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**BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE
MINUTES**

OCTOBER 10, 2017 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 8:02 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present: Bianchi, Carpenter, Malay, Russo, Gaziano

Absent:

Also Present: Attorney Belardo, Engineer Timko, CFO/HR Officer Johnson, and Municipal Clerk/Assist.
Admin. Szabo

PUBLIC COMMENT

Todd Edelstein, Riverside Drive, commented on the Consent Agenda.

Chris McManemin commented on the Lafayette Road Bridge.

Sally Booth, Bullion Road, commented on the redevelopment of the Quarry, insurance premiums, and health benefits for public officials.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2017-0369](#) - *Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 & First Aid Squad of the Basking Ridge Fire Company #1 – Kathleen Cole, Full Member Liberty Corner Fire Company – Tomas Tancredi, Junior Member*

Motion by Bianchi, second by Malay, and unanimously agreed that Resolution 2017-0369 be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, pursuant to §2-14.1 of the Revised General Ordinances of the Township of Bernards, the volunteer fire department consisting of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc. are hereby made the fire departments for the Township of Bernards; and

WHEREAS, pursuant to § 2-16.1 of the Revised General Ordinances of the Township of Bernards, there shall be a first aid department known as the "Township of Bernards First Aid and Emergency Department" consisting of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad, Inc.; and

WHEREAS, the Basking Ridge Fire Co. #1 and Liberty Corner First Aid Squad respectively are recommending the following individuals for appointment:

NAME	ADDRESS	MEMBER STATUS	AGENCY
Kathleen Cole	38 Stevens Street Bernardsville NJ 07924	Full	Basking Ridge Fire Company #1 & First Aid Squad of the Basking Ridge Fire Company#1
Thomas Tancredi	125 Church Street Basking Ridge NJ 07920	Junior	Liberty Corner Fire Company

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

UNFINISHED BUSINESS

[Ordinance #2373](#) - *An Ordinance of the Township of Bernards Appropriating \$65,000.00 for Pool 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 Bianchi, that Ordinance #2373 be adopted and advertised as required by law.

Roll Call:

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

NEW BUSINESS

Consent Agenda

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

Motion by Malay, second by Russo, that Resolutions #2017-0363 and #2017-0371 be removed from the Consent Agenda and that the balance of items be approved.

Roll Call:

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

**** Begin Consent Agenda****

Approval of Minutes:

09/12/2017 Open Session

These minutes were approved for content and release.

09/12/2017 Closed Session

These minutes were approved for content only.

Resolution #2017-0361- Approval of the Bill List Dated 10/10/2017

BE IT RESOLVED, that the bill list dated 10/10/2017 be audited, and if found correct, be paid.

October 10, 2017
02:06 PM

TOWNSHIP OF BERNARDS
Check Register By Check Id

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Ids: 113396 to 113544
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit:
Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
113396	10/10/17	A0035	PENWORTHY/AMERICAN MEDIA	284.79	1324
113397	10/10/17	A0162	ACME DIESEL ELECTRIC, INC.	415.00	1324
113398	10/10/17	A0174	ALL SPORTS STADIUM, LLC	332.00	1324
113399	10/10/17	A0399	ABSOLUTE AUTO TRUCK SALVAGE CO	544.00	1324
113400	10/10/17	A0425	ATLANTIC TACTICAL	408.05	1324
113401	10/10/17	A0588	AMERICAN ACADEMY OF PEDIATRICS	175.00	1324
113402	10/10/17	A0611	AMERICAN WEAR, INC	874.88	1324
113403	10/10/17	A0629	ABUBAKAR, RUKHSANA	362.50	1324
113404	10/10/17	A0632	ALUR, SHEETAL & HEMANT	145.00	1324
113405	10/10/17	B0001	BAKER & TAYLOR, INC.	4,363.97	1324
113406	10/10/17	B0021	BASKING RIDGE FIRE CO.	900.00	1324
113407	10/10/17	B0026	BERNARDS TOWNSHIP CURRENT	0.00	10/10/17 VOID 0
113408	10/10/17	B0026	BERNARDS TOWNSHIP CURRENT	7,839.97	1324
113409	10/10/17	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	536,090.26	1324
113410	10/10/17	B0203	DIFRANCESCO, BATEMAN, COLEY, YOSP	8,716.32	1324
113411	10/10/17	B0527	B&H PHOTO-VIDEO	392.33	1324
113412	10/10/17	B0581	BUY WISE AUTO PARTS	691.24	1324
113413	10/10/17	B0637	BERNARDS CAFE	1,527.90	1324
113414	10/10/17	B0720	BEDER, HOWARD & IRENA	25.00	1324
113415	10/10/17	C0008	CHILDREN'S PRESS	1,610.05	1324
113416	10/10/17	C0083	CDW GOVERNMENT, INC.	11,666.09	1324
113417	10/10/17	C0345	COURIER NEWS SUBSCRIPTIONS	22.79	1324
113418	10/10/17	C0482	CABLEVISION OF RARITAN VALLEY	143.76	1324
113419	10/10/17	C0597	CLIFFSIDE BODY CORPORATION	711.18	1324
113420	10/10/17	C0685	CONSTELLATION NEW ENERGY, INC	635.34	1324
113421	10/10/17	C0697	BB&T/CPS	7.37	1324

