRESENTATION - State Chief's Association Police Accreditation Award**

Mr. Delgado, NJ State Chief's of Police Association, Accreditation Program Manager, presented the award to Police Chief Mike Shimsky. Accredited status represents a significant professional achievement for the department which is evaluated on its implementation of nationally recognized best practices.

Accreditation is a process and time-proven method of assisting law enforcement agencies to calculate and improve their overall performance and lower liability costs. The foundation of Accreditation lies in the adoption of standards containing a clear statement of professional objectives.

Bernards Township is one of only seven municipalities in Somerset County to achieve Accreditation status. This will be the third re-accreditation for the department since its initial award in 2007.

**RESOLUTION #2018-0263 – Commendation on the Occasion of Your Retirement, Bruce D. McArthur, Township Administrator**

Motion by Malay, second by Gaziano, and unanimously agreed that the resolution be approved.

**WHEREAS**, Bruce D. McArthur has been a dedicated employee of Bernards Township since 1986 having served in the positions of Accounts Clerk/Computer Operator, Treasurer, Purchasing Agent, and Chief Financial Officer, currently serving as Administrator; and

**WHEREAS**, in addition to his employee positions, he has served on the Bernards Township Computer Study Task Force, the Greenways Advisory Committee, the Open Space Advisory Committee, the Personnel Subcommittee, the Police Subcommittee, the DPW Subcommittee, the Local Emergency Planning & Flood Mitigation Committee, the Green Team, and as the certification officer for the PFRS and PERS Pension Funds. In addition, he served as a Commissioner, Secretary and as the Chairman, of the Joint Insurance Fund; and

**WHEREAS**, some of his many accomplishments include renewing the AAA Bond Rating, facilitating the transition to zero debt, farmland preservation, succession planning, funding and installation of turf fields, emergency management during and in the aftermath of Hurricane Sandy, USGA change of address, solar landfill project, certification in Sustainable Jersey, reducing the town's carbon footprint, embracing technology in all departments, implementation of SwiftReach, moving police dispatch to the County, and renovating the Warren Craft meeting room; and

**WHEREAS**, as a lifelong resident of Bernards Township, his remarkable success as a public servant is directly attributable to his love for Bernards Township and his reliance on the time-honored value of hard-work and common sense; and

**WHEREAS**, Bruce D. McArthur has inspired, has mediated, has mentored and directed employees as part of his everyday work, while always respecting an employee's individuality, talents and creativity, presenting them with opportunities to prosper and advance; and

**WHEREAS**, Bruce D. McArthur served with acumen and alacrity, earning the respect of his peers and superiors alike for the exemplary quality of his work, best known for his analytical skills regarding budgeting and financing ensuring a fiscally sound Township.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, on behalf of the staff and citizenry of Bernards Township, we commend you on your extraordinary service to Bernards Township, and wish you health and happiness in your retirement.

**PUBLIC COMMENT**

Bill Allen, Holmesbrook Road, thanked McArthur's for his service.

Several additional members of the public commented on McArthur's service.

Brian Lawrence and Jack Alias, Fellowship Village, commented on proposed amendment to E4 Zone.

Joan Harris, Watchung Drive, commented on affordable housing and the stigma-free resolution adopted at the last meeting.

The following commented on the LCB Senior Living proposal:

Rita Zarabara, Thackeray Drive

Sharon Vopal, Evergreen Place

James Wilson, Fellowship Road

Todd Edelstein, Riverside Drive

**CORRESPONDENCE**

Nothing listed.

**TOWNSHIP COMMITTEE/STAFF COMMENTS**

Committee and staff members reported on their activities.

**FIRE & RESCUE APPOINTMENT**

[Resolution #2018-0270](#) - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1- Emma Renz, Junior Member; Liberty Corner Fire Company-William Allen, Full Member

Motion by Bianchi, second by Malay, and unanimously agreed that Resolution #2018-0270 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**, First Aid Squad of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Co. are respectively recommending the following individuals for appointment:

NAME	ADDRESS	MEMBER STATUS	AGENCY
Emma Renz	89 Riverside Dr. Basking Ridge NJ 07920	Junior	First Aid Squad of Basking Ridge Fire Company #1
William Allen	33 Decker Street Basking Ridge NJ 07920	Full	Liberty Corner Fire Company

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

**UNFINISHED BUSINESS**

[Presentation - Day Pitney Representing LCB Senior Living – Request to Amend E-4 Zoning to Permit a Senior Living Facility at 219 Mt. Airy Rd., B2301/L31](#)

Thomas J. Malman, Esq., representing LCB Senior Living made a presentation to the committee on the proposed development on the property of a new senior living facility consisting of approximately 94 units - 67 assisted living units and 27 memory care units, ten percent of which will be affordable units. They are requesting an amendment to the E-4 zone to permit the project.

