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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

April 10, 2018 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 7 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Absent:

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

POLICE PROMOTIONS & SWEARING IN CEREMONY

[Resolution #2018-0199](#) - *Personnel Appointment, Michael Voorhees, Deputy Police Chief*

Motion by Baldassare, second by Gaziano, and unanimously agreed that Resolution #2018-0199 be approved.

WHEREAS, the full time Deputy Police Chief position became available due to a promotion within the department; 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, Michael Voorhees 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 Michael Voorhees to full time Deputy Police Chief.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Michael Voorhees be appointed full time Deputy Police Chief with a hire date of April 11, 2018 at an annual salary of \$155,998.00 for a 40 hour work week.

[Resolution #2018-0200](#) - *Personnel Appointment, Mark Leopold, Captain*

Motion by Malay, second by Gaziano, and unanimously agreed that Resolution #2018-0200 be approved.

WHEREAS, the full time Captain position became available due to restructuring within the department; 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, Mark Leopold 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 Mark Leopold to the position of full time Captain.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Mark Leopold be appointed full time Captain with a hire date of April 11, 2018 at an annual salary of \$152,413.74 for a 40 hour work week.

[Resolution #2018-0201](#) - *Personnel Appointment, Jon Burger, Lieutenant*

Motion by Gaziano, second by Bianchi, and unanimously agreed that Resolution #2018-0201 be approved.

WHEREAS, the full time Lieutenant position became available due to a promotion within the department; 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, Jon Burger 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 Jon Burger to the position of full time Lieutenant.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jon Burger be appointed full time Lieutenant with a hire date of April 11, 2018 at an annual salary of \$140,082.17 for a 40 hour work week.

Resolution #2018-0202 - Personnel Appointment, Timothy King, Sergeant

Motion by Malay, second by Baldassare, and unanimously agreed that Resolution #2018-0202 be approved.

WHEREAS, the full time Sergeant position became available due to a promotion within the department; 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, Timothy King 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 Timothy King to the position of full time Sergeant.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Timothy King be appointed full time Sergeant with a hire date of April 11, 2018 at an annual salary of \$121,061.47 for a 40 hour work week.

Resolution #2018-0203 - Personnel Appointment, Steven Matthews, Corporal

Motion by Gaziano, second by Bianchi, and unanimously agreed that Resolution #2018-0203 be approved.

WHEREAS, the position of Corporal was established per Resolution #2018-0153 appointing Corporals in place of the existing Designated Shift Commanders; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer/Human Resources Officer have deemed it appropriate to fill these positions; and

WHEREAS, Steven Matthews 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 Steven Matthews to the position of full time Corporal.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Steven Matthews be appointed full time Corporal with a hire date of April 11, 2018 at an annual salary increase of \$1,600.00.

Resolution #2018-0204 - Personnel Appointment, Alexander McKnight, Corporal

Motion by Baldassare, second by Malay, and unanimously agreed that Resolution #2018-0204 be approved.

WHEREAS, the position of Corporal was established per Resolution #2018-0153 appointing Corporals in place of the existing Designated Shift Commanders; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer/Human Resources Officer have deemed it appropriate to fill these positions; and

WHEREAS, Alexander McKnight 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 Alexander McKnight to the position of full time Corporal.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Alexander McKnight be appointed full time Corporal with a hire date of April 11, 2018 at an annual salary increase of \$1,600.00.

Resolution #2018-0205 - Personnel Appointment, Ray Gizienski, Corporal

Motion by Gaziano, second by Bianchi, and unanimously agreed that Resolution #2018-0205 be approved.

WHEREAS, the position of Corporal was established per Resolution #2018-0153 appointing Corporals in place of the existing Designated Shift Commanders; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer/Human Resources Officer have deemed it appropriate to fill these positions; and

WHEREAS, Ray Gizienksi 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 Ray Gizienksi to the position of full time Corporal.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Ray Gizienksi be appointed full time Corporal with a hire date of April 11, 2018 at an annual salary increase of \$1,600.00.

Resolution #2018-0206 - Personnel Appointment, Robert Herndon, Corporal

Motion by Bianchi, second by Baldassare, and unanimously agreed that Resolution #2018-0206 be approved.

WHEREAS, the position of Corporal was established per Resolution #2018-0153 appointing Corporals in place of the existing Designated Shift Commanders; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer/Human Resources Officer have deemed it appropriate to fill these positions; and

WHEREAS, Robert Herndon 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 Robert Herndon to the position of full time Corporal.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Robert Herndon be appointed full time Corporal with a hire date of April 11, 2018 at an annual salary increase of \$1,600.00.

Resolution #2018-0207 - Personnel Appointment, Christopher Hurst OEM Coordinator

WHEREAS, Michael Shimsky, has submitted his resignation as OEM Coordinator, due to his promotion to Chief of Police; and

WHEREAS, Christopher Hurst has served as the Deputy OEM Coordinator since 2006; and

WHEREAS, the Chief of Police, Township Administrator, and Chief Financial Officer and Human Resources Officer recommend Christopher Hurst be appointed as the OEM Coordinator.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that Sergeant Christopher Hurst is hereby appointed as the OEM Coordinator for a 3 year term expiring April 10, 2021.

Resolution #2018-0211 - Personnel Appointment, John Neiman OEM Deputy Coordinator

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

WHEREAS, the 1 year term of the Office of Emergency Management Deputy Coordinator is set to expire on 12/31/2018 and is now considered vacant due to the promotion of Sergeant Christopher Hurst to OEM Coordinator; and

WHEREAS, the Chief of Police, Township Administrator and Chief Financial Officer and Human Resources Officer recommend appointment of Detective Neiman as the OEM Deputy Coordinator; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that Detective Neiman be hereby appointed as the Emergency Management Deputy Coordinator to complete the unexpired 1 year term of Sergeant Hurst, expiring 12/31/2018, with an effective date of April 11, 2018.

Clerk Szabo swore in Chief Michael Shimsky. Shimsky made some brief remarks, acknowledged the large group of well-wishers in the audience, and congratulated all his recently promoted officers.

Clerk Szabo swore in Police Officer Dominick Aboosamara.

Clerk Szabo swore in Deputy Chief Michael Voorhees, Captain Mark Leopold, Lieutenant Jon Burger, Sergeant Timothy King, Corporal Steven Matthews, Corporal Alexander McKnight, Corporal Raymond Gizinski, and Corporal Robert Herndon.

PUBLIC COMMENT

Chris McManemin, Lurline Drive commented on Lafayette Lane Bridge, and township website

John Crane, Decker Street, commented on the outgoing and incoming administrator.

Todd Edelstein, Riverside Drive, commented on the last township committee meeting.

Bill Allen, Holmesbrook Drive and Debra Dewitt, Spencer Road, commented on the quarry security bond.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their activities.

UNFINISHED BUSINESS

[Ordinance #2383](#) - *An Ordinance Accepting Keystone Court – Public Hearing*

Motion by Malay, second by Baldassare, that Ordinance #2383 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

[2018 Municipal Budget & Golf Utility Presentation](#) ([State Budget Document](#)) ([User Friendly Budget](#))

CFO/HR Officer Johnson and Treasurer McCarthy made a budget presentation.

The mayor opened the public hearing. There were no public comments.

[Resolution #2018-0198](#) - *Adoption of 2018 Municipal Budget and 2018 Golf Utility Budget*

Motion by Gaziano, second by Malay, that Resolution #2018-0198 be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Baldassare, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, the Township Committee of the Township of Bernards declares that the statutory requirements found in NJSA 40:A:4-8 subsection 1.a. and 1.b. for posting a complete copy of the approved budget have been met, permitting the budget to be read by title; and

WHEREAS, the budget was read by title and a public hearing was held on March 13, 2018 in accordance with the law.

BE IT RESOLVED by the Township Committee of the Township of Bernards, County of Somerset that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$ 19,924,291.84 for Municipal Purposes, and

\$ 2,399,932.00 for Municipal Library

MUNICIPAL BUDGET

SUMMARY OF REVENUES

GENERAL REVENUES

Surplus Anticipated	\$ 13,000,000.00
Miscellaneous Revenues Anticipated	\$ 6,034,980.63
Receipts from Delinquent Taxes	\$ 305,000.00

AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES \$ 19,924,291.84

AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL LIBRARY \$ 2,399,932.00

Total Revenues **\$ 41,664,204.47**

SUMMARY OF APPROPRIATIONS

GENERAL APPROPRIATIONS

Within "CAPS"

Operations Including Contingent	\$ 24,586,248.31
Deferred Charges and Statutory Expenditures—Municipal	\$ 2,779,147.96
Excluded from "CAPS"	
Operations – Total Operation Excluded from "CAPS"	\$ 3,945,804.65
Capital Improvements	\$ 6,263,900.00

Reserve for Uncollected Taxes \$ 4,089,103.55

Total Appropriations **\$ 41,664,204.47**

SELF-LIQUIDATING GOLF UTILITY

GOLF GENERAL REVENUES \$ 447,930.00

GOLF GENERAL APPROPRIATIONS \$ 447,930.00

NEW BUSINESS

Consent Agenda

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

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

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried.

**** Begin Consent Agenda ****

Approval of Minutes

03/27/2018 Open Session

These minutes were approved for content and release.

03/27/2018 Closed Session

These minutes were approved for content only.