113422	10/10/17	C0768	CHESTER, MEGAN & JEFF	35.00	1324
113423	10/10/17	D0020	DELTA DENTAL OF NJ	12,995.19	1324
113424	10/10/17	D0033	DEMCO, INC	292.74	1324
113425	10/10/17	D0041	STICKEL, KOENIG, SULLIVAN&DRILL	16,878.75	1324
113426	10/10/17	D0339	DEER CARCASS REMOVAL SVC, LLC	1,641.41	1324
113427	10/10/17	D0380	DRIVERS TIRE & SERVICE CENTER	1,534.22	1324
113428	10/10/17	D0628	DCRP	207.17	1324
113429	10/10/17	E0231	EKA ASSOCIATES, P.A.	776.25	1324
113430	10/10/17	E0233	ESSEX FENCE CO, LLC	2,250.00	1324
113431	10/10/17	E0267	EAW SECURITY	485.76	1324
113432	10/10/17	F0001	FEDEX	74.60	1324
113433	10/10/17	F0003	FOLEY, INCORPORATED	7,929.01	1324
113434	10/10/17	F0024	FISCHER, JOSEPH	525.00	1324
113435	10/10/17	F0047	FULLERTON FORD	63.88	1324
113436	10/10/17	F0158	FLEMINGTON DEPARTMENT STORE	174.45	1324
113437	10/10/17	F0299	FASTENAL CO.	78.15	1324
113438	10/10/17	F0324	FLAGSHIP DENTAL PLANS	232.46	1324
113439	10/10/17	F0326	FX AUTOMOTIVE LLC	71.76	1324
113440	10/10/17	F0330	FIDELITY SECURITY LIFE INS	212.30	1324
113441	10/10/17	F0346	FANELLI, DIANNE	25.00	1324
113442	10/10/17	F0359	FENG, LIYUN	150.00	1324
113443	10/10/17	G0004	GALLS, INC.	46.91	1324
113444	10/10/17	G0066	GRAINGER INC	290.84	1324
113445	10/10/17	G0098	JCP&L	78.44	1324
113446	10/10/17	G0133	GARDEN STATE LABORATORIES, INC	110.00	1324
113447	10/10/17	G0300	GOLD TYPE BUSINESS MACHINES	1,058.00	1324
113448	10/10/17	G0333	BEDMINSTER CAR WASH	103.95	1324
113449	10/10/17	G0509	GREEN ROCK RECYCLING	300.00	1324
113450	10/10/17	H0008	HEWLETT-PACKARD	1,292.23	1324
113451	10/10/17	H0235	HOOVER TRUCK CENTERS	1,072.93	1324
113452	10/10/17	H0246	HOME DEPOT CREDIT SERVICES	101.20	1324
113453	10/10/17	H0375	HICKS PAVING, LLC	420.00	1324
113454	10/10/17	I0016	IACP	170.00	1324
113455	10/10/17	I0067	INDUSTRIAL RUBBER COMPANY	14.19	1324
113456	10/10/17	I0130	INTEGRATED SYSTEMS & SERVICES	3,870.00	1324
113457	10/10/17	I0139	INGHILTERRA, VITO	900.00	1324
113458	10/10/17	I0152	IWS TRANSFER SYSTEMS OF NJ	2,732.24	1324
113459	10/10/17	J0002	JAEGER LUMBER	65.96	1324
113460	10/10/17	J0150	FORD OF JERSEY CITY	555.42	1324
113461	10/10/17	J0191	JONES, REBECCA	270.00	1324
113462	10/10/17	J0207	JIMENEZ, JOHN	25.00	1324
113463	10/10/17	K0036	KONICA MINOLTA BUSINESS	332.85	1324
113464	10/10/17	K0039	KOBESKY, GREGG S.	42.95	1324
113465	10/10/17	K0252	KOHLER WASTE SERVICES, INC.	125.00	1324
113466	10/10/17	K0259	KONICA MINOLTA PREMIER FINANCE	122.00	1324
113467	10/10/17	K0259	KONICA MINOLTA PREMIER FINANCE	167.07	1324
113468	10/10/17	K0297	KONICA MINOLTA PREMIER FINANCE	137.58	1324
113469	10/10/17	L0181	LAND'S END, INC.	617.99	1324
113470	10/10/17	M0010	MOBILE LAWNMOWER SERVICE, INC.	696.67	1324
113471	10/10/17	M0165	METRO HYDRAULIC JACK CO.	585.00	1324
113472	10/10/17	M0488	SAFETY DOWN UNDER, INC.	9,000.00	1324
113473	10/10/17	M0518	KONICA MINOLTA BUSINESS SOL.	71.57	1324
