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## BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE 09/24/2019 – COMBINED AGENDA/REGULAR MEETING

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## CALL TO ORDER

The mayor called the meeting to order at 7:30 PM. Those assembled saluted the flag and the mayor read the Open Public Meetings Act in accordance with the law.

## ROLL CALL

Present: Baldassare (left at 8:05 PM), Carpenter, Esposito, Harris, Bianchi

Absent:

Also Present: Administrator Monaco, Attorney Belardo, Engineer Timko, Municipal Clerk Pisano

## AMEND AGENDA

Motion by Esposito, second by Baldassare, and unanimously agreed to amend Resolution #2019-0386 Executive Session to include Contract Negotiations – Shared Court.

## EXECUTIVE SESSION – [Resolution #2019-0386](#)

Motion by Esposito, second by Harris, and unanimously agreed that amended Resolution #2019-0386 be adopted and the meeting temporarily adjourned to executive session at 7:32 PM. (Due to time constraints, the executive session discussions authorized under this resolution continued after the regular agenda items concluded.)

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

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

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

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

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

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

<u>Reason for Closed Session</u>	<u>Estimated Time of Disclosure or Upon Occurrence Of</u>
<input checked="" type="checkbox"/> Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. <i>Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.</i> <b>Contract Negotiations — PBA</b> <b>Contract Negotiations – Shared Court</b>	Upon Conclusion
<input checked="" type="checkbox"/> Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public's interest and the employee's privacy rights under <i>South Jersey Publishing</i> , 124 NJ 478. <b>2020 Board Appointments.</b>	Upon Appointments

Mr. Baldassare had left the meeting at 8:05. The meeting resumed in open session at 8:06 PM.

## PUBLIC WORK SESSION

None.

## REPORTS

### *Vision 2020 Task Force [Report](#) and [Presentation](#)*

Monique Loh, Jennifer Aaron and Suzanne Tufariello presented a report on behalf of the Vision 2020 / Planning for the Future Task Force highlighting the survey design and demographics and stated that the survey analysis should be considered directional in nature. The main conclusions showed the majority of residents are content with and feel safe in Bernards Township and that stabilizing taxes should be a top priority. The township committee members thanked the task force members for their time and efforts on the project.

### *[Resolution #2019-0396](#) - Acknowledgement of the Vision 2020 / Planning for the Future Task Force Report to the Township Committee*

Motion by Esposito, second by Harris, that Resolution #0396 be approved.

### Roll Call

Aye: Carpenter, Esposito, Harris, Bianchi

Nay:

Abstain:

Motion carried.

**WHEREAS**, Resolution #2019-0092 establishes the Vision 2020 / Planning for the Future Task Force; and

**WHEREAS**, the mission of this task force was to create a vision plan that reflects the goals and priorities of the Township that are in the best interest of the community; and

**WHEREAS**, objectives identified in Resolution #2019-0092 was to:

- develop a township-wide survey to solicit public input into the Vision Plan
- promote resident participation in the survey
- present the results of the survey to the Township Committee no later than 11/26/2019.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that the Bernards Township Vision 2020 Executive Report dated 09/24/2019 submitted by the Vision 2020 / Planning for the Future Task Force is hereby acknowledged.

## CORRESPONDENCE

None listed.

## PUBLIC COMMENT

The Mayor opened public comment.

Debra DeWitt, 140 Spencer Rd. – Commented on the Trex Challenge spearheaded by the Environmental Commission.

Stephen Raff, 183 Riverside Dr. – Comment on conditions at the Coakley-Russo golf course.

Ann Parsikian, 11 Berta Dr. – Commented on the Trex Challenge and the Vision 2020 presentation

The Mayor closed public comment.

## TOWNSHIP COMMITTEE/BOARD REPORTS & STAFF COMMENTS

Committee members and staff reported on their recent activities and boards.

## FIRE & RESCUE APPOINTMENT

### *[Resolution #2019-0385](#) - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 and First Aid Squad Kelly McManus, Full Member*

Motion by Esposito, second by Harris, and unanimously agreed that Resolution #2019-0385 be approved.

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

**WHEREAS**, the Basking Ridge Fire Company #1 and First Aid Squad is recommending Kelly McManus, residing at 8 Pine Street, Basking Ridge, for appointment as a Full Member.

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

*[Resolution #2019-0389](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad Richard Pateman, Full Member*

Motion by Harris, second by Esposito, and unanimously agreed that Resolution #2019-0389 be approved.

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

**WHEREAS**, the Liberty Corner First Aid Squad is recommending Richard Pateman, residing at 10 Potomac Drive, Basking Ridge, for appointment as a Full Member.

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

### **UNFINISHED BUSINESS**

*[Ordinance #2427](#) - 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 the Multifamily Housing Overlay Zone within the B-5 Zone – [PB Report](#) - Public Hearing*

The clerk read the ordinance by title, the committee acknowledged the Planning Board's Report finding that the ordinance was not inconsistent with the Master Plan, and the mayor opened the public hearing. There were no comments and the hearing was closed.