Tedd Dole, Rob Moschello and Lee Blum of LCB spoke about the suitability of the site, staffing and their marketing research. They indicated the facility would be tax positive for the township and have a low traffic impact. They are sensitive to the demands on the volunteer EMS services and have already reached out to the BRFC #1 Chief and Atlantic Health Care to explore private ambulance services. They indicated that the proposed affordable housing set-aside could be adjusted upwards.

The committee made no decision regarding the proposal.

[Ordinance #2389](#) - Accepting a Third Amended Declaration of Restrictions Relating to Property Located at 37 Kenworthy Court, Block 7301, Lot 42.04, from Kenneth S. Pizzo, Jr. and Meaghan Pizzo to the Township of Bernards – Public Hearing

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

Motion by Malay, second by Gaziano, that Ordinance #2389 be adopted and advertised as required by law.

Roll Call:

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

[Ordinance #2390](#) - *An Ordinance Accepting Tall Timber Lane – Public Hearing*

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

Motion by Malay, second by Baldassare, that Ordinance #2390 be adopted and advertised as required by law.

Roll Call:

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

[Ordinance #2391](#) - *An Ordinance to Amend Salary Ordinance #2345, Fixing the Compensation of Certain Officers and Employees of the Township of Bernards on and After May 29, 2018 – Public Hearing*

Baldassare recused himself from this matter and left the dais.

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

Motion by Bianchi, second by Malay, that Ordinance #2391 be adopted and advertised as required by law.

Roll Call:

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

## **NEW BUSINESS**

### ***Consent Agenda***

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

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

Roll Call:

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

**\*\* Begin Consent Agenda\*\***

### ***Approval of Minutes***

#### ***05/15/2018 Open Session***

These minutes were approved for content and release.

#### ***05/15/2018 Executive Session***

These minutes were approved for content only.

Resolution #2018-0237 - Appointment of Suburban Municipal Joint Insurance Fund Commissioner Sean McCarthy and Pat Monaco as Alternate

WHEREAS, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, pursuant to Article III.1.a. of the By-Laws of the Suburban Municipal Joint Insurance Fund, each member shall appoint one commissioner to the fund and each member shall select either a member of its governing body or one of its employees to serve in this capacity; and

WHEREAS, Bruce McArthur is retiring effective June 1, 2018, it is necessary to appoint a replacement Commissioner and Alternate Commissioner

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do hereby appoint Sean McCarthy as the JIF Fund Commissioner, and Pat Monaco to act as the Alternate Commissioner for the remainder of the term to expire 12/31/2018.

Resolution #2018-0250 - Appointment of an Additional Alternate Prosecutor, Brian Davis, Alternate #4

WHEREAS, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, pursuant to Article III.1.a. of the By-Laws of the Suburban Municipal Joint Insurance Fund, each member shall appoint one commissioner to the fund and each member shall select either a member of its governing body or one of its employees to serve in this capacity; and

WHEREAS, Bruce McArthur is retiring effective June 1, 2018, it is necessary to appoint a replacement Commissioner and Alternate Commissioner

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do hereby appoint Sean McCarthy as the JIF Fund Commissioner, and Pat Monaco to act as the Alternate Commissioner for the remainder of the term to expire 12/31/2018.