113474	10/10/17	M0518	KONICA MINOLTA BUSINESS SOL.	110.95	1324
113475	10/10/17	M0518	KONICA MINOLTA BUSINESS SOL.	162.00	1324
113476	10/10/17	M0851	MOUNT AIRY INVESTORS LLC	179.23	1324
113477	10/10/17	M0854	MCCARTHY, BRIAN & SHEN	270.00	1324
113478	10/10/17	N0023	TREASURER, STATE OF NEW JERSEY	36,327.00	1324
113479	10/10/17	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	360.00	1324
113480	10/10/17	N0030	NJ STATE ASSN.-CHIEFS/POLICE	165.00	1324
113481	10/10/17	N0032	NJ STATE DEPT HEALTH/SR SVCS	18.00	1324
113482	10/10/17	N0046	NEW JERSEY AUDUBON	150.00	1324
113483	10/10/17	N0083	NJRPA	165.00	1324
113484	10/10/17	N0297	NORTHERN SAFETY CO., INC.	371.20	1324
113485	10/10/17	N0333	NJ PUBLIC SAFETY ACCRED COAL	444.00	1324
113486	10/10/17	O0021	OFFICE DEPOT	148.10	1324
113487	10/10/17	O0105	O.C.A. BENEFIT SERVICES, LLC	94.05	1324
113488	10/10/17	P0046	RESERVE ACCOUNT	1,208.37	1324
113489	10/10/17	P0377	PRINCETON HYDRO, LLC	885.56	1324
113490	10/10/17	P0415	PERTH AMBOY SPRING WORKS	248.80	1324
113491	10/10/17	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	20.70	1324
113492	10/10/17	P0546	PETER RUBINETTI PRIVATE DISP	1,871.40	1324
113493	10/10/17	P0612	PAULSEN, ROBERT & TRACY	25.00	1324
113494	10/10/17	P0616	P & A CONSTRUCTION, INC.	1,075.73	1324
113495	10/10/17	P0621	PEREZ, DANIEL	100.00	1324
113496	10/10/17	Q0002	CINTAS CORP. - #062	287.80	1324
113497	10/10/17	R0004	RECORDED BOOKS INC.	69.94	1324
113498	10/10/17	R0005	RECORDER PUBLISHING CO., INC	73.44	1324
113499	10/10/17	R0023	RICHIES TIRE SERVICE, INC.	1,862.71	1324
113500	10/10/17	R0046	R & J CONTROL, INC.	802.00	1324
113501	10/10/17	R0071	RENDA ROADS, INC.	57,997.80	1324
113502	10/10/17	R0136	BRIAN COOKE	2,342.49	1324
113503	10/10/17	R0516	RAMNAUTH, PURNIMA & MAHENDRA	25.00	1324
113504	10/10/17	S0016	STORR TRACTOR COMPANY	904.26	1324
113505	10/10/17	S0021	S & S WORLDWIDE, INC.	162.94	1324
113506	10/10/17	S0035	SIRCHIE FINGER PRINT LAB	209.31	1324
113507	10/10/17	S0378	STAVOLA ASPHALT	3,934.62	1324
113508	10/10/17	S0424	SCHULMAN, WIEGMANN & ASSOC.	295.00	1324
113509	10/10/17	S0443	STAPLES ADVANTAGE	375.05	1324
113510	10/10/17	S0628	STATE OF NEW JERSEY-HB	221,838.77	1324
113511	10/10/17	S0691	SUPERIOR DISTRIBUTORS	747.15	1324
113512	10/10/17	S0896	SAFARILAND	52.21	1324
113513	10/10/17	S0964	SKYVIEW INVESTORS, LLC	17,101.35	1324
113514	10/10/17	S0977	STAVOLA CONSTRUCTION MATERIALS	676.72	1324
113515	10/10/17	S0980	STANZEL, BILL & STACEY	40.00	1324
113516	10/10/17	S0981	SCHUCHMAN, JENNIFER & ALEX	25.00	1324
113517	10/10/17	S0982	SUNG, DOOHYUN	85.00	1324
113518	10/10/17	T0037	TJ'S SPORTWIDE TROPHY & AWARDS	75.00	1324
113519	10/10/17	T0066	CENGAGE LEARNING CREDIT SVCS	157.39	1324
113520	10/10/17	T0101	TRIANGLE COMMUNICATIONS	85.00	1324
113521	10/10/17	T0284	BROADWAY INBOUND	3,464.50	1324