Motion by Esposito, second by Harris, that the ordinance #2427 be adopted and advertised as required by law.

Roll Call

Aye: Carpenter, Esposito, Harris, Bianchi

Nay:

Abstain:

Motion carried.

**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.** The Zoning Map of the Township of Bernards, as referenced in § 21-10.2.a.1, is revised such that the zoning designation of Lot 44 in Block 8501 is changed from P-1 Public Purpose to B-5 Village Center.

**Part II.** Existing § 21-10.8.1, "B-5 Village Center Zone", Paragraph f, "Multifamily Housing Overlay Zone within the B-5 Zone", is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

**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 17.23 acre tract (block 8501, lots ~~39, and 43~~ and 44) 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~~20 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~~70%.**
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.**

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.



## 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 Harris, second by Esposito, that the consent agenda items be approved.

Roll Call

Aye: Carpenter, Esposito, Harris, Bianchi

Nay:

Abstain:

Motion carried.

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

### Resolution #2019-0387 - Approval of the Bill List Dated 09/24/2019

**BE IT RESOLVED**, that the bill list dated 09/24/2019 be audited, and if found correct, be paid.

September 24, 2019  
12:06 PM

TOWNSHIP OF BERNARDS  
Check Register By Check Date

Page No: 1

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Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 09/24/19 to 09/24/19  
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					
121590	09/24/19	70077 LUFKIN, RUTH	50.00	1460	Direct Deposit
121591	09/24/19	90403 MARTIN, DAVID	24.18	1460	Direct Deposit
121592	09/24/19	90507 GANDER, JENNIFER	302.08	1460	Direct Deposit
121593	09/24/19	90563 CARTOCCIO, KAITLIN	80.47	1460	Direct Deposit
121594	09/24/19	90653 SANT'ANGELO, KEVIN B	165.12	1460	Direct Deposit
121595	09/24/19	B0203 DIFRANCESCO, BATEMAN, KUNZMAN,	4,471.17	1460	Direct Deposit
121596	09/24/19	H0312 HEFFERNAN, ROBERT F	5,706.25	1460	Direct Deposit
121597	09/24/19	H0420 HARMONY TREE CARE LLC	4,197.00	1460	Direct Deposit
121598	09/24/19	T0325 TOP LINE CONSTRUCTION CORP	343,149.44	1460	Direct Deposit
121599	09/24/19	72053 UNITED STATES GOLF ASSOCIATION	150.00	1461	
121600	09/24/19	A0126 AFLAC NEW YORK	230.50	1461	
121601	09/24/19	A0250 AMBASSADOR MEDICAL SERVICES	126.00	1461	
121602	09/24/19	A0338 AFLAC	396.52	1461	
121603	09/24/19	A0607 AZMO MECHANICAL, INC	2,684.40	1461	
121604	09/24/19	A0662 ART OF LIVING FOUNDATION	430.00	1461	
121605	09/24/19	B0001 BAKER & TAYLOR, INC.	4,110.53	1461	
121606	09/24/19	B0014 BREWER ASSOCIATES	50.00	1461	
121607	09/24/19	B0026 BERNARDS TOWNSHIP CURRENT	10,964.06	1461	
121608	09/24/19	B0029 BERNARDS TWP BD OF EDUCATION	7,686,769.83	1461	
121609	09/24/19	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	546,001.63	1461	
121610	09/24/19	B0038 BERNARDS TOWNSHIP (COURT)	329.21	1461	
121611	09/24/19	B0044 BASKING RIDGE ANIMAL HOSPITAL	502.57	1461	
121612	09/24/19	B0098 BERNARDS TOWNSHIP (RECREATION)	858.76	1461	
121613	09/24/19	B0128 INTERNATIONAL CODE COUNCIL	470.00	1461	
121614	09/24/19	B0233 BASKING RIDGE GLASS & MIRROR	110.00	1461	
121615	09/24/19	B0690 BIBLIOTHECA LLC	1,885.88	1461	
121616	09/24/19	B0717 BRIDGMAN, ELIZABETH	210.00	1461	
121617	09/24/19	B0761 BASILE, LUCIANA	45.00	1461	
121618	09/24/19	C0024 GANNETT NEW JERSEY NEWSPAPERS	39.56	1461	
121619	09/24/19	C0028 CY DRAKE LOCKSMITHS, INC.	102.20	1461	
121620	09/24/19	C0613 CIGNA GROUP INSURANCE	1,531.73	1461	
121621	09/24/19	C0825 CHENG, YINGKAI & LI, HANJIN	155.00	1461	
121622	09/24/19	C0826 CHADHA, ROHIT	95.00	1461	
121623	09/24/19	D0020 DELTA DENTAL OF NJ	12,411.50	1461	
121624	09/24/19	D0033 DEMCO, INC	133.90	1461	
121625	09/24/19	D0319 DRAEGER, INC	179.00	1461	
121626	09/24/19	D0380 DRIVERS TIRE & SERVICE CENTER	1,267.68	1461	
121627	09/24/19	D0754 DC EXPRESS	762.50	1461	
121628	09/24/19	D0781 DMK LAWN & SNOW LLC	4,800.00	1461	
121629	09/24/19	D0786 DESIANO, TIMOTHY & TARA	155.00	1461	
121630	09/24/19	D0787 DAVID, SAMANTHA	125.00	1461	
121631	09/24/19	E0279 ELM USA	99.95	1461	
121632	09/24/19	E0280 EASTERN CONTRACTOR SERVICES	7,395.00	1461	
121633	09/24/19	E0297 EMR POWER SYSTEMS LLC	1,204.61	1461	
121634	09/24/19	E0302 ECOLOGICAL SOLUTIONS/MINE BRK	7.02	1461	
121635	09/24/19	F0001 FEDEX	22.48	1461	
121636	09/24/19	F0047 FULLERTON FORD	274.36	1461	
121637	09/24/19	F0066 FRA TECHNOLOGIES, INC.	650.00	1461	
121638	09/24/19	F0148 FAIRFIELD MAINTENANCE INC	2,539.00	1461	
121639	09/24/19	F0158 FLEMINGTON DEPARTMENT STORE	239.85	1461	
121640	09/24/19	F0179 FASTSIGNS	1,025.00	1461	
121641	09/24/19	F0291 FABBIO, PATRICK & MICHELE	95.00	1461	
121642	09/24/19	F0326 FX AUTOMOTIVE LLC	8.99	1461	
121643	09/24/19	F0347 FLATLEY, CARL & MARIA	95.00	1461	
121644	09/24/19	G0098 JCP&L	25,996.24	1461	
121645	09/24/19	G0201 GENERAL CODE LLC	4,887.64	1461	
121646	09/24/19	G0596 GRIFFITH - ALLIED TRUCKING LLC	9,114.43	1461	
121647	09/24/19	H0029 HUMPHREYS PEST CONTROL, INC.	240.00	1461	
121648	09/24/19	H0075 HARBOR FREIGHT TOOLS	14.99	1461	
121649	09/24/19	H0178 HOSE SHOP, INC.	226.89	1461	
121650	09/24/19	H0246 HOME DEPOT CREDIT SERVICES	2,110.39	1461	
121651	09/24/19	H0403 HIGH SPEED GEAR	89.20	1461	
121652	09/24/19	H0427 HANSEN, SUSAN	50.00	1461	
121653	09/24/19	I0036 IPMA-HR	109.00	1461	
121654	09/24/19	J0150 FORD OF JERSEY CITY	170.82	1461	

