

# TABLE OF CONTENTS

## BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE 09/29/2020 – COMBINED AGENDA/REGULAR MEETING

(Click on the page number to go directly to that page)

|   |           |
|---|-----------|
| <b>CALL TO ORDER</b>  | <b>3</b>  |
| <b>ROLL CALL</b>  | <b>3</b>  |
| <b>REPORTS</b>  | <b>3</b>  |
| <b>CORRESPONDENCE</b>   | <b>3</b>  |
| 07-02-20 LETTER ON BEHALF OF S/K ALLEN ROAD ASSOCIATES RE-PUD-5 MT. LAUREL OPTION   | 3         |
| 08-27-20 LETTER FROM THE HISTORICAL SOCIETY OF THE SOMERSET HILLS RE: INVITATION TO 10/22/20 THSSH MEETING  | 3         |
| <b>UNFINISHED BUSINESS</b>  | <b>3</b>  |
| ORDINANCE #2453 - AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BERNARDS CHAPTER 14, "FIRE PREVENTION" – PUBLIC HEARING   | 3         |
| <b>PUBLIC WORK SESSION</b>  | <b>12</b> |
| RESOLUTION #2020-0234 – RESOLUTION TO CREATE A DIVERSITY AND INCLUSION COMMITTEE  | 12        |
| RESOLUTION #2020-0297 - ESTABLISHMENT OF A UTILITY ADVISORY TASK FORCE  | 14        |
| <b>PUBLIC COMMENT</b>   | <b>15</b> |
| <b>TOWNSHIP COMMITTEE/LIAISON &amp; BOARD REPORTS AND STAFF COMMENTS</b>  | <b>15</b> |
| <b>FIRE &amp; RESCUE APPOINTMENT</b>  | <b>15</b> |
| Resolution #2020-0317 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad Douglas Gazzale, Full Member Sanjana Sharma, Full Member   | 15        |
| Resolution #2020-0318 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 Scott M. Brinkley, Full Member  | 15        |
| <b>NEW BUSINESS</b>   | <b>15</b> |
| CONSENT AGENDA  | 15        |
| Resolution #2020-0307 - Approval of the Bill List Dated 09/29/2020  | 16        |
| Resolution #2020-0310 - Authorizing and Approving Purchase of Renewal Software Licenses from New Jersey State Co-Operative Contract #M0003 (A89851) to SHI, 290 Davidson Avenue, Somerset, NJ 08873 In the Amount Not to Exceed \$ 45,000.00  | 17        |
| Resolution #2020-0311 - Recognition of National Fire Prevention Week and of Outstanding Service from Bernards Township Fire Prevention Bureau Staff   | 18        |
| Resolution #2020-0312 - Authorizing Submission to the Somerset County Board of Chosen Freeholders for a Grant Entitled Somerset County Municipal Youth Services Commission 2020 Abbreviated Annual Grant Application: \$5,000 for funding Ridge Education Action & Community Health (REACH) and Viking Yoga | 18        |
| Resolution #2020-0313 - Authorizing Submission of Grant Agreement Between Bernards Township and the State of New Jersey By And For The Department of Environmental Protection, Grant Identifier: AQ20-129 for "It Pays to Plug In: NJ's Electric Vehicle Charging Grant"                                    | 19        |
| Resolution #2020-0314 - Authorizing Submission of Grant Agreement Between Bernards Township and the State of New Jersey By And For The Board Of Public Utilities for the "Clean Fleet Electric Vehicle Incentive Grant Program"   | 19        |
| Resolution #2020-0315 - Unused Vacation Accrual Due Marcella Braikovich Municipal Court   | 20        |
| Resolution #2020-0316 - Unused Vacation Accrual Due Jenni Peterson Municipal Court  | 21        |
| Resolution #2020-0319 - Bernards Township Housing Rehabilitation Program Authorizing and Approving Deferred Loan Agreement to Lori Romero 3611 Balsam Way Block 9001 Lot 36.08  | 21        |
| Resolution #2020-0320 - Award of Purchase Orders for Identified Vendors IWS/Bridgewater Resources   | 22        |
| Resolution #2020-0308 - Pill Hill Landfill NJDEP Post-Closure Escrow Request  | 22        |
| Resolution #2020-0309 - Pill Hill Landfill NJDEP Post-Closure Monitoring  | 23        |

|  |           |
|--|-----------|
| <i>APPROVAL OF MINUTES – OPEN SESSION – 09/15/2020 .....</i> | <i>23</i> |
| <b>PUBLIC COMMENT.....</b>                                   | <b>24</b> |
| <b>ADJOURNMENT.....</b>                                      | <b>24</b> |

## CALL TO ORDER

The mayor called the meeting to order at 8:00 PM. Those assembled saluted the flag and the mayor read the Open Public Meetings Act in accordance with the law.

## ROLL CALL

Present: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.

Absent:

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

## REPORTS

None listed

## CORRESPONDENCE

### 07-02-20 Letter on behalf of S/K Allen Road Associates RE-PUD-5 Mt. Laurel Option

Mike O'Grodnick from the law firm of Savo, Schalk, Gillespie, O'Grodnick & Fisher addressed the committee. He explained the contents of the correspondence. He detailed some of the limitations and burden the Ordinance, as written, puts on the Highlands Village Center. They propose amendments to the township ordinance which would reduce some of the limitations and also allow for additional uses within the Highlands Village Center.

Peter Wisniewski from The Kislak Organization who is the leasing agent also addressed the committee with the same points and explanation.

Bernards Township Planner Dave Schley addressed the committee. He explained that the 75% max on retail establishments within the Highlands Village Center is unique to that location. Most locations have a minimum but never a maximum. He agreed that the township ordinance can be cleaned up. The Township Committee agreed and directed Mr. Schley to prepare proposed revisions for the Township Committee to consider.

### 08-27-20 Letter from The Historical Society of the Somerset Hills RE: Invitation to 10/22/20 THSSH meeting

The Township Committee acknowledged receipt of this letter.

## UNFINISHED BUSINESS

### ORDINANCE #2453 - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 14, "Fire Prevention" – Public Hearing*

The clerk read the ordinance by title and the Mayor opened the public hearing. There were no comments and the hearing was closed.

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

## Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

**BE IT ORDAINED**, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 14 "Fire Prevention" of the Revised General Ordinances of the Township of Bernards is amended. (new text is in double underline; deletions are ~~stricken~~)

### § 14-1.1 Local Enforcement.

[Ord. #1379, 3-27-2001, adopted]

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Uniform Fire Code shall be locally enforced in the Township of Bernards. This chapter supplements the State Uniform Fire Safety Act and the rules and regulations promulgated thereunder.

### §14-1.2 Definitions

The definitions contained within the New Jersey Uniform Fire Code shall be included herein by reference and shall be applicable to this chapter.

Agricultural Burning – the burning of herbaceous or infested plant life, the burning of orchard pruning's and cuttings, prescribed burnings and the clearing of agricultural land by burning

Annual Mobile Food Vendor Permit - a permit issued by the Fire Official for a Mobile Food Vendor who may be operating in Bernards Township several times in a calendar year. An Annual Mobile Food Vendor Permit will only be available for a calendar year expiring on December 31<sup>st</sup> of that year.

Daily/Single Event Mobile Food Vendor Permit – a permit issued by the Fire Official for a daily, single use of a Mobile Food Vendor.

Fire Alarm System – A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

Fire Lane – Shall mean a road or other passageway developed to allow the passage of fire apparatus. A Fire Lane is designated by the Fire Official and properly posted and marked in accordance with this chapter. The terms Fire Lane and Fire Zone shall be interchangeable

Fire Official – Shall mean a person certified by the Commissioner of the Department of Community Affairs and appointed by the Township Committee. The terms Fire Official and Fire Marshal shall be interchangeable.

Grease Laden Vapors – vapors produced when cooking and/or preparing foods that contain animal fat, vegetable shortening, and other such oily matter.

Mobile Food Vendor – a unit of closed construction designed to be driven or towed from place to place, with equipment to cook, prepare, serve, or sell food. This shall include but not limited to mobile canteens, food trucks, food trailers, and food carts.

Open Burning – The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

Outdoor Fireplace – an outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay, or other noncombustible material. An outdoor fireplace may be portable, open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

Permit – An official document or certificate issued by the Fire Official that authorizes performance of a specified activity

Recreational Fires –An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill, or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

§ 14-1.~~32~~ Agency Designation.

[Ord. #1379, 3-27-2001, adopted]

The local enforcing agency shall be the Bernards Township Bureau of Fire Prevention. The terms Bureau of Fire Prevention and Bureau of Fire Safety shall be equally recognized within this chapter and shall be interchangeable.

§ 14-1.~~43~~ Duties.

