BEFORE THE

TOWNSHIP COMMITTEE OF

BERNARDS TOWNSHIP

OF

RESOLUTION #2020-0172

AUTHORIZING SUBMISSION BY THE FRIENDS OF THE KENNEDY MARTIN STELLE FARMSTEAD OF AN APPLICATION FOR PROJECT AUTHORIZATION UNDER THE NEW JERSEY HISTORIC PLACES ACT TO THE NEW JERSEY HISTORIC PRESERVATION OFFICE (NHPO) FOR PRESERVATION WORK FUNDED UNDER THE 2018 SOMERSET COUNTY HISTORIC PRESERVATION GRANT IN THE AMOUNT OF $197,802 TO IMPROVE THE OVERALL USABILITY, ACCESSIBILITY AND SAFETY OF THE FARMSTEAD BY 1) ADDING A REINFORCED CEMENT SLAB AND INCOMING ELECTRICAL SERVICE TO THE COW SHED; 2) CREATING A TERRACE OVER THE ORIGINAL DAIRY BARN FOUNDATION; 3) IMPROVING SAFETY AND ACCESSIBILITY ENHANCEMENTS WITH 2 ADA COMPLIANT PARKING SPACES, A WALKWAY FROM THE ADA COMPLIANT PARKING SPACES AND BETWEEN THE ENGLISH BARN AND COW SHED, AND A PROPER EGRESS (DOOR) IN THE COW SHED

REPORTS

CORRESPONDENCE

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – OUR HOUSE

PUBLIC COMMENT

TOWNSHIP COMMITTEE/LIAISON & BOARD REPORTS AND STAFF COMMENTS

AMEND AGENDA

EXECUTIVE SESSION – RESOLUTION #2020-0172

PUBLIC WORK SESSION

CALL TO ORDER

ROLL CALL

NEW BUSINESS

ORDINANCE #2442 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS APPROPRIATING $1,070,000.00 FOR VARIOUS CAPITAL IMPROVEMENTS – PUBLIC HEARING

FINISHED BUSINESS

NEW BUSINESS

CONSENT AGENDA

Resolution #2020-0153 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company Lance Lipsett, Full Member

Resolution #2020-0154 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 Scott Gundersen, Full Member

Resolution #2020-0155 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 Brendan Feller, Junior Member

ORDINANCE #2442 - AN ORDINANCE OF THE TOWNSHIP OF BERNARDS APPROPRIATING $1,070,000.00 FOR VARIOUS CAPITAL IMPROVEMENTS – PUBLIC HEARING

NEW BUSINESS

CONSENT AGENDA

Resolution #2020-0156 - Approval of the Bill List Dated 03/10/2020

Resolution #2020-0157 - Return of Maintenance Surety for Winter Subdivision (Walden Place)

Resolution #2020-0158 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and Vollers Excavating for Water Main Improvements along Mount Airy Road (Stacy Lane to Whitenack Road)

Resolution #2020-0159 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and CRJ Contracting for Water Main Improvements along North Finley Avenue, Monroe Place, Ellis Drive, and East Craig Street (Municipal Border with Borough of Bernardsville to North Maple Avenue)

Resolution #2020-0160 - Authorizing the Issuance of a Limousine License to Cedars Car Service, LLC

Resolution #2020-0162 - Refund of Development Fee Residential Development Block: 4701; Lot: 2.08 23 River Farm Lane
Resolution #2020-0163 - Refund of Development Fee Residential Development Block: 1205; Lot: 1.01 6
Conkling Street .................................................................................................................................................. 11
Resolution #2020-0164 - Refund of Development Fee Residential Development Block: 2701; Lot: 11 134 South Alward Avenue ........................................................................................................... 11
Resolution #2020-0167 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and Vollers Excavating for Water Main Improvements along Lyons Road (Goltra Drive to Lyons Train Station at Lyons Place) ........................................................................ 12
Resolution #2020-0168- Resolution of Commendation Honoring Gotta Dance, Recipient of a 2020 Mayor’s Arts Award ........................................................................................................................................................................... 12
Resolution #2020-0170- Resolution of Commendation Honoring Brandon Kyu Lee, Recipient of a 2020 Mayor’s Arts Award ........................................................................................................................................................................... 13
Resolution #2020-0173 - Personnel Appointment Kelly Julian – Administrative Associate – Engineering Department ......................................................................................................................................................................... 13
Resolution #2020-0156 - AUTHORIZING AND APPROVING PURCHASE OF THREE (3) 2020 FORD POLICE INTERCEPTOR SUV’S FROM THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT 15-A ITEM #2 TO BEYER OF MORRISTOWN, 170 RIDGEDALE AVENUE, MORRISTOWN, NEW JERSEY 07960 IN THE AMOUNT NOT TO EXCEED $96,105.90 ............................................................................................................................................................... 14
Resolution #2020-0166 - ACKNOWLEDGING MARCH NATIONAL NUTRITION MONTH ......................................................................................................................... 15
Resolution #2020-0169- RESOLUTION OF COMMENDATION HONORING MICHAEL REYNOLDS, RECIPIENT OF A 2020 MAYOR’S ARTS AWARD ........................................................................................................ 15
Resolution #2020-0174 - PERSONNEL APPOINTMENT JONATHAN BLANK – ASSISTANT TOWNSHIP ENGINEER - ENGINEERING DEPARTMENT ........................................................................................................ 16
Approval of Minutes – 02/25/2020 .................................................................................................................. 16