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121655	09/24/19	J0206	JOY AUTOMOTIVE PRODUCTS, INC	654.98	1461
121656	09/24/19	K0024	KEYSTONE PLASTICS, INC.	1,100.00	1461
121657	09/24/19	K0331	KONICA PREMIER FINANCE	82.60	1461
121658	09/24/19	K0334	KONICA MINOLTA BUSINESS	16.40	1461
121659	09/24/19	K0341	KONICA MINOLTA PREMIER FINANCE	98.83	1461
121660	09/24/19	L0038	LIN-GATE EQUIPMENT SALES & SVC	462.23	1461
121661	09/24/19	L0187	LAKELAND BUS COMPANY	900.00	1461
121662	09/24/19	L0200	LASER TECHNOLOGY, INC.	373.00	1461
121663	09/24/19	L0304	LKE CATERING, INC.	235.00	1461
121664	09/24/19	L0308	LANGUAGE LINE SERVICES, INC.	35.70	1461
121665	09/24/19	L0398	LONGSTRETH SPORTING GOODS, LLC	207.74	1461
121666	09/24/19	L0431	LIGHT PROPERTIES LLC	2,098.62	1461
121667	09/24/19	L0435	LU, JIN	145.00	1461
121668	09/24/19	M0010	MOBILE LAWNMOWER SERVICE, INC.	306.76	1461
121669	09/24/19	M0178	MARK'S AUTO SERVICE	300.00	1461
121670	09/24/19	M0279	MITZNER, SCOTT C.	1,170.45	1461
121671	09/24/19	M0493	MCELROY, DEUTSCH, MULVANEY &	5,882.70	1461
121672	09/24/19	M0518	KONICA MINOLTA BUSINESS SOL.	376.32	1461
121673	09/24/19	M0784	MID JERSEY YOUTH FIELD HOCKEY	1,029.00	1461
121674	09/24/19	M0830	MOTT MACDONALD	914.22	1461
121675	09/24/19	M0859	MAXX'S FLEET REPAIRS, LLC	6,130.95	1461
121676	09/24/19	M0868	M & P RETIREMENT PLAN	1,716.16	1461
121677	09/24/19	M0889	MCSWEENEY, EILEEN	50.00	1461
121678	09/24/19	M0899	MR JOHN	65.00	1461
121679	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	79.84	1461
121680	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	105.24	1461
121681	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	24.90	1461
121682	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	179.64	1461
121683	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	146.34	1461
121684	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	219.11	1461
121685	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	18.29	1461
121686	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	258.80	1461
121687	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	64.59	1461
121688	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	152.95	1461
121689	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	64.59	1461
121690	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	3,064.49	1461
121691	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	186.03	1461
121692	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	31.52	1461
121693	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	45.71	1461
121694	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	291.87	1461
121695	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	18.29	1461
121696	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	27,178.37	1461
121697	09/24/19	N0006	NEW JERSEY AMERICAN WATER CO.	1,899.31	1461
121698	09/24/19	N0017	NJ STATE LEAGUE OF MUNICIPAL.	7.00	1461
121699	09/24/19	N0030	NJ STATE ASSN.-CHIEFS/POLICE	600.00	1461
121700	09/24/19	N0083	NJRPA	3,635.00	1461
121701	09/24/19	N0179	NEW JERSEY STATE GOLF ASSOC.	81.00	1461
121702	09/24/19	N0470	NATIONWIDE	99.22	1461
121703	09/24/19	O0021	OFFICE DEPOT	938.12	1461
121704	09/24/19	O0046	ALLEGRA MARKETING, PRINT&MAIL	450.00	1461
121705	09/24/19	O0102	CLC, INC	208.76	1461
121706	09/24/19	O0105	O.C.A. BENEFIT SERVICES, LLC	113.85	1461