Resolution #2018-0260 - Approval of the Bill List Dated 05/29/2018

**BE IT RESOLVED**, that the bill list dated 05/29/2018 be audited, and if found correct, be paid.

May 29, 2018  
01:08 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: 05/29/18 to 05/29/18  
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					
115989	05/29/18	90159 VOORHEES, MICHAEL	228.36	1367	Direct Deposit
115990	05/29/18	90224 CALLAHAN, DANIEL J	44.26	1367	Direct Deposit
115991	05/29/18	90225 LEOPOLD, MARK	282.72	1367	Direct Deposit
115992	05/29/18	90229 WERNER, HENRY	135.00	1367	Direct Deposit
115993	05/29/18	90267 AMERMAN, GLEN	34.64	1367	Direct Deposit
115994	05/29/18	90315 JOHNSON, TERRI	18.16	1367	Direct Deposit
115995	05/29/18	90388 O'GRADY, SEAN	40.00	1367	Direct Deposit
115996	05/29/18	90395 NERI, MARK	33.94	1367	Direct Deposit
115997	05/29/18	90405 RYAN, ELLEN (391RYA01)	50.00	1367	Direct Deposit
115998	05/29/18	90507 GANDER, JENNIFER	639.34	1367	Direct Deposit
115999	05/29/18	90545 CONNOR, ANTHONY	27.00	1367	Direct Deposit
116000	05/29/18	90563 CARTOCCIO, KAITLIN	248.92	1367	Direct Deposit
116001	05/29/18	90592 MCARTHUR, DONNA (390MCA01)	28.94	1367	Direct Deposit
116002	05/29/18	90593 SKWIRUT, DANA (391SKW01)	29.75	1367	Direct Deposit
116003	05/29/18	A0028 AMERICAN PUBLIC WORKS ASSN.	700.00	1368	
116004	05/29/18	A0044 APPROVED FIRE PROTECTION SYS	195.20	1368	
116005	05/29/18	A0162 ACME DIESEL ELECTRIC, INC.	4,894.01	1368	
116006	05/29/18	A0168 ALLIED OIL COMPANY, LLC	11,691.00	1368	
116007	05/29/18	A0174 ALL SPORTS STADIUM, LLC	4,909.30	1368	
116008	05/29/18	A0398 STERLING BACKCHECK	215.00	1368	
116009	05/29/18	A0425 ATLANTIC TACTICAL	161.90	1368	
116010	05/29/18	B0001 BAKER & TAYLOR, INC.	4,225.23	1368	
116011	05/29/18	B0015 BRODART COMPANY	133.82	1368	
116012	05/29/18	B0026 BERNARDS TOWNSHIP CURRENT	42,662.97	1368	
116013	05/29/18	B0029 BERNARDS TWP BD OF EDUCATION	7,404,480.75	1368	
116014	05/29/18	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	551,170.19	1368	
116015	05/29/18	B0098 BERNARDS TOWNSHIP (RECREATION)	1,290.71	1368	
116016	05/29/18	B0203 DIFRANCESCO, BATEMAN, COLEY, YOSP	3,782.23	1368	
116017	05/29/18	B0241 BANISCH ASSOCIATES, INC.	1,443.25	1368	