[Ord. #1379, 3-27-2001, adopted]

The local enforcement agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Township of Bernards and shall faithfully comply with the requirements of the Uniform Fire Safety Act and Uniform Fire Code.

§ 14-1.~~54~~ Life Hazard Use.

[Ord. #1379, 3-27-2001, adopted]

The local enforcing agency established by this section shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

§ 14-1.~~65~~ Organization.

[Ord. #1379, 3-27-2001, adopted]

The local enforcing agency established by this section shall be the Bernards Township Fire Prevention Bureau and the Fire Official shall serve as the Chief Administrator.

§ 14-1.~~76~~ Appointments; Term of Office; Removal.

[Ord. #1379, 3-27-2001, adopted]

- a. Appointment of Fire Official. The Fire Official shall be under the direct supervision of the Township Engineer and shall be appointed by the Township Committee with consideration to the recommendation of the Township Administrator and Director of Human Resources in accordance with Chapter 2 of the Bernards Township General Ordinances. [Ord. #1839, 1-24-2006, amended]

- b. Term of Office. The Fire Official shall serve for a term of one year from January 1 in the year in which his appointment is made.
- c. Inspectors and Employees. Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the Township Committee upon the recommendation of the Fire Official, Township Administrator and Director of Human Resources. [Ord. #1839, 1-24-2006, amended]
- d. Identification Card. ~~An identification card over the signatures of the Mayor and Township Clerk with the Township Seal thereunto affixed shall be issued to the Chief Inspector and each Deputy Inspector, and the identification cards shall be prima facie evidence of the authority of such Fire Official and inspectors to act hereunder and enforce this chapter.~~ The Fire Official and inspectors of the enforcing agency shall be issued a Township identification card and shall be subject to carry said identification at all times as evidence of the authority of the local enforcing agency.
- e. Removal from Office. The Fire Official, inspectors and other employees of the enforcing agency shall be subject to removal by the Township Administrator for inefficiency or misconduct. Each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer in accordance with the Township's Employee Handbook of Personnel Policies and Procedures, Employee Rights and Obligations, Disciplinary Actions Procedures and Termination. [Ord. #1839, 1-24-2006, amended]

SECTION 14-2  
Bureau of Fire Prevention  
RESERVED

[This section (Section 14-2) will be held in reserve until the body that this section refers to is organized and develops operational details, i.e., title, Chairman, Secretary, operational guidelines, etc.]

SECTION 14-3  
Permits, Additional Fees and Inspections

§ 14-3.1 Permits.

- a. Permits shall be required and obtained from the Bernards Township Bureau of Fire Prevention for activities specified in N.J.A.C. 5:70-2.7. The permit fees established by the New Jersey Uniform Fire Code shall be the required permit fees as provided in N.J.A.C. 5:70-2.9 (c). All permit applications shall be submitted a minimum of two weeks prior to the activity date. Failure to submit the application two weeks prior will result in denial of the application. The Fire Official may revoke a permit or approval issued under the provisions of the NJ Uniform Fire Code if upon inspection any violation of the code exists, or if conditions of a permit have been violated, or if there has been any false statement or misrepresentation as to material fact in the application, data or plans on which the permit or approval was based.

§ 14-3.2 Additional Required Inspections and Fees.

In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections shall be required:

- a. All public buildings and premises into which the public is invited, including multifamily dwellings as well as commercial and industrial establishments, and all public and private schools.
- b. Such fees as may be determined by the Fire Prevention Bureau may be adopted by resolution of the Township Committee. [Ord. #1379, 3-27-2001, adopted]
- c. Whenever the Fire Official or his representative is required to attend an event being held within the Township during non-normal business hours of the Fire Official, a fee of \$75 per hour shall be paid by the organizer of such event to the Township, based upon the number of hours the Fire Official or his representative is required to attend such event, with a minimum of two hours to be charged for each such event. Events sponsored by the Township of Bernards, the Bernards Township Board of Education; and the Fire and Rescue Services of the Township of Bernards shall be exempt from this charge. [Ord. #2137, 12-14-2010, added]

§14-3.3 Mobile Food Vendors

a. Permits

Mobile Food Vendors that utilize an open flame, fuel burning appliances, or that produce grease laden vapors shall submit a permit application each time they operate. All permit applications shall be submitted a minimum of two weeks prior to the date of operation. Individual permits shall be issued to specific mobile

unit and shall not approve operation of multiple mobile units. All permit applications shall include identifying information for the mobile unit corresponding to each individual permit application.

A daily/single event permit for a Mobile Food Vendor can be acquired as per §14-3.1 and §14-3.2.

Vendors Operating throughout a calendar year are legible for an Annual Mobile Food Vendor permit. An annual Mobile Food Vendor permit shall expire on December 31<sup>st</sup> of the same year of permit application. The fee for an annual Mobile Food Vendor permit is \$500.00.

**b. Inspections**

No Mobile Food Vendor shall operate within the borders of Bernards Township without first having apply for a permit and pass a fire inspection by the Bernards Township Bureau of Fire Prevention prior to beginning the operation. Annual Mobile Food Vendor permits require daily inspection prior to operation. Every day of operation shall be considered a separate operation and requires a distinct inspection. Inspection violations of the New Jersey Uniform Fire Code shall constitute an order to close the Mobile Food Vendor and immediately remove the operation from Bernards Township. Should an inspection reveal violations of the New Jersey Uniform Fire Code following the initial issuance of an annual Mobile Food Vendor permit, the Fire Official may to revoke any such permit.

**SECTION 14-3A**

~~Smoke Detection, Carbon Monoxide Detection Devices, and Fire Extinguishers in Residential Premises~~  
~~Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance~~

**§ 14-3A.1 Definitions.**

~~[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~APPROVED RATING ORGANIZATION — Shall mean approved by Underwriters Testing Laboratories.~~

**§ 14-3A.2 Here Required.**

~~[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~Any building of Use Group R-2, R-3, R-4, or R-5, or portion thereof, that is sold, lease, or otherwise made subject to a change of occupancy for residential purposes shall have a Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance (CSACMAPFEC) obtained by the owner prior to said change of occupancy in accordance with N.J.A.C. 5:70-2.3 which evidences compliance with N.J.A.C. 5:70-4.19.~~

~~A structure used or intended to be used for residential purposes by not more than two households shall have a smoke-sensitive alarm device on each level of the structure. If the structure contains a fuel-burning appliance of any type, a carbon-monoxide detector is also required. If both are required, a smoke detector and carbon-monoxide detector shall be located outside each separate sleeping area in the immediate vicinity of the bedrooms, in accordance with N.J.S.A. 52:27D-192 and N.J.A.C. 5:70-2.3 et seq. Smoke detectors and carbon-monoxide detectors must be located in accordance with the NFPA Standard listed in N.J.A.C. 5:70 and maintained in good working order. Notwithstanding the provisions of Section 14-1 of this chapter, this section shall not be enforced except pursuant to Subsection 14-3A.4 below.~~

**§ 14-3A.3 ~~Smoke and Carbon Monoxide Detection Devices.~~**

~~[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~Fire and Life Safety Systems within Residential Premises~~

~~Smoke and carbon-monoxide detectors, as required by this section, shall be in compliance with the standards of the approved rating organization and shall be capable of being maintained by the person responsible for the occupancy of the residential dwelling unit. They shall consist of an assembly incorporating the detector, control equipment and the alarm sounding device in one unit. The detectors may be battery powered or electrically connected to the main panel box with battery back-up and shall be listed in accordance with ANSI/UL-217 listed in N.J.A.C. 5:70. Two or more single-station smoke detector or carbon-monoxide assemblies may be interconnected so that the activation of one causes all integral or separate audible alarms to operate. Nothing in this section shall be construed to prohibit the installation of more complex smoke or carbon-monoxide detection devices.~~

~~The following requirements shall be applicable to and satisfied by applicants for a CSACMAPFEC prior to the issuance of a Certificate of Compliance:~~

~~a. Smoke Alarms: Smoke Alarms shall be maintained in accordance with NFPA 72, their listing, and manufacturer specifications. Smoke Alarms shall be located as specified in N.J.A.C. 5:70-4.19. Smoke Alarms located and maintained in accordance with approvals contingent with a Certificate of Occupancy issued in accordance with the State Uniform Construction Code Act that concurrently satisfy the requirements of N.J.A.C. 5:70-4.19 shall also satisfy this section.~~

~~b. Carbon Monoxide Alarms: Carbon Monoxide Alarms shall be maintained in accordance with NFPA 720, their listing, and manufacturer specifications. Carbon Monoxide Alarms shall be located as~~



specified in N.J.A.C. 5:70-4.19. Carbon Monoxide Alarms located and maintained in accordance with approvals contingent with a Certificate of Occupancy issue in accordance with the State Uniform Construction Code Act that concurrently satisfy the requirements of N.J.A.C. 5:70-4.19 shall also satisfy this section.

c. Portable Fire Extinguishers: A Portable Fire Extinguisher shall be installed and maintained in accordance with N.J.A.C. 5:70-4.19(e).

d. Fire Alarm Systems: Residential premises that contain installed Fire Alarm Systems as defined in the Uniform Construction Code, may be required to submit documentation of testing and maintenance evidencing that the system is maintained in good working order prior to the issuance of a CSACMAPFEC. The Fire Official and his/her designee shall assure such documentation meets or exceed the criteria contained within NFPA 72. Fire Alarm Systems may only be substitute for requirements of N.J.A.C. 5:70-4.19 when installed in accordance with the State Uniform Construction Code Act and when received a proper Certificate of Approval or been installed prior to the receipt of a Certificate of Occupancy.

