CALL TO ORDER ............................................................................................................................................... 3
ROLL CALL ...................................................................................................................................................... 3
AMEND AGENDA ............................................................................................................................................ 3
PUBLIC WORK SESSION – VETERANS APPRECIATION ...................................................................................... 3
REPORTS .......................................................................................................................................................... 3
CORRESPONDENCE ....................................................................................................................................... 3
PUBLIC COMMENT ......................................................................................................................................... 3
TOWNSHIP COMMITTEE/LIAISON & BOARD REPORTS AND STAFF COMMENTS .............................................. 3

FIRE & RESCUE APPOINTMENT ...................................................................................................................... 3

Resolution #2020-0065 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Brian Scanlan, Full Member ................................................................. 3
Resolution #2020-0066 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1, John Ayres, Full Member ........................................................................ 3

NEW BUSINESS ............................................................................................................................................... 4

CONSENT AGENDA ......................................................................................................................................... 4
Resolution #2020-0083 - Approval of the Bill List Dated 01/14/2020 ................................................................ 4
Resolution #2020-0084 - Authorization for Tax Refund, Block 3502, Lot 50 ......................................................... 8
Resolution #2020-0087- Unused Vacation Accrual Due, Luisa De Leon, Municipal Court ................................. 8
Resolution #2020-0088 - 2020 Township Special Event Coordinator, Appointment of Brian Fullagar, Memorial Day Parade ..................................................................................................................... 8
Resolution #2020-0089 - Acknowledgement of Additional Fire Police Appointment, Michael Conley, Liberty Corner Fire Company ........................................................................................................... 8
Resolution #2020-0090 - Resolution Authorizing the Donation of Gasoline and/or Diesel Fuel to the Basking Ridge Fire Company No. 1 and First Aid Squad, Liberty Corner Fire Company and Liberty Corner First Aid Squad .................................................................................................................... 8
Resolution #2020-0091- Approval of Maintenance Surety and Return of Improvement Performance Bond for The Pingry Corp, 131 Martinsville Rd, B11601 L3, Athletic Field Phase 2 & 3 ................................................................................................................................. 9
Resolution #2020-0092 - Personnel Appointment Jenni Peterson - Violations Clerk – Municipal Court .......... 9
Resolution #2020-0093 - Personnel Appointment Marcella Braikovich – Acting Municipal Court Administrator – Municipal Court ......................................................................................................................... 9
Resolution #2020-0095 - Authorizing and Approving Purchase of One (1) 2020 Caterpillar CB22B-MB Vibratory Asphalt Compactor from ESNJI Co-Op # 65MCESSCP5, Bid #18/19-25 to Foley, Inc., 855 Centennial Avenue, P.O. Box 1555, Piscataway, NJ 08855-1555 In the Amount Not to Exceed $40,293.00 ......................................................................................................................... 11
Resolution #2020-0096 - Award of Bid Renewal – 2018-2021 Supplemental Snow Plowing Removal and Equipment Rental to Nicoletti Snow Removal LLC, 72 Good Springs Road, Asbury, NJ 08808 ........................................................................................................ 11
Resolution #2020-0097 - Release of Executive Session Minutes ........................................................................... 12
Resolution #2020-0098 - Change Order #1- Increase of $ 5,000.00 For Bernards Township Housing Element and Fair Share Plan to Banisch Associates 111 Main St, Flemington, NJ 08822 .................................................................................. 14
Resolution #2020-0099 - Authorization Submission of a Grant Application to New Jersey Board of Public Utilities: Clean Fleet Electric Vehicle Incentive Program: up to $9,500.00 for two (2) Electric Vehicles and 1 Dual-Port Level 2 Charging Station

Resolution #2020-0105 - Personnel Appointment Joseph Desiato – Accounting Specialist – Finance Department

ORDINANCE #2437 - ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 96 LYONS PLACE; BLOCK 3703, LOT 3, FROM NANCY CROOT BEAUDRY TO THE TOWNSHIP OF BERNARDS - MAP – INTRODUCTION

ORDINANCE #2438 - ACCEPTING A STREAM BUFFER CONSERVATION EASEMENT ON PROPERTY LOCATED AT 63 MORRISTOWN ROAD; BLOCK 703, LOT 13, FROM RICHARD C. FERRI AND THERESA FERRI TO THE TOWNSHIP OF BERNARDS - MAP – INTRODUCTION

ORDINANCE #2439 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS TO SET CALENDAR YEAR 2020 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PER N.J.S.A. 40A: 4-45.14 - INTRODUCTION

PUBLIC COMMENT

ADJOURNMENT
CALL TO ORDER
The mayor called the meeting to order at 8:00 PM. Those assembled saluted the flag and the mayor read the open public meeting statement in accordance with the law.

ROLL CALL
Present: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
Absent:
Also Present: Administrator Monaco, Attorney Belardo, Municipal Clerk Pisano

AMEND AGENDA
The Clerk stated that a hiring resolution for finance was inadvertently left off the agenda due to her error. Baldassare asked for a motion to amend the agenda. Motion by Harris, second by Esposito, that Resolution #2020-0105, Approval of Personnel Appointment, Joseph Desiato, Accounting Specialist – Finance Department be added to the consent agenda as item #16. All were in favor and the motion carried.