116018	05/29/18	B0388	BLACKSTONE AUDIO BOOKS	127.80	1368
116019	05/29/18	B0525	BURGERHOFF, FRED	10.61	1368
116020	05/29/18	B0633	BEST CLEANING BUILDING SERVICE	4,400.00	1368
116021	05/29/18	B0646	BROADCAST MUSIC, INC	349.00	1368
116022	05/29/18	B0656	BEYER FORD	39,676.06	1368
116023	05/29/18	B0724	BIO-SHINE, INC	2,934.52	1368
116024	05/29/18	B0738	BROWN, ANGELINA & STEVE	85.00	1368
116025	05/29/18	C0008	SCHOLASTIC LIBRARY PUBLISHING	75.40	1368
116026	05/29/18	C0024	GANNETT NEW JERSEY NEWSPAPERS	20.64	1368
116027	05/29/18	C0068	CENOGENICS CORPORATION	148.04	1368
116028	05/29/18	C0083	CDW GOVERNMENT, INC.	790.37	1368
116029	05/29/18	C0127	CHILD'S WORLD INC	442.80	1368
116030	05/29/18	C0241	COOPER ELECTRIC SUPPLY	2,712.47	1368
116031	05/29/18	C0289	CHIEF SUPPLY	162.88	1368
116032	05/29/18	C0345	COURIER NEWS SUBSCRIPTIONS	371.80	1368
116033	05/29/18	C0482	CABLEVISION OF RARITAN VALLEY	104.89	1368
116034	05/29/18	C0629	COMMERCIAL INTERIORS DIRECT	1,447.18	1368
116035	05/29/18	C0636	CENTER POINT LARGE PRINT	29.21	1368
116036	05/29/18	C0650	CITIMORTGAGE, INC.	3,549.87	1368
116037	05/29/18	C0775	CUSTOM APPLICATIONS INC	5,900.00	1368
116038	05/29/18	C0781	CORELOGIC	5,935.18	1368
116039	05/29/18	C0789	CHAVEZ, SALVADOR	200.00	1368
116040	05/29/18	D0020	DELTA DENTAL OF NJ	12,384.17	1368
116041	05/29/18	D0033	DEMCO, INC	35.27	1368
116042	05/29/18	D0339	DEER CARCASS REMOVAL SVC, LLC	1,549.63	1368
116043	05/29/18	D0661	DAVID WEBER OIL CO.	821.70	1368
116044	05/29/18	D0740	DOVER BRAKE & CLUTCH	1,296.94	1368
116045	05/29/18	D0767	DIGGERLAND USA 1, LLC	330.00	1368
116046	05/29/18	E0002	EDMUNDS & ASSOCIATES	3,958.67	1368
116047	05/29/18	E0098	EMBLEM ENTERPRISES, INC	1,548.73	1368
116048	05/29/18	E0250	E LIFE GUARD INC	1,842.00	1368
116049	05/29/18	E0283	ELI TAYLOR SHOP	882.00	1368
116050	05/29/18	F0001	FEDEX	31.39	1368
116051	05/29/18	F0003	FOLEY, INCORPORATED	5,209.00	1368
116052	05/29/18	F0069	CORELOGIC	3,719.43	1368
116053	05/29/18	F0158	FLEMINGTON DEPARTMENT STORE	3,977.25	1368
116054	05/29/18	F0179	FASTSIGNS	464.19	1368
116055	05/29/18	F0335	FOY INVENTERPRISESM INC.	2,945.00	1368
116056	05/29/18	G0005	GANN LAW BOOKS	1,087.50	1368
116057	05/29/18	G0098	JCP&L	15,446.43	1368
116058	05/29/18	G0300	GOLD TYPE BUSINESS MACHINES	785.41	1368
116059	05/29/18	G0594	GEORGE, JAMES & PAULA	25.00	1368
116060	05/29/18	H0004	HEALTH DEPARTMENT PETTY CASH	35.24	1368
116061	05/29/18	H0029	HUMPHREYS PEST CONTROL, INC.	75.00	1368
116062	05/29/18	H0246	HOME DEPOT CREDIT SERVICES	21.44	1368
116063	05/29/18	H0312	HEFFERNAN, ROBERT F	5,706.25	1368
116064	05/29/18	H0349	H.A. FERNOT CO., INC	1,200.00	1368
116065	05/29/18	H0389	HISHMEHS CUSTOM UPHOLSTERY	625.00	1368
116066	05/29/18	I0130	INTEGRATED SYSTEMS & SERVICES	793.00	1368
116067	05/29/18	I0131	IPLAY AMERICA, LLC	1,036.25	1368
116068	05/29/18	I0146	INGERSOLL RAND	666.00	1368
116069	05/29/18	J0002	JAEGER LUMBER	252.00	1368
116070	05/29/18	J0025	MEEKER SHARKEY & HURLEY	950.00	1368
116071	05/29/18	J0093	JOHNNY ON THE SPOT	1,524.50	1368
116072	05/29/18	J0215	JOISH, VIJAY & SAHANA	325.00	1368
116073	05/29/18	K0036	KONICA MINOLTA BUSINESS	646.38	1368
116074	05/29/18	K0259	KONICA MINOLTA PREMIER FINANCE	167.07	1368
116075	05/29/18	K0298	KANG, DAVID & JOO	240.00	1368
116076	05/29/18	L0187	LAKELAND BUS COMPANY	1,400.00	1368
116077	05/29/18	M0178	MARK'S AUTO SERVICE	112.50	1368
116078	05/29/18	M0279	MITZNER, SCOTT C.	1,147.50	1368
116079	05/29/18	M0299	MOUNTAIN CREEK	2,114.53	1368
116080	05/29/18	M0342	MORTON'S MARKETING RESOURCES	784.51	1368
116081	05/29/18	M0441	MAIN LINE COMMERCIAL POOLS, INC	350.00	1368
116082	05/29/18	M0493	MCELROY, DEUTSCH, MULVANEY &	17,943.40	1368
116083	05/29/18	M0628	MILAN, MYRNA	50.00	1368
116084	05/29/18	M0868	M & P RETIREMENT PLAN	24,434.78	1368
116085	05/29/18	M0870	MTAG AS CST FOR EBURY	2,030.27	1368
116086	05/29/18	M0871	MOHAN, KRUTI	65.00	1368
116087	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	125.85	1368
116088	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	226.47	1368
116089	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	15.68	1368
116090	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	226.47	1368
116091	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	53.58	1368
116092	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	125.40	1368
116093	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	135.70	1368
116094	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	834.29	1368
116095	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	144.36	1368
116096	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	28.31	1368
116097	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	121.31	1368
116098	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	75.07	1368
116099	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	53.58	1368
116100	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	39.19	1368
116101	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	39.19	1368
116102	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	168.91	1368
116103	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	220.16	1368
116104	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	590.80	1368
116105	05/29/18	N0006	NEW JERSEY AMERICAN WATER CO.	414.51	1368
116106	05/29/18	N0017	NJ STATE LEAGUE OF MUNICIPAL.	25.00	1368
116107	05/29/18	N0053	NJ UNEMPLOYMENT COMP. FUND	16,453.10	1368
116108	05/29/18	N0083	NJRPA	90.00	1368
116109	05/29/18	N0131	NJ POLICE TRAFFIC OFFICER ASSN	50.00	1368
116110	05/29/18	N0339	NJWLE	225.00	1368
116111	05/29/18	N0389	NJ MOTOR VEHICLE COMMISSION	120.00	1368
116112	05/29/18	N0415	NATIONAL FUEL OIL INC	10,167.84	1368
116113	05/29/18	N0470	NATIONWIDE	82.65	1368
116114	05/29/18	N0475	NATIONSTAR	4,301.22	1368
116115	05/29/18	O0021	OFFICE DEPOT	432.10	1368
116116	05/29/18	O0046	ALLEGRA MARKETING, PRINT&MAIL	219.93	1368
116117	05/29/18	O0116	OBERLY, BARRY	990.00	1368