#### § 14-3A.4 Certificate of Compliance.

[Ord. #1379, 3-27-2001, adopted]

In the case of a change of occupancy of any ~~building Use Group R-2, R-3, R-4, or R-5 building or portion thereof~~ subject to the requirements of Subsection 14-3A.4 of this section, no owner shall sell, lease or otherwise permit occupancy for residential purposes of that building without first obtaining a certificate evidencing compliance with this section. Where a certificate of occupancy is required under the land development chapter or other General Ordinances of the Township, it shall not be issued prior to the time the owner obtains the certificate of compliance.

#### § 14-3A.5 Inspections.

[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]

The Fire Official of the Bureau of Fire Prevention and duly appointed Inspectors are hereby empowered to conduct the necessary inspections and to issue certificates of compliance as contemplated herein.

#### § 14-3A.6 Fees.

[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended; Ord. #2334, ~~A1~~ 3-29-2016, amended]

A fee of \$50 shall be paid by the owner prior to each inspection. If the inspection is requested within 10 days of the change of occupancy or ownership, a fee of \$100 shall be paid. If the inspection is requested within four days of the change of occupancy or ownership, a fee of \$150 shall be paid.

#### § 14-3A.7 Notice.

[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]

The Tax Collector of the Township of Bernards shall provide to each person requesting a tax search from his or her office a statement calling attention to the provisions of this section, including the requirement that smoke detectors and carbon monoxide detectors be installed and the necessity of obtaining a certificate of smoke detector and carbon monoxide detector compliance prior to each change of occupancy.

#### ~~§ 14-3A.8 Penalties.~~

~~[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~Notwithstanding the provisions of section 14-6 of this chapter, an owner who sells, leases or rents or otherwise permits to be occupied for residential purposes any premises subject to the provisions of this section shall be subject to a fine of not more than \$500 which may be collected and enforced by the Fire Official through summary proceedings pursuant to the penalty enforcement law, N.J.S.A. 2A:58-1 et seq. ~~A2~~~~

### SECTION 14-3B

#### Non-Life Hazard Use Inspection Fees

#### § 14-3B.1

[Ord. #1707, 3-9-2004, adopted; Ord. #2196, 6-12-2012, amended]

- a. Whenever the Fire Official shall have cause to believe that a building or business would require an annual fire prevention inspection, and the building or business is not a life hazard use, the owner of the building or business, if not already registered, shall fill out a registration form provided by the Fire Prevention Bureau. Upon inspection of the building or business, the owner shall pay to the Fire Prevention Bureau, within 30 days of receiving the written notice of violation and order to correct accompanied by a written statement of fees due, the required amount. The fees shall be based upon the square footage of the use. The fees are as follows:

| Building Size in Square Feet | Annual Inspection Fee |
|------------------------------|-----------------------|
| 0 to 500                     | \$50.00               |
| 501 to 1,000                 | \$75.00               |
| 1,001 to 3,500               | \$150.00              |

| Building Size in Square Feet | Annual Inspection Fee |
|------------------------------|-----------------------|
| 3,501 to 10,000              | \$300.00              |
| 10,001 to 30,000             | \$500.00              |
| 30,001 and over              | \$800.00              |

- b. Portions of churches and religious facilities used as sanctuaries and fire departments and first aid squads are exempt from fees.

~~i. SECTION 14-4~~  
~~Procedure for Appeals~~

~~Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal within 15 days to the Construction Board of Appeals of the County of Somerset. [Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~ii. SECTION 14-5~~  
~~Violations~~

~~Any person violating any of the provisions of this chapter or of the New Jersey Uniform Fire Code or who, failing or neglecting to obtain the necessary permit or license herein and hereby or in the code required, builds, erects, conducts or maintains any use, trade, business, establishment, premises, building, structure or improvement required to be licensed under this chapter or under the code, or who conducts or carries on any use, trade, business, establishment or premises contrary to the facts stated in his application for a permit or license or the plans filed therewith, or both, or in the license or permit granted therefore, or who falsely makes any misrepresentation in any application or writing required under this chapter or the code, or who fails and neglects to remedy a violation or nonobservance upon being notified by a representative of the Bureau of Fire Prevention to do so shall be guilty of a violation of this chapter and subject to the penalties hereinafter set forth. [Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

~~iii. SECTION 14-6~~  
~~Penalties~~

~~§ 14-6.1~~

~~[Ord. #1379, 3-27-2001, adopted; Ord. #1651, 7-15-2003, amended]~~

- ~~a. Any person violating any of the provisions of this chapter shall, for each offense, be subject to a fine as established in the New Jersey Uniform Fire Code and all applicable township ordinances.~~
- ~~b. Each day on which a violation occurs shall be deemed a separate offense and not a continuing violation.~~
- ~~c. Any person served with a notice that a violation occurs of which he is or may be guilty as provided in this chapter or in the New Jersey Uniform Fire Code and who does not abate the same as required herein or in the code and by the notice shall be guilty of a violation hereof and subject to the penalty of fine and/or imprisonment, as aforesaid, for each and every day following the period contained in the notice for the abatement thereof.~~

~~iv. SECTION 14-7~~  
~~Secured Opening Key Boxes~~

~~§ 14-7.1 Installation; Contents; Etc.~~

- a. Installation. When a property is protected by an automatic alarm system, and access to or within a structure or an area on that property is impeded by secured openings, and where immediate access might become necessary for lifesaving or fire-fighting purposes, the Fire Official may require a key box to be installed in an approved location. The key box shall be a type approved by the Fire Official and shall be installed at the expense of the property owner.
- b. Contents. The key box shall contain:
1. Keys to locked points of ingress whether on the interior or exterior of such buildings.
  2. Keys to locked mechanical equipment rooms.
  3. Keys to locked electrical rooms.
  4. Keys to elevator controls.



5. Keys to other areas as directed by the Fire Official.
6. Other material as directed by the Fire Official.

All keys shall be clearly labeled or marked to identify the doors they open or the devices they operate.

- c. Application. This subsection applies to both existing and future structures, but shall not apply to any residential units.
- d. Approvals.
  1. The Fire Official shall, within 90 days of the effective date of this subsection, develop and submit to the Township Committee a list of specifications for key boxes. Following approval of the specifications by resolution of the Township Committee, any box complying with those specifications shall be deemed to be approved as required by Paragraph a above. Until such specifications are developed and at any time thereafter, any property owner may request the Fire Official to render a determination as to whether a particular key box, which does not comply with the specifications, can be approved for installation.
  2. Before installing any key box required by this subsection, the property owner shall make written request to the Fire Official to designate or approve the proposed location.
- e. Fees. The Fire Prevention Bureau may determine appropriate fees for processing an application to determine whether a key box which does not comply with the specifications can be approved for installation and a request for designation or approval of proposed locations for key boxes. Such fees shall become effective upon adoption by resolution of the Township Committee. [Ord. #1379, 3-27-2001, adopted]

#### Section 14-8

##### Fire Lanes and Zones

###### § 14-8.1 -Designation.

The Fire Official, in consultation with the Township Engineer, may designate fire lanes and zones on private property to which the public is invited or which is devoted to public use, if such designation is necessary to provide safety for the public or to provide proper access for -first responder operations in an emergency;

###### § 14-8.2 Notification.

Whenever a proposed fire lane or zone has been designated, the Fire Official shall notify the owner of the property in writing by registered or certified mail, or by hand delivering notice, describing the area to be designated and the reason for the designation. Notification as specified in this section shall not be required when fire lanes or zones are designated through the land development approval process;

###### § 14-8.3 Delineation.

Delineation of fire lanes and zones shall be completed by the owner at the owner's expense using signs and striping required by this section and shall be accomplished within thirty (30) days after receipt of the notification of designation. Upon approval of the completed delineation, the Fire Official shall maintain a description or plan of the fire lane on file in the Fire Prevention Bureau.