Resolution #2018-0197 - Approval of the Bill List Dated 04/10/2018

April 10, 2018
12:41 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: 04/10/18 to 04/10/18
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit:
Y

=====						
====						
Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref	Num

CASH - CHECKING CURRENT CHECKING						
115339	04/10/18	90019 CENTRELLI, DAVID	133.98		1356	Direct Deposit
115340	04/10/18	90228 WARD, SCOTT	61.94		1356	Direct Deposit
115341	04/10/18	90229 WERNER, HENRY	213.00		1356	Direct Deposit
115342	04/10/18	90279 NEIL, DAWN	20.00		1356	Direct Deposit
115343	04/10/18	90333 KING, TIMOTHY D	115.00		1356	Direct Deposit
115344	04/10/18	90339 RUPP, CYNTHIA	20.00		1356	Direct Deposit
115345	04/10/18	90341 VOGEL, DEIRDRE	16.99		1356	Direct Deposit
115346	04/10/18	90370 MATTHEWS, STEVEN	234.56		1356	Direct Deposit
115347	04/10/18	90388 O'GRADY, SEAN	75.00		1356	Direct Deposit
115348	04/10/18	90395 NERI, MARK	25.36		1356	Direct Deposit
115349	04/10/18	90403 MARTIN, DAVID	10.00		1356	Direct Deposit
115350	04/10/18	90506 FENTRESS, VIVIAN	380.00		1356	Direct Deposit
115351	04/10/18	90514 MERGHART, DEBRA (390MER01)	15.58		1356	Direct Deposit
115352	04/10/18	90522 BARBER, JACQUELINE (390BAR01)	12.19		1356	Direct Deposit
115353	04/10/18	90566 ENGLAND, ANTHONY	66.92		1356	Direct Deposit
115354	04/10/18	90572 BULEY, ELIZABETH (391BUL01)	17.04		1356	Direct Deposit
115355	04/10/18	90576 CALJEAN, PATRICIA	460.27		1356	Direct Deposit
115356	04/10/18	90589 GIRALO, ANTHONY	80.00		1356	Direct Deposit
115357	04/10/18	72067 HOROWITZ, ROBERT I.	1,710.00		1357	
115358	04/10/18	A0168 ALLIED OIL COMPANY, LLC	9,846.87		1357	
115359	04/10/18	A0174 ALL SPORTS STADIUM, LLC	1,046.00		1357	
115360	04/10/18	A0250 AMBASSADOR MEDICAL SERVICES	197.00		1357	
115361	04/10/18	A0363 AIG VALIC	80,267.44		1357	
115362	04/10/18	A0398 STERLING BACKCHECK	226.00		1357	
115363	04/10/18	A0425 ATLANTIC TACTICAL	812.42		1357	
115364	04/10/18	A0611 AMERICAN WEAR, INC	843.60		1357	
115365	04/10/18	B0001 BAKER & TAYLOR, INC.	3,942.44		1357	
115366	04/10/18	B0014 BREWER ASSOCIATES	50.00		1357	
115367	04/10/18	B0026 BERNARDS TOWNSHIP CURRENT	0.00	04/10/18 VOID	0	
115368	04/10/18	B0026 BERNARDS TOWNSHIP CURRENT	75,262.58		1357	
115369	04/10/18	B0027 BERNARDS TOWNSHIP DOG FUND	1.80		1357	
115370	04/10/18	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	670,767.73		1357	
115371	04/10/18	B0094 BUILDING SAFETY CONFERENCE/NJ	185.00		1357	
115372	04/10/18	B0203 DIFRANCESCO,BATEMAN,COLEY,YOSP	3,709.62		1357	
115373	04/10/18	B0492 BROWN'S HUNTERDON INTERNAT'L	195,317.00		1357	
115374	04/10/18	B0518 BERNARDSVILLE HARDWARE	54.65		1357	
115375	04/10/18	B0525 BURGERHOFF, FRED	160.39		1357	
115376	04/10/18	B0535 CHARLES J. BECKER & BRO, INC.	42.40		1357	
115377	04/10/18	B0581 BUY WISE AUTO PARTS	734.51		1357	
115378	04/10/18	B06845 BROSAN-JACOBS, PATRICIA	380.00		1357	
115379	04/10/18	B0693 BOBER, JOSH	420.00		1357	
115380	04/10/18	B0730 BEADLE, CAROL & TIMOTHY	111.08		1357	
115381	04/10/18	B0731 BOIVIN, MEGHAN & BRET	340.00		1357	
115382	04/10/18	B0732 BRINKWORTH, GREG	115.00		1357	
115383	04/10/18	C0024 GANNETT NEW JERSEY NEWSPAPERS	90.30		1357	
115384	04/10/18	C0037 CLERK'S PETTY CASH	66.58		1357	
115385	04/10/18	C0165 CAPOZZI, LOU	1,305.00		1357	
115386	04/10/18	C0281 CAPOZZI, FRANK	270.00		1357	
115387	04/10/18	C0434 CENTRAL JERSEY CONSTRUCTION	23,887.91		1357	
115388	04/10/18	C0482 CABLEVISION OF RARITAN VALLEY	143.66		1357	
115389	04/10/18	C0597 CLIFFSIDE BODY CORPORATION	1,131.06		1357	
115390	04/10/18	C0611 CHEMUNG SUPPLY CORP	295.40		1357	
115391	04/10/18	C0613 CIGNA GROUP INSURANCE	1,588.53		1357	
115392	04/10/18	C0685 CONSTELLATION NEW ENERGY, INC	634.96		1357	
115393	04/10/18	C0703 CORBETT, CHARLINE	680.00		1357	
115394	04/10/18	C0745 CLARKE CATON HINTZ	150.00		1357	
115395	04/10/18	C0784 CROWLEY, ALISON	50.00		1357	
115396	04/10/18	D0033 DEMCO, INC	299.78		1357	
115397	04/10/18	D0107 DLT SOLUTIONS, LLC	3,428.80		1357	
115398	04/10/18	D0380 DRIVERS TIRE & SERVICE CENTER	2,779.76		1357	
115399	04/10/18	D0628 DCRP	215.53		1357	
115400	04/10/18	D0635 DELAMATER, JAMES	1,890.00		1357	
115401	04/10/18	D0661 DAVID WEBER OIL CO.	653.43		1357	
115402	04/10/18	D0668 JOHN DOBASH CONSTR & TILE LLC	260.00		1357	
115403	04/10/18	D0695 DECANDIA, ALEXA	400.00		1357	
115404	04/10/18	D0740 DOVER BRAKE & CLUTCH	56.84		1357	
115405	04/10/18	E0231 EKA ASSOCIATES, P.A.	1,755.00		1357	
115406	04/10/18	E0247 THE ELM GROUP, INC.	777.50		1357	
115407	04/10/18	E0293 ELRAC, LLC	420.00		1357	
115408	04/10/18	F0003 FOLEY, INCORPORATED	1,282.63		1357	
115409	04/10/18	F0047 FULLERTON FORD	1,334.06		1357	
115410	04/10/18	F0158 FLEMINGTON DEPARTMENT STORE	330.80		1357	
115411	04/10/18	F0166 FARINA, GEORGE	540.00		1357	
115412	04/10/18	F0299 FASTENAL CO.	144.96		1357	
115413	04/10/18	F0310 FIMIANI, GUY	540.00		1357	
115414	04/10/18	F0324 FLAGSHIP DENTAL PLANS	272.56		1357	
115415	04/10/18	F0326 FX AUTOMOTIVE LLC	12.58		1357	
115416	04/10/18	F0330 FIDELITY SECURITY LIFE INS	228.83		1357	
115417	04/10/18	F0362 FRENCH & PARRELLO ASSOC P. A.	2,389.00		1357	
115418	04/10/18	G0004 GALLS, INC.	1,329.15		1357	
115419	04/10/18	G0005 GANN LAW BOOKS	135.00		1357	
115420	04/10/18	G0066 GRAINGER INC	3,008.96		1357	
115421	04/10/18	G0098 JCP&L	187.11		1357	
115422	04/10/18	G0300 GOLD TYPE BUSINESS MACHINES	627.00		1357	
115423	04/10/18	G0333 BEDMINSTER CAR WASH	155.20		1357	
115424	04/10/18	G0500 GREEN BROOK ELECTRONICS	60.22		1357	
115425	04/10/18	G0509 GREEN ROCK RECYCLING	1,200.00		1357	
115426	04/10/18	G0517 GYENES, JOSEPH S.	540.00		1357	
115427	04/10/18	G0529 GREEN, LAURA	1,040.00		1357	
115428	04/10/18	G0544 GABRIELE, MICHAEL	200.00		1357	
115429	04/10/18	G0575 GORTH, KRISHNA & LALITHA	1,070.00		1357	
115430	04/10/18	H0075 HARBOR FREIGHT TOOLS	228.93		1357	
115431	04/10/18	H0235 HOOVER TRUCK CENTERS	405.76		1357	
115432	04/10/18	H0329 HODGES, STEPHEN & CLAUDIA	80.09		1357	