PUBLIC COMMENT ........................................................................................................................................ 16

ADJOURNMENT ............................................................................................................................................... 16
CALL TO ORDER
The mayor called the meeting to order at 7:30 PM. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL
Present: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.
Absent: 
Also Present: Administrator Monaco, Attorney Belardo (8:00 PM), Engineer Timko (8:00 PM), Municipal Clerk Pisano

AMEND AGENDA
Motion by Esposito, second by Carpenter, and unanimously agreed to remove Resolution #2020-0171 from the agenda as the library directors have determined to not to proceed with this grant application.

EXECUTIVE SESSION – Resolution #2020-0172
Motion by Fields, second by Harris, and unanimously agreed that Resolution #2020-0172 be approved. The meeting temporarily adjourned to Executive Session at 7:32 PM.

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

WHEREAS, the regular meeting of the Township Committee will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Township Committee will go into closed session for the following reason(s) as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Township Committee hereby declares that the discussion of subject(s) may be made public at a time when the Township Attorney advises the Township Committee that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Township Committee, hereby declares that the public is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

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<th>Reason for Closed Session</th>
<th>Estimated Time of Disclosure or Upon Occurrence</th>
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<td>X Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township’s position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded, or the circumstances no longer present a potential impact. Discussion of Contract Negotiation - Possible Shared Service Agreement for Special Utility Counsel with Bedminster, Peapack/Gladstone, Bridgewater, Bernardsville, Far Hills as intervenors with Board of Public Utilities re: NJAWC rate increase.</td>
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The meeting resumed in open session at 7:44 PM and stood in recess until 8:00 PM.
PUBLIC WORK SESSION

Resolution #2020-0161 - Authorizing Submission by the Friends of the Kennedy Martin Stelle Farmstead of an Application for Project Authorization Under the New Jersey Historic Places Act to the New Jersey Historic Preservation Office (SHPO) for preservation work funded under the 2018 Somerset County Historic Preservation Grant in the amount of $197,802 to improve the overall usability, accessibility and safety of the Farmstead by 1) Adding a reinforced cement slab and incoming electrical service to the Cow Shed; 2) Creating a terrace over the original Dairy Barn foundation; 3) Improving safety and accessibility enhancements with 2 ADA compliant parking spaces, a walkway from the ADA compliant parking spaces and between the English Barn and Cow Shed, and a proper egress (door) in the Cow Shed

Motion by Fields, second by Esposito, and unanimously agreed that Resolution #2020-0161 be approved.

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

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

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

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

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

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

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

WHEREAS, on August 24, 2018, Bernards Township authorized the submission of by the Friends of KMS Farmstead to the Somerset County Cultural and Heritage Commission of an Historic Preservation Grant in the amount of $245,400 to improve the overall usability, accessibility and safety of the Farmstead by 1) Adding a reinforced cement slab and incoming electrical service to the Cow Shed; 2) Creating a usable space, such as a terrace, over the original Dairy Barn foundation; 3) Improving safety and accessibility enhancements with 2 ADA compliant parking spaces; a walkway from the ADA compliant parking spaces and between the English Barn and Cow Shed and a proper egress (door) in the Cow Shed (the 2018 Grant); and