All fire lanes and zones shall be at a minimum delineated using signage and striping in the following manner:

###### A. Signs.

- (1) Signs shall be twelve (12) inches wide by eighteen (18) inches high with a minimum of two- (2) inch high lettering.
- (2) White retroreflective material shall be used for the sign background in accordance with the current edition of the Manual on Uniform Traffic Control Devices.
- (3) Legend shall be red in color in accordance with the current edition of the Manual on Uniform Traffic Control Devices.
- (4) Signs, whether wall or post-mounted, shall be placed at the beginning and end of the lane or zone and at such intervals as required by the Fire Official, but not spaced more than one hundred (100) feet apart.
- (5) Whenever a fire lane changes angle or direction additional signs may be required at the discretion of the Fire Official or the Municipal Fire Subcode Official to ensure adequate visible signage along the fire

lane.

(6) Signs shall be placed at a height of seven (7) feet as measured from the ground surface to the bottom of the sign and placed perpendicular to the direction of the traffic flow so that the sign is facing oncoming traffic. If traffic flows in two (2) directions, signs shall be placed parallel to the direction of traffic flow. Signs may be placed upon existing supports. If a sign is placed on an existing support below an existing sign, the sign shall not project more than 4 inches into the pedestrian facility.

(7) Signs shall read: "No Parking Fire Lane" or "No Parking Fire Zone."

(8) A single-headed arrow shall point in the direction in which the regulation is in effect if the sign is at the end of a lane or zone. A double-headed arrow pointing in both directions shall be used if the sign is at an intermediate point along a lane or zone.

#### B. Striping.

(1) Paint for pavement striping and lettering shall be yellow traffic paint.

(2) Fire lanes and zones shall be delineated by painting the curb yellow and by striping the lane or zone a minimum of twelve (12) feet wide or preferably eighteen (18) feet wide, if feasible, as designated and approved by the Fire Official.

(3) Each yellow diagonal stripe shall be four (4) inches wide and spaced five (5) feet apart throughout the lane or zone. The diagonal stripes should form an angle of approximately sixty (60) degrees with the longitudinal lines or curb that they intersect. The perimeter of the lane or zone shall also be striped with a four (4) inch yellow stripe.

(4) A striped legend of "No Parking Fire Lane" or "No Parking Fire Zone" shall be placed within the fire lane or zone facing away from the curb or wall at a minimum of one -hundred (100) -foot intervals, if so designated by the Fire Official, to further identify the area designated. The lettering of the striped legend shall be eighteen (18) inches high and placed within the center of the fire lane or zone.

#### § 14-8.4 Existing Conditions

At the time of the enactment of this section, any and all properties within the township that exhibit fire lane or zone delineation other than in the manner specifically noted above, shall be held valid for the purposes of section § 14-8.7 if the fire lane or zone is clearly indicated as to its purpose.

#### § 14-8.5 Maintenance

As fire lane or zone signs, striping, and all else necessary for delineation weathers, fades, and otherwise becomes damaged, illegible, or subject to maintenance, alteration, or replacement, it shall be the responsibility of the property owner, at their own expense, to ensure that all fire lanes and zones are brought into compliance with § 14-8.3. The Fire Official may notify the owner of any delineation in need of maintenance, and the owner shall then have thirty (30) days to comply with the maintenance request.

#### § 14-8.6 Fire Hydrants and Fire Department Connections

Immediate access to Fire Department Connections, public and private fire hydrants shall be maintained at all times without any obstruction. A working space clearance of not less than 36 inches in width and 36 inches in depth and 78 inches in height shall be provided and maintained in front of and to the sides of all wall-mounted fire department connections and around the circumference of free-standing fire department connections, public and private fire hydrants.

#### § 14-8.7- Obstructions.

It shall be unlawful for any person to park or leave standing any vehicle or place any obstruction on lands, whether publicly or privately owned, after notice has been posted as hereinafter provided prohibiting such parking, ~~or~~ standing or obstruction.

#### § 14-8.8 – Enforcement

The Bernards Township Police Department shall have jurisdiction to enforce the provisions of this section by the issuance of a parking summons to vehicles found violating this chapter.

### Section 14-9

#### Fire Alarm Systems

#### § 14-9.1 – Applicability

This section applies to local and monitored fire alarm systems in any structure other than one (1) or two (2) family dwellings.

#### § 14-9.2 – Evacuation of Premises

When a fire alarm is activated in any building containing a fire alarm system, all occupants shall immediately leave the structure or follow a written Fire Evacuation Plan that has been previously approved by the Fire Official. Once notified, no persons shall enter or re-enter, until authorized to do so by the local Fire Department.

#### § 14-9.3 – Prohibited acts

Resetting or silencing fire alarm systems – activated fire alarms systems which result in the dispatch of the local Fire Department shall not be reset or silenced without the approval from a responding Fire Department representative.

#### § 14-9.4 – Notification

The building owner or representative shall notify the Bernards Township Bureau of Fire Prevention any time the building's fire alarm system operates in a trouble or supervisory mode or when any maintenance or work is being performed on the building's fire alarm system. 24 hour advance notification is required to the Bernards Township Bureau of Fire Prevention any time a fire alarm system is tested, repaired, altered, or for any fire/evacuation drill.

### Section 14-10

#### Open Burning

#### § 14-10.1 – Applicability

This section applies to all properties in Bernards Township.

#### § 14-10.2 – Open Burning

Open burning shall be prohibited without first obtaining a permit from the State Forest Fire Service of the New Jersey Department of Environmental Protection as well as a permit from the Bernards Township Bureau of Fire Prevention as per N.J.A.C. 5:70-2.7. Open burns/bonfires shall not be conducted within 50 feet of a structure or combustible material. The fire shall not be more than 5 feet by 5 feet by 5 feet in dimension and shall not burn longer than 3 hours. Fuel for the fire shall consist only of seasoned dry firewood.

#### § 14-10.3 – Recreational Fires

Recreational fires are permitted when utilizing only seasoned dry firewood and shall not be conducted within 25 feet of a structure or combustible material.

#### § 14-10.4 – Outdoor Fireplace

Outdoor Fireplaces are permitted when being used in accordance with the manufacturer's instructions, utilizing only seasoned dry firewood, and shall not be conducted within 15 feet of a structure or combustible material. Outdoor Fireplaces shall not be used or stored on combustible balconies or decks. The Fire Official shall review and approve all construction applications with outdoor fireplaces setback requirements.

#### § 14-10.5 – Agricultural Burning

Agricultural burning shall be prohibited without first obtaining a permit from the State Forest Fire Service in the New Jersey Department of Environmental Protection.

#### § 14-10.6 – Extinguishment

Where open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the Bureau of Fire Prevention staff or a representative of the local Fire Department is authorized to order the extinguishment of the open burning operation.

#### § 14-10.7 – Attendance

Open burning, recreational fires, and all outdoor fireplaces shall be constantly attended until the fire is extinguished.

#### § 14-10.8 – Waste Disposal

Open Burning, Recreational Fires, and Outdoor Fireplaces shall not be utilized for waste disposal purposes including but not limited to rubbish, garbage, leaves, waste vegetation, and construction debris.

### Section 14-11

#### Enforcement

§ 14-11.1 – Authority to enforce – The Bernards Township Bureau of Fire Prevention shall be the enforcing agency of this chapter.

§ 14-11.2 – Violations - Each violation shall constitute a separate and distinct offense independent of the violation of any other section. Each day of violation shall constitute an additional, separate, and distinct offense.

§ 14-11.3 – Penalties – Penalties will be enforced as per N.J.A.C. 5:70-2 unless otherwise noted below.

- a. Violation of Section 14-3 Permits, Additional Fees and Inspections – Any person violating any of the provisions of this section shall, for each offense, be subject to a fine of not more than \$5,000.00 for failure to comply with a lawful action will be issued to the owner of the Mobile Food Vendor as per N.J.A.C. 5:70-2.12(b)5.ii.
- b. Violation of Section 14-3A Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance - Any person violating any of the provisions of this section shall, for each offense, be subject to a fine of not less than \$500.
- c. Violation of Section 14-3B Non-Life Hazard Use Inspection Fees – Any person violating any of the provisions of this section shall, for each offense, be subject to a fine of double the amount of the applicable Non-Life Hazard Use Inspection Fee.
- d. Violation of Section 14-9 Fire Alarm Systems – Any person violating any provisions of Section 14-9.2 and Section 14-9.3 shall for each offense, be subject to a fine of not less than one thousand (1,000) dollars. Any person violating any of the provisions of Section 14-9.4 shall, for each offense, be subject to a fine of not less than one hundred (100) dollars.
- e. Violation of Section 14-10 Open Burning – Any person violating any of the provisions of this section shall, for each offense, be subject to a fine of not less than one thousand (1,000) dollars.