115433	04/10/18	H0368	HEINEMANN, ERIC	180.50	1357
115434	04/10/18	H0369	HENSON, CLARISSA	360.00	1357
115435	04/10/18	I0011	INTERNATIONAL INSTITUTE	75.00	1357
115436	04/10/18	I0067	INDUSTRIAL RUBBER COMPANY	531.14	1357
115437	04/10/18	I0152	IWS TRANSFER SYSTEMS OF NJ	1,435.20	1357
115438	04/10/18	J0093	JOHNNY ON THE SPOT	822.86	1357
115439	04/10/18	J0123	JERSEY PAPER PLUS (JCP PAPER)	1,364.60	1357
115440	04/10/18	J0150	FORD OF JERSEY CITY	210.31	1357
115441	04/10/18	J0211	J. APPLESEED	35.90	1357
115442	04/10/18	J0212	JANJUA, TJ	340.00	1357
115443	04/10/18	K0039	KOBESKY, GREGG S.	201.45	1357
115444	04/10/18	K0059	KAYSER, JOHN P	685.00	1357
115445	04/10/18	K0259	KONICA MINOLTA PREMIER FINANCE	122.00	1357
115446	04/10/18	K0274	KELLER & KIRKPATRICK, INC	27,218.97	1357
115447	04/10/18	K0297	KONICA MINOLTA PREMIER FINANCE	151.34	1357
115448	04/10/18	K0331	KONICA PREMIER FINANCE	121.15	1357
115449	04/10/18	L0181	LAND'S END, INC.	162.75	1357
115450	04/10/18	L0415	LEITCH, JOHN GANNON &	63,819.14	1357
115451	04/10/18	M0010	MOBILE LAWNMOWER SERVICE, INC.	197.78	1357
115452	04/10/18	M0016	MORRIS-UNION FEDERATION	1,500.00	1357
115453	04/10/18	M0094	MUSIC THEATRE INTERNATIONAL	220.00	1357
115454	04/10/18	M0178	MARK'S AUTO SERVICE	112.50	1357
115455	04/10/18	M0498	MP OVERHEAD DOORS	1,891.67	1357
115456	04/10/18	M0516	MOUNTAIN LANDSCAPE CONTRACTORS	7,691.08	1357
115457	04/10/18	M0518	KONICA MINOLTA BUSINESS SOL.	252.51	1357
115458	04/10/18	M0518	KONICA MINOLTA BUSINESS SOL.	162.00	1357
115459	04/10/18	M0518	KONICA MINOLTA BUSINESS SOL.	47.24	1357
115460	04/10/18	M0518	KONICA MINOLTA BUSINESS SOL.	166.32	1357
115461	04/10/18	M0627	MODERN HANDLING EQUIPMENT CO	4,427.44	1357
115462	04/10/18	M0820	MUSKY TROUT HATCHERIES, LLC	1,298.40	1357
115463	04/10/18	M0823	MOOSEWOOD TREE SERVICE	2,672.00	1357
115464	04/10/18	M0830	MOTT MACDONALD	18,044.20	1357
115465	04/10/18	M0860	MULVIHILL, BRIAN & KRISTIN	1,820.00	1357
115466	04/10/18	M0862	MALHOTRA, RUMA	390.00	1357
115467	04/10/18	M0864	MCCAULEY, DYLAN	90.00	1357
115468	04/10/18	N0006	NEW JERSEY AMERICAN WATER CO.	319.04	1357
115469	04/10/18	N0006	NEW JERSEY AMERICAN WATER CO.	37,478.10	1357
115470	04/10/18	N0023	TREASURER, STATE OF NEW JERSEY	7,858.00	1357
115471	04/10/18	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	300.00	1357
115472	04/10/18	N0030	NJ STATE ASSN.-CHIEFS/POLICE	200.00	1357
115473	04/10/18	N0032	NJ STATE DEPT HEALTH/SR SVCS	162.00	1357
115474	04/10/18	N0124	NJACCHO	250.00	1357
115475	04/10/18	N0189	NEW JERSEY FIRE EQUIPMENT CO.	9,155.45	1357
115476	04/10/18	N0304	NRPA	650.00	1357
115477	04/10/18	N0339	NJWLE	150.00	1357
115478	04/10/18	N0415	NATIONAL FUEL OIL INC	18,563.53	1357
115479	04/10/18	N0433	NJ INVASIVE SPECIES STRIKE TM	276.00	1357
115480	04/10/18	N0462	N M PREMIUM FOODS, INC	193.25	1357
115481	04/10/18	N0474	NEW MEADOWLANDS STADIUM CO LLC	809.00	1357
115482	04/10/18	N0476	NUOTARE INVESTMENTS, LLC	45.26	1357
115483	04/10/18	O0021	OFFICE DEPOT	562.62	1357
115484	04/10/18	O0105	O.C.A. BENEFIT SERVICES, LLC	108.90	1357
115485	04/10/18	O0123	ORANCHAK, JOSEPH	540.00	1357
115486	04/10/18	O0124	OCCOUTDOORS, INC	4,003.46	1357
115487	04/10/18	P0046	RESERVE ACCOUNT	2,109.95	1357
115488	04/10/18	P0074	POOL OPERATION MANAGEMENT	305.00	1357
115489	04/10/18	P0471	PETRUZZELLI, THOMAS	135.00	1357
115490	04/10/18	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	29.55	1357
115491	04/10/18	P0546	PETER RUBINETTI PRIVATE DISP	1,586.00	1357
115492	04/10/18	P0602	PRAXAIR DISTRIBUTION, INC	115.40	1357
115493	04/10/18	P0633	PERRY, JEFFREY	135.00	1357
115494	04/10/18	Q0002	CINTAS CORP. - #062	374.12	1357
115495	04/10/18	Q0027	QUICKEN LOANS	3,634.90	1357
115496	04/10/18	R0004	RECORDED BOOKS INC.	22.49	1357
115497	04/10/18	R0005	RECORDER PUBLISHING CO., INC	75.00	1357
115498	04/10/18	R0023	RICHIES TIRE SERVICE, INC.	4,378.69	1357
115499	04/10/18	R0045	RUTGERS - THE STATE UNIVERSITY	1,819.00	1357
115500	04/10/18	R0393	RESEARCH&DESIGN LANDSCAPE LLC	19,852.00	1357
115501	04/10/18	R0428	ROCKRIDGE COURT, LLC	678.91	1357
115502	04/10/18	R0490	R & H TRUCK PARTS AND SERVICE	5,811.85	1357
115503	04/10/18	R0493	RIDGE BAGEL & CAFE	1,246.59	1357
115504	04/10/18	R0523	ROSE, DAN	200.00	1357
115505	04/10/18	S0011	SHERWIN-WILLIAMS COMPANY	103.96	1357
115506	04/10/18	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	8,001.00	1357
115507	04/10/18	S0227	SHEARON ENVIROMENTAL DESIGN CO	23,322.22	1357
115508	04/10/18	S0275	SCOTT, MICHAEL I	900.00	1357
115509	04/10/18	S0443	STAPLES ADVANTAGE	63.68	1357
115510	04/10/18	S0548	SOMERSET HILLS BAPTIST CHURCH	1,720.66	1357
115511	04/10/18	S0628	STATE OF NEW JERSEY-HB	218,767.83	1357
115512	04/10/18	S0691	SUPERIOR DISTRIBUTORS	305.00	1357
115513	04/10/18	S0697	RE:SOURCE NEW JERSEY, INC.	1,525.00	1357
115514	04/10/18	S0720	SCIORTINO, RICO	540.00	1357
115515	04/10/18	S0736	SOMERSET COUNTY	88.50	1357
115516	04/10/18	S0741	SUBURBAN CONSULTING ENGINEERS	2,989.75	1357
115517	04/10/18	S0870	SAFRAN, STEVE	135.00	1357
115518	04/10/18	S0871	SEWELL, MITCHELL	135.00	1357
115519	04/10/18	S0913	SHEDLOCK CAR CARE	430.00	1357
115520	04/10/18	S0963	SATULSKY, LEW	405.00	1357
115521	04/10/18	S0998	SPINA, SEAN	345.00	1357
115522	04/10/18	S0999	SWENOR, JOANNA	50.00	1357
115523	04/10/18	S1000	SLS HOME LOANS	6,110.71	1357
115524	04/10/18	T0045	TREASURER - STATE OF N.J.	50.00	1357
115525	04/10/18	T0051	TRI-COUNTY COURT ADMIN. ASSOC.	25.00	1357
115526	04/10/18	T0055	T & M ASSOCIATES	907.64	1357
115527	04/10/18	T0066	CENGAGE LEARNING CREDIT SVCS	142.91	1357
115528	04/10/18	T0101	TRIANGLE COMMUNICATIONS	474.00	1357
115529	04/10/18	T0192	TURN OUT UNIFORMS INC	652.33	1357
115530	04/10/18	T0365	THE FLOORING GALLERY, LLC	16,507.02	1357
115531	04/10/18	T0372	TLO, LLC	111.50	1357
115532	04/10/18	T0415	TRAP FNDD, LLC	150.00	1357

115533	04/10/18	T0442	TERLI, LEELAANIL&KALLAM, SWAPNA	160.00	1357
115534	04/10/18	U0001	UNITEMP INC.	5,523.29	1357
115535	04/10/18	U0114	US BANK CUST- PROCAP4 & CRDTRS	27,265.22	1357
115536	04/10/18	V0037	VILLAGE SUPERMARKET, INC.	96.18	1357
115537	04/10/18	V0056	VERIZON WIRELESS	978.10	1357
115538	04/10/18	V0058	VERIZON	1,826.57	1357
115539	04/10/18	V0084	VERIZON	214.98	1357
115540	04/10/18	V0119	VIGLIOTTA, MAXINE	50.00	1357
115541	04/10/18	V0124	VERIZON BUSINESS FIOS	569.98	1357
115542	04/10/18	V0185	VERIZON NETWORK FLEET	530.60	1357
115543	04/10/18	V0186	FISHER AND SON COMPANY, INC	6,000.00	1357
115544	04/10/18	V0189	VAN LOO, CLAUDIA & ALAIN	390.00	1357
115545	04/10/18	W0014	BEYER-WARNOCK FLEET	548.64	1357
115546	04/10/18	W0016	WARRENVILLE TRUE VALUE	476.41	1357
115547	04/10/18	W0259	VENTURA, MIESOWITZ, KEOUGH &	1,122.00	1357
115548	04/10/18	W0275	WINNING TEAMS BY NISSEL LLC	89.88	1357
115549	04/10/18	W0339	W.B. MASON	112.17	1357
115550	04/10/18	X0003	XEROX CORPORATION	65.38	1357
115551	04/10/18	X0003	XEROX CORPORATION	305.07	1357
115552	04/10/18	Z0068	ZHU, XINJUN	1,110.00	1357