WHEREAS, in October 2018, Somerset County awarded the Friends of the Kennedy-Martin-Stelle Farmstead the 2018 Grant in the amount of $197,802 from the Somerset County Historic Preservation Grant program for the purposes stated above; and

WHEREAS, in early spring 2019, as the Friends were preparing to commence the project, Michele and John Catapano and Patrice and Tom Whitehouse, who are neighbors adjacent to Farmstead property, ("the neighbors") expressed concern about required ADA parking to the Friends and to the Township; and

WHEREAS, in response, Township Engineer Thomas Timko expressed a need for a comprehensive site plan for the Farmstead property; and

WHEREAS, on May 14, 2019, at the request of the Friends, the Township Committee authorized a resolution to amend the lease to allow engineering staff to provide consulting services for a limited time and purpose to address the immediate and future needs on the Farmstead property and by resolution on May 28, 2019, directed the Township Engineer to prepare a conceptual site plan (the "concept plan") for the Farmstead property; and

WHEREAS, the Township Engineer created several draft concepts incorporating comments from the Friends, the neighbors, Township Committee Liaisons, Somerset County Historic Preservation Grant manager and the New Jersey State Historic Preservation Office after multiple meetings; and
WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead believe it is imperative to start the work on the 2018 Grant as soon as possible to improve the overall usability, accessibility and safety of the Farmstead, to have construction completed prior to the 10th anniversary celebration fund raiser scheduled for October 3, 2020 and to avoid having the County request return of the grant funds pursuant to Article XI Section D of the SCHG Program application guidelines which requires that “all project funded under the program must be completed within two years of appropriation of grant funds” (October 2020).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize the Friends of the Kennedy-Martin-Stelle Farmstead to submit an Application for Project Authorization Under the New Jersey Historic Places Act to the New Jersey Historic Preservation Office (SHPO) for preservation work funded under the 2018 Somerset County Historic Preservation Grant and authorizes the Friends to commence work on the 2018 grant project upon approval by SHPO; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor and Municipal Clerk hereby authorize the Friends to submit an Application for Project Authorization Under the New Jersey Historic Places Act to the New Jersey Historic Preservation Office (SHPO).

Farmstead Concept Plan – Ann Rosenblum
Ann Rosenblum, representative of the Farmstead, and Tom Timko, township engineer, reviewed the steps taken over the past 9 months that resulted in the presented concept plan dated 02/06/2020. This plan considers items being addressed in the 2018 SHPO grant and items that could be addressed in the future (driveway, parking, restrooms, lighting, etc.).

The Township Committee will take the concept plan under consideration.

REPORTS
None listed

CORRESPONDENCE
Community Development Block Grant Application – Our House
Diane Driscoll, representing Our House, review their application for a Community Development Block Grant for a new roof for one of their group homes in Bernards Township. No comments were heard.

PUBLIC COMMENT
The Mayor opened public comment.

The following people commented on the Farmstead concept plan citing items they support items they do not support:
   Patricia Whitehouse, 17 Sun Rd
   Tom Whitehouse, 17 Sun Rd
   John Catapano, 76 Crest Dr

The following people commented in support of the Farmstead concept plan:
   Burak Guler, 334 English Pl
   Richard Huckins, 67 Woodstone Dr

Ann Rosenblum, Farmstead representative, commented that grants will be harder to obtain if there is indecisiveness.

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 #2020-0153 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company Lance Lipset, Full Member
Motion by Carpenter, second by Harris, and unanimously agreed that Resolution #2020-0153 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 Lance Lipset, residing at 141 Linden 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 #2020-0154 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 Scott Gunderson, Full Member
Motion by Carpenter, second by Fields, and unanimously agreed that Resolution #2020-0154 be approved.

WHEREAS, pursuant to §2-14.1 and §2-16 .1 of 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 First Aid Squad of the Basking Ridge Fire Company #1 is recommending Scott Gunderson, residing at 17 Maple Village Court, Bernardsville, 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 First Aid Squad of the Basking Ridge Fire Company #1 effective this date.

Resolution #2020-0155 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 Brendan Feller, Junior Member
Motion by Fields, second by Harris, and unanimously agreed that Resolution #2020-0155 be approved.

WHEREAS, pursuant to §2-14.1 and §2-16 .1 of 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 First Aid Squad of the Basking Ridge Fire Company #1 is recommending Brendan Feller, residing at 77 Addison Drive, Basking Ridge, for appointment as a Junior Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Junior Member of the First Aid Squad of the Basking Ridge Fire Company #1 effective this date.