121707	09/24/19	O0135	OUTHOUSE LLC	210.00	1461
121708	09/24/19	O0141	ORMSBY, DIANE	50.00	1461
121709	09/24/19	P0014	PUBLIC SERVICE ELEC. & GAS CO	8.62	1461
121710	09/24/19	P0525	POWER PLACE, INC.	109.96	1461
121711	09/24/19	P0538	PROVIDENT LIFE & ACCIDENT	104.24	1461
121712	09/24/19	P0546	PETER RUBINETTI PRIVATE DISP	338.27	1461
121713	09/24/19	P0641	PREFERRED OUTDOOR EXPERIENCE	1,079.00	1461
121714	09/24/19	P0658	PIENNAAR, JACOBUS & ZANETTE	83.98	1461
121715	09/24/19	R0005	RECORDER PUBLISHING CO., INC	94.47	1461
121716	09/24/19	R0023	RICHIES TIRE SERVICE, INC.	1,948.00	1461
121717	09/24/19	R0045	RUTGERS - THE STATE UNIVERSITY	926.00	1461
121718	09/24/19	R0050	ROTO-ROOTER	475.00	1461
121719	09/24/19	R0134	RICCIARDI BROTHERS, INC.	981.60	1461
121720	09/24/19	R0309	NORTHEAST COMMUNICATIONS, INC.	13,027.35	1461
121721	09/24/19	R0428	ROCKRIDGE COURT, LLC	637.37	1461
121722	09/24/19	R0480	RECONYX, INC	1,539.02	1461
121723	09/24/19	R0509	REIVAX CONTRACTING CORPORATION	622,027.99	1461
121724	09/24/19	S0016	STORR TRACTOR COMPANY	119.33	1461
121725	09/24/19	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	3,246.75	1461
121726	09/24/19	S0150	SPRING RIDGE MASTER ASSOC.	31,904.08	1461
121727	09/24/19	S0184	SOCIETY HILL AT BERNARDS I	295.00	1461
121728	09/24/19	S0227	SHEARON ENVIRONMENTAL DESIGN	2,865.00	1461
121729	09/24/19	S0378	STAVOLA ASPHALT	101.17	1461
121730	09/24/19	S0415	SPORTWORLD	624.00	1461
121731	09/24/19	S0443	STAPLES ADVANTAGE	327.82	1461
121732	09/24/19	S0524	STATE TOXICOLOGY LABORATORY	270.00	1461
121733	09/24/19	S0675	SOCIETY FOR HUMAN RESOURCE MGT	209.00	1461
121734	09/24/19	S0770	SKYLANDS AREA FIRE EQUIPMENT &	17,684.39	1461
121735	09/24/19	S0875	SUNLIGHT GENERAL CAPITAL	276.05	1461
121736	09/24/19	S0962	SCIENCE PRESS USA INC.	271.37	1461
121737	09/24/19	S0965	SITEONE LANDSCAPE SUPPLY, LLC	634.00	1461
121738	09/24/19	S0986	SITE SPECIFIC DESIGN, INC	424.00	1461
121739	09/24/19	S1007	SPRUCE INDUSTRIES	2,077.20	1461
121740	09/24/19	S1046	STARHOUSE MEDIA LLC	650.00	1461
121741	09/24/19	S1049	SITE AQUISITIONS LLC TESLA	1,217.11	1461
121742	09/24/19	T0024	TRIUS OF NJ INC	166.83	1461
121743	09/24/19	T0049	TROPICANA ATLANTIC CITY	122.00	1461
121744	09/24/19	T0066	CENGAGE LEARNING CREDIT SVCS	100.71	1461
121745	09/24/19	T0192	TURN OUT UNIFORMS INC	336.95	1461
121746	09/24/19	T0378	THE GUARDIAN LIFE INS CO OF AM	98.82	1461
121747	09/24/19	T0463	TURDO, SCOTT	950.00	1461
121748	09/24/19	U0001	UNITEMP INC.	1,275.00	1461
121749	09/24/19	U0056	U.S. MUNICIPAL SUPPLY, INC.	600.00	1461
121750	09/24/19	U0090	UNUM LIFE INSURANCE COMPANY	349.80	1461
121751	09/24/19	U0115	US BANK CUST ACTLIEN	1,901.05	1461
121752	09/24/19	U0120	US BANK CUST FOR PC7 FIRSTTRUST	1,598.60	1461
121753	09/24/19	V0056	VERIZON WIRELESS	1,620.40	1461
121754	09/24/19	V0058	VERIZON	302.51	1461
121755	09/24/19	V0084	VERIZON	544.97	1461
121756	09/24/19	V0124	VERIZON BUSINESS FIOS	204.99	1461
121757	09/24/19	V0197	VENTRICE, JOSEPH	90.00	1461
121758	09/24/19	V0199	VOIANCE LANGUAGE SERVICES LLC	9.10	1461
121759	09/24/19	W0016	WARRENVILLE TRUE VALUE	1,671.57	1461
121760	09/24/19	W0056	WELDON CONCRETE CO.	10,517.13	1461
121761	09/24/19	W0074	WELSH'S MOTOR SALES, INC.	136.76	1461
121762	09/24/19	W0241	W.B. MASON CO INC.	269.90	1461