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	195	1	1,702,464.10	0.00
Direct Deposit:	18	0	1,957.83	0.00
Total:	213	1	1,704,421.93	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	195	1	1,702,464.10	0.00
Direct Deposit:	18	0	1,957.83	0.00
Total:	213	1	1,704,421.93	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	83,361.81	0.00	0.00	83,361.81
CURRENT FUND	8-01	1,108,087.70	0.00	0.00	1,108,087.70
DOG FUND	8-12	594.71	0.00	0.00	594.71
GOLF COURSE UTILITY	8-26	24,576.10	0.00	0.00	24,576.10
Year Total:		1,133,258.51	0.00	0.00	1,133,258.51
CAPITAL FUND	C-04	270,796.65	0.00	0.00	270,796.65
PUBLIC GRANTS	G-02	290.29	0.00	0.00	290.29
TRUST FUNDS	T-13	201,903.17	0.00	0.00	201,903.17
PROJECT		14,811.50	0.00	0.00	14,811.50
Total Of All Funds:		1,704,421.93	0.00	0.00	1,704,421.93

Resolution #2018-0208 - Approval of Independent Agreement with Central Jersey Housing Resource Center (CJHRC) at a Cost Not to Exceed \$53,957.08 (Funding for this Contract is not from General Revenues, but from Funds Contributed by Developers to the Development Fee Account Pursuant to Section 21-76.16 of Revised Land Use Ordinances of the Twp of Bernards)

WHEREAS, Central Jersey Housing Resource Center (CJHRC) is a nonprofit collaboration of businesses, financial institutions, social service agencies, public officials and housing advocates who work to increase the accessibility and availability of affordable housing in Central New Jersey; and

WHEREAS, CJHRC currently operates a centralized housing resource information center in Somerset County and is a HUD certified agency specialized in the state and federal housing regulations; and

WHEREAS, CJHRC proposes to enter into an agreement with Bernards Township to provide such services as an Affordable Housing Coordinating Agency for existing low and moderate income rental and purchase units pursuant to Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.18 -4i-viii; and

WHEREAS, should the State Legislature or Governor adopt legislation or executive orders that eliminate COAH or no longer require the Township to hire the services of CJHRC, Bernards Township may terminate this Agreement on sixty days written notice and pay CJHRC for the services rendered up to the termination date; and

WHEREAS, this contract was 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 in the Affordable Housing Trust Fund line item appropriation or ordinance account #T-13-56-055-COA; and

WHEREAS, funding for this contract are not derived from general revenues but from monies contributed by developers to the development fee account pursuant to Section 21-76.16.

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

NOW BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that we do hereby approve an agreement at a cost not to exceed \$53,957.08 with the Central Jersey Housing Resource Center (CJHRC) effective May 1, 2018 through April 30, 2019; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize the Mayor and Clerk to execute the agreement with the Central Jersey Housing Resource Center (CJHRC) on behalf of the Township; and

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 a copy of the resolution be on file and available for public inspection, in the office of the Bernards Township Purchasing Department, Municipal Building, Basking Ridge, New Jersey 07920.

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

Sharon Clark, Executive Director CJHRC

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$53,957.08. Monies are available in the Affordable Housing Trust account #T-13-56-055-COA.

Terri Johnson
For Treasury
Certification Only

Date: 4/2/2018

Terri Johnson
Chief Financial Officer

[Resolution #2018-0209](#) - Approval of Special Event Permit Community Hope, Inc., 17th Annual Flag Day 5K and 1 Mile Walk, June 14, 2018 (Rain-date 06/21/2018)

WHEREAS, Julia Ahmet, representing Community Hope, Inc., 959 Route 46 East, Suite 402, Parsippany, NJ, 07054, "the applicant," has requested a special event permit for their 17th Annual Flag Day 5K and 1 Mile Walk on June 14, 2018, Rain-date 6/21/18, from 5pm to 9pm for the purpose of fundraising; 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 and Recreation Director have reviewed the application and recommend approval; and

WHEREAS, the applicant will hire one off-duty police officer to control traffic.

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

[Resolution #2018-0210](#) - *Authorizing a Waiver to the Township's Noise Ordinance to New Jersey American Water Company (NJAWC) and CRJ Contracting Inc. (CRJ) for Water Main Improvements Along South Maple Avenue (Prospect Avenue to Hill Top Road)*

WHEREAS, NJAWC/CRJ proposes to replace the water main on South Maple Avenue during the night hours of 8 PM to 5 AM, starting at Prospect Avenue working south to Hill Top Road (see attached sketches), expecting to last for the duration of April through June 2018; 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 for the businesses open during the day and homeowners within the work area; 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

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. No construction activities shall be permitted on Saturday nights into Sunday or Sunday nights into Monday.
2. Disturbed areas shall be backfilled and all excess materials, trash, supplies, etc. shall be removed the same day. All areas along the project route shall be kept neat and clean during the course of construction.
3. All material and equipment staging areas shall be approved by the Township prior to the start of construction activities.
4. 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.
5. 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.

[Resolution #2018-0212](#) - *Authorizing and Approving Purchase of Firefighters Protective Clothing and Equipment from New Jersey State Contract T0790/A80961 to New Jersey Fire Equipment Company, 119-131 Rt 22. Green Brook, NJ 08812 In the Amount Not to Exceed \$ 49,860.00*

WHEREAS, the Township of Bernards wishes to purchase firefighters protective clothing and equipment from N. J. State Contract T0790/A0961; and

WHEREAS, the N.J. State Division of Purchase and Property awarded a contract to New Jersey Fire Equipment Company, 119-131 Rt 22. Green Brook, NJ 08812; 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; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Budget for the same and the line item appropriation or ordinance to be charged is Capital Ordinance #2337; line account #C-04-55-337-H01 (\$200.00), and Capital Ordinance # 2366; line account # C-04-55-366-G02 (\$49,660.00); and

WHEREAS, it is the recommendation of the Purchasing Agent to purchase Firefighters Protective Clothing and Equipment from N. J. State Contract T0790.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to New Jersey Fire Equipment Company, 119-131 RT 22. Green Brook, NJ 08812.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$49,860.00. Monies are available in Capital Ordinance #2337; line account #C-04-55-337-H01 (\$200.00), and Capital Ordinance # 2366; line account # C-04-55-366-G02 (\$49,660.00).

Date: 4/4/2018

Terri Johnson
For Treasury
Certification Only

Terri Johnson, Chief Financial Officer

[Resolution #2018-0213](#) - Issuance of Solicitor's License to Alexander Vasquezmora, Alice's Crew, Inc. d/b/a Bridgeville Ice Cream, Periods 01/01/2018–06/30/2018 and 07/01/2018–12/31/2018

WHEREAS, Alexander Vasquezmora, Alice's Crew, Inc. d/b/a Bridgeville Ice Cream, 713-C East Main St., Bridgewater, NJ 08807, has applied for a Solicitor's License for the periods of 01/01/2018–06/30/2018 and 07/01/2018–12/31/2018 for the purposes of selling ice cream from a mobile truck; and

WHEREAS, pursuant to Chapter 4, Section 2 of the Revised General Ordinances of the Township of Bernards, applicant has provided required documentation and paid the applicable fee; and

WHEREAS, the Municipal Clerk, the Chief of Police, the Health Officer, and the Zoning Officer have reviewed said application and recommend approval.

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

****End Consent Agenda****

[Resolution #2018-0214](#) - Millington Quarry, Inc. and Tilcon New York, Inc. Security for Rehabilitation Reduction

Motion by Malay, second by Baldassare, that Resolution #2018-0214 be approved.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

Nay:

Abstain:

Motion carried

WHEREAS, the Township of Bernards, Somerset County, New Jersey 07920, pursuant to Section 4-9.6 of its General Ordinances has the following security for rehabilitation on file with the Office of the Township Engineer:

NAME OF APPLICANT:	Millington Quarry, Inc. ("MQI")		
ADDRESS OF APPLICANT:	P.O. Box 367, Millington, NJ 07946		
NAME OF APPLICANT:	Tilcon New York, Inc. ("Tilcon")		
ADDRESS OF APPLICANT:	9 Entin Road, 3 rd Floor, Parsippany, NJ 07054		
BOND NUMBER:	#8866149 \$4,333,338.00		
INSURANCE COMPANY:	Fidelity and Deposit Company of Maryland, as surety on behalf of MQI and Tilcon		
IRREVOCABLE STANDBY LETTER OF CREDIT NO.:	#30099147 \$3,226,805.42		
BANK:	Capital One, N.A. as surety on behalf of MQI		
CASH:	Peapack Gladstone Bank \$ 875,464.67		
ESCROW ACCOUNT BALANCES		ESCROW ID	BALANCE AS OF 2/28/18
Millington Quarry Inc - Quarry Reclamation Escrow		RC0605249M	\$240,741.00
Millington Quarry Inc - Quarry Reclamation Escrow Interest			\$16,934.09
Millington Quarry Inc - Quarry Reclamation RESO #2014-0186		RC1414186M	\$358,533.94
Millington Quarry Inc - Quarry Reclamation Escrow Interest		RC0605249T	\$1,580.55
Tilcon NY Inc - Quarry Reclamation Escrow			\$240,741.00
Tilcon NY Inc - Quarry Reclamation Escrow Interest			\$16,934.09
TOTAL AMOUNT OF SECURITY:	\$8,435,608.09		
FOR:	MQI Rehabilitation Plan – Block 6001, Lot 6		

WHEREAS, MQI and Tilcon have requested a reduction in the security for rehabilitation pursuant to Section 4-9.6; of the Township's Revised ordinances; and

WHEREAS, Township Engineer Thomas Timko has indicated that MQI has completed work in the quarry pit that includes demolition of garages, reclamation blasting, grading of the "meadow" area and riprap installation; and

WHEREAS, Mr. Timko has calculated that MQI has completed work in the amount of **\$5,000,000.00**, and that the MQI and Tilcon security should be reduced by **\$5,000,000.00**; and

WHEREAS, the Township shall release **\$5,000,000.00** of MQI's and Tilcon's security for rehabilitation as set forth below:

1. Release entirely of MQI and Tilcon Fidelity Company of Maryland Bond # 8866149 in the amount of **\$4,333,338.00**.
2. Release entirely of Tilcon Quarry Reclamation Escrow Account cash RC0605249T of **\$240,741.00** and interest of **\$16,934.09**.
3. Release entirely of MQI Quarry Reclamation Escrow Account RC0605249M cash of **\$240,741.00** and interest of **\$16,934.09**.
4. Partial reduction by \$136,338.62 of Capital One, N.A. MCI Irrevocable standby letter of credit # 30099147 leaving a remaining letter credit balance of \$3,090,466.80.
5. Release of \$14,973.20 of MQI Quarry Rehabilitation escrow account RC1414186M leaving a remaining balance of \$343,560.74 and interest of \$1,580.55.