UNFINISHED BUSINESS
ORDINANCE #244 - An Ordinance of the Township of Bernards Appropriating $1,070,000.00 for Various Capital Improvements – 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 Carpenter, second by Esposito, that Ordinance #244 be adopted and advertised as required by law.
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, New Jersey that the sum of $1,070,000.00 is hereby appropriated from the Capital Improvement Fund for the following purposes:

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<tbody>
<tr>
<td>A</td>
<td>1,000,000.00 Engineering Projects including Road Resurfacing Plan; Drainage Repairs and Improvements; Pedestrian Safety; Sidewalk/Bikeway Repairs and Improvements</td>
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<tr>
<td>B</td>
<td>$70,000.00 Purchase of Motor Vehicle Fleet Replacements including, but not limited to DPW Equipment Vehicles, Passenger Vehicles and Trailers</td>
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Any grant moneys received for the purposes described above hereof shall be applied to direct payment of the cost of the improvements and shall reduce the amount authorized from the capital improvement fund to the extent that such funds are so used.

The period of usefulness is five years or more. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith and the resolutions promulgated
by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services is on file with the Township Clerk and are available for public inspection.

**BE IT FURTHER ORDEDA**n, this ordinance shall take effect immediately upon final passage and publication in accordance with law.

**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 Esposito, that Resolution #2020-0156, Resolution #2020-0166 and Resolution #2020-0169 be removed from the consent agenda and the remaining items be approved.

Roll Call

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

**Begin Consent Agenda**

**Resolution #2020-0152** - Approval of the Bill List Dated 03/10/2020

**BE IT RESOLVED**, that the bill list dated 03/10/2020 be audited, and if found correct, be paid.
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Total: 0 0 1,042,182.88 0.00

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**Year Total:** 781,830.77 0.00 0.00 0.00 781,830.77

**Current Fund: 7-13 43,109.91 0.00 0.00 43,109.91**
Resolution #2020-0157: Return of Maintenance Surety for Winter Subdivision (Walden Place)

WHEREAS, the Township Engineer of the Township of Bernards, Somerset County, New Jersey, 07920, has received a request for the return of the following Maintenance Surety; and

Name of Applicant: D. R. Horton
Address: 8 Neshaminy Interplex, Suite 115, Trevose. PA 19053

Maintenance Bond: #016076758
Insurance Company: Liberty Mutual Insurance Company c/o Willis of Florida Inc
Address: 4211 W. Boy Scout Blvd, Ste 1000
Tampa, FL 33607

Maintenance Surety Amount: $104,940.18

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

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

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

Resolution #2020-0158 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and Vollers Excavating for Water Main Improvements along Mount Airy Road (Stacy Lane to Whitenack Road).

WHEREAS, NJAWC/Vollers proposes to replace the water main on Somerset County Route 525, Mount Airy Road during the night hours of 8 PM to 5 AM between Stacy Lane and Whitenack Road, expecting to last approximately a month starting in April 2020; and

WHEREAS, the night work is safer for the construction crews by reducing traffic immediately adjacent to the excavation and avoids limited “day” hours; these limited hours lengthen the overall time for the project. Night work will also diminish or eliminate the disruption of water service during the day for homeowners within the work area; and

WHEREAS, a waiver of the Township’s noise ordinance is required for night work; and

WHEREAS, NJAWC/Vollers has requested a waiver from the Township’s Noise Ordinance, §3-9 of the Revised General Ordinances of the Township; and

WHEREAS, a daytime detour of Mount Airy Road will cause significant local traffic congestion.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby expresses support for the project and grants the request for a waiver of the Township’s Noise Ordinance with the following stipulations:

1. The detour will not start until 8 PM and the road shall be swept with a vacuum street sweeper, not a power broom, and open to traffic at 5 AM.
2. Suitable detour plans must be approved by the Police Department.
3. No construction activities shall be permitted on Saturday nights into Sunday, Sunday nights into Monday, or Holidays.
4. Disturbed areas shall be backfilled, and temporary asphalt pavement installed neatly each night. All excess materials, trash, supplies, etc. shall be removed the same night. All areas along the project route shall be kept neat and clean during the course of construction.
5. All material and equipment staging areas shall be approved by the Township prior to the start of construction activities. NJAWC/Vollers shall not use any portion of County property on Lord Stirling Road for staging.
6. Bernards Township Engineering Permits must be obtained for any excavation or disturbance of Township roadways, and restoration requirements shall be per ordinance or as directed by the Township.
7. NJAWC/Vollers shall be responsible for all utility mark outs and test holes. Adjustments to the location of the proposed water main may be required in the field to avoid disturbance of existing Township sewer facilities.
8. Residents will be notified daily of the next day’s impact to their properties. Resident access will be maintained at all times except when the trench crosses any driveway.
9. Noise shall be kept to a minimum and construction workers shall conduct themselves appropriately.
10. Any violations of these stipulations shall result in immediate suspension of the work and revocation of this waiver at the discretion of the Township.

Resolution #2020-0159 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and CRJ Contracting for Water Main Improvements along North Finley Avenue, Monroe Place, Ellis Drive, and East Craig Street (Municipal Border with Borough of Bernardsville to North Maple Avenue)

WHEREAS, NJAWC/CRJ proposes the installation of a new water main on Somerset County Route 613, North Finley Avenue between the municipal border with the Borough of Bernardsville and Monroe Place during the night hours of 8 PM to 5 AM and on Bernards Township roads Monroe Place, Ellis Drive, and East Craig Street between North Finley Avenue and North Maple Avenue during normal daytime hours, all in total expecting to last about six weeks starting in March 2020; and

WHEREAS, the night work is safer for the construction crews on North Finley Avenue by reducing traffic immediately adjacent to the excavation and avoids limited “day” hours; these limited hours lengthen the overall time for the project in high traffic areas. Night work will also diminish or eliminate the disruption of water service during the day for homeowners within the work area on the County road; and

WHEREAS, a waiver of the Township’s noise ordinance is required for night work; and

WHEREAS, NJAWC/CRJ has requested a waiver from the Township’s Noise Ordinance, §3-9 of the Revised General Ordinances of the Township; and

WHEREAS, daytime detour of Somerset County’s North Finley Avenue will cause significant traffic congestion; and

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby expresses support for the project and grants the request for a waiver of the Township’s Noise Ordinance with the following stipulations:

1. The detour will not start until 8 PM and the road shall be swept with a vacuum street sweeper, not a power broom, and open to traffic at 5 AM.
2. Suitable detour plans must be approved by the Township Engineer and Chief of Police.
3. No construction activities shall be permitted on Saturday nights into Sunday, Sunday nights into Monday, or Holidays.
4. Disturbed areas shall be backfilled and temporary asphalt pavement installed each night. All excess materials, trash, supplies, etc. shall be removed the same night. All areas along the project route shall be kept neat and clean during the course of construction.
5. All material and equipment staging areas shall be approved by the Township prior to the start of construction activities. NJAWC/CRJ shall not use any portion of County property on Lord Stirling Road for staging.
6. Bernards Township Engineering Permits must be obtained for any excavation or disturbance of Township roadways, and restoration requirements shall be per ordinance or as directed by the Township.
7. NJAWC/CRJ shall be responsible for all utility mark outs and test holes. Adjustments to the location of the proposed water main may be required in the field to avoid disturbance of existing Township sewer facilities.
8. Residents will be notified daily of the next day’s impact to their properties. Resident access will be maintained at all times except when the trench crosses any driveway.
9. Noise shall be kept to a minimum and construction workers shall conduct themselves appropriately.
10. All school bus traffic shall be maintained at all times by the contractor throughout construction.
11. Any violations of these stipulations shall result in immediate suspension of the work and revocation of this waiver at the discretion of the Township.

Resolution #2020-0160 - Authorizing the Issuance of a Limousine License to Cedars Car Service, LLC

WHEREAS, Elias Abousleiman, Cedars Car Service, 149 N. Finley Ave, Basking Ridge, NJ 07920 (the “applicant”), has applied for a Limousine License; and

WHEREAS, the application submitted by the applicant is in compliance with Chapter 4, Section 8 of the Revised General Ordinances of the Township of Bernards; and
WHEREAS, the Municipal Clerk, Police Chief and the Zoning Officer have reviewed said application and find it complete.

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

Resolution #2020-0162 - Refund of Development Fee Residential Development Block: 4701; Lot: 2.08 23 River Farm Lane
WHEREAS, Section 27-76.16 of the Revised Land Use Ordinance of the Township of Bernards provides for a collection of a Development Fee, and

WHEREAS, the application be approved as submitted.