TOWNSHIP COMMITTEE MINUTES

10/10/2017

113522	10/10/17	T0325	TOP LINE CONSTRUCTION CORP	11,172.77	1324
113523	10/10/17	T0372	TLO, LLC	121.25	1324
113524	10/10/17	T0402	TOWER AS CUST EBURY	1,877.97	1324
113525	10/10/17	V0037	VILLAGE SUPERMARKET, INC.	41.25	1324
113526	10/10/17	V0056	VERIZON WIRELESS	947.03	1324
113527	10/10/17	V0058	VERIZON	1,461.97	1324
113528	10/10/17	V0059	VERIZON CABS	205.53	1324
113529	10/10/17	V0084	VERIZON	519.97	1324
113530	10/10/17	V0177	VERIZON	391.17	1324
113531	10/10/17	V0185	VERIZON NETWORK FLEET	530.60	1324
113532	10/10/17	V0190	VOGEL, LORI	240.00	1324
113533	10/10/17	W0016	WARRENVILLE TRUE VALUE	1,641.60	1324
113534	10/10/17	W0074	WELSH'S MOTOR SALES, INC.	1,655.21	1324
113535	10/10/17	W0241	W.B. MASON CO INC.	658.68	1324
113536	10/10/17	W0259	VENTURA, MIESOWITZ, KEOUGH &	3,217.50	1324
113537	10/10/17	W0271	WEATHER WORKS	1,690.00	1324
113538	10/10/17	W0280	WEST, ELISE	35.00	1324
113539	10/10/17	W0286	WORLDWIDE LANGUAGE SVCS CORP	425.00	1324
113540	10/10/17	W0339	W.B. MASON	126.57	1324
113541	10/10/17	W0347	EDWARD WACKS & ASSOCIATES, LLC	2,103.80	1324
113542	10/10/17	W0354	WEGELER, PATRICK & ALLYSON	25.00	1324
113543	10/10/17	X0005	XTEL COMMUNICATION	380.10	1324
113544	10/10/17	P0616	P & A CONSTRUCTION, INC.	376,445.91	1325