WHEREAS, the following escrow account balances after the security rehabilitation reduction will remain in the amount of **\$3,435,608.09** consisting of MQI Capital One Bank, N.A. #30099147 letter of credit of **\$3,090,466.80** and cash of **\$343,560.74** consisting of MQI Quarry Reclamation Escrow Account RC1414186M and interest of **\$1,580.55**.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the aforesaid MQI and Tilcon security for rehabilitation reduction be approved.

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

The clerk read the ordinance by title. Motion by Malay, second by Gaziano, that Ordinance #2385 be introduced on first reading, advertised as required by law, and schedule for a public hearing on 04/24/2018.

Roll Call:

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

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from United States Golf Association, a not for profit Delaware Corporation, with a mailing address at 77 Liberty Corner Road, Far Hills, New Jersey, 07931, a Stormwater Facility Maintenance Agreement and an Amended Wetlands Conservation Easement on Block 9601, Lot 5.01, in Bernards Township.
2. The agreement and easement are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

Ordinance #2384 - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Code of the Township of Bernards, Chapter 21, "Revised Land Use Ordinances", Regarding Multifamily Housing in the B-5 Village Center Zone – Introduction*

Motion by Baldassare, second by Malay, that Ordinance #2384 be introduced on first reading, advertised as required by law, referred to the Planning Board, and schedule for a public hearing on 05/15/2018.

Roll Call:

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

Abstain:
Motion carried.

Gaziano expressed her disapproval of the ordinance. She felt the proposed development was too dense for the site, having 4 story buildings with a parking garage and 198 units on only 8 acres. The town does not know the configurations of the bedrooms and there are no occupancy controls. She also opined that rental units have twice as many public school students versus owner occupied units with an estimated 133 new public school students.

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 21, entitled "Land Development", of the Code of the Township of Bernards shall be amended, revised and supplemented as follows:

Part I. Existing § 21-10.8.1, "B-5 Village Center Zone", is amended as follows (new text is underlined; deleted text is ~~stricken~~):

§ 21-10.8.1 B-5 Village Center Zone. [Ord. #1323, § 2, 12-15-1998, adopted; Ord. #1652, 7-15-2003, amended; Ord. #1669, 9-23-2003, amended]

- a. Purpose. The purpose and intent of the zone is to provide for a village center to serve the retail needs set forth in the Master Plan through an attractive retail setting with a sense of community for both the residents and employees of the Township and the surrounding communities. To achieve this goal, the detailed requirements herein shall be adhered to for development of a village center project in the zone.
- b. Uses.
 1. Permitted principal uses:
 - (a) A retail commercial development and public development with common parking and service areas (a "village center"). The development may contain retail sales of goods and services, restaurants, a bank, a liquor store, a health club, a theater not to exceed a maximum of 450 seats and a detached child-care center not in excess of 12,000 square feet.
 - (b) Public parks, roads, recreation, open space and other public purpose uses.
 - (c) Professional and administrative offices.
 2. Permitted accessory uses:
 - (a) Accessory uses customarily incidental to the above permitted uses located on the same lot and within the same district permitting the principal use.
 - (b) Public and private parking.
 - (c) Signs pursuant to Section 21-17 of this chapter, except as otherwise expressly designated herein.
 3. Permitted accessory structures:
 - (a) Gazebo.
 - (b) Clock tower.
 - (c) Restroom and storage building associated with the soccer field to be dedicated to the Township.
 4. Prohibited uses. Any use not designated as a permitted principal use or accessory use in the zone is prohibited, including but not limited to:

~~(a) Detached restaurant pad sites.~~

~~(b)~~(a) Adult entertainment uses, defined as establishments consisting of, including or having the characteristics of any or all of the following:

- (1) Adult bookstore. An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, publications, tapes or films that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital area.
- (2) Adult cabaret.
 - [a] An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas;
 - [b] A cabaret that features topless dancers, go-go dancers, strippers, male or female impersonators or similar entertainers for observation by patrons.
- (3) Adult mini motion-picture theater. An enclosed building with a capacity for less than fifty persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.
- (4) Adult motion-picture theater. An enclosed building with a capacity for fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual activities or anatomical genital areas.

~~(e)~~(b) Amusement arcades. A primarily indoor or outdoor area or open structure, open to the public, that contains coin-operated games, rides, shows and similar entertainment facilities and devices.

c. Area, yard and building requirements for the zone are as follows:

1. Minimum tract area. A village center in the zone must be a development having one or more parcels of land with a total initial land area of at least 21 acres forming a land block for use by the development. For the purpose of calculating parcel acreage or any bulk requirements, the area of existing or proposed public and private streets and/or rights-of-way on the parcel shall be included.
2. Total nonresidential floor area of a village center development shall not exceed the following:
 - (a) Maximum project size (including bank, excluding child-care center): 95,000 square feet.
 - (b) Maximum first floor (excluding bank, professional offices and child-care center): 69,000 square feet
 - (c) Maximum individual building size (footprint): 24,000 square feet.
 - (d) Maximum single use: 24,000 square feet.*
 - (e) Maximum retail use (69,000 square feet first floor/11,000 square feet second floor): 80,000 square feet

* NOTE:
The tenant of the largest single use building shall be limited to retail sales of food and other related products with limited on-site consumption.
3. Minimum building and parking setbacks for nonresidential uses.
 - (a) Front.
 - (1) Front yard for buildings: 150 feet from the right-of-way of any county road.
 - (2) Front setbacks for buildings: 20 feet from the curblineline of any internal street or parking area.

- (3) Front yard for parking: 100 feet from the right-of-way of any county road.
- (b) Side yard for buildings:
 - (1) From exterior street: 75 feet.
 - (2) From property line: 75 feet.
 - (3) From another building: 10 feet.
 - (4) From curbline of any internal street or drive: 10 feet.
- (c) Rear.
 - (1) Rear yard for buildings: 75 feet to property line.
 - (2) Rear setback for buildings: 20 feet from the curbline of any internal street or parking area.
 - (3) Rear setback for parking: 10 feet to property line.
- 4. Maximum building height: 2 1/2 stories not to exceed 40 feet. Clock towers and flagpoles shall not exceed 50 feet.
- 5. A child-care center in a village center development shall be subject to the following area and setback requirements:
 - (a) Minimum lot area: 1.0 acre.
 - (b) Front yard: 25 feet.
 - (c) Side yard: 25 feet.
 - (d) Rear yard: 100 feet.
- d. Site Plan for nonresidential development. The developer of a village center shall comply with all applicable site plan provisions of the Revised Land Use Ordinances of Bernards Township. The following provisions shall also apply to a village center in the B-5 Village Center Zone:
 - 1. The site plan shall be organized to include the vehicular circulation, parking, service access, pedestrian circulation and building locations substantially in accordance with the "Dewy Meadow Retail Study" plan entitled "Final Report" dated May 1, 1998, prepared by Nadaskay Kopelson Architects, and included as Figure A of this chapter. The developer shall provide suitable access for pedestrian and bicycle traffic between the village center project and Crown Court Drive and Spring Valley Boulevard. A decision by the Board regarding access for vehicular traffic through Crown Court Drive shall be considered only after receipt and review of a professional traffic study and demonstration for the need of access. The justification for northbound and southbound vehicular traffic through Crown Court Drive shall be considered separately, with the objective of reducing any unnecessary traffic through Crown Court Drive.
 - 2. Site plan details shall also include the following:
 - (a) Sidewalks shall be located so as to provide access to each of the proposed structures, to the village green and gazebo and to King George Road. The sidewalks shall range from four feet to eight feet in width and be designed substantially in accordance with the sidewalk detail provided as Figure B of this chapter. The final location of the sidewalks shall be as approved by the Board based on the final building architecture.
 - (b) Benches and trash receptacles. Benches and trash receptacles shall be provided as shown on the site plan and are considered the minimum amount required.

- (1) Benches shall be Kingsley-Bate Hyde Park type as shown on Figure C of this chapter, five-foot teak benches or approved equal.
 - (2) Trash receptacles shall be Victor Stanley Type H-24-IPE type with an in-ground post or approved equal as shown on Figure D of this chapter.
- (c) All paver and concrete colors shall be approved by the Board.
- (d) Street trees located in the sidewalk areas shall have tree grates of a style and color approved by the Board.
- (e) Lighting. All street and parking lot lighting shall be Savannah Lantern ContraCline type light fixtures as shown in Figure E of this chapter or approved equal and mounted on a ten-foot Washington type post or approved equal and located as shown in Figure F of this chapter. Exterior lighting around the buildings shall be in conformance with the architectural concept approved by the Board for the project.
- (f) Landscaping and buffering. A landscape plan shall be submitted and prepared by a certified landscape architect and shall include at a minimum the following elements:
- (1) A solid visual barrier shall be provided along any property boundary adjacent to residential neighborhood buildings. The buffer shall consist of evergreens a minimum of 10 feet in height and shall be full plants and planted a maximum of 10 feet on center in a staggered double row or as otherwise approved by the Board.
 - (2) Street trees shall be a minimum of three inches caliper and of a genus and specie as approved by the Board.
 - (3) The landscape plan shall include an entrance treatment at each driveway and at all proposed signage.
 - (4) The landscape plan shall include a tree preservation plan accurately locating all existing trees greater than six inches in caliper and within 250 feet of King George Road.
 - (5) The landscape plan shall provide detailed landscaping at each of the proposed structures, street trees along drives and around the Village Green.
 - (6) The landscape plan shall conform with all engineering and drainage requirements as required by the Township Revised Land Use Ordinance and soil erosion and sediment control regulations.
- (g) Architecture.
- (1) Architecture for a village center shall be in accordance with the elevations provided at Figures G to K of this chapter. The elevations are meant as a guideline with final architecture to be approved by the Board.
 - (2) Structures shall exhibit residential detailing, including porches, columns, cupolas and dormers and constructed of material such as clapboard siding, brick, stone and dimensional style shingle roofs on all facades. Exterior materials shall be selected for suitability to the types of buildings and the design in which they are to be used.
 - (3) The architectural style shall be eclectic in nature yet shall exhibit a compatibility through the use of a similar material and detailing.
 - (4) A gazebo and clock tower shall be incorporated in accordance with the detail provided as Figure L of this chapter. These structures shall include interior lighting for evening use.
 - (5) The footprints as shown on the site plan are meant as a guideline with the final footprints to be approved by the Board.