§ 14-11.4 – Appeals – Pursuant to the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal within 15 days to the Construction Board of Appeals of the County of Somerset.

## **PUBLIC WORK SESSION**

[Resolution #2020-0234](#) – Resolution to Create a Diversity and Inclusion Committee

The mayor read the draft Resolution and opened the floor for public comment.

The following people supported the establishment of a Diversity and Inclusion Committee with some offering additional points or items to be considered or included:

Jane Conklin – 110 Spencer Rd.

John Coelho – 22 Benedict Crescent

Siddarth Sasane – 45 Georgetown Ct.  
Yasmeena Chaudry – 58 Manor Dr.

The following people did not support the Committee with some offering additional points or items to be considered:

Cody Smith – 36 Royal Oak Dr.  
Todd Edelstein – 172 Riverside Drive

Township Committee members expressed support for establishing the committee. The township committee feels that the basic structure and goals of the new committee is adequately formed in the resolution and any other issues can be decided within the committee. The township committee members agree they are ready to move forward, with the correction of a typo in section 2.

Motion by Harris, second by Carpenter, that Resolution #2020-0234 be approved with corrected typo in section 2.

#### Roll Call

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

**WHEREAS**, Bernards Township is a community dedicated to fostering a welcoming environment and providing its residents with an exceptional place to live; and

**WHEREAS**, Bernards Township believes in the inherent dignity and worth of each human being and that our community can become even stronger, more cohesive and more interesting by embracing its diversity and capitalizing on the strength resulting from that diversity; and

**WHEREAS**, Bernards Township believes learning about our differences can bring people closer together, allow us to recognize how much we have in common as human beings, and further advance and enhance the mutual respect, hospitality and warmth of our community; and

**WHEREAS**, Bernards Township believes it is best to explore these topics in an open, positive environment.

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

1. The Township Committee hereby authorizes the establishment of a committee to be named the “Diversity and Inclusion Committee” dedicated to fostering an atmosphere of understanding and acceptance of each individual to further strengthen Bernards Township as a welcoming exceptional place to live, work and grow.
2. The duties of the Diversity and Inclusion Committee shall be as follows:
  - (a) To advise the Township Committee, at least twice annually, on opportunities to continue to promote and build on harmony among all Township residents;
  - (b) To further advise on ways to encourage goodwill, cooperation, and unity among the diverse residents of the Township;
  - (c) To recommend educational and cultural programs to foster unity and develop a sense of community; and
  - (d) Such other duties as shall be suggested and approved by the Township Committee.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the membership of the Diversity and Inclusion Committee shall consist of 11 members, which shall formally meet on a monthly basis. The monthly meetings shall be open to the public. Members shall be selected by the Township Committee consensus and should, to the greatest extent possible, reflect the diversity of Bernards Township and serve for a period of one year. The Township Committee shall annually designate one of the members to serve as Chair and presiding officer.

The Township Committee shall appoint members so as to obtain a committee with as broad a variety of experiences, perspectives and backgrounds as possible. Qualifications to serve on the Diversity and Inclusion Committee shall include:

1. Comity towards all
2. An open mind
3. A sense of community

Membership and qualifications to the Committee may include but shall not be limited to the following:

1. A representative from the Township Committee.
2. A representative of the Township Police Department.
3. A representative from the local school district administration.
4. A representative of local religious groups.
5. A representative with significant knowledge of diversity and inclusion training or facilitation.

**NOW, THEREFORE, BE IT FINALLY RESOLVED** the Bernards Township Diversity and Inclusion Committee will organize immediately upon its appointment by all members of the Township Committee.

**Resolution #2020-0297 - Establishment of a Utility Advisory Task Force**

The mayor read the draft resolution and opened the floor for public comment.

The following people commented on the establishment of a Utility Advisory Task Force with some offering additional points or items to be considered or included:

Bill Allen – 44 Holmesbrook Rd.

Bill Knox – 415 Mountain Rd.

Township Committee members expressed support for establishing the task force and feel it has been long overdue. Joan Harris reinforced the fact that setting expectations of results is dangerous seeing as the township committee and the task force would not be empowered to make changes.

Motion by Carpenter, second by Fields, that Resolution #2020-0297 be approved.

**Roll Call**

Aye: Carpenter, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

**WHEREAS**, residents of Bernards Township have voiced the need for the Bernards Township Committee to advocate on their behalf regarding communication from and services provided by utility providers, including, but not limited to those utilities providing electric, internet and water; and

**WHEREAS**, the providing of these services is essential to the safety, well-being, and livelihood of Bernards Township residents, especially during the COVID-19 Pandemic when many residents have used their residences as workplaces and schools; and

**WHEREAS**, the Bernards Township Committee desires to be proactive in working with the Township's utility providers to identify causes of outages or other disruption of services so as to reduce our vulnerability of same in the future, to identify service deficits and/or need for upgrades and to optimize communication between the utilities and its customers;

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

1. The Township Committee hereby authorizes the appointment of a Township Committee Utility Liaison;
2. The Township Committee hereby further authorizes the establishment of a Utility Advisory Task Force consisting of up to 9 members of the public, the Township Committee Utility Liaison, a member of Office of Emergency Management, and the Township Administrator;
3. The mission of the Utility Task Force is to assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate.
4. The Utility Task Force will and report their findings and recommendations to the Township Committee no later than 6 months from inception.

**NOW, THEREFORE, BE IT FINALLY RESOLVED**, the Township Committee Utility Liaison and Bernards Township Utility Task Force will organize immediately upon its appointment by all members of the Township Committee.



## PUBLIC COMMENT

The mayor opened public comment.

Jon Sandler – 16 Vail Terrace – commented on having public comment include email messages.

Cody Smith 36 Royal Oak Dr. – responded to the township committee’s comments regarding the Diversity and Inclusion Committee

Todd Edelstein, 172 Riverside Dr. – commented on the vacant violations’ bureau, Narcan spray, and utility task force.

## TOWNSHIP COMMITTEE/LIAISON & BOARD REPORTS AND STAFF COMMENTS

Staff provided comments and committee members provided comments on Supreme Court Justice Ruth Bader Ginsberg, diversity, emergency services, and Hispanic heritage month.

## FIRE & RESCUE APPOINTMENT

[Resolution #2020-0317](#) - *Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad Douglas Gazzale, Full Member Sanjana Sharma, Full Member*

Motion by Fields, second by Harris, and unanimously agreed that Resolution #2020-0317 be approved.

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

**WHEREAS**, the Liberty Corner First Aid Squad is recommending,

| NAME            | ADDRESS                                | MEMBERSHIP STATUS |
|-----------------|--|-------------------|
| Douglas Gazzale | 51 Baldwin Court<br>Basking Ridge, NJ  | Full Member       |
| Sanjana Sharma  | 51 Watching Drive<br>Basking Ridge, NJ | Full Member       |

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

[Resolution #2020-0318](#) - *Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 Scott M. Brinkley, Full Member*

Motion by Esposito, second by Harris s, and unanimously agreed that Resolution #2020-0318 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 is recommending Scott M. Brinkley, residing at 25 Decker Street, Basking Ridge NJ, 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 effective this date.

## NEW BUSINESS

### *Consent Agenda*

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

Motion by Carpenter, second by Harris, that Resolutions #2020-0308 and #2020-0309 be removed and the remainder of the consent agenda items be approved.