TOWNSHIP COMMITTEE MINUTES

05/29/2018

Page 8 of 15



116118	05/29/18	P0511	PERFORMANCE TRAILERS INC.	50.00	1368
116119	05/29/18	P0538	PROVIDENT LIFE & ACCIDENT	260.44	1368
116120	05/29/18	P0635	PHH REFUNDS C/O CORELOGIC	2,690.13	1368
116121	05/29/18	R0046	R & J CONTROL, INC.	1,118.38	1368
116122	05/29/18	R0050	ROTO-ROOTER	223.00	1368
116123	05/29/18	R0436	ROSE VALLEY NURSERY, LLC	588.25	1368
116124	05/29/18	R0493	RIDGE BAGEL & CAFE	146.65	1368
116125	05/29/18	S0013	SNAP-ON TOOLS CORPORATION	749.25	1368
116126	05/29/18	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	3,348.00	1368
116127	05/29/18	S0443	STAPLES ADVANTAGE	151.25	1368
116128	05/29/18	S0789	STAN & SON CONSTRUCTION LLC	2,860.00	1368
116129	05/29/18	S0835	SMITH, CODY & NICOLE	25.00	1368
116130	05/29/18	S0875	SUNLIGHT GENERAL CAPITAL	224.10	1368
116131	05/29/18	S0887	SPIELMAN, KERRY	340.00	1368
116132	05/29/18	S0913	SHEDLOCK CAR CARE	1,050.00	1368
116133	05/29/18	S0952	SALSBURY INDUSTRIES	637.26	1368
116134	05/29/18	S0992	SMALLWOOD FINANCIAL	1,660.00	1368
116135	05/29/18	S1003	SOLO RIDER	10,500.00	1368
116136	05/29/18	S1004	SAMADANI, AZADEH & LEE, ALLEN	25.00	1368
116137	05/29/18	S1005	SUNTRUST MORTGAGE INC	4,204.25	1368
116138	05/29/18	T0066	CENGAGE LEARNING CREDIT SVCS	122.95	1368
116139	05/29/18	T0192	TURN OUT UNIFORMS INC	44.99	1368
116140	05/29/18	T0282	TRAINER'S WAREHOUSE	79.99	1368
116141	05/29/18	T0365	THE FLOORING GALLERY, LLC	1,781.25	1368
116142	05/29/18	T0378	THE GUARDIAN LIFE INS CO OF AM	75.16	1368
116143	05/29/18	T0443	THOMSON REUTERS-WEST	364.00	1368
116144	05/29/18	U0090	UNUM LIFE INSURANCE COMPANY	316.05	1368
116145	05/29/18	V0037	VILLAGE SUPERMARKET, INC.	326.84	1368
116146	05/29/18	V0056	VERIZON WIRELESS	1,363.91	1368
116147	05/29/18	V0058	VERIZON	158.41	1368
116148	05/29/18	V0084	VERIZON	373.29	1368
116149	05/29/18	V0177	VERIZON	425.51	1368
116150	05/29/18	W0014	BEYER-WARNOCK FLEET	1,508.20	1368
116151	05/29/18	W0318	WATER SAFETY PRODUCTS, INC	1,378.00	1368
116152	05/29/18	W0339	W.B. MASON	340.93	1368
116153	05/29/18	W0347	EDWARD WACKS & ASSOCIATES, LLC	720.00	1368
116154	05/29/18	W0360	WU, BIN	105.00	1368
116155	05/29/18	X0005	XTEL COMMUNICATION	372.95	1368
116156	05/29/18	X0005	XTEL COMMUNICATION	1,415.48	1368
116157	05/29/18	Y0208	YESTERCADES 2 LLC	600.00	1368
116158	05/29/18	Z0041	ZERO WASTE USA	399.90	1368
116159	05/29/18	T0325	TOP LINE CONSTRUCTION CORP	270,452.36	1369