PUBLIC WORK SESSION – Veterans Appreciation
Mayor Baldassare voiced his interest in establishing a Veterans Appreciation Task Force, with an objective of creating a Veterans Banner Program in Bernards Township. Monaco provided preliminary background information on various Home Town Hero and other Veterans Banner programs instituted in surrounding municipalities. A task force would work with staff on developing strategies and policy for implementing such a program and present their recommendations to the Township Committee. All township committee members expressed support and directed staff to prepare a resolution for the next township committee meeting establishing such a task force.

REPORTS
None listed

CORRESPONDENCE
None listed

PUBLIC COMMENT
The Mayor opened public comment.
Todd Edelstein. Riverside Dr. – commented on Community Hope at the Lyons VA accepting donations.

TOWNSHIP COMMITTEE/LIAISON & BOARD REPORTS AND STAFF COMMENTS
Committee members reported on their appointed boards and activities and staff provided comments.

FIRE & RESCUE APPOINTMENT
Resolution #2020-0085 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company, Brian Scanlan, Full Member
Motion by Esposito, second by Fields, and unanimously agreed that Resolution #2020-0085 be approved.

WHEREAS, pursuant to §2-14.1 and §2-16 .1of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and the Bernards Township First Aid and Emergency Department shall consist of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad; and

WHEREAS, the Liberty Corner Fire Company is recommending Brian Scanlan, residing at 29 Colonial Drive, Basking Ridge, for appointment as a Full Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Full Member of the Liberty Corner Fire Company effective this date.

Resolution #2020-0086 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1, John Ayres, Full Member
Motion by Carpenter, second by Harris, and unanimously agreed that Resolution #2020-0086 be approved.

WHEREAS, pursuant to §2-14.1 and §2-16 .1of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and the Bernards Township First Aid and Emergency Department shall consist of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad; and
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Full Member of the First Aid Squad of the Basking Ridge Fire Company #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 Carpenter, second by Harris, that the amended consent agenda items be approved.

Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
Nay:
Abstain: 
Motion carried.

**Begin Consent Agenda**

Resolution #2020-0083 - Approval of the Bill List Dated 01/14/2020

BE IT RESOLVED, that the bill list dated 01/14/2020 be audited, and if found correct, be paid.

January 14, 2020 TOWNSHIP OF BERNARDS Page No: 1
11:46 AM Check Register By Check Date

---

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 12/30/19 to 12/31/19
Report: Cash - All Check Type: Computerized Checks Report Format: Sum: Y Manual: Y Dir Deposit: Y