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121763	09/24/19	W0259	VENTURA, MIESOWITZ, KEOUGH &	1,757.50	1461
121764	09/24/19	W0271	WEATHER WORKS	1,690.00	1461
121765	09/24/19	W0339	W.B. MASON	142.20	1461
121766	09/24/19	X0003	XEROX CORPORATION	204.45	1461
121767	09/24/19	X0005	XTEL COMMUNICATION	1,735.13	1461
121768	09/24/19	Z0041	ZERO WASTE USA	419.50	1461
121769	09/24/19	Z0070	ZINN, JOHN	150.00	1461

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	171	0	9,135,066.32	0.00
Direct Deposit:	9	0	358,145.71	0.00
Total:	180	0	9,493,212.03	0.00

#### Totals by Year-Fund

Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	8-01	35,154.60	0.00	0.00	35,154.60
CURRENT FUND	9-01	8,385,444.97	0.00	0.00	8,385,444.97
DOG FUND	9-12	1,236.36	0.00	0.00	1,236.36
GOLF COURSE UTILITY	9-26	7,894.56	0.00	0.00	7,894.56
Year Total:		8,394,575.89	0.00	0.00	8,394,575.89
CAPITAL FUND	C-04	997,388.22	0.00	0.00	997,388.22
PUBLIC GRANTS	G-02	1,926.48	0.00	0.00	1,926.48
TRUST FUNDS	T-13	53,455.42	0.00	0.00	53,455.42
PROJECT		10,711.42	0.00	0.00	10,711.42
Total Of All Funds:		9,493,212.03	0.00	0.00	9,493,212.03

#### [Resolution #2019-0388](#) - In Grateful Acknowledgement and Appreciation to Bernards Township First Responders

**WHEREAS**, each and every day, the Basking Ridge Fire and First Aid Company, Liberty Corner Fire Company, and Liberty Corner First Aid protect, preserve, and safeguard our community, setting the standard for unsurpassed safety and security throughout the region; and

**WHEREAS**, the Bernards Township Police Department is committed to protecting life and property, while embracing the values of continued learning, honesty, integrity, leadership, professionalism, law enforcement, and service to enhance the quality of life for the entire community; and

**WHEREAS**, these First Responders work tirelessly to achieve the common goal of providing our residents with the highest level of service and preparedness to respond to emergencies as they arise; and

**WHEREAS**, the Bernards Township First Responders are our first and best defense against all emergencies that threaten our community, whatever their nature.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we hereby recognize and acknowledge the value of the work performed day in and day out by our First Responders who dedicate every day to protecting the citizens of Bernards; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby support, celebrate, honor and thank our First Responders and declare October 3, 2019 First Responder Appreciation Day.