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
	----	----	-----	-----
Checks:	157	0	8,574,836.41	0.00
Direct Deposit:	14	0	1,841.03	0.00
	=====	=====	=====	=====
Total:	171	0	8,576,677.44	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
--- CURRENT FUND	7-01	990.00	0.00	0.00	990.00
CURRENT FUND	8-01	8,121,858.93	0.00	0.00	8,121,858.93
DOG FUND	8-12	378.20	0.00	0.00	378.20
GOLF COURSE UTILITY	8-26	88,492.94	0.00	0.00	88,492.94
Year Total:		8,210,730.07	0.00	0.00	8,210,730.07
CAPITAL FUND	C-04	277,426.32	0.00	0.00	277,426.32
PUBLIC GRANTS	G-02	275.66	0.00	0.00	275.66
TRUST FUNDS	T-13	87,255.39	0.00	0.00	87,255.39
Total Of All Funds:		8,576,677.44	0.00	0.00	8,576,677.44

**Resolution #2018-0261 - Requesting a Change In Title or Text of the 2018 Adopted Budget, Pursuant to NJS 40A:4-85**

**WHEREAS**, NJS 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality; and

**WHEREAS**, said Director may also approve the correction of the title, text, or amount of any revenue appearing in the budget; and

**WHEREAS**, the Township has included a budget appropriation in the 2018 budget for a Public Grant labeled NJ Dept of Health Hepatitis B Grant for \$2,493.20 and wishes to amend the text to reflect the actual source of the grant, Drunk Driving Enforcement; and

**WHEREAS**, the Township has included a revenue in the 2018 budget for a Public Grant labeled NJ Dept of Health Hepatitis B Grant for \$2,493.20 and wishes to amend the text to reflect the actual source of the grant, Drunk Driving Enforcement; and

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with the provisions of NJS 40A:4-85, that the Township Committee of the Township of Bernards believes that the correction is warranted and authorized by the statute referred to above and is necessary for the orderly operation of the Township of Bernards in the County of Somerset and hereby requests the Director of the Division of Local Government Services to make the following text correction in the 2018 budget:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services

Public and Private Revenues Offset with Appropriations:

NJ Dept of Health Hepatitis B Grant be changed to **Drunk Driving Enforcement Fund**

**BE IT FURTHER RESOLVED** that a change also be made to the appropriation under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Appropriations Offset by Revenues:

NJ Dept of Health Hepatitis B Grant be changed to **Drunk Driving Enforcement Fund**

**NOW THEREFORE BE IT FINALLY RESOLVED**, that the Chief Financial Officer will electronically submit this resolution to the Director of Local Government Services for approval.

[Resolution #2018-0264](#) - *Authorization to Continue Existing Lease of Lyons Parking Area with New Jersey Transit on a Month to Month Basis While a New Agreement is Negotiated*

**WHEREAS**, the Township of Bernards owns a tract of land located on the north side of the railroad tracks at Cross Road, Bernards Township, New Jersey, also known as Block 3705, Lot 2 on the Bernards Township Tax Map, and also is the owner of Cross Road from its intersection with the railroad to South Finley Avenue (referred to below as "the Premises"); and

**WHEREAS**, said land has been used for municipal purposes and is presently in use as a commuter parking facility; and

**WHEREAS**, New Jersey Transit is a public agency of the State of New Jersey, and currently leases the Premises and certain adjoining land for a commuter parking facility; and

**WHEREAS**, the lease was executed on January 28, 1997 and is set to expire on June 30, 2018; and

**WHEREAS**, both the Township of Bernards and New Jersey Transit desire to continue the lease for the Premises pursuant to which New Jersey Transit will operate a commuter parking facility upon the premises and certain adjoining lands.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that it hereby authorizes the continuation of the current Agreement on a month to month basis while a new Agreement is negotiated.