Resolution #2020-0163 - Refund of Development Fee Residential Development Block: 1205; Lot: 1.01 6 Conkling Street
WHEREAS, Section 27-76.16 of the Revised Land Use Ordinance of the Township of Bernards provides for a collection of a Development Fee, and

WHEREAS, the application be approved as submitted.

Resolution #2020-0164 - Refund of Development Fee Residential Development Block: 2701; Lot: 11 134 South Alward Avenue
WHEREAS, Section 27-76.16 of the Revised Land Use Ordinance of the Township of Bernards provides for a collection of a Development Fee, and

WHEREAS, the application be approved as submitted.
WHEREAS, as a condition of the issuance of a Building Permit and a Certificate of Occupancy, payment of one and one half percent of the estimated equalized assessed value of $1,074,700.00 was required; and

WHEREAS, $16,120.50 was paid by Horowitz & Frasher, LLC; and

WHEREAS, the Tax Assessor has now determined the FINAL equalized assessed value of the property to be less than the ESTIMATED equalized assessed value; and

WHEREAS, payment of one and one half percent of the FINAL equalized assessed value of the property is $13,716.00; and

WHEREAS, a refund of $2,404.50 is due to Horowitz & Frasher, LLC.

NOW, THEREFORE, BE IT RESOLVED THAT, the Township Committee of the Township of Bernards hereby authorizes the refund of $2,404.50.

Resolution #2020-0167 - Authorizing a Waiver to the Township’s Noise Ordinance To New Jersey American Water Company (NJAWC) and Vollers Excavating for Water Main Improvements along Lyons Road (Goltra Drive to Lyons Train Station at Lyons Place)

WHEREAS, NJAWC/Vollers proposes to replace the water main on Somerset County’s portion of Lyons Road between Goltra Drive and the Lyons Mall during the night hours of 8 PM to 5 AM and on Bernards Township’s portion of Lyons Road adjacent to the Lyons Mall between the County right-of-way and the Lyons Train Station during normal daytime hours, all in total expecting to last about six weeks starting in March 2020; and

WHEREAS, the night work is safer for the construction crews on the County portion of Lyons Road by reducing traffic immediately adjacent to the excavation and avoids limited “day” hours; these limited hours lengthen the overall time for the project in high traffic areas. Night work will also diminish or eliminate the disruption of water service during the day for homeowners within the work area on the County portion of the road; and

WHEREAS, a waiver of the Township’s noise ordinance is required for night work; and

WHEREAS, NJAWC/Vollers has requested a waiver from the Township’s Noise Ordinance, §3-9 of the Revised General Ordinances of the Township; and

WHEREAS, daytime detour of Somerset County’s Lyons Road will cause significant traffic congestion.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby expresses support for the project and grants the request for a waiver of the Township’s Noise Ordinance with the following stipulations:

1. The detour will not start until 8 PM and the road shall be swept with a vacuum street sweeper, not a power broom, and open to traffic at 5 AM.
2. Suitable detour plans must be approved by the Township Engineer and Chief of Police.
3. No construction activities shall be permitted on Saturday nights into Sunday, Sunday nights into Monday, or Holidays.
4. Disturbed areas shall be backfilled and temporary asphalt pavement installed each night. All excess materials, trash, supplies, etc. shall be removed the same night. All areas along the project route shall be kept neat and clean during the course of construction.
5. All material and equipment staging areas shall be approved by the Township prior to the start of construction activities. NJAWC/Vollers shall not use any portion of County property on Lord Stirling Road for staging.
6. No construction equipment shall be parked on Lyons Place, Wharton Way, Byron Drive, Paddock Court, Warwick Lane or the Coppergate Drive cul-de-sac. All locations for equipment parking shall be approved by the Police Department.
7. Bernards Township Engineering Permits must be obtained for any excavation or disturbance of Township roadways, and restoration requirements shall be per ordinance or as directed by the Township.
8. NJAWC/Vollers shall be responsible for all utility mark outs and test holes. Adjustments to the location of the proposed water main may be required in the field to avoid disturbance of existing Township sewer facilities.
9. Residents will be notified daily of the next day’s impact to their properties. Resident access will be maintained at all times except when the trench crosses any driveway.
10. Noise shall be kept to a minimum and construction workers shall conduct themselves appropriately.
11. All school bus traffic and public vehicular access to the Lyons Train Station shall be maintained at all times by the contractor throughout construction.
12. Any violations of these stipulations shall result in immediate suspension of the work and revocation of this waiver at the discretion of the Township.