---

**CASH - CHECKING CURRENT CHECKING**

122581 12/30/19 70077 ZUPFIN, SUTH 719.76 12/31/19 1472 Direct Deposit
122587 12/30/19 90093 NICOLETTI, THOMAS 41.69 12/31/19 1472 Direct Deposit
122583 12/30/19 90239 SCHLEY, DAVID L 40.50 12/31/19 1472 Direct Deposit
122584 12/30/19 90335 CHICHOLM, MARC 27.00 12/31/19 1472 Direct Deposit
122585 12/30/19 90500 BALDASSARE, TRACY 39.72 12/31/19 1472 Direct Deposit
122586 12/30/19 90507 GANDER, JENNIFER 319.65 12/31/19 1472 Direct Deposit
122587 12/30/19 90514 MEGHART, DEBRA 16.61 12/31/19 1472 Direct Deposit
122588 12/30/19 90522 BARBER, JACQUELINE 16.88 12/31/19 1472 Direct Deposit
122589 12/30/19 90528 KORDERITZ, NANCY 105.32 12/31/19 1472 Direct Deposit
122590 12/30/19 90537 KHEROWSKY, JEFFREY 24.00 12/31/19 1472 Direct Deposit
122591 12/30/19 90540 HARTYS, ANN 18.56 12/31/19 1472 Direct Deposit
122592 12/30/19 90562 LARATOS, MICHAEL 26.38 12/31/19 1472 Direct Deposit
122593 12/30/19 90563 CARPOCCO, KAITLIN 18.99 12/31/19 1472 Direct Deposit
122594 12/30/19 90580 MCCARTY, SEAN 51.92 12/31/19 1472 Direct Deposit
122595 12/30/19 90588 PHILLIPS, DANIEL 23.65 12/31/19 1472 Direct Deposit
122596 12/30/19 90599 COLANDUONI, DONALDO 24.40 12/31/19 1472 Direct Deposit
122597 12/30/19 90604 KIESER, CYNTIA 173.40 12/31/19 1472 Direct Deposit
122598 12/30/19 90647 RIESEMEYER, ELLIE 530.00 12/31/19 1472 Direct Deposit
122599 12/30/19 90656 CASACUBERTA, JORGE 95.87 12/31/19 1472 Direct Deposit
122600 12/30/19 90668 ACKERMAN, CAROL 52.00 12/31/19 1472 Direct Deposit
122601 12/30/19 90676 MOLLOY, CHRISTOPHER 32.32 12/31/19 1472 Direct Deposit
122602 12/30/19 B0203 DI FRANCESCO BATMANN, PC 3,490.69 12/31/19 1472 Direct Deposit
122603 12/30/19 C0724 CARPENTER, JOHN 197.17 12/31/19 1472 Direct Deposit
122604 12/30/19 B0312 NEFFERMAN, ROBERT P 5,706.25 12/31/19 1472 Direct Deposit
122605 12/30/19 B0420 HARMONY TREE CARE LLC 13,702.00 12/31/19 1472 Direct Deposit
122606 12/30/19 B0482 NICOLETTI SHOW REMOVAL 12,400.00 12/31/19 1472 Direct Deposit
122607 12/30/19 B0566 DEYVA CONTRACTING CORPORATION 388,347.69 12/31/19 1472 Direct Deposit
122608 12/30/19 A0126 AFLAC NEW YORK 230.50 1473
122609 12/30/19 A0150 ATLANTIC SALTS, INC. 34,245.25 1473
122610 12/30/19 A0232 ARROW ELEVATOR, INC. 315.00 1473
122611 12/30/19 A0338 AFLAC 96.52 1473
122612 12/30/19 A0389 STERLING TALENT SOLUTIONS 312.03 1473
122613 12/30/19 A0471 APEX AMERICAN ELECTRICAL 5,686.00 1473
122614 12/30/19 A0570 ALPHA YOUTH SPORTS, INC. 1,665.00 1473
122615 12/30/19 A0646 ALSTEDER FARMS, LLC 120.00 1473
122616 12/30/19 B0001 BAKER & TAYLOR, INC. 4,134.76 1473
122617 12/30/19 B0014 BREWER ASSOCIATES 50.00 1473
122618 12/30/19 B0017 BRIDGEWATER RESOURCES, INC. 1,392.75 1473
122619 12/30/19 B0026 BERNARDS TOWNSHIP CURRENT 138,272.73 12/31/19 1473
122620 12/30/19 B0031 BERNARDSVILLE PRINT CENTER 16.00 1473
122621 12/30/19 B0034 BERNARDS TOWNSHIP PAYROLL ACCNT 1,191,535.96 1473
122622 12/30/19 B0038 BERNARDS TOWNSHIP (COUNTY) 268.34 12/31/19 1473
122623 12/30/19 B0044 BASKING RIDGE ANIMAL HOSPITAL 291.12 1473
122624 12/30/19 B0076 BERNARDS TOWNSHIP TRUST FUND 19,620.59 12/31/19 1473
122625 12/30/19 B0076 BERNARDS TOWNSHIP TRUST FUND 143,499.00 12/31/19 1473
122626 12/30/19 B0098 BERNARDS TOWNSHIP (RECREATION) 357.42 12/31/19 1473
122627 12/30/19 B0581 BUY WISE AUTO PARTS 726.78 1473
122628 12/30/19 B0668 BEARING DEPOT & SUPPLY INC 39.00 1473
122629 12/30/19 B0690 BIBLIOTHECA LLC 2,492.29 1473
122630 12/30/19 B0758 BCI TRUCK, INC 2,375.39 1473
122631 12/30/19 C0024 GANNET NEW JERSEY NEWSPAPERS 40.42 1473

**End Check Register**
<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Fund Budget</th>
<th>Total Revenue</th>
<th>Total G/L</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>122938 01/14/20 X0005 XTEL COMMUNICATION</td>
<td>461.64</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122932 01/14/20 V0185 VERIZON CONNECT</td>
<td>625.35</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122925 01/14/20 V0037 VILLAGE SUPERMARKET, INC.</td>
<td>48.1</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122923 01/14/20 U0001 UNITEMP INC.</td>
<td>1,176.00</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122918 01/14/20 T0101 TRIANGLE COMMUNICATIONS</td>
<td>264.80</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122914 01/14/20 S0977 STAVOLA CONSTRUCTION MATERIALS</td>
<td>1,275.44</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122913 01/14/20 S0896 SAFARILAND</td>
<td>359.40</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122912 01/14/20 S0875 SUNLIGHT GENERAL CAPITAL</td>
<td>64.33</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122907 01/14/20 S0378 STAVOLA ASPHALT</td>
<td>548.06</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122906 01/14/20 S0327 RED HAWK FIRE &amp; SECURITY</td>
<td>1,828.49</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122903 01/14/20 S0056 RWJHN</td>
<td>186.80</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122902 01/14/20 S0035 SIRCHIE FINGER PRINT LAB</td>
<td>1,000.00</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122900 01/14/20 R0493 PETER RUBINETTI PRIVATE DISP</td>
<td>1,585.99</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122898 01/14/20 P0014 PUBLIC SERVICE ELECTRIC &amp; GAS CO</td>
<td>8,231.45</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122897 01/14/20 P0046 UNITEMP INC.</td>
<td>461.64</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122896 01/14/20 P0011 REI</td>
<td>1,557.60</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122895 01/14/20 P0005 DEPARTMENT OF PUBLIC WORKS</td>
<td>10,379.00</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122894 01/14/20 P0004 CBW</td>
<td>795.06</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122893 01/14/20 M0815 M &amp; M PIZZERIA</td>
<td>81.51</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122892 01/14/20 M0062 CBW</td>
<td>80.00</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122891 01/14/20 M0055 MRD</td>
<td>76,728.00</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122889 01/14/20 M0001 CBW</td>
<td>420,573.68</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122888 01/14/20 M0000 CBW</td>
<td>700,399.98</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
<tr>
<td>122887 01/14/20 M0000 CBW</td>
<td>1,806,125.88</td>
<td>1477</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOWNSHIP COMMITTEE MINUTES**