#### [Resolution #2019-0390](#) - Commendation on the Occasion of Your Employment with the Township of Bernards

##### Commendation on the Occasion of Your Employment with the Township of Bernards

Moore, Doris – 50 Years	Centrelli, David – 30 Years	Krukowski, Richard – 30 Years
Nicoletti, Thomas J. – 30 Years	McDonald, Donna – 25 Years	Pisano, Rhonda – 25 Years
Miller, Deborah – 20 Years	Neil, Dawn – 20 Years	Chisholm, Marc – 15 Years
Cole, Steven – 15 Years	Decibus, Francis – 15 Years	Lubansky, Marcia – 15 Years
Merghart, Debra – 15 Years	Ortiz, Alexander – 15 Years	Pennino-Farnham, Sandra – 15 Years
Rupp, Cynthia – 15 Years	Vogel, Deirdre – 15 Years	Baxter, Christopher – 10 Years
Girard, Frank – 10 Years	Koederitz, Nancy – 10 Years	Krukowski, Jeffery – 10 Years
Yeo, Michael – 10 Years	Bercari, Andrew – 5 Years	Braikovich, Marcella – 5 Years
Caljean, Patricia – 5 Years	Colanduoni, Donald – 5 Years	Gumprecht, Justin – 5 Years
Kleinle, Joanne – 5 Years	McCarthy, Sean – 5 Years	Noce, Patrick – 5 Years

**WHEREAS**, the Township Committee of the Township of Bernards desires to convey to you an expression of its appreciation and grateful acknowledgment for the valued services rendered by you as a member of the Township of Bernards Employee Family; and

**WHEREAS**, you have given generously of your time and efforts in a dignified, faithful and professional manner.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that its sincere appreciation is given to acknowledge your worthwhile contribution towards the material development, communal welfare and quality of life in the Township of Bernards.

**BE IT FURTHER RESOLVED** a heartfelt congratulations is extended to you on the occasion of your anniversary of employment with the Township of Bernards.

[Resolution #2019-0391](#) - *Approval of Street Closing Permit for a Block Party on Highland Ave between Keats Rd. and Pond Hill Rd., 10/05/19*

**WHEREAS**, Courtney Samuel, hereinafter “the applicant,” has applied for a street closing permit for a block party on Highland Ave., on October 5th, 2019 from 3:00 PM to 9:00 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 find it complete.

**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 #2019-0392](#) - *Approval of Street Closing Permit for a Block Party on North Brook Ave, 10/12/19 (Rain Date 10/13/2019)*

**WHEREAS**, Garth Davidson, hereinafter “the applicant,” has applied for a street closing permit for a block party on Highland Ave., on October 12th, (Rain Date 10/13/2019) 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 find it complete.

**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 #2019-0394](#) - *Knock Out Opioid Abuse Day, October 6<sup>th</sup>*

**WHEREAS**, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

**WHEREAS**, the Partnership for a Drug-Free New Jersey has designated October 6, 2019, as Knock Out Opioid Abuse Day – an initiative with a dual purpose: to educate families of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and

**WHEREAS**, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

**WHEREAS**, the Township Committee of the Township of Bernards supports initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that October 6, 2019 be recognized as Knock Out Opioid Abuse Day in Bernards Township.

[Resolution #2019-0397](#) - *Award of Purchase Orders for Identified Vendors – Samuels Inc t/a Buy Wise Auto Parts*

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

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

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

Vendor	Not to Exceed
Samuels Inc t/a Buy Wise Auto Parts	\$ 40,000.00

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

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendor listed above to maintain continuity and facilitate the ordering process through December 31, 2019.

**Resolution #2019-0398** - Award of Bid for the Traffic Calming at Mine Brook Road, Canterbury Way, & Somerville Road Extension to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 In the Amount of \$68,794.70

**WHEREAS**, the Township of Bernards advertised for bids on Friday, May 17<sup>th</sup>, 2019 at 10:30 AM and re-bid on Tuesday, June 18<sup>th</sup>, 2019 at 10:30 AM, with no bids received on both occasions; and

**WHEREAS**, the Township entered into negotiation with Top Line Construction Corp. in accordance with N.J.S.A. 40A:11-5(3) of the Local Public Contracts Law which states that negotiation can be held after two unsuccessful bids; and

**WHEREAS**, Top Line Construction Corp. submitted a proposal for a total cost of \$68,794.70 for the same scope of work as in the original project bid and re-bid; and

**WHEREAS**, it is the combined recommendation of the Township Engineer, Administrator, and Purchasing Agent to award the contract to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 in the amount of \$68,794.70; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2397, line account # C-04-55-397-A01; and

**WHEREAS**, this contract has been awarded to Top Line Construction Corp. pursuant to N.J.S.A. 40A:11-5 et seq.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 in the amount of \$68,794.70.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township (“Owner”) and Top Line Construction Corp. (“Contractor”) shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated as Specified for the Traffic Calming at Mine Brook Road, Canterbury Way, & Somerville Road Extension.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days of service delivery.