(h) Other requirements.

- (1) Site amenities. The developer of a village center must provide outdoor seating areas in addition to the proposed benches and gazebo and should be encouraged to provide outdoor spaces in association with the various retail uses, including but not limited to outdoor eating.
- (2) Recreational facilities. At a minimum, the developer of a village center project must subdivide and dedicate in fee simple an area to the Township for a soccer field graded and seeded in accordance with accepted recreational standards and in the size and location as shown on Figure A of this chapter. In addition, a restroom/storage building is to be designed and constructed by the developer as shown in Figure A. Any other required recreational facilities will be incorporated into the developer's agreement required by this chapter.
- (3) Signage. The applicant for a village center shall comply with Section 21-17 and provide a complete signage program which shall provide a coordinated signage theme for all tenants for Board approval, including the main entrance sign, directory signs, directional signs and building signs, which shall be of a uniform design and color scheme and compatible with the project architecture. The Board may grant relief from standards governing size and location of signs only upon satisfactory proof that overall design and aesthetics of the village center will be improved because of the requested relief. [Ord. #1715, 4-13-2004, amended; Ord. #1809, 9-13-2005, amended]
- (4) Mechanical equipment and other utility hardware placed on the roof of any buildings shall be properly screened from public view and must be within the forty-foot maximum building height requirement.
- (5) Any ground level utility cabinets shall be fenced and/or landscaped.
- (6) All uses shall be serviced by public water and public sanitary sewer systems.

(i) Comprehensive design standards.

- (1) A comprehensive design for a village center must be approved as a single development by the Board. Phasing of approval and construction of the village center is prohibited.
 - (2) The design of the village center must be based upon a common architectural and landscaping theme.
 - (3) The design of a trail system for greenways purposes shall be incorporated.
- (j) Parking standards. The number of parking spaces shall be as determined in Section 21-22 and constructed as per Figure A of this section. Notwithstanding the number of parking spaces determined in Section 21-22, there shall be no less than 600 parking spaces required for the village center project.
- (k) Subdivision of lots. The subdivision of lots may be permitted by the Board, provided that there is conformance to an approved site plan. The intent of this provision is to prevent individual buildings, except the child-care center, from existing on or as separate lots. However, each individual lot shall be subject to, and may only be improved in accordance with, the final site plan approval for a village center in accordance with this chapter. Final subdivision approval may be granted only as part of or subsequent to final site plan approval for the village center. The Board shall condition final subdivision approval upon submission by the applicant and approval by the Board Attorney, of a declaration of covenants and restrictions or other suitable instrument setting forth the mechanisms by which and providing adequate assurances dealing with items, including but not limited to access, security, outside cleaning and other routine external maintenance, external repainting, maintenance of the common open space, garbage collection, snow removal and other appropriate items that are to be provided for the village center development.
- (l) Name. The village center shall be named "Dewy Meadow Village."

- (m) Macadam sidewalk. Subject to the developer's ability to obtain county and state approvals or permits, the Board shall require that the developer construct a macadam sidewalk from the entrance of the village center project on King George Road extending in a southerly direction to the Township border. The developer must also construct and complete a sidewalk extending from Spring Valley Boulevard in a southerly direction along Crown Court Drive to the access to the Village Center Project from Crown Court Drive.
 - (n) Dedication of Crown Court Drive. If Crown Court Drive has not been dedicated to the Township as a public road, the developer must compensate the Township for all costs involved in acquisition of Crown Court Drive from the owner thereof and other property required to provide access to the village center project from Crown Court Drive, including all costs pursuant to eminent domain proceedings.
 - (o) Conservation dedication. In recognition that construction of the village center project is dependent upon the required conveyance to the Township by Crown Court Associates, as set forth in subdivision Map 2592 filed on May 3, 1988, with the Somerset County Clerk, of the conservation deed for Lot 5.17 in Block 182 consisting of approximately 54.169 acres (the "adjoining lot"), the Board shall not grant final site plan approval for a village center project until the Township Attorney has approved a deed of conveyance of the adjoining lot to the Township by Crown Court Associates, its successors and/or assigns.
- e. Developer's agreement. The developer and the Township shall enter into an agreement prior to or at final site plan approval including the provisions of N.J.S.A. 40:55D-39a, and setting forth the implementation requirements for a village center project. The substance of the developer's agreement shall be consistent with the laws of the State of New Jersey, the Township of Bernards Revised Land Use Ordinances and the conditions and standards applicable to village center projects. The developer's agreement shall be in a form satisfactory to the Township Attorney and Township Committee and shall include but may not be limited to provisions relating to the following:
- 1. The disposition and acquisition of any lands required to be set aside for public, semipublic, open space, greenways purposes and outdoor recreation uses.
 - 2. The phasing, financing and extent of any required municipal off-tract traffic and sidewalk improvements.
 - 3. Public approvals and municipal and developer actions required to implement any public infrastructure improvements, such as public sewers, stormwater control and sidewalks.
 - 4. The developer's obligation to maintain the project and comply with site plan approval conditions dealing with signage, building exteriors, common areas, lighting, landscaping, drainage, security, security cameras, buffer areas and open spaces, trash removal and internal roadways.
 - 5. Any agreements relating to an environmentally sensitive area in a village center development.
 - 6. Consideration of whether the impact of the proposed development will result in budgetary increases to the Township in order to provide any additional services and facilities that will be necessary to service the proposed development. If the impact of the proposed development will result in such budgetary increases, then the Township may request a contribution from the developer so as to limit such budgetary increases and provide the additional services and facilities.

f. Multifamily Housing Overlay Zone within the B-5 Zone.

- 1. Purpose. The purpose and intent of the multifamily housing overlay zone is to further the purposes of the B-5 Village Center Zone to provide for the housing needs set forth in the Township Master Plan.
- 2. Where Permitted. Multifamily housing shall be permitted as an overlay use in the B-5 Zone, which is comprised of an approximately 17 acre tract (block 8501, lots 39 and 43) presently occupied by the village center development known as Dewy Meadow Village. Except as otherwise specified herein, the multifamily housing overlay zone provisions set forth below shall apply only to new multifamily development and shall not apply to the existing village center.

3. Applicability of Other Regulations. Except as otherwise specified below, a multifamily housing development in the B-5 Zone shall be subject to all other requirements of this chapter, including all requirements of the B-5 Zone. Where a provision set forth elsewhere in this chapter conflicts with a multifamily housing overlay zone provision set forth below, the multifamily housing overlay zone provision shall supersede.
4. Permitted principal uses:
 - (a) Multifamily dwelling units, including townhouse units.
 - (b) A child-care center.
5. Permitted accessory uses:
 - (a) Accessory uses customarily incidental to the above permitted uses located on the same lot and within the same district permitting the principal use.
6. Prohibited uses. Any use not designated as a permitted principal use or accessory use is prohibited.
7. Area, yard and building requirements for a village center containing multifamily housing are as follows:
 - (a) Minimum tract area. Notwithstanding that the minimum initial tract area for a village center in the B-5 Zone is 21 acres, the minimum tract area for a village center containing multifamily housing is 17 acres. The tract may be comprised of one or more parcels of land in the B-5 Zone.
 - (b) Minimum lot area: The minimum lot area for an individual lot containing multifamily housing shall be 6 acres.
 - (c) Maximum number of multifamily dwelling units: 198, provided that 15 percent of the units are set aside and affordable to low and moderate income households for 30 years. The 30-year term shall begin from the date of issuance of a certificate of occupancy for each set-aside unit. Affordable units shall be provided in accordance with the schedule set forth in N.J.A.C. 5:93-5.6(d), as required in U.H.A.C. (N.J.A.C. 5:80-26.1 et seq.) and in accordance with all other applicable NJ regulations and statutes governing the delivery of affordable units for inclusionary development.
 - (d) Maximum nonresidential floor area. The total square footage of nonresidential floor area within a village center containing multifamily housing shall not exceed the amount of floor area existing as of the date of adoption of the Multifamily Housing Overlay Zone provisions. The following shall also apply:
 - (1) Any existing nonresidential floor area which is removed or demolished shall not be reconstructed on the tract except in its existing location, however, a maximum of 12,000 square feet of removed or demolished floor area may be reconstructed in a different location.
 - (2) The provision requiring that the tenant of the largest single use building be limited to retail sales of food, as set forth elsewhere in this subsection, shall not apply.
 - (e) Maximum height
 - (1) Multifamily building, excluding townhouse units: four stories and 55 feet. Height shall be calculated as set forth in this chapter, however the rear wall of the structure shall be excluded when calculating the average ground level.
 - (2) Townhouse units: three stories and 48 feet.
 - (f) Building configuration. Multifamily units including townhouses, nonresidential uses, and multi-story parking permitted within the multifamily housing overlay zone may be provided in a single building or separate buildings.