01/14/2020

---

Direct Deposit: 33 0 421,557.76 0.00

Total: 350 0 4,139,185.34 0.00

Year Total: 2,802,343.47 0.00 0.00 2,802,343.47

Capital Fund C-04 420,573.68 0.00 0.00 420,573.68
Resolution #2020-0084 - Authorization for Tax Refund, Block 3502, Lot 50
WHEREAS, a tax overpayment exists because the property owner’s representative erroneously overpaid for a property at closing; and

WHEREAS, the owner’s representative 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 refund.

<table>
<thead>
<tr>
<th>Block &amp; Lot</th>
<th>Quarter &amp; Year</th>
<th>Amount</th>
<th>Issue Refund To</th>
</tr>
</thead>
<tbody>
<tr>
<td>3502/50/CONDO</td>
<td>1Q2020</td>
<td>$452.74</td>
<td>Sadie Schoss c/o Joyce K Wegbreit Esq</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>218 Avon Rd Westfield NJ 07090</td>
</tr>
</tbody>
</table>

Resolution #2020-0087 - Unused Vacation Accrual Due, Luisa De Leon, Municipal Court
WHEREAS, the Township Committee adopted Resolution No. 2020-0066 at their regularly scheduled meeting of January 2, 2020, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township’s payroll; and

WHEREAS, Luisa De Leon’s employment terminated on January 2, 2020; and

WHEREAS, per the requirements of the Township’s Personnel Policy, Luisa De Leon is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of $36.40.

<table>
<thead>
<tr>
<th>Vacation Accrual</th>
<th>Total Hours Available</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>103.75</td>
<td>$3,776.50</td>
</tr>
</tbody>
</table>

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, Sean McCarthy, Chief Financial Officer of the Township of Bernards, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Streets and Roads S&W, Line Account #9-01-43-990-101 for an amount not to exceed $3,776.50

Date: December 26, 2019
Sean McCarthy, CFO

Resolution #2020-0088 - 2020 Township Special Event Coordinator, Appointment of Brian Fullagar, Memorial Day Parade
WHEREAS, Resolution #2020-0037 appointed Kevin Lavery as the Memorial Day Parade coordinator; and

WHEREAS, due to a change in circumstances, the Basking Ridge Fire Company #1 has requested that Brian Fullagar be appointed to this position in place of Kevin Lavery.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint Brian Fullagar as the 2020 Memorial Day Coordinator.

Resolution #2020-0089 - Acknowledgement of Additional Fire Police Appointment, Michael Conley, Liberty Corner Fire Company
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 N.J.S.A. 15:8-4, any duly organized volunteer fire company may provide for the appointment of certain of its members to perform certain police duties at fire and fire drills, for a term of office not to exceed five years from the date of appointment; and
WHEREAS, the Liberty Corner Fire Company has requested appointment of Michael Conley as fire police for a 1 year term to expire 12/31/2020.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge the additional fire police appointment of Michael Conley to the Liberty Corner Fire Company.

Resolution #2020-0090 - Resolution Authorizing the Donation of Gasoline and/or Diesel Fuel to the Basking Ridge Fire Company No. 1 and First Aid Squad, Liberty Corner Fire Company and Liberty Corner First Aid Squad
WHEREAS, on 2/12/13 a Commodity Resale System resolution was passed which included the resale of Gasoline and Diesel Fuel to the Basking Ridge Fire Company No. 1 and First Aid Squad, Liberty Corner Fire Company and Liberty Corner First Aid Squad; and

WHEREAS, the Township Committee of the Township of Bernards great appreciates the service provided by the all volunteer fire and first aid squads; and

WHEREAS, the Township Committee of the Township of Bernards desires to further aid the fiscal operation of volunteer emergency services by donating gasoline and/or diesel fuel from the municipal pumps to be used in emergency service vehicles through December 31, 2020.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the 2020 annual maximum value of donated gasoline and/or diesel fuel will be as follows:

1. Basking Ridge Fire Company No. 1 and First Aid Squad - $7,500
2. Liberty Corner Fire Company - $5,000
3. Liberty Corner First Aid Squad - $2,500

Resolution #2020-0091 - Approval of Maintenance Surety and Return of Improvement Performance Bond for The Pingry Corp, 131 Martinsville Rd, B11601 L3, Athletic Field Phase 2 & 3
WHEREAS, the Engineer of the Township of Bernards, Somerset County, New Jersey, 07920, has received the following Maintenance Surety for private stormwater facilities:

Name of Applicant: The Pingry Corp
Address: 131 Martinsville Road, Basking Ridge, NJ 07920
Maintenance Surety: #800023122
Dated: 12/2/2019
Insurance Company: Atlantic Specialty Insurance Company
Address: One State Street Plaza, 31st Floor, New York, NY 10004
Amount: $29,822.55

WHEREAS, the aforesaid applicant is requesting return of their Cash Performance Surety:

Name of Applicant: The Pingry Corp
Address: 131 Martinsville Road, Basking Ridge, NJ 07920
Cash Amount: $470,601.64

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

WHEREAS, the Township Attorney has approved the Maintenance Surety as to its form and sufficiency.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Maintenance Surety is hereby approved, and effective upon passage of this resolution for a two-year period.