6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon five (5) days written notice via certified mail.
8. The work contemplated under the Contract shall be completed within 30 days of the Notice to Proceed.
9. The Contractor shall commence the work not later than ten (10) calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
10. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
11. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$500.00 per day for every day thereafter until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages.
12. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within ten (10) days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

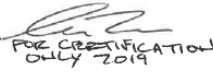
I agree to the terms as stated in this Resolution and by signing this document, as I am committed to follow all terms of this award.

\_\_\_\_\_  
Steve Castela, President, Top Line Construction Corp.

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$68,794.70. Monies are available in the Capital Ordinance, #2397, line item account # C-04-55-397-A01.

Date: September 17, 2019

  
FOR CERTIFICATION  
ONLY 2019  
Sean McCarthy  
Chief Financial Officer

**Resolution #2019-0399** - *Acceptance of Grant and Insertion of Grant Revenue Items Into the 2019 Budget \$19,038.04 for the Somerset County Municipal Alliance Grant for the Purpose of Funding the 2019 Municipal Alliance Program and \$4,759.51 for the 2019 Municipal Alliance 25% Match*

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and

**WHEREAS**, the Township has received an award of \$19,038.04 from the Somerset County Board of Freeholders for the purpose of funding the "Municipal Alliance" program and the Township will provide a 25% cash match of \$4,759.51 and wishes to amend its 2019 budget to include these amounts as revenue items.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Bernards hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue from:

Miscellaneous Revenues:  
Special Items of General Revenue Anticipated with Prior Written  
Consent of Director of Local Government Services - Public and  
Private Revenues Offset with Appropriations:  
2019 Municipal Alliance  
2019 Municipal Alliance 25% Match

**BE IT FURTHER RESOLVED** that like sums of \$19,038.04 and \$4,759.51 be and the same is hereby appropriated under the caption of:

General Appropriations:

**BE IT FINALLY RESOLVED** that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

**Resolution #2019-0400 - Plastic Film Recycling Challenge Sponsored by the Bernards Township Environmental Commission**

**WHEREAS**, it is the desire of the Township Committee of the Township of Bernards to promote the health, welfare, comfort, and safety of the citizens of the community; and

**WHEREAS**, Bernards Township wishes to encourage positive, environmentally-sound choices; and

**WHEREAS**, a substantial quantity of non-biodegradable single use plastic film ends up as unsightly litter on our roadsides and in our trees, in our storm drains and consequently in our waterways where they can be devastating to marine life and seabirds; and

**WHEREAS**, Bernards Township receives grant monies from the Recycling Tonnage Grant for the purpose of further improving a community's recycling rate; and

**WHEREAS**, the Township Committee wishes to promote clean communities programs that include education through involvement of residents within Bernards Township by means of a plastic film recycling challenge sponsored by Trex Company, which uses recycled plastic film to manufacture building products and is one of the largest polyethylene plastic recyclers in the United States, with the goal of recycling 500 lbs. of plastic film refuse (about 40,500 bags) within a six-month time limit, which will qualify for a high-performance composite bench to be donated by Trex that will be installed within Bernards Township; and

**WHEREAS**, the Bernards Township Environmental Commission is partnering with the Bernards Township Department of Public Works and the Basking Ridge Business Alliance to collect the plastic film refuse.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey hereby endorses the encouragement of the residents of Bernards Township to recycle plastic film refuse; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Mayor and Township Committee of the Township of Bernards announce a Plastic Film Recycling Challenge sponsored by the Bernards Township Environmental Committee that will commence on October 15, 2019.

**Resolution #2019-0401 - Commendation on the Occasion of Your Retirement Madeleine Roesse**

**WHEREAS**, the Township Committee of the Township of Bernards desires to convey to you an expression of its appreciation and grateful acknowledgment for the valued services rendered by you as an employee of the Township of Bernards for the past 13+ years; and

**WHEREAS**, you have given generously of your time and efforts in a dignified, faithful and professional manner; and

**WHEREAS**, the Township Committee of the Township of Bernards sincerely appreciates the worthwhile contributions you have made towards the material development, communal welfare, safety and quality of life in Bernards Township; and

**WHEREAS**, on the occasion of your 13+ years of service you are retiring to start the next challenging and exciting chapter of your life.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bernards that its sincere congratulations are expressed on the occasion of your retirement.

***\*\*End Consent Agenda\*\****

**Resolution #2019-0395 - Awarding a Contract to Atlantic Ambulance Corp., 120 Dorsa Avenue, Livingston, NJ 07039 for the Provision of Emergency Medical Services within the Township of Bernards for a Term not to Exceed Five (5) Years**

Motion by Esposito, second by Harris, that Resolution #2019-0395 be approved.



Roll Call

Aye: Carpenter, Esposito, Harris, Bianchi  
Nay:  
Abstain:  
Motion carried.