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	148	1	1,414,898.30	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	148	1	1,414,898.30	0.00

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	6-01	0.00	0.00	0.00	0.00
CURRENT FUND	7-01	887,458.92	0.00	0.00	887,458.92
DOG FUND	7-12	21,852.50	0.00	0.00	21,852.50
GOLF COURSE UTILITY	7-26	4,514.17	0.00	0.00	4,514.17
Year Total:		913,825.59	0.00	0.00	913,825.59
CAPITAL FUND	C-04	442,706.61	0.00	0.00	442,706.61
PUBLIC GRANTS	G-02	14,522.77	0.00	0.00	14,522.77
TRUST FUNDS	T-13	33,385.10	0.00	0.00	33,385.10
PROJECT ESCROW		10,458.23	0.00	0.00	10,458.23
Total Of All Funds:		1,414,898.30	0.00	0.00	1,414,898.30

Resolution #2017-0364 - Personnel Appointment, Harrison Kirby – Patrol Officer – Police Department
WHEREAS, the full time position of Patrol Officer became vacant due to a resignation; and

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

WHEREAS, Harrison Kirby has applied for and is qualified to fill said position; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer/Human Resources Officer recommend appointment of Harrison Kirby to full time Patrol Officer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Harrison Kirby be appointed full time Patrol Officer 1 with a hire date of Wednesday, October 11, 2017 at a salary in accordance with the Policemen’s Benevolent Association, Local No. 357 Contract, for a 40 hour work week.

Resolution #2017-0365 - Dedication by Rider – Public Donations Amending Resolution #2017-0346
Requesting Permission for a Dedication by Rider For the Acceptance of Bequests and Gifts

WHEREAS, the Bernards Township Committee adopted Resolution #2017-0346 on September 12, 2017 requesting permission of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides for receipt of Public Donations by the municipality to be expended for a specific purpose; and

WHEREAS, the expenditure of Public Donations will be an exact offset to the receipt of Public Donations; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider; and

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

1. The Township Committee does hereby request permission of the Director of the Division of Local Government Services to establish a Dedication by Rider for Public Donations as per N.J.S.A.40A:5-29, for the exclusive purpose of depositing and expending funds donated by individuals for the following purposes:

Animal Control Expenses	Library Bequests-Improvements
Employee Recognition Programs	Recreation Equipment
Green Initiatives	Recreation Fields Maintenance
Health Prevention Programs	Recreation Programs
Police Equipment	Recreation-Memorial Trees and Benches
Police Programs	Street Signage-Hills
DARE Programs	Tree Arboretum
Community Policing Programs	Tree Replacements

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

[Resolution #2017-0366](#) - *Approval of Street Closing Permit for a Block Party on N Brook Ave (from William St to Beechwood Rd), 10/21/2017 (Rain date 10/22/2017)*

WHEREAS, Garth Davidson hereinafter “the applicant,” has applied for a street closing permit for a block party on N Brook Ave on October 21, 2017 (rain date October 22, 2017) from 12:00 PM to 5:00 PM; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 7-16.1. et. seq.; and

WHEREAS, the Municipal Clerk and Police Chief have reviewed the application and recommend approval.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the street closing permit for a Block Party be approved.

[Resolution #2017-0367](#) - *Awarding Professional Services Contract for the Superstructure Replacement for the Pedestrian Bridge at Lyons Road to Kelly-Ann Kimiecik, PE, Lic. No. 24GE03964900 of the firm Keller & Kirkpatrick, Inc. in the Not to Exceed Amount of \$58,050*

WHEREAS, the Township of Bernards requires Professional Structural and Environmental Engineering Services for the replacement of the Lyons Road Bridge to prepare required DEP permit applications, bid documents, and construction management services; and

WHEREAS, Kelly-Ann Kimiecik, PE, Lic. No. 24GE03964900, of the firm Keller & Kirkpatrick, Inc., 301 Gibraltar Dr, Suite 2A, Morris Plains, NJ, 07950 has submitted a proposal dated September 12, 2017, outlining Superstructure Replacement Engineering services to the Township; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, this contract is awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