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

Resolution #2020-0092 - Personnel Appointment Jenni Peterson - Violations Clerk – Municipal Court
WHEREAS, the full-time Violations Clerk position became available due to a promotion; and

WHEREAS, Township Administrator and Human Resources Manager have deemed it necessary to fill this position; and
WHEREAS, Jenni Peterson is qualified to fill said position; and

WHEREAS, Township Administrator and Human Resources Manager recommend appointment of Jenni Peterson to full-time Violations Clerk.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jenni Peterson be appointed full-time Violations Clerk with a hire date of January 15, 2020, at an hourly rate of $18.00 for a 40-hour work week.

Resolution #2020-0093 - Personnel Appointment Marcella Braikovich – Acting Municipal Court Administrator – Municipal Court

WHEREAS, the full-time position of Acting Municipal Court Administrator has become available due to a resignation; and

WHEREAS, the Municipal Judge, Township Administrator and Human Resources Manager have deemed it necessary to fill this position; and

WHEREAS, pursuant to N.J.S.A. 2B:12-10.b, the Township of Bernards has complied with the acting administrator process through joint participation of the municipality and the judiciary; and

WHEREAS, Marcella Braikovich is qualified to fill said position; and

WHEREAS, the Municipal Judge, Township Administrator and Human Resources Manager recommend appointment of Marcella Braikovich to full-time Acting Municipal Court Administrator.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Marcella Braikovich be appointed full-time Acting Court Administrator with a promotional date of January 15, 2020, at an annual salary of $63,000 for a 40-hour work week; and

BE IT FURTHER RESOLVED, the Township Committee of the Township of Bernards appoints Marcella Braikovich to the Acting Municipal Court Administrator position for a term of one year, through January 7, 2021.


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

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

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

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Not to Exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beyer Ford</td>
<td>$40,000</td>
</tr>
<tr>
<td>Bibliotheca, LLC</td>
<td>$40,000</td>
</tr>
<tr>
<td>Cooper Friedman Electric Supply Co., Inc d/b/a Cooper Electric Co.</td>
<td>$40,000</td>
</tr>
<tr>
<td>DKM Lawn and Snow, LLC</td>
<td>$40,000</td>
</tr>
<tr>
<td>Foley Incorporated</td>
<td>$40,000</td>
</tr>
<tr>
<td>Garden State Highway Products, Inc</td>
<td>$40,000</td>
</tr>
<tr>
<td>Route 23 AutoMall</td>
<td>$40,000</td>
</tr>
<tr>
<td>Samuels Inc-t/a/ Buy Wise Auto Parts</td>
<td>$40,000</td>
</tr>
<tr>
<td>Sewer Service Co, d/b/a/ Roto Rooter</td>
<td>$40,000</td>
</tr>
<tr>
<td>Stan &amp; Son Construction</td>
<td>$40,000</td>
</tr>
<tr>
<td>Storr Tractor Company</td>
<td>$40,000</td>
</tr>
<tr>
<td>Todd Harris Co., Inc</td>
<td>$40,000</td>
</tr>
</tbody>
</table>

TOWNSHIP COMMITTEE MINUTES
01/14/2020
Page 10 of 17
WHEREAS, in anticipation of the listed expenditure, a Business Entity Disclosure Certification has been secured in compliance with N.J.S.A.19:44A 20-4 et seq., and that the principals of the said companies, have not made any reportable contributions to a political or candidate committee in the Township of Bernards in the previous one year, and that the contract will prohibit the principals of said companies from making ANY contributions through the term of the contract pursuant to Bernards Township Ordinance #1854 adopted on February 28, 2006, that would prohibit any business entity or professional that procures goods, services or contracts from the Township without the formal bid process from making “any” contribution whatsoever in the prior calendar year.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2020.

Resolution #2020-0095 - Authorizing and Approving Purchase of One (1) 2020 Caterpillar CB22B-MB Vibratory Asphalt Compactor from ESCNJ Co-Op # 65MCECCPS, Bid #18/19-25 to Foley, Inc., 855 Centennial Avenue, P.O. Box 1555, Piscataway, NJ 08855-1555 In the Amount Not to Exceed $40,293.00

WHEREAS, the Township of Bernards Public Works Department wishes to purchase one (1) 2020 Caterpillar CB22B-MB Vibratory Asphalt Compactor;

<table>
<thead>
<tr>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>UNIT COST</th>
<th>UNIT TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2020 Caterpillar CB22B-MB Vibratory Asphalt Compactor</td>
<td>$39,063.00</td>
<td>$39,063.00</td>
</tr>
<tr>
<td>1</td>
<td>Extended Warranty CB22-84 MO/3000 HR POWERTRAIN + HYDRAULIC + TECH</td>
<td>$1,230.00</td>
<td>$1,230.00</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>$40,293.00</td>
</tr>
</tbody>
</table>

and

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award this purchase to; Foley, Inc., 855 Centennial Avenue, P.O. Box 1555, Piscataway, NJ 08855-1555 in the amount of $40,293.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation to be charged is line account #C-04-55-417-L04 ($40,293.00); and

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order to Foley, Inc., 855 Centennial Avenue, P.O. Box 1555, Piscataway, NJ 08855-1555 in the amount not to exceed $40,293.00.