**WHEREAS**, Emergency Medical Services (EMS) in Bernards Township are currently provided by the First Aid Squad of the Basking Ridge Fire Company No. 1 and the Liberty Corner First Aid Squad, Inc.; and

**WHEREAS**, proposals were received from:

RWJ Health Network, Inc
Atlantic Ambulance Corp.

and;

**WHEREAS**, based on the assessment performed by the EMS working group comprised of Township Officials and members of the Bernards Township Emergency Services, the Township Committee has agreed that it was in the best interest of the residents of the Township to solicit proposals for the future provision of emergency medical services within the Township of Bernards Monday – Friday 6AM-6PM; and

**WHEREAS**, on July 23<sup>rd</sup>, 2019 the Township Committee endorsed Resolution #2019-0327 to solicit and procure a third-party EMS contractor to provide EMS services to the Township during identified peak hours as applicable under New Jersey Law; and

**WHEREAS**, the Township prepared a Request for Proposal for Emergency Medical Services and solicited proposals; and

**WHEREAS**, Atlantic Ambulance Corp., has detailed in their response the following amenities to be provided:

- 1) Atlantic Ambulance Corp. will provide two (2) trucks stationed in Bernards Township
- 2) Atlantic Ambulance Corp. agrees to a billing model in accordance with Office of Inspector General Guidelines, that will allow Bernards Township to provide a subsidy for their residents cost sharing amount. This agreement will be strictly arranged based upon OIG guidelines.
- 3) Atlantic Ambulance Corp. agrees to a separate contractual agreement whereby Atlantic Ambulance will lease space at fair market value to house up to three (3) ambulances.
- 4) Atlantic Ambulance Corp. does not intend to charge the township any amount above the negotiated cost for subsidy to cover resident's cost sharing amount.

and

**WHEREAS**, the response from all vendors were evaluated in accordance with the evaluation criteria set forth in the Request for Proposal for Emergency Medical Services and a report was submitted to the members of the governing body.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Bernards has determined to award a contract to Atlantic Ambulance Corp., 120 Dorsa Avenue, Livingston, NJ 07039 to provide emergency medical services to the Township of Bernards, County of Somerset, State of New Jersey.

[Resolution #2019-0393](#) - *Authorizing Cross River Fiber, LLC to Occupy Public Rights-of-Way For the Purpose of Installing and Operating a Dark Fiber System – Exhibit A*  
Motion by Esposito, second by Harris, that Resolution #2019-0393 be approved.

Roll Call

Aye: Carpenter, Esposito, Harris, Bianchi  
Nay:  
Abstain:  
Motion carried.

**WHEREAS**, Cross River Fiber, LLC. ("Cross River") a New Jersey limited liability company with offices located at 461 Headquarters Plaza, Morristown, NJ 07960 has requested permission to occupy the public rights-of-way within the Township of Bernards ("Township") for the purpose of installing and operating a dark fiber system; and

**WHEREAS**, Cross River proposes to place its telecommunication facilities aurally on existing utility poles or in underground conduit in the public rights-of-way within the Township for the purpose of owning, constructing, installing, operating, repairing, and maintaining a dark fiber system; and

**WHEREAS**, it is deemed to be in the best interest of the Township and its citizenry particularly including commercial and industrial citizens, for the Township Committee to grant permissions to Cross River to occupy the public rights-of-way within the Township for this purpose; and

**WHEREAS**, the granting of such permissions is and shall be conditioned upon Cross River entering into a written agreement with the Township which is attached hereto as Exhibit "A"; and

**WHEREAS**, as set forth in the attached agreement, the granting of such permissions is and shall be conditioned upon Cross River Fiber paying all reasonable attorney's fees actually incurred by the Township in connection with Cross River's request, pursuant to N.J.S.A. 54:30A-124;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bernards, in the County of Somerset, and State of New Jersey, as follows:

1. Permission is hereby granted to Cross River, for the non-exclusive use of the public rights-of-way within the Township for the purpose of construction, installation, operation, and/or maintenance of a dark fiber system for a period of no less than fifteen (15) years.
2. The Mayor is authorized to execute the agreement between the Township and Cross River Fiber, LLC attached hereto as Exhibit "A."
3. Cross River Fiber is authorized to present the foregoing Resolution and agreement to the New Jersey Board of Public Utilities for ratification, if required, pursuant to N.J.S.A. 48:2-14.

**Approval of Minutes:**

Motion by Harris, second by Esposito and unanimously agreed that the [09/10/2019 - Open Session minutes](#) be approved for content and release.

**PUBLIC COMMENT**

The Mayor opened public comment, no comments were heard, and the mayor closed public comment.

**EXECUTIVE SESSION (continued from earlier session if required)**

At 8:49 PM the committee resumed their Executive Session discussions authorized under Resolution #2019-0386 adopted earlier in the meeting.

**ADJOURNMENT**

The meeting resumed in open session at 9:30 PM and by unanimous consent immediately adjourned.

Respectfully submitted,

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Carol Bianchi, Mayor

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Rhonda Pisano, Municipal Clerk

Approved: 10/15/2019