WHEREAS, the Chief Financial Officer has certified funds are available the budget; the line item appropriations or Capital Ordinance #2366 line account #C-04-55-366-A02.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Kelly-Ann Kimiecik, PE, of the firm Keller & Kirkpatrick, Inc., 301 Gibraltar Dr, Suite 2A, Morris Plains, NJ, 07950, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated September 12, 2017.
2. The contract term is from October 10, 2017, through October 9, 2018, for professional Structural Engineering not to exceed an amount of \$58,050.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.

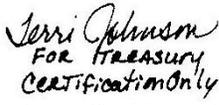
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Thomas Timko, PE, Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official Township newspaper and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

 Kelly-Ann Kimiecik, PE, Director of Structural Engineering
 Lic. No. 24GE03964900

CFO CERTIFICATION
I, Terri Johnson, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$58,050.00. Monies are available in Capital Ordinance #2366 line account #C-04-55-366-A02.
 <i>Terri Johnson</i> <i>FOR TREASURY</i> <i>CERTIFICATION ONLY</i>
Date: 10/02/2017
Terri Johnson, Chief Financial Officer

[Resolution #2017-0368](#) - Approval of Special Event Permit and Temporary Street Closure Lord Stirling School – Annual Great Swamp Devil Run 15K and 5K Races – 11/19/2017

WHEREAS, Wendi Smith representing the Lord Stirling School, PO Box 369, 99 Lord Stirling Road, Basking Ridge, NJ 07920 “the applicant,” has requested a special event permit for 11/19/2017, from 8:00A.M. to 3:00P.M. for the purpose of holding the Great Swamp Devil Run 15K and 5K Races; and

WHEREAS, in connection with the special event, the applicant has requested that Lord Stirling Road for the entire length be temporarily closed; and

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

WHEREAS, the Municipal Clerk, Police Chief, Recreation Director, and have reviewed the application and recommend approval with the following conditions:

1. The applicant will hire two off-duty police officers to be billed directly by the police department.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the request for the temporary street closure and special event permit is hereby approved.

[Resolution #2017-0370](#) - Commendation on Attaining Eagle Scout Designation Jack William Vorsheim
WHEREAS, the Township Committee is very pleased to recognize the outstanding personal

effort of Jack William Vorsheim reaching the rank of Eagle Scout; and

WHEREAS, Jack, a member of Troop 351 of Patriots' Path Council, has been an active scout, demonstrating outstanding leadership within the Troop, and has contributed many service hours to his community during his years in scouting; and

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

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

[Resolution #2017-0362](#) - *Acknowledgement of Responses to the NJ Division of Local Government Services CY2017/SFY2018 [Best Practices Inventory Questionnaire](#)*

WHEREAS, the State's Fiscal Year 2018 Appropriations Act (P.L. 2016, c.10) requires the Division of Local Government Services (Division) to determine how much of each municipality's final 5% allocation of its CMPTRA and ETR aid will be disbursed based upon the results of a Best Practices Inventory (the Inventory) to be completed by each municipality; and

WHEREAS, Theresa Johnson, the Bernards Township CFO, has completed the Inventory after consultation with the Administrator and other Township Department Heads and has submitted her certification of the results to the Township Committee; and

WHEREAS, the completed Inventory must be an agenda item for discussion at a municipal governing body meeting and said Inventory was scheduled for, and discussed at the October 10, 2017, Bernards Township Committee meeting.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge responses to the Inventory and direct the Municipal Clerk to sign the certification confirming the Inventory was publically discussed as required by law.