- (g) Minimum setback for a multifamily building from the right-of-way of King George Road: 550 feet.
 - (h) Minimum setback for a multifamily building from a tract boundary: 20 feet.
 - (i) Minimum setback for a multifamily building from the curbline of any internal street or parking area: 10 feet.
 - (j) Minimum distance between any two buildings on the tract: 50 feet.
 - (k) A child-care center may be located within a multifamily building or within a single-tenant or multi-tenant nonresidential building. A nonresidential building containing a child-care center shall be subject to the minimum building setbacks for nonresidential uses, as set forth elsewhere in this subsection. The area and setback requirements for a detached child-care center, as set forth elsewhere in this subsection, shall not apply.
 - (l) Minimum setback for parking from a tract boundary: 10 feet. The minimum parking setback from the King George Road right-of-way is 100 feet.
 - (m) Maximum impervious coverage on the tract: 80%.
8. Minimum number of parking spaces for a village center containing multifamily housing. The minimum number of parking spaces for nonresidential uses shall be one space for every 200 square feet of gross floor area. Parking for a multifamily use shall comply with the New Jersey Residential Site Improvement Standards (RSIS; N.J.A.C. 5:21). All required parking spaces shall be located on the same lot as the use requiring the parking, however, parking spaces for a multifamily use may be located on a different lot within the tract provided the parking spaces are located within 100 feet of the multifamily building and identified with signs and reserved solely for the multifamily use.
- (a) Parking spaces may be provided as surface parking or in a multi-story parking deck, provided, however, that no parking deck shall be exposed to public view.
9. Site plan for a village center containing multifamily housing.
- (a) The site plan shall be organized substantially in accordance with Figure W of this chapter, provided that the building and parking layout shown on Figure W is meant as a guideline with the final layout to be approved by the Board.
 - (b) Mechanical equipment and other utility hardware placed on the roof of any buildings shall be properly screened from public view and must be within the 55-foot maximum building height requirement.
 - (c) All uses shall be serviced by public water and public sanitary sewer systems.
10. Subdivision of lots. The subdivision of the tract shall be permitted by the Board, notwithstanding that a lot containing a multifamily use may no longer abut a public street, subject to the requirements of N.J.S.A. 40:55D-36, and subject to the Board conditioning final subdivision approval upon submission by the applicant and approval by the Board Attorney, of a declaration of covenants and restrictions or other suitable instrument setting forth the mechanisms by which and providing adequate assurances dealing with items, including but not limited to access, security, outside cleaning and other routine external maintenance, external repainting, maintenance of the common open space, garbage collection, snow removal and other appropriate items that are to be provided for the village center development.
11. Neighborhood Recreation Amenities. All multifamily housing developments shall provide adequate neighborhood recreation amenities on the tract, which shall be subject to approval by the Planning Board at the time of site plan approval. Neighborhood recreation amenities shall provide for formal and informal recreation activities, such as but not limited to, recreation fields; outdoor swimming areas; playgrounds; tot lots; play fields; and tennis and other court game facilities. Neighborhood recreation amenities shall also include paths for bike riding, hiking and/or walking. Some level of outdoor recreation shall be provided to serve each age group residing in the multifamily and/or townhouse development.

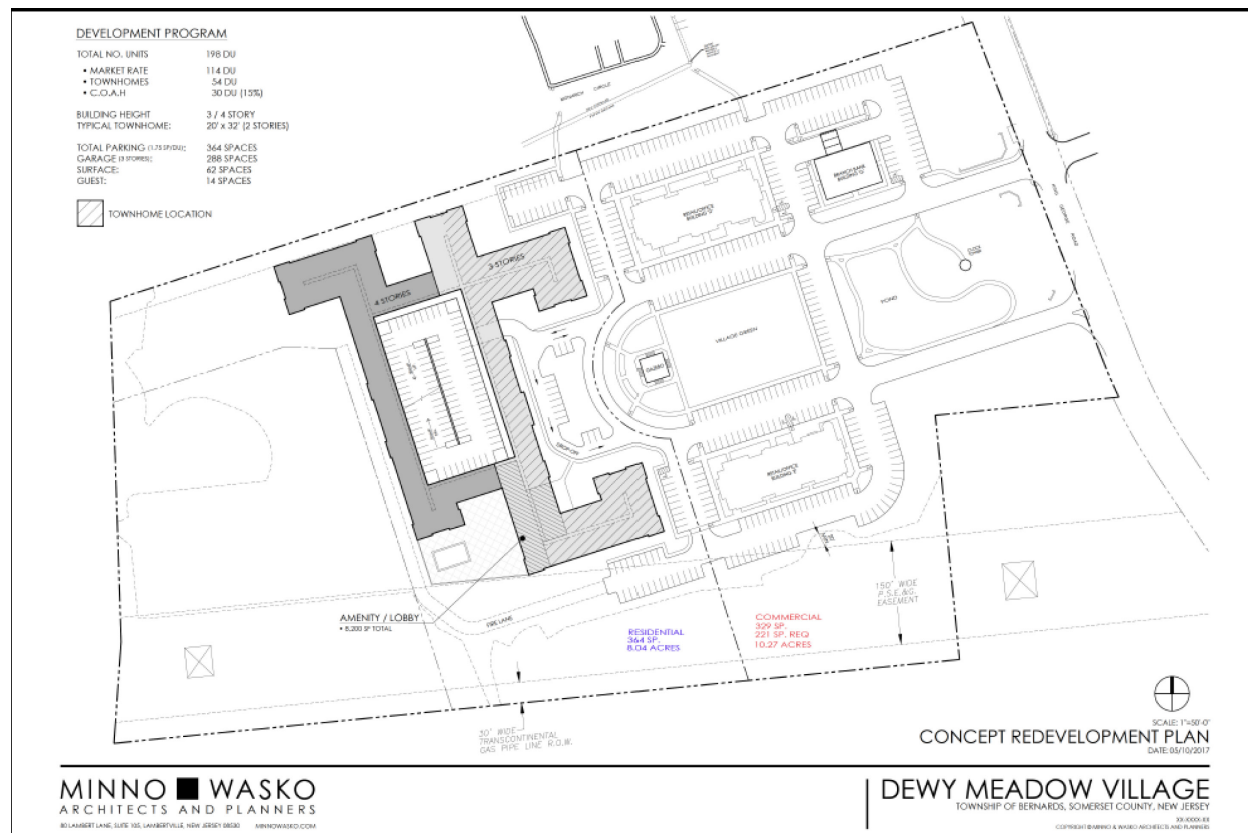
Part II. Existing § 21-17.4, "Signs for Nonresidential Uses", is amended as follows (new text is underlined; deleted text is ~~stricken~~):

§ 21-17.4 Signs for Nonresidential Uses. [Ord. #1809, 9-13-2005, adopted]

d. B-5 Zone. Only the following signs shall be permitted:

1. Main Entrance Signs. Two signs not exceeding ten feet in height shall be permitted. ~~Each~~For a village center not containing a multifamily use, each sign shall not exceed 32 square feet in area and may identify up to four nonresidential tenants. For a village center containing a multifamily use, each sign shall not exceed 60 square feet in area and may identify up to four nonresidential tenants and the multifamily use. In addition, each sign shall be permitted to contain the words "Dewy Meadow Village" in individual letters up to nine inches high.
2. Tenant Directory Signs (Nonresidential Uses Only). Two signs shall be permitted. Each sign shall not exceed 60 square feet in area, 14 feet in height and 12 feet in vertical dimension, and shall be located not less than five feet from any street right-of-way.
3. Store and Multifamily Directional Signs. Sign(s) not exceeding 24 square feet in area for each sign shall be permitted.
4. Temporary Freestanding Signs (Nonresidential Uses Only). For each tenant, one sign not exceeding six square feet in area and four feet in height shall be permitted. The sign shall not be illuminated and may be displayed only at times when the business is actually "open," i.e., actively in operation.
5. Wall-mounted Signs (Nonresidential Uses Only).
 - (a) Building A. Two signs shall be permitted. One sign shall not exceed 24 square feet in area, 12 feet in width and two feet in vertical dimension. Any second sign shall not be located on the same building facade and shall not exceed 48 square feet in area, 12 feet in width and four feet in vertical dimension. No portion of any sign shall extend above the limits of the wall on which it is mounted or extend more than 18 feet above ground level.
 - (b) Buildings B, C, D, E, F and G. For each first floor tenant, one sign not exceeding 24 square feet on each building facade occupied by that tenant shall be permitted. Each sign shall not exceed 12 feet in width and two feet in vertical dimension, unless otherwise approved by the Board. No portion of any sign shall extend above the limits of the wall on which it is mounted or extend more than 18 feet above ground level.
6. Window Signs (Nonresidential Uses Only).
 - (a) First floor tenants. For each tenant, permanent and temporary signs that are not illuminated shall be permitted, provided the total area of the signs does not exceed 24 square feet on each building facade occupied by that tenant.
 - (b) Second floor tenants. For each tenant, only nonilluminated window lettering shall be permitted, not to exceed 25% of the area of the window and not to exceed one sign on each building facade occupied by that tenant.
7. Freestanding Signs for Multifamily Use. For a village center containing a multifamily use, one freestanding sign not exceeding 30 square feet in area, or two freestanding signs not exceeding 20 square feet in area per sign, shall be permitted. Each sign shall identify only the multifamily use, shall not exceed six feet in height, and shall be located not less than 550 feet from the right-of-way of King George Road.
- ~~i.~~8. Parking Identification Signs for Multifamily Use. Signs designating parking spaces reserved for multifamily units shall be permitted. Such signs may be freestanding or affixed to buildings or curbs and shall not exceed 1.5 square feet in area.

The Township Clerk is directed to give notice at least ten days prior to hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Somerset County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.