[Resolution #2018-0265](#) - *Award of Bid for 2018 Road Improvements to AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011, in the Amount of \$1,654,763.75*

**WHEREAS**, the Township of Bernards received bids on Wednesday, May 9, 2018, at 10:30 AM for 2018 Road Improvements:

BIDDERS NAME	TOTAL BID AMOUNT
--------------	------------------

AJM Contractors, Inc.	\$1,654,763.75
DeSantis Construction, Inc.	\$1,749,053.85
Top Line Construction Corp.	\$1,875,069.19
Reivax Contracting	\$1,897,006.00*

*\*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 AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011, in the amount of \$1,654,763.75; 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 (\$104,763.75), Capital Ordinance line account #C-04-55-387-A01 (\$500,000.00), Capital Ordinance # 2387 line account C-04-55-387-A06 (\$800,000.00) and Capital Ordinance 2337 line account C-04-55-337-A01 (\$250,000.00); and

**WHEREAS**, this contract has been awarded to AJM Contractors, 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 AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011, in the amount of \$1,654,763.75.

**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 AJM Contractors, 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 2018 Road Improvements.
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 120 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.

\_\_\_\_\_  
Anthony J. Marinaro, President

**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 \$1,654,763.75. Monies are available in Capital Ordinance # 2382 line account # C-04-55-382-A01 (\$104,763.75), Capital Ordinance line account #C-04-55-387-A01 (\$500,000.00), Capital Ordinance # 2387 line account C-04-55-387-A06 (\$800,000.00) and Capital Ordinance 2337 line account C-04-55-337-A01 (\$250,000.00);

Date: 5/21/2018

*Terri Johnson*  
FOR TREASURY  
CERTIFICATION ONLY

Terri Johnson, Chief Financial Officer

**Resolution #2018-0266 - 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
5402/17	2018	\$6,276.79	Corelogic Attn: Refunds PO Box 9205 Coppell TX 75019
001/27.04/condo	2018	\$1,405.23	Corelogic Attn: Refunds PO Box 9202 Coppell TX 75019
10601/18.05/condo	2018	\$417.21	Edward J & Katherine A Triano 13 Prescott Ct Basking Ridge NJ 07920

**Resolution #2018-0267- Approval of Special Event Permit Bernards Township Health Department, Twilight Challenge 5K Run – 06/03/2018**

**WHEREAS**, Kaitlin Kordusky, representing the Bernards Township Health Department, has requested a special event permit for 06/03/2018 from 3:00 PM to 8:00 PM, for the purpose of holding the 30<sup>th</sup> Annual Pleasant Valley Twilight Challenge 5K Run at Pleasant Valley Park; and

**WHEREAS**, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 4-4. et. seq.; and

**WHEREAS**, the Municipal Clerk, Police Chief, Community Service Director, and Recreation Director have reviewed the application and recommend approval.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby approve the special event permit for the Bernards Township Health Department's, Twilight Challenge 5K Run on 06/03/2018 from 3:00 PM to 8:00 PM at Pleasant Valley Park.

**Resolution #2018-0268 - Award of Purchase Order Authorizing and Approving Purchase of One (1) TC06 –Enforcer Pumper from Pierce Manufacturing Inc., a member of the Houston-Galveston Area Council Contract FS12-17 In the Amount Not to Exceed \$648,478.11**

**WHEREAS**, the Township of Bernards wishes to purchase One (1) TC06-Enforcer Pumper for the Liberty Corner Fire Company;

QTY	PART#	DESCRIPTION	TOTAL
1		TC06 –Enforcer Pumper	\$ 416,850.00
1		Published Options	\$ 255,711.00

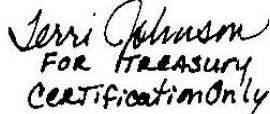
1		Unpublished Options	\$ 72,260.76
1		Prepayment Credit 75%	-\$ 31,343.65
		Trade in 2003 Seagrave Vin #1F9EW28T43CST2086	-\$ 65,000.00
		<b>TOTAL</b>	<b>\$ 648,478.11</b>

**WHEREAS**, it is the combined recommendation of the Liberty Corner Fire Company, Administrator and Purchasing Agent to award this purchase to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI 54914 in the amount not to exceed \$ 648,478.11; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Capital budget; the line item appropriation or ordinances to be charged is Capital Ordinance #2387 line account: C-04-55-387-G02;and

**WHEREAS**, the Township is authorized to make purchases through cooperative and State contracts pursuant to N.J.S.A. 40A:11-11 and 12 and P.L. 2011, c.139.