**Resolution #2020-0168- Resolution of Commendation Honoring Gotta Dance, Recipient of a 2020 Mayor’s Arts Award**

**WHEREAS**, the Mayor’s Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township; and

**WHEREAS**, in the Organization Category, the Mayor’s Arts Award is presented to an outstanding organization, corporation, business or school dedicated to supporting the arts in Bernards Township; and

**WHEREAS**, Gotta Dance has been fostering the love and art of dance in Bernards Township for over 30 years, starting their journey in the Spring Ridge clubhouse in 1989 before moving to their current home in Downtown Basking Ridge in 1995; and

**WHEREAS**, Gotta Dance has taught thousands of Township residents the joy of all styles of dance including jazz, tap, ballet, hip-hop, contemporary and modern, and many of their talented dancers have shined on stage in local school productions, on the Ridge High Dance Team, and in Plays in the Park performances; and

**WHEREAS**, Gotta Dance has always believed in community involvement and has participated in Charter Day, Downtown Trick-or-Treating, the Winter Market and Tree Lighting and other community wide events and volunteer opportunities; and

**WHEREAS**, Gotta Dance has had a positive lifetime impact on the health and wellness of the entire community as it continues to be a great place to grow, learn, and create forever friendships.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Gotta Dance on this impressive achievement as the recipient of a 2020 Mayor’s Art Award.

**Resolution #2020-0170- Resolution of Commendation Honoring Brandon Kyu Lee, Recipient of a 2020 Mayor’s Arts Award**

**WHEREAS**, the Mayor’s Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township; and

**WHEREAS**, in the Student Category, the Mayor’s Art Award is presented to a current High School Junior or Senior who has demonstrated excellence in and a commitment to the fine or performing arts; and

**WHEREAS**, Brandon Kyu Lee, a Ridge High School Junior, was nominated and selected for his personal dedication to the arts and volunteerism in his community; and

**WHEREAS**, Brandon is a talented cellist and his love of music has led his to participation in several programs including the Ridge Symphony Orchestra, the Bernards Ensemble, the New Jersey All-State Orchestra and the prestigious New York Youth Symphony; and

**WHEREAS**, Brandon is a wonderful role model for his fellow musicians and leads with purpose, patience, creativity and sensitivity, as he serves as the principal cellist and co-section leader of the Ridge Symphony Orchestra and the President of the Bernards Ensemble; and

**WHEREAS**, Brandon strives to create a positive change in his community through music which is evident in his volunteer work with the Bernards Ensemble, performing in concerts for children and adults with disabilities through community groups such as the Bernards PEC and the Arc of Somerset.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Brandon Kyu Lee on his impressive achievement as the recipient of a 2020 Mayor’s Art Award.

**Resolution #2020-0173- Personnel Appointment Kelly Julian – Administrative Associate – Engineering Department**

**WHEREAS**, a part time Administrative Associate position became available due to a vacancy; and
WHEREAS, the Township Engineer, Township Administrator, Chief Financial Officer and Human Resources Manager have deemed it necessary to fill this position; and

WHEREAS, Kelly Julian has applied for and is qualified to fill said position; and

WHEREAS, the Township Engineer, Township Administrator, Chief Financial Officer and Human Resources Manager recommend the appointment of Kelly Julian to part time Administrative Associate.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Kelly Julian be appointed part time Administrative Associate with a hire date of Monday, April 13, 2020 at an hourly rate of $18.00 for a 20-hour work week.

**End Consent Agenda**

Mayor Baldassare recused himself and left the dais. Deputy Mayor Esposito took over as Chairperson.

Resolution #2020-0156 - Authorizing and Approving Purchase of three (3) 2020 Ford Police Interceptor SUV’s from the Morris County Cooperative Pricing Council Contract 15-A Item #2 to Beyer of Morristown, 170 Ridgedale Avenue, Morristown, New Jersey 07960 In the Amount Not to Exceed $96,105.90

Motion by Carpenter, second by Harris that Resolution #2020-0156 be approved.

Roll Call

Aye: Carpenter, Esposito, Fields, Harris
Nay:  
Abstain: 

Motion carried.