End Consent Agenda

[Resolution #2017-0363](#) - *Approval of Settlement Agreement Between the Township of Bernards and QBE Specialty Insurance Company and Summit Risk Services and the Municipal Excess Liability Joint Insurance Fund Arising Out of the Following Matters: Islamic Society of Basking Ridge, et al. v. Township of Bernards, et al., Docket No. 16-cv-01369-MAS-LHG; US District Court, District of New Jersey (including all Intervenors); Smith v. Township of Bernards, et al., Docket No. 17-cv-04551-MAS-LHG; US District Court, District of New Jersey; Quick, et al. v. township of Bernards, et al., Docket No. 17-cv-05595-MAS-LHG; US District Court, District of New Jersey; Township of Bernards v. QBE Specialty Insurance Company/Summit Risk Services, et al., Arbitration Case No. 01-16-0003-5508; AAA; and U.S. v. Township of Bernards, et al., Docket No. 16-cv-08700-MAS-LHG; US District Court, District of New Jersey "the Action"*

Motion by Bianchi, second by Malay, that the resolution be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, the following litigation is the subject of this Resolution:

1. *Islamic Society of Basking Ridge, et al. v. Township of Bernards, et al.*, Docket No. 16-cv-01369-MAS-LHG; US District Court, District of New Jersey (including all Intervenors).

2. *Smith v. Township of Bernards, et al.*, Docket No. 17-cv-04551-MAS-LHG; US District Court, District of New Jersey.
3. *Quick, et al. v. Township of Bernards, et al.*, Docket No. 17-cv-05595-MAS-LHG; US District Court, District of New Jersey.
4. *Township of Bernards v. QBE Specialty Insurance Company/Summit Risk Services, et al.*, Arbitration Case No. 01-16-0003-5508; AAA.
5. *U.S. v. Township of Bernards, et al.*, Docket No. 16-cv-08700-MAS-LHG; US District Court, District of New Jersey.

(hereinafter collectively the "Actions").

WHEREAS, the Township Committee has decided to settle issues relating to reimbursement of professional fees and costs related to the Actions in accordance with the terms of the Settlement Agreement that is available for public inspection and on file with the office of the Township Clerk.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, following receipt by the Insurance Carriers' attorneys of fully executed copies of the Settlement Agreement, the Municipal Excess Liability Joint Insurance Fund shall deliver to Bernards Township a settlement check in the total amount of three hundred thousand dollars (\$300,000.00) (hereinafter referred to as the "Settlement Funds"), which shall be made payable to the Township of Bernards. The Settlement Funds shall represent the Defendant Insurance Carriers' total and only outstanding payment due to Bernards Township in connection with the Actions, and is in addition to the defense costs and settlement funds previously paid by QBE and the MEL on behalf of Bernards in connection with the Islamic Society of Basking Ridge (Action number 1 listed above) and any other defense costs paid by the MEL on behalf of Bernards in connection with the other Actions 2. to 5. ("the Prior Payments"). **In addition to the Settlement Funds noted herein**, the MEL shall pay directly to Bernards Township an invoice to Mediator Judge Joel Pisano in the amount of \$6,423.70 (which Bernards Township has paid to Judge Pisano previously), as well as the final outstanding invoices by payment directly to the law firm of Robinson and Cole in an amount not to exceed \$80,000, which were incurred after the QBE primary policy limits were exhausted.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are authorized to execute and sign the Settlement Agreement.

[Resolution #2017-0371](#) - Approval of the Open Space Bill List Dated 10/10/2017
Motion by Carpenter, second by Bianchi, that Resolution #2017-0371 be approved.

Roll Call:

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

BE IT RESOLVED, that the bill list dated 10/10/2017 be audited, and if found correct, be paid.

October 5, 2017
02:46 PM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 10/10/17 to 10/10/17
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CASH - CHECKING CURRENT CHECKING					
113394	10/10/17	B0223 BERNARDS TWP. OPEN SPACE FUND	695,254.93		1323
113395	10/10/17	D0017 DEPOSITORY TRUST COMPANY	928,200.00		1323
Report Totals					
		Paid	Void	Amount Paid	Amount Void
		-----	-----	-----	-----
		Checks: 2	0	1,623,454.93	0.00
		Direct Deposit: 0	0	0.00	0.00
		=====	=====	=====	=====
		Total: 2	0	1,623,454.93	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	695,254.93	0.00	0.00	695,254.93
TRUST FUNDS	T-13	928,200.00	0.00	0.00	928,200.00