# Roll Call

Aye: Carpenter, Esposito, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

### Resolution #2020-0307 - Approval of the Bill List Dated 09/29/2020

**BE IT RESOLVED**, that the bill list dated 09/29/2020 be audited, and if found correct, be paid.

September 29, 2020  
08:30 AM

TOWNSHIP OF BERNARDS  
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 09/29/20 to 12/31/20  
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 |            |                                      |              |                 |                |
| 126274                           | 09/29/20   | 90038 FORGIONE, LUCY A.              | 53.30        | 1532            | Direct Deposit |
| 126275                           | 09/29/20   | 90342 BAHLMAN, RICH                  | 82.10        | 1532            | Direct Deposit |
| 126276                           | 09/29/20   | 90395 NERI, MARK                     | 77.98        | 1532            | Direct Deposit |
| 126277                           | 09/29/20   | 90504 COWELL, TRICIA                 | 1,881.00     | 1532            | Direct Deposit |
| 126278                           | 09/29/20   | 90563 CARTOCCIO, KAITLIN             | 72.11        | 1532            | Direct Deposit |
| 126279                           | 09/29/20   | 90612 PADOVANO, JORDAN               | 49.00        | 1532            | Direct Deposit |
| 126280                           | 09/29/20   | 90677 BECRAFT, GERALYN               | 59.98        | 1532            | Direct Deposit |
| 126281                           | 09/29/20   | A0453 AMAZON.COM                     | 847.72       | 1532            | Direct Deposit |
| 126282                           | 09/29/20   | B0203 DIFRANCESCO BATEMAN, PC        | 3,490.67     | 1532            | Direct Deposit |
| 126283                           | 09/29/20   | B0758 BCI TRUCK, INC                 | 370.00       | 1532            | Direct Deposit |
| 126284                           | 09/29/20   | C0083 CDW GOVERNMENT, INC.           | 263.60       | 1532            | Direct Deposit |
| 126285                           | 09/29/20   | D0339 DEER CARCASS REMOVAL SVC, LLC  | 4,438.05     | 1532            | Direct Deposit |
| 126286                           | 09/29/20   | D0380 DRIVERS TIRE & SERVICE CENTER  | 209.90       | 1532            | Direct Deposit |
| 126287                           | 09/29/20   | F0299 FASTENAL CO.                   | 257.49       | 1532            | Direct Deposit |
| 126288                           | 09/29/20   | F0384 FLEMINGTON CHEVROLET BUICK     | 9.74         | 1532            | Direct Deposit |
| 126289                           | 09/29/20   | H0312 HEFFERNAN, ROBERT F            | 5,706.25     | 1532            | Direct Deposit |
| 126290                           | 09/29/20   | U0021 OFFICE DEPOT                   | 938.29       | 1532            | Direct Deposit |
| 126291                           | 09/29/20   | P0546 PETER RUBINETTI PRIVATE DISP   | 52.86        | 1532            | Direct Deposit |
| 126292                           | 09/29/20   | S0016 STORR TRACTOR COMPANY          | 114.14       | 1532            | Direct Deposit |
| 126293                           | 09/29/20   | T0192 TURN OUT UNIFORMS INC          | 570.94       | 1532            | Direct Deposit |
| 126294                           | 09/29/20   | T0378 THE GUARDIAN LIFE INS CO OF AM | 85.13        | 1532            | Direct Deposit |
| 126295                           | 09/29/20   | U0001 UNITEMP INC.                   | 731.82       | 1532            | Direct Deposit |
| 126296                           | 09/29/20   | U0079 US SPORTS INSTITUTE, INC.      | 8,835.00     | 1532            | Direct Deposit |
| 126297                           | 09/29/20   | W0213 WT COX SUBSCRIPTIONS, INC.     | 5,066.93     | 1532            | Direct Deposit |
| 126298                           | 09/29/20   | W0339 W.B. MASON                     | 283.92       | 1532            | Direct Deposit |
| 126299                           | 09/29/20   | A0174 ALL SPORTS STADIUM, LLC        | 2,430.00     | 1533            |                |
| 126300                           | 09/29/20   | A0250 AMBASSADOR MEDICAL SERVICES    | 260.00       | 1533            |                |
| 126301                           | 09/29/20   | A0471 APEX AMERICAN ELECTRICAL       | 1,556.00     | 1533            |                |
| 126302                           | 09/29/20   | A0676 ANNA, RAVI                     | 165.00       | 1533            |                |
| 126303                           | 09/29/20   | B0026 BERNARDS TOWNSHIP CURRENT      | 5,116.43     | 1533            |                |
| 126304                           | 09/29/20   | B0029 BERNARDS TWP BD OF EDUCATION   | 7,832,137.00 | 1533            |                |
| 126305                           | 09/29/20   | B0031 BERNARDSVILLE PRINT CENTER     | 422.85       | 1533            |                |
| 126306                           | 09/29/20   | B0034 BERNARDS TOWNSHIP PAYROLL ACCT | 550,139.60   | 1533            |                |
| 126307                           | 09/29/20   | B0038 BERNARDS TOWNSHIP (COURT)      | 33.52        | 1533            |                |
| 126308                           | 09/29/20   | B0098 BERNARDS TOWNSHIP (RECREATION) | 1,014.97     | 1533            |                |
| 126309                           | 09/29/20   | B0241 BANISCH ASSOCIATES, INC.       | 468.10       | 1533            |                |
| 126310                           | 09/29/20   | B0413 BROWNELLS, INC                 | 28.01        | 1533            |                |
| 126311                           | 09/29/20   | B0518 BERNARDSVILLE HARDWARE         | 25.46        | 1533            |                |
| 126312                           | 09/29/20   | B0823 BLISS, DANIEL                  | 405.00       | 1533            |                |
| 126313                           | 09/29/20   | C0024 GANNETT NEW JERSEY NEWSPAPERS  | 7.74         | 1533            |                |
| 126314                           | 09/29/20   | C0522 CHATHAM LAWNMOWER SALES & SVC  | 339.81       | 1533            |                |
| 126315                           | 09/29/20   | C0597 CLIFFSIDE BODY CORPORATION     | 1,250.00     | 1533            |                |
| 126316                           | 09/29/20   | C0785 CAMPBELL, JESSICA              | 405.00       | 1533            |                |
| 126317                           | 09/29/20   | C0811 COASTAL METAL RECYCLING CORP   | 331.50       | 1533            |                |
| 126318                           | 09/29/20   | D0020 DELTA DENTAL OF NJ             | 12,812.65    | 1533            |                |
| 126319                           | 09/29/20   | D0740 DOVER BRAKE & CLUTCH           | 141.00       | 1533            |                |
| 126320                           | 09/29/20   | D0783 DFFLM, LLC                     | 121.76       | 1533            |                |
| 126321                           | 09/29/20   | D0846 DORSI, CARLA                   | 675.00       | 1533            |                |
| 126322                           | 09/29/20   | E0185 EDWARDS TIRE COMPANY           | 1,038.16     | 1533            |                |
| 126323                           | 09/29/20   | E0224 EXCELLENT BUILDING SERVICES    | 9,744.00     | 1533            |                |
| 126324                           | 09/29/20   | E0231 EKA ASSOCIATES, P.A.           | 978.75       | 1533            |                |
| 126325                           | 09/29/20   | F0001 FEDEX                          | 25.78        | 1533            |                |
| 126326                           | 09/29/20   | F0047 FULLERTON FORD                 | 314.16       | 1533            |                |
| 126327                           | 09/29/20   | F0148 FAIRFIELD MAINTENANCE INC      | 358.00       | 1533            |                |
| 126328                           | 09/29/20   | F0158 FLEMINGTON DEPARTMENT STORE    | 336.40       | 1533            |                |
| 126329                           | 09/29/20   | F0326 FX AUTOMOTIVE LLC              | 343.62       | 1533            |                |
| 126330                           | 09/29/20   | G0033 GREAT SWAMP GREENHOUSES        | 1,050.00     | 1533            |                |
| 126331                           | 09/29/20   | G0066 GRAINGER INC                   | 237.90       | 1533            |                |
| 126332                           | 09/29/20   | G0098 JCP&L                          | 17,606.49    | 1533            |                |
| 126333                           | 09/29/20   | G0509 GREEN ROCK RECYCLING           | 1,310.00     | 1533            |                |
| 126334                           | 09/29/20   | G0596 GRIFFITH - ALLIED TRUCKING LLC | 7,435.99     | 1533            |                |
| 126335                           | 09/29/20   | H0178 HOSE SHOP, INC.                | 1,643.49     | 1533            |                |
| 126336                           | 09/29/20   | H0186 HAMILTON RIDGE CONDO ASSOC.    | 4,256.35     | 1533            |                |
| 126337                           | 09/29/20   | H0235 HOOVER TRUCK CENTERS           | 318.05       | 1533            |                |
| 126338                           | 09/29/20   | H0246 HOME DEPOT CREDIT SERVICES     | 291.68       | 1533            |                |
| 126339                           | 09/29/20   | H0297 DIRECT ENERGY BUSINESS         | 189.40       | 1533            |                |
| 126340                           | 09/29/20   | H0472 HARRIS, COLLEEN                | 405.00       | 1533            |                |
| 126341                           | 09/29/20   | J0015 JESCO, INC.                    | 9,730.36     | 1533            |                |
| 126342                           | 09/29/20   | J0206 JOY AUTOMOTIVE PRODUCTS, INC   | 202.69       | 1533            |                |
| 126343                           | 09/29/20   | K0039 KOBESKY, GREGG S.              | 296.85       | 1533            |                |
| 126344                           | 09/29/20   | K0331 KONICA PREMIER FINANCE         | 82.60        | 1533            |                |
| 126345                           | 09/29/20   | K0334 KONICA MINOLTA BUSINESS        | 26.20        | 1533            |                |
| 126346                           | 09/29/20   | K0341 KONICA MINOLTA PREMIER FINANCE | 243.76       | 1533            |                |
| 126347                           | 09/29/20   | K0398 KUPSCH, MARY CARPENTER         | 265.00       | 1533            |                |
| 126348                           | 09/29/20   | K0399 KIERNAN, CHARLES               | 75.00        | 1533            |                |
| 126349                           | 09/29/20   | L0308 LANGUAGE LINE SERVICES, INC.   | 22.10        | 1533            |                |