Resolution #2020-0096 - Award of Bid Renewal – 2018-2021 Supplemental Snow Plowing Removal and Equipment Rental to Nicoletti Snow Removal LLC, 72 Good Springs Road, Asbury, NJ 08808

WHEREAS, the Township of Bernards advertised for bids on December 4, 2018, at 2:00 PM and subsequently on December 19, 2018 at 11:00 AM for 2018-2021 Supplemental Snow Plowing Removal and Equipment Rental with no respondents; and
WHEREAS, N.J.S.A 40A-11-5 (3) (a) of the New Jersey Local Public Contracts Law provides for the municipality to negotiate a contract with a contractor and award upon adoption of a resolution; and

WHEREAS, hourly rates for each subsequent year (second and third year of the contract), provided the Township exercises its option to renew the contract, will be adjusted based on the index rate (1.7%) published on the Department of Community Affairs, Division of Local Services website. The index rate used will be the most recently completed quarterly calculation available on the date for renewal (October 1st); per the schedule below;

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Snow Base Hourly Rate</th>
<th># of Vehicles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class D – 4wd Pickup (full size) w/ 8’ plow</td>
<td>$152.55</td>
<td>10</td>
</tr>
<tr>
<td>Class B – 20,000-44,999 pounds (Single Axle, approx. 5 cubic yards) w/10’ plow or larger</td>
<td>$203.40</td>
<td>1</td>
</tr>
<tr>
<td>Standby - Plows</td>
<td>$61.02/$76.28</td>
<td>0</td>
</tr>
<tr>
<td>Superintendent</td>
<td>$61.02/$76.28</td>
<td>0</td>
</tr>
<tr>
<td>Snow Plowing Insurance</td>
<td>$15,000.00</td>
<td></td>
</tr>
</tbody>
</table>

and

WHEREAS, Nicoletti Snow Removal has satisfactorily performed such services in 2019-2020; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations to be charged are Current Fund, Snow Removal Other Expenses, line accounts #0-01-26-291-204/#1-01-26-291-204 (pending Township Committee budget approval), and Trust Fund, Reserve for Snow Removal; and

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award a contract to Nicoletti Snow Removal LLC, 72 Good Springs Road, Asbury, NJ 08808.

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 contract and purchase order to Nicoletti Snow Removal LLC, 72 Good Springs Road, Asbury, NJ 08808.

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

____________________________________________________
Jason Nicoletti, President

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards hereby certify that adequate funds are available for the above referenced contract for Snow Plowing Removal and Equipment Rental. Monies are available in: Current Fund, Snow Removal Other Expenses, account #0-01-26-291-204/#1-01-26-291-204 (pending Township Committee budget approval) and Trust Fund, Reserve for Snow Removal.

Date: January 7, 2020

Sean McCarthy
Chief Financial Officer

Resolution #2020-0097 - Release of Executive Session Minutes

WHEREAS, the topics discussed in the minutes below no longer need to be kept private.