**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 for One (1) TC06 –Enforcer Pumper to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI 54914 in the amount not to exceed \$ 648,478.11.

<b>CHIEF FINANCIAL OFFICER CERTIFICATION</b>	
I, Terri Johnson, Chief Financial Officer, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$648,478.11. Monies are available in the Capital Budget: Capital Ordinance #2387 line account: C-04-55-387-G02.	
Date: 5/22/2018	 <b>FOR TREASURY CERTIFICATION ONLY</b>
Terri Johnson, Chief Financial Officer	

**Resolution#2018-0269 - Authorizing the Mailing of Estimated 3rd Quarter 2018 Tax Bills**

**WHEREAS**, the State for the year 2018 has not certified or forwarded state aid figures or certified the State budget and the tax collector will be unable to mail the Township’s 2018 tax bills on a timely basis;

**WHEREAS**, the Bernards Township Tax Collector, in consultation with the Bernards Township Chief Financial Officer, has computed an estimated tax levy in accordance with NJSA 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Township Committee shall not need the approval from the Director of the Division of Local Government Services since the estimated tax levy will not exceed 105% maximum allowed. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments, and save the unnecessary cost of interest expenses on borrowing.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BERNARDS**, on this 29<sup>th</sup> day of May, 2018, as follows:

1. The Bernards Township Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2018 taxes. The Tax Collector shall proceed, upon approval from the Director, and take such actions as are permitted and required by L 1994, c. 72 (NJSA 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy including Municipal, Library, School, County, and County Open Space for 2018 is hereby set at \$137,218,240.07.
3. In accordance with the law, the third installment of 2018 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
4. The Tax Collector may rescind this resolution in the event the State budget is adopted and the County of Somerset releases a tax rate for the Township of Bernards.

\*\*End Consent Agenda\*\*

[Ordinance #2392](#) - An Ordinance of the Township Of Bernards, County Of Somerset, New Jersey, Repealing and Replacing Subsection 6-4.3 Entitled “Open Admission to the Public” of Section 6-4 Entitled “Regulations” of Chapter 6 Entitled “Alcoholic Beverage Control” with New Subsection 6-4.3 Entitled “Reserved” – Introduction

Belardo recused himself and left the dais. Attorney Purcell representing the township explained the ordinance.

The clerk read the ordinance by title. Motion by Baldassare, second by Malay, that Ordinance #2392 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 06/12/2018.

Roll Call:

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

**Section 1.** Subsection 6-4.3 “Open Admission to Public” of Section 6-4 “Regulations” of Chapter 6 “Alcoholic Beverage Control” of the Revised General Ordinances of the Township of Bernards is hereby repealed and replaced with new Subsection 6-4.3 “Reserved” as follows: § 6-4.3 **Reserved**.

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** The Ordinance shall take effect upon its adoption, passage and publication according to law.

**Section 5.** A courtesy copy of the approved Ordinance shall be transmitted to the Director of the Division of Alcoholic Beverage Control.

[Ordinance #2393](#) - Accepting Various Easements on Property Presently Known as 3526 & [3536 Valley Road, Block 7702, Lots 10 & 11](#), to be Known After Subdivision as Block 7702, Lots 10.01 thru 10.05 (Fenwick Place), from Fenwick Basking Ridge, LLC, to the Township of Bernards, Relating to a Subdivision Approval Granted to Christopher Bell and CC Edwards Developers, LLC – Introduction  
Malay and Baldassare recused themselves and left the dais.

The clerk read the ordinance by title. Motion by Bianchi, second by Gaziano, that Ordinance #2393 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 06/12/2018.

Roll Call:

Aye: Bianchi, Gaziano, 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 Fenwick Basking Ridge, LLC, with a mailing address at 418 Union Boulevard, Totowa, New Jersey, 07512, the following:
  - A. Detention Basin, Drainage & Access Easement on Block 7702, Lot 10.01 (after subdivision).

- B. Wetlands Conservation Easement on Block 7702, Lots 10.01 & 10.05 (after subdivision).
- C. Tree Conservation Easement on Block 7702, Lots 10.01, 10.02, 10.03, 10.04 & 10.05 (after subdivision).

- 2. The easements 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 (continuation of early session if required)**

The committee resumed their executive session discussions as authorized by Resolution #2018-0262 adopted earlier in the meeting.

**ADJOURNMENT**

The meeting resumed in open session at 9:47 PM and by unanimous consent immediately adjourned.

Respectfully submitted,

---

Denise Szabo  
Municipal Clerk/Assistant Administrator

---

John Carpenter  
Mayor