|        |          |       |                                |           |      |
|--------|----------|-------|--------------------------------|-----------|------|
| 126350 | 09/29/20 | L0384 | LANG, DIANE                    | 150.00    | 1533 |
| 126351 | 09/29/20 | L0386 | L.E.A.D.                       | 395.00    | 1533 |
| 126352 | 09/29/20 | L0417 | LIBRARY JUICE ACADEMY          | 175.00    | 1533 |
| 126353 | 09/29/20 | M0006 | MGL PRINTING SOLUTIONS         | 666.00    | 1533 |
| 126354 | 09/29/20 | M0020 | MOTOROLA SOLUTIONS, INC.       | 560.00    | 1533 |
| 126355 | 09/29/20 | M0279 | MITZNER, SCOTT C.              | 1,170.45  | 1533 |
| 126356 | 09/29/20 | M0493 | MCELROY, DEUTSCH, MULVANEY &   | 6,766.32  | 1533 |
| 126357 | 09/29/20 | M0758 | MADAN, BHUPINDER               | 265.00    | 1533 |
| 126358 | 09/29/20 | M0859 | MAXX'S FLEET REPAIRS, LLC      | 1,390.00  | 1533 |
| 126359 | 09/29/20 | M0986 | MADAI0, MICHAEL                | 250.00    | 1533 |
| 126360 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 79.84     | 1533 |
| 126361 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 76.92     | 1533 |
| 126362 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 26.81     | 1533 |
| 126363 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 179.64    | 1533 |
| 126364 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 161.58    | 1533 |
| 126365 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 227.70    | 1533 |
| 126366 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 20.20     | 1533 |
| 126367 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 419.44    | 1533 |
| 126368 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 20.20     | 1533 |
| 126369 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 161.58    | 1533 |
| 126370 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 20.20     | 1533 |
| 126371 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 194.64    | 1533 |
| 126372 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 33.42     | 1533 |
| 126373 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 50.47     | 1533 |
| 126374 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 50.47     | 1533 |
| 126375 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 300.43    | 1533 |
| 126376 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 4,527.35  | 1533 |
| 126377 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 38,318.00 | 1533 |
| 126378 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 1,483.94  | 1533 |
| 126379 | 09/29/20 | N0006 | NEW JERSEY AMERICAN WATER CO.  | 1,968.58  | 1533 |
| 126380 | 09/29/20 | N0415 | NATIONAL FUEL OIL INC          | 5,124.68  | 1533 |
| 126381 | 09/29/20 | N0419 | NIXON, PAMELA                  | 175.00    | 1533 |
| 126382 | 09/29/20 | O0135 | OUTHOUSE LLC                   | 290.00    | 1533 |
| 126383 | 09/29/20 | P0511 | PERFORMANCE TRAILERS INC.      | 77.00     | 1533 |
| 126384 | 09/29/20 | P0525 | POWER PLACE, INC.              | 10,663.73 | 1533 |
| 126385 | 09/29/20 | P0538 | PROVIDENT LIFE & ACCIDENT      | 104.24    | 1533 |
| 126386 | 09/29/20 | P0646 | PIEDICI, KATHLEEN I.           | 25.00     | 1533 |
| 126387 | 09/29/20 | P0691 | PATEL, MOHINI                  | 175.00    | 1533 |
| 126388 | 09/29/20 | R0023 | RICHIES TIRE SERVICE, INC.     | 945.28    | 1533 |
| 126389 | 09/29/20 | R0045 | RUTGERS - THE STATE UNIVERSITY | 1,790.00  | 1533 |
| 126390 | 09/29/20 | R0050 | ROTO-ROOTER                    | 1,035.00  | 1533 |
| 126391 | 09/29/20 | R0534 | REP PUMP SERVICES              | 970.00    | 1533 |
| 126392 | 09/29/20 | S0013 | SNAP-ON TOOLS CORPORATION      | 212.00    | 1533 |
| 126393 | 09/29/20 | S0153 | ST. MARK'S EPISCOPAL CHURCH    | 125.00    | 1533 |
| 126394 | 09/29/20 | S0770 | SKYLANDS AREA FIRE EQUIPMENT & | 1,134.24  | 1533 |
| 126395 | 09/29/20 | S0816 | STREAMLIGHT                    | 59.58     | 1533 |
| 126396 | 09/29/20 | S1007 | SPRUCE INDUSTRIES              | 1,920.00  | 1533 |
| 126397 | 09/29/20 | S1035 | SCHLEGEL, LINDSAY OR JOHN      | 675.00    | 1533 |
| 126398 | 09/29/20 | S1093 | SPIELMAN, GARY                 | 405.00    | 1533 |
| 126399 | 09/29/20 | S1156 | SHEEHAN, LEIGH ANN             | 730.00    | 1533 |
| 126400 | 09/29/20 | S1158 | SAMTANI, SEEMA                 | 355.00    | 1533 |
| 126401 | 09/29/20 | T0037 | TJ'S SPORTWIDE TROPHY & AWARDS | 22.00     | 1533 |
| 126402 | 09/29/20 | T0227 | T.R.M. TRANSMISSIONS INC.      | 704.30    | 1533 |
| 126403 | 09/29/20 | U0090 | UNUM LIFE INSURANCE COMPANY    | 384.79    | 1533 |
| 126404 | 09/29/20 | V0037 | VILLAGE SUPERMARKET, INC.      | 20.48     | 1533 |
| 126405 | 09/29/20 | V0056 | VERIZON WIRELESS               | 1,235.09  | 1533 |
| 126406 | 09/29/20 | V0058 | VERIZON                        | 156.09    | 1533 |
| 126407 | 09/29/20 | V0073 | VAIL INDUSTRIAL SUPPLIES       | 403.81    | 1533 |
| 126408 | 09/29/20 | V0084 | VERIZON                        | 652.29    | 1533 |
| 126409 | 09/29/20 | V0177 | VERIZON                        | 498.92    | 1533 |
| 126410 | 09/29/20 | W0143 | WARREN AUTO WRECKERS           | 80.00     | 1533 |
| 126411 | 09/29/20 | W0259 | VENTURA, MIESOWITZ, KEOUGH &   | 4,736.00  | 1533 |
| 126412 | 09/29/20 | W0271 | WEATHER WORKS                  | 1,725.00  | 1533 |
| 126413 | 09/29/20 | W0275 | WINNING TEAMS BY NISSEL LLC    | 796.00    | 1533 |
| 126414 | 09/29/20 | W0403 | WEST, ROBERT                   | 405.00    | 1533 |
| 126415 | 09/29/20 | X0003 | XEROX CORPORATION              | 296.16    | 1533 |
| 126416 | 09/29/20 | Z0041 | ZERO WASTE USA                 | 435.49    | 1533 |

| Check #       | Check Date | Vendor          | Paid | Void | Amount Paid  | Reconciled/Void | Ref Num- |
|---------------|------------|-----------------|------|------|--------------|-----------------|----------|
| Report Totals |            |                 | ---- | ---- | Amount Paid  | Amount Void     |          |
|               |            | Checks:         | 118  | 0    | 8,568,765.53 | 0.00            |          |
|               |            | Direct Deposit: | 25   | 0    | 34,547.92    | 0.00            |          |
|               |            | Total:          | 143  | 0    | 8,603,313.45 | 0.00            |          |

| Totals by Year-Fund | Fund | Budget Total | Revenue Total | G/L Total | Total        |
|---------------------|------|--------------|---------------|-----------|--------------|
| Current Fund        | 0-01 | 8,516,848.61 | 0.00          | 0.00      | 8,516,848.61 |
| DOG FUND            | 0-12 | 982.11       | 0.00          | 0.00      | 982.11       |
| GOLF COURSE UTILITY | 0-26 | 6,982.88     | 0.00          | 0.00      | 6,982.88     |
| Year Total:         |      | 8,524,813.60 | 0.00          | 0.00      | 8,524,813.60 |
| Current Fund        | 9-01 | 4,816.35     | 0.00          | 0.00      | 4,816.35     |
| CAPITAL FUND        | C-04 | 21,003.65    | 0.00          | 0.00      | 21,003.65    |
| PUBLIC GRANTS       | G-02 | 1,061.93     | 0.00          | 0.00      | 1,061.93     |
| TRUST FUNDS         | T-13 | 45,634.18    | 0.00          | 0.00      | 45,634.18    |
| PROJECT             |      | 5,983.74     | 0.00          | 0.00      | 5,983.74     |
| Total Of All Funds: |      | 8,603,313.45 | 0.00          | 0.00      | 8,603,313.45 |

**Resolution #2020-0310** - Authorizing and Approving Purchase of Renewal Software Licenses from New Jersey State Co-Operative Contract #M0003 (A89851) to SHI, 290 Davidson Avenue, Somerset, NJ 08873 In the Amount Not to Exceed \$ 45,000.00

**WHEREAS**, the Township of Bernards wishes to purchase renewal software licenses from N. J. State Co-Operative Contract #M0003 (A89851); and

**WHEREAS**, the N.J. State Division of Purchase and Property awarded a contract to SHI, 290 Davidson Avenue, Somerset, NJ 08873; 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 budget; the line item appropriation to be charged is line account #0-01-20-140-204 (\$45,000.00); and

**WHEREAS**, it is the recommendation of the IT Director and the Purchasing Agent to purchase renewal software licenses from N. J. State Contract # M0003 (A89851).