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

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/14/2013</td>
<td>Litigation Update: MQI</td>
</tr>
<tr>
<td>9/29/2015</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>12/29/2015</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>1/12/2016</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>2/9/2016</td>
<td>Contract Negotiations – Econsult (Affordable Housing)</td>
</tr>
<tr>
<td>2/9/2016</td>
<td>Litigation – Mediation Affordable Housing</td>
</tr>
<tr>
<td>2/23/2016</td>
<td>Attorney Client – Potential Rezoning MQI Site</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>3/15/2016</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>3/15/2016</td>
<td>Attorney Client – Potential Rezoning MQI Site</td>
</tr>
<tr>
<td>3/29/2016</td>
<td>Attorney Client – Potential Rezoning MQI Site</td>
</tr>
<tr>
<td>4/12/2016</td>
<td>Attorney Client – Potential Rezoning MQI Site</td>
</tr>
<tr>
<td>5/10/2016</td>
<td>Attorney Client Privilege - Potential Rezoning MQI Site</td>
</tr>
<tr>
<td>1/24/2017</td>
<td>COAH</td>
</tr>
<tr>
<td>2/14/2017</td>
<td>COAH</td>
</tr>
<tr>
<td>2/28/2017</td>
<td>COAH</td>
</tr>
<tr>
<td>3/28/2017</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>4/11/2017</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>5/9/2017</td>
<td>Litigation – Affordable Housing</td>
</tr>
<tr>
<td>6/13/2017</td>
<td>Litigation – Affordable Housing – Crown Court/Bernards Plaza</td>
</tr>
<tr>
<td>7/25/2017</td>
<td>Litigation-Affordable Housing-Crown Court/Dewy Meadow</td>
</tr>
<tr>
<td>9/12/2017</td>
<td>Litigation - Mt. Laurel/Affordable Housing</td>
</tr>
<tr>
<td>9/12/2017</td>
<td>Contract Negotiations - Lafayette Bridge</td>
</tr>
<tr>
<td>9/26/2017</td>
<td>Contract Negotiations - Lafayette Bridge</td>
</tr>
<tr>
<td>10/10/2017</td>
<td>Attorney Client Privilege - Affordable Housing</td>
</tr>
<tr>
<td>10/10/2017</td>
<td>Attorney Client Privilege - Lafayette Bridge</td>
</tr>
<tr>
<td>11/28/2017</td>
<td>Attorney Client Privilege - Lafayette Bridge</td>
</tr>
<tr>
<td>11/28/2017</td>
<td>Litigation - Dewy Meadow/Crown Court Affordable Housing</td>
</tr>
<tr>
<td>2/13/2018</td>
<td>Attorney Client Privilege - Lafayette Lane Bridge</td>
</tr>
<tr>
<td>2/13/2018</td>
<td>Litigation - Affordable Housing Far Hills</td>
</tr>
<tr>
<td>3/13/2018</td>
<td>Attorney Client Privilege- Community Investment Partners, MQI</td>
</tr>
<tr>
<td>3/13/2018</td>
<td>Attorney Client Privilege - Mt. Laurel Declaratory Judgment Lit (Affordable Housing)</td>
</tr>
<tr>
<td>4/24/2018</td>
<td>Attorney Client Privilege- John Crane</td>
</tr>
<tr>
<td>4/24/2018</td>
<td>Attorney Client Privilege- Community Investment Partners (CIP), MQI</td>
</tr>
<tr>
<td>4/24/2018</td>
<td>Attorney Client Privilege - Mt. Laurel Declaratory Judgment Lit (Affordable Housing)</td>
</tr>
<tr>
<td>4/24/2018</td>
<td>Personnel - Board Appointments</td>
</tr>
<tr>
<td>5/15/2018</td>
<td>Litigation - Affordable Housing</td>
</tr>
<tr>
<td>5/29/2018</td>
<td>Attorney Client Affordable Housing - MTGLQ Investors v. Martin - 196 English Place</td>
</tr>
<tr>
<td>5/29/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-15</td>
</tr>
<tr>
<td>5/29/2018</td>
<td>Personnel - Board Appointments</td>
</tr>
<tr>
<td>6/12/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-15</td>
</tr>
<tr>
<td>6/12/2018</td>
<td>Attorney Client Privilege - Lafayette Lane Bridge</td>
</tr>
<tr>
<td>6/26/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-15</td>
</tr>
<tr>
<td>7/24/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-1</td>
</tr>
<tr>
<td>8/15/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-1</td>
</tr>
<tr>
<td>8/28/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-1</td>
</tr>
<tr>
<td>9/25/2018</td>
<td>Litigation - Affordable Housing SOM-L-899-15</td>
</tr>
<tr>
<td>3/5/2019</td>
<td>Attorney Client Privilege - BOA Application, Millington Quarry, Inc. ZB18-026</td>
</tr>
<tr>
<td>3/26/2019</td>
<td>Litigation - Millington Quarry vs. Bernards Township - SOM-L-475-08</td>
</tr>
<tr>
<td>3/26/2019</td>
<td>Contract Negotiation - CJHRC (Affordable Housing)</td>
</tr>
<tr>
<td>5/14/2019</td>
<td>Contract Negotiation - Possible Land Acquisition - Block 9401, Lot 13</td>
</tr>
<tr>
<td>5/14/2019</td>
<td>Litigation - Affordable Housing Mt. Laurel SOM-L-899-1; Spending Plan</td>
</tr>
<tr>
<td>5/14/2019</td>
<td>Litigation - Millington Quarry vs. Bernards Township - SOM-L-475-08</td>
</tr>
<tr>
<td>5/28/2019</td>
<td>Attorney Client Privilege - Millington Quarry Inc. Zoning Board of Adjustment Application #18-026</td>
</tr>
</tbody>
</table>
Resolution #2020-0098 - Change Order #1- Increase of $ 5,000.00 For Bernards Township Housing Element and Fair Share Plan to Banisch Associates 111 Main St, Flemington, NJ 08822

WHEREAS, the Bernards Township Committee adopted Resolution # 2019-0376 on September 10, 2019 awarded a professional services contract in the amount of $ 17,000.00 to Banish Associates, 111 Main St, Flemington, NJ 08822 for professional planning services; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2020 budget line item appropriation account # 0-01-20-20-155.

NOW BE IT RESOLVED by the Bernards Township Committee that the Purchasing Agent is hereby authorized to issue change order number #1 to Banisch Associates, 111 Main St, Flemington, NJ 08822 in the amount of $ 5,000.00 for a new not to exceed amount of $ 22,000.00.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Francis Banisch, PP, NJ LIC # 33L100168600

CFO CERTIFICATION
I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds available for the above referenced purchase in the amount of $5,000.00 for a new not to exceed amount of $ 22,000.00. Monies are available in the in the 2020 budget line item appropriation account # 0-01-20-20-155.