WHEREAS, the Township of Bernards Police Department wishes to purchase three (3) 2020 Ford Police Interceptor SUV’s;

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<th>UNIT</th>
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<td>Rear View Camera – Rear View Mirror</td>
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<td>Underbody Deflector Plate – inc Engine &amp; Transmission Shield</td>
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**TOTAL** | **$96,105.90**

WHEREAS, it is the combined recommendation of the Police Chief, Administrator and Purchasing Agent to award this purchase to; Beyer of Morristown, 170 Ridgedale Avenue, Morristown, New Jersey 07960 in the amount of $96,105.90; 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 #0-01-25-251-295 ($96,105.90); 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 for three (3) 2020 Ford Police Interceptor SUV’s to Beyer of Morristown, 170 Ridgedale Avenue, Morristown, New Jersey 07960 in the amount not to exceed $96,105.90.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed $96,105.90 monies are available in the Police Cars-Payment line account #0-01-25-251-295.

Date: February 27, 2020
Sean McCarthy, Chief Financial Officer

Mr. Baldassare returned to the dais and resumed his role as Chairperson.

Resolution #2020-0166 - Acknowledging March National Nutrition Month
Motion by Fields, second by Harris, and unanimously agreed that Resolution #2020-0166 be approved. The Mayor presented Allison Sanderson, RDN from Bernardsville Shop-Rite, with a copy of the resolution.

WHEREAS, food is the substance by which life is sustained; and

WHEREAS, the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge March 2020 as National Nutrition Month and encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Resolution #2020-0169 - Resolution of Commendation Honoring Michael Reynolds, Recipient of a 2020 Mayor’s Arts Award
Motion by Harris, second by Esposito, and unanimously agreed that Resolution #2020-0169 be approved. The Mayor recognized Mr. Reynolds in the audience and stated that his Resolution would be presented at the Community Art Show ceremony on March 21st.

WHEREAS, the Mayor’s Arts Awards were created by the Recreation, Parks & Pathways Committee and the Parks & Recreation Department to honor those individuals and organizations demonstrating exemplary leadership in and dedication to the fine and performing arts in Bernards Township; and

WHEREAS, in the Individual Category, the Mayor’s Art Award is presented to an outstanding individual artist, professional, educator or community volunteer dedicated to supporting the arts in Bernards Township; and

WHEREAS, Michael is a talented film producer, director, screenwriter, editor and educator who created the documentary film “Under the Great Oak” which explores the legacy of the Great Oak tree of Basking Ridge; and

WHEREAS, Michael’s film captures the beauty of the Great Oak that would otherwise be lost to future generations and showcases a community which united to celebrate the life and mourn the loss of a prominent town symbol; and

WHEREAS, “Under the Great Oak” has been screened for high school students and the local community and screenings have been accompanied by panel discussions featuring historians, environmentalists and artists which have encouraged community engagement and volunteerism.
NOW THEREFORE BE IT RESOLUTION by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Michael Reynolds on this impressive achievement as the recipient of a 2020 Mayor’s Art Award.

Resolution #2020-0174 - Personnel Appointment Jonathan Blank – Assistant Township Engineer - Engineering Department

The Mayor acknowledged Jonathan Blank in the audience. Motion by Harris, second by Fields, and unanimously agreed that Resolution #2020-0174 be approved.

WHEREAS, the full-time position of Assistant Township Engineer became available due to a resignation; and

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

WHEREAS, Jonathan Blank is well qualified to fill said position; and

WHEREAS, the Township Engineer, Township Administrator and Human Resources Manager recommend appointment of Jonathan Blank to the position of full time Assistant Township Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jonathan Blank be appointed full time Assistant Township Engineer with an effective date of Sunday, March 15, 2020 at an annual rate of $85,000.00 for a 40-hour work week.

Approval of Minutes – 02/25/2020
Motion by Carpenter, second by Harris, and unanimously agreed that the 02/25/2020 Open Session minutes be approved for content and release and the 02/25/2020 Executive Session minutes be approved for content.

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

PUBLIC COMMENT
Todd Edelstein, Riverside Dr – commented on the Corona Virus, the LECP, property tax relief, and Charter Day committee

ADJOURNMENT
Motion by Fields, second by Harris, and unanimously agreed to adjourned the meeting at 9:33 PM

Respectfully submitted,

Rhonda Pisano
Municipal Clerk

James Baldassare, Jr.
Mayor

Approved: 03/24/2020