Ordinance #2386 - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Code of the Township of Bernards, Chapter 21, "Revised Land Use Ordinances", to Create a Crown Court Overlay Zone – Introduction*

Motion by Malay, second by Baldassare, that Ordinance #2386 be introduced on first reading, advertised as required by law, referred to the Planning Board, and scheduled for a public hearing on 05/15/2018.

Roll Call:

Aye: Baldassare, Bianchi, Malay, Carpenter

Nay: Gaziano

Abstain:

Motion carried.

Gaziano gave her reason for not supporting the ordinance which was the similar argument on density as given for Ordinance #2384 above.

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 21, entitled "Land Development", Article XI, entitled "Regulations Applicable to the R-5 Zoning District to Provide Low- and Moderate-Income Housing", of the Code of the Township of Bernards shall be amended, revised and supplemented to add the following new Section 21-79A:

SECTION 21-79A Crown Court Overlay Zone

§ 21-79A.1 Purpose.

The purpose and intent of the Crown Court Overlay Zone is to provide for the housing needs set forth in the Township Master Plan by encouraging additional inclusionary development in the existing Crown Court development. The Crown Court development presently contains a total of 96 housing units, including 19 low- and moderate-income units. The Crown Court Overlay Zone is designed to permit 24 additional housing units, including 4 low- and moderate-income units for a period of 30 years. If built to full density, the Crown Court development will include a total of 120 housing units, including 23 low- and moderate-income units.

§ 21-79A.2 Where Permitted.

Development pursuant to the Crown Court Overlay Zone shall be permitted on a tract of land containing at least 15 acres with frontage on Crown Court Drive in the R-5 Zone. Except as otherwise specified in this Section, the provisions of the Crown Court Overlay Zone shall apply only to new development, and shall not apply to the existing Crown Court development.

§ 21-79A.3 Applicability of Other Regulations.

Except as otherwise specified in this Section, development pursuant to the Crown Court Overlay Zone shall be subject to all regulations applicable to PRD developments in the R-5 zoning district as set forth in this Article XI. Where a provision set forth elsewhere in this chapter conflicts with this Section, this Section shall supersede.

§ 21-79A.4 Use Regulations.

Permitted principal uses and accessory uses shall be the same as permitted in PRD developments in the R-5 zoning district, as set forth in this Article XI. Any use not designated as a permitted principal use or accessory use is prohibited.

§ 21-79A.5 Maximum Number of Dwelling Units.

The total number of dwelling units shall not exceed 120.

§ 21-79A.6 Low- and Moderate-Income Units.

The controls on affordability for 19 existing low- and moderate-income units shall be extended for an additional 30 years. Four of the 24 proposed additional dwelling units shall be affordable to low- and moderate-income households for 30 years, which shall be established at the time the market-rate units are provided.

§ 21-79A.7 Area, Yard and Building Requirements.

- a. Minimum tract area: 15 acres.
- b. Maximum Building Height: three stories and 48 feet.
- c. Minimum Building Setback from the right-of-way of Crown Court Drive: 25 feet.
- d. Minimum Distance Between Buildings: As set forth in this Article XI with the following exceptions:
 1. Front window wall to rear window wall: 50 feet.
 2. Front building face to common parking area: 10 feet.
- e. Maximum Building Coverage: 35%.

§ 21-79A.8 Parking Requirements.

Parking shall be in accordance with the New Jersey Residential Site Improvement Standards (RSIS; N.J.A.C. 5:21).

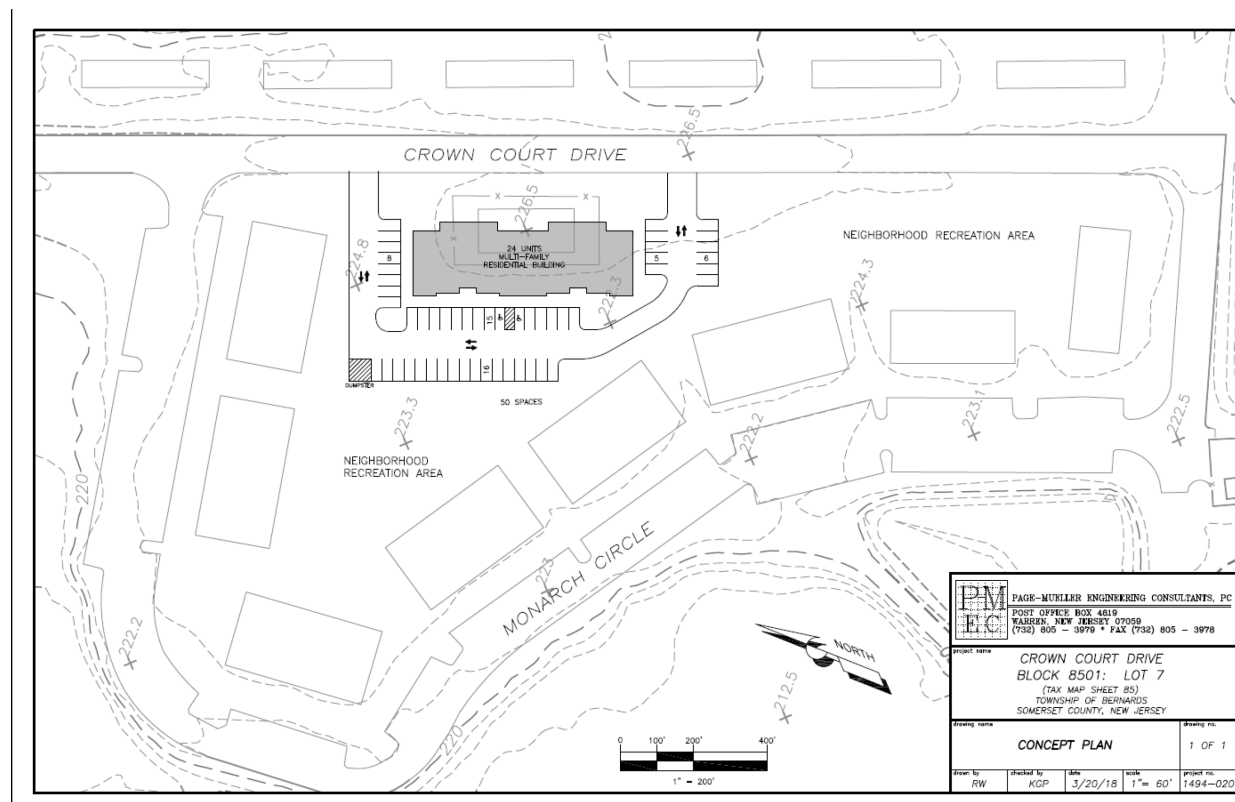
§ 21-79A.9 Neighborhood Recreation Amenities.

Neighborhood recreation amenities shall be provided appropriate to the needs and age groups of the residents, which shall be subject to approval by the Planning Board at the time of site plan approval. Neighborhood recreation amenities shall provide for neighborhood recreation activities, such as but not limited to, a tot lot, a play field, a court for games, outdoor seating, and paths for bike riding and walking. Some level of outdoor recreation shall be provided to serve each age group residing in the neighborhood.

§ 21-79A.10 Site Plan

- a. The site plan shall be organized substantially in accordance with Figure X of this chapter, provided that the building and parking layout shown on Figure X is meant as a guideline with the final layout to be approved by the Board.
- b. All uses shall be serviced by public water and public sanitary sewer systems.

The Township Clerk is directed to give notice at least ten days prior to hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Somerset County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.



Ordinance #2387 - An Ordinance of the Township of Bernards Appropriating \$4,489,400.00 for Various Capital Improvements - Introduction

Motion by Malay, second by Gaziano, that Ordinance #2387 be introduced on first reading, advertised as required by law, referred to the Planning Board, and schedule for a public hearing on 04/24/2018.

Roll Call:

Aye: Baldassare, Bianchi, Gaziano, Malay, Carpenter

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 \$4,489,400.00 is hereby appropriated from the Capital Improvement Fund, for the following purposes:

A	\$2,155,000.00	Engineering Improvement Projects including but not limited to Roadway Management and Reconstruction, Sidewalk and Drainage Improvements, and Pedestrian Bridges & Paths.
B	\$430,000.00	Facility Improvements including but not limited to Town Hall HVAC, Repairs and Improvements to the following structures: Engineering Services Building, Health Dept., Police HQ, Various Parks & Recreation Facilities, and Municipal Building.
C	\$420,000.00	DPW Projects and Equipment including but not limited to: Various Roadway Repairs, Bituminous Concrete Facility Repair; Guiderail Repair and Replacement; Repair and Retrofit Drainage; Small Equipment.
D	\$33,400.00	Various Systems Improvements including Hardware and Software Upgrades, and Police Mobile Data Terminals.
E	\$210,000.00	Purchase of Various Emergency Equipment and Emergency Vehicles for the Basking Ridge First Aid Squad.
F	\$85,000.00	Purchase of Various Emergency Equipment and Self Contained Breathing Apparatus for the Basking Ridge Fire Company.
G	\$674,000.00	Purchase of Various Emergency Equipment and Emergency Apparatus for the Liberty Corner Fire Company.
H	\$72,000.00	Purchase of Various Grounds Maintenance Equipment, including but not limited to Mowers, and Small Equipment.
I	\$315,000.00	Parks and Recreation Facility Improvements including but not limited to Playgrounds, Tennis Courts, Parks, and Field infrastructure, equipment and lighting.
J	\$30,000.00	Purchase of Police Equipment including, but not limited to, Patrol Car Equipment; Radar Units and Message Trailers.
K	\$65,000.00	Pleasant Valley Pool Facility Improvements including, but not limited to Painting, Replacement of Soft Surfacing, and Equipment.

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 ORDAINED, this ordinance shall take effect immediately upon final passage and publication in accordance with law.

ADJOURNMENT

By unanimous consent, the meeting adjourned at 8:45 PM.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

John Carpenter
Mayor