Date: January 8, 2020

Sean McCarthy, Chief Financial Officer

Resolution #2020-0099 - Authorization Submission of a Grant Application to New Jersey Board of Public Utilities: Clean Fleet Electric Vehicle Incentive Program: up to $9,500.00 for two (2) Electric Vehicles and 1 Dual-Port Level 2 Charging Station

WHEREAS, New Jersey Board of Public Utilities provides grants to offset the cost to purchase vehicles, install electric vehicle charging stations; and

WHEREAS, this program’s primary goal of the grant is to improve New Jersey’s air quality and assist local government authorities’ transition to electrically fueled fleets; and

WHEREAS, New Jersey Board of Public Utilities Grants, would provide up to $4,000.00 towards each vehicle (up to two) and $1,500 for a Dual-Port Level 2 Charging Station; and

WHEREAS, the Director of Public Works is recommending the Township Committee approve the submittal of a grant application to New Jersey Board of Public Utilities.
NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that it does hereby authorize submission of a grant application to New Jersey Board of Public Utilities; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that Jorge L. Casacuberta of the Bernards Township Department of Public Works serves as the Project Manager for the grant application and Pat Monaco, Township Administrator, be authorized to sign the grant on behalf of the Township.

Resolution #2020-0105 - Personnel Appointment Joseph Desiato – Accounting Specialist – Finance Department
WHEREAS, a full time Accounting Specialist position became available due to a vacancy; and

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

WHEREAS, Joseph Desiato has applied for and is qualified to fill said position; and

WHEREAS, the Township Administrator, Chief Financial Officer and Human Resources Manager recommend appointment of Joseph Desiato to full time Accounting Specialist.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Joseph Desiato be appointed full time Accounting Specialist with a hire date of Tuesday, January 21, 2020 at an hourly rate of $20.00 for a 40-hour work week.

**End Consent Agenda**

Approval of Minutes – 12/10/2019
Motion by Carpenter, second by Harris, that the 12/10/2019 Open Session minutes be approved for content and release and that the Executive Session minutes be approved for content only.

Roll Call
Aye: Baldassare, Carpenter, Esposito, Fields, Harris
Nay: 
Abstain:
Motion carried.

Approval of Minutes – 01/02/2020
Motion by Esposito, second by Fields, that the 01/02/2020 Open Session minutes be approved for content and release.

Roll Call
Aye: Baldassare, Carpenter, Esposito, Fields, Harris
Nay: 
Abstain:
Motion carried.

ORDINANCE #2437 - Accepting a Wetlands Conservation Easement on Property Located at 96 Lyons Place; Block 3703, Lot 3, from Nancy Croot Beaudry to the Township of Bernards - Map – Introduction
The clerk read the ordinance by title. Motion by Harris, second by Esposito, that Ordinance #2437 be introduced on first reading, advertised as required by law, with a public hearing on 01/28/2019.

Roll Call
Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
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 Nancy Croot Beaudry, 96 Lyons Place, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 3703, Lot 3, in Bernards Township.

2. The easement is on file with the office of the Township Clerk.

3. This Ordinance shall take effect upon its final passage and publication according to law.

**ORDINANCE #2438 - Accepting a Stream Buffer Conservation Easement on Property Located at 63 Morristown Road; Block 703, Lot 13, from Richard C. Ferri and Theresa Ferri to the Township of Bernards**

The clerk read the ordinance by title. Motion by Fields, second by Carpenter, that Ordinance #2438 be introduced on first reading, advertised as required by law, with a public hearing on 01/28/2020.

Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
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 Richard C. Ferri and Theresa Ferri, having a mailing address at 6 Willow Drive, Chester, NJ, 07930, a Stream Buffer Conservation Easement on Block 703, Lot 13, in Bernards Township.

2. The easement is on file with the office of the Township Clerk.

3. This Ordinance shall take effect upon its final passage and publication according to law.

**ORDINANCE #2439 - An Ordinance of the Township of Bernards to set Calendar Year 2020 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 - Introduction**

The clerk read the ordinance by title. Motion by Harris, second by Fields, that Ordinance #2439 be introduced on first reading, advertised as required by law, with a public hearing on 01/28/2020.

Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
Nay: 
Abstain: 
Motion carried.

**WHEREAS,** the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its Calendar Year 2020 Budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

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

**WHEREAS,** the Township Committee of the Township of Bernards in the County of Somerset finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS,** the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to $278,139.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and may be necessary; and

**WHEREAS,** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.
NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Bernards shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, may be increased up to 3.5 %, amounting to no more than $973,487.52, and that the CY 2020 municipal budget for the Township of Bernards be approved and adopted in accordance with this ordinance; and

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

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

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

PUBLIC COMMENT
The Mayor opened public comment.
No comments were heard.

ADJOURNMENT
By unanimous consent the meeting adjourned at 8:22 PM

Respectfully submitted,

_____________________________
Rhonda Pisano
Municipal Clerk

_________________________
James Baldassare, Jr.
Mayor

Approved: 01/28/2020