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase order to SHI, 290 Davidson Avenue, Somerset, NJ 08873 in the amount not to exceed \$ 45,000.00.

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$45,000.00. Monies are available in line account #0-01-20-140-204.

Date: September 17, 2020



Sean McCarthy, Chief Financial Officer

**[Resolution #2020-0311](#) - Recognition of National Fire Prevention Week and of Outstanding Service from Bernards Township Fire Prevention Bureau Staff.**

**WHEREAS**, in 1925, President Calvin Coolidge proclaimed Fire Prevention Week a national observance in commemoration of the Great Chicago Fire of 1871, making it the longest-running public health observance in our country; and

**WHEREAS**, Bernards Township Fire Prevention Bureau will dedicate themselves, throughout National Fire Prevention Week educating the Bernards Township community on the importance of fire safety; and

**WHEREAS**, the Bernards Township Fire Prevention Bureau, consisting of Fire Official Mark Sylvester, Fire Inspector Russell Nydegger, and Smoke Detector Inspector Robert Houlihan work diligently performing residential and commercial building fire inspections, investigating the origin and cause of all fires, and presenting fire safety educational programs across the Township of Bernards, working together ultimately with the goal of preventing future fires and their negative effects ranging from property loss, injury, fatality, and community identity; and

**WHEREAS**, the Township Committee of the Township of Bernards desires to convey an expression of its appreciation and grateful acknowledgment for the valued services rendered by the Bernards Township Fire Prevention Bureau.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards that its sincere gratitude is expressed to the Bernards Township Fire Prevention Bureau and hereby proclaim the week of October 4-10, 2020 as Fire Prevention Week.

**[Resolution #2020-0312](#) - Authorizing Submission to the Somerset County Board of Chosen Freeholders for a Grant Entitled Somerset County Municipal Youth Services Commission 2020 Abbreviated Annual Grant Application: \$5,000 for funding Ridge Education Action & Community Health (REACH) and Viking Yoga**

**WHEREAS**, the Youth Services Coordinator is recommending the Township Committee approve a grant application to the Somerset County Board of Chosen Freeholders for a Grant Entitled Somerset County Municipal Youth Services Commission 2020 Abbreviated Annual Grant Application which would provide \$5,000 for funding Ridge Education Action & Community Health (REACH) youth leadership group and Viking Yoga; and

**WHEREAS**, the Township has received notification of the availability of grant funds that have been awarded to Bernards Township since 2000 for the purpose of conducting the youth activities; and

**WHEREAS**, funds this year will be used to fund REACH in the context of training and providing support for a group of alcohol, tobacco, and other drug free peer leaders in the Bernards Township community and funds will also be used

to fund "Viking Yoga", which is an 8-week yoga and mindfulness club dedicated to helping middle school students deal with everyday stressors. Both programs will be able to continue virtually.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that it does hereby authorize submission of a grant application to the Somerset County Board of Chosen Freeholds entitled Somerset County Municipal Youth Services Commission 2020 Abbreviated Annual Grant Application for : \$5,000 for the Municipal Youth Services Commission; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that Kaitlin Cartoccio of the Bernards Township Health Department serves as the project manager for this grant application which is due on October 7, 2020.

[Resolution #2020-0313](#) - *Authorizing Submission of Grant Agreement Between Bernards Township and the State of New Jersey By And For The Department of Environmental Protection, Grant Identifier: AQ20-129 for "It Pays to Plug In: NJ's Electric Vehicle Charging Grant"*

The governing body of **BERNARDS TOWNSHIP**

(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of up to **\$12,000.00** to fund the following project: Purchase, installation and maintenance of the following charging stations:

**1 Dual-Port Level 2 ChargePoint charging station to be installed at 277 South Maple Avenue, Basking Ridge, NJ 07920**  
**1 Dual-Port Level 2 ChargePoint charging station to be installed at 99 South Maple Avenue, Basking Ridge, NJ 07920**

Therefore, the governing body resolves that **Pat Monaco**

(print name)

or the successor to the office of **Township Administrator**

(print title of authorized official)

is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than **\$12,000.00**, and (c) to execute any amendments thereto or any amendments thereto which do not increase the Grantee's obligations.

\*The **Township Committee**

authorizes and

hereby agrees to

(print name of Grantee's governing body, e.g., board of chosen freeholders)

match **40%** of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. **0.0%** of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

[Resolution #2020-0314](#) - *Authorizing Submission of Grant Agreement Between Bernards Township and the State of New Jersey By And For The Board Of Public Utilities for the "Clean Fleet Electric Vehicle Incentive Grant Program"*

BPU-069G  
12/16

ATTACHMENT E (Gov)  
Page 1 of 2

**GRANT AGREEMENT  
BETWEEN  
BERNARDS TOWNSHIP  
(print name of Grantee; all capitals)  
AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE BOARD OF PUBLIC UTILITIES  
GRANT IDENTIFIER: \_\_\_\_\_  
GOVERNING BODY RESOLUTION**

The governing body of Township of Bernards

(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$9,500 to fund the following project: Clean Fleet Electric Vehicle Incentive Grant Program.

Therefore, the governing body resolves that Pat Monaco or the successor to the office of

Township Administrator

(print name)

is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$9,500 and not more than \$9,500, and (c) to execute ☒ any amendments thereto ☐ any amendments thereto which do not increase the Grantee's obligations.



\*The Bernards Township Committee authorizes and hereby agrees to \_\_\_\_\_ (print name of Grantee's governing body, e.g., board of chosen freeholders) match \$ \_\_\_\_\_ of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. \_\_\_\_\_ % of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed \_\_\_\_\_

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_



\* The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services to be provided by the Grantee.

BPU-069G  
12/16

ATTACHMENT E (Gov)  
Page 1 of 2

#### CERTIFICATION\*

I, Rhonda Pisano, ☒ municipal clerk ☐ county clerk ☐ utilities Authority Clerk  
(print name)  
☐ (other, specify) \_\_\_\_\_ of Bernards Township  
(print Grantee's name)  
certify that this resolution was duly adopted by Bernards Township Committee at a  
(print name of Grantee's governing body)  
meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_; that this resolution has not been amended or repealed; and that it  
remains in full force and effect on the date I have subscribed my signature.\*\*

\_\_\_\_\_  
(signature)\*  
Rhonda Pisano  
(print name)  
Municipal Clerk  
(print title)  
Date: \_\_\_\_\_

\* Certification must be signed by an official other than the individual authorized to execute the agreement.

\*\*This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, Grantee must submit a currently certified copy of this Attachment E when it returns the executed agreement to the Board.

#### Resolution #2020-0315 - Unused Vacation Accrual Due Marcella Braikovich Municipal Court

WHEREAS, the Township Committee adopted Resolution No. 2020-0066 at their regularly scheduled meeting of January 2, 2020, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

WHEREAS, Marcella Braikovich's employment will terminate on September 30, 2020; and

WHEREAS, per the requirements of the Township's Personnel Policy, Marcella Braikovich is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$30.89.

|                  | Total Hours Available | Amount Due |
|------------------|-----------------------|------------|
| Vacation Accrual | 9                     | \$278.01   |

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the unused accrued vacation payment be approved and distributed in the next available pay cycle.

#### CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Municipal Court S&W, Line Account #0-01-43-490-101 for an amount not to exceed \$278.01

Sean McCarthy, CFO

Date: September 22, 2020



**Resolution #2020-0316 - Unused Vacation Accrual Due Jenni Peterson Municipal Court**

**WHEREAS**, the Township Committee adopted Resolution No. 2020-0066 at their regularly scheduled meeting of January 2, 2020, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

**WHEREAS**, Jenni Peterson's employment will terminate on September 30, 2020; and

**WHEREAS**, per the requirements of the Township's Personnel Policy, Jenni Peterson is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$18.50.

|                  | <b>Total Hours Available</b> | <b>Amount Due</b> |
|------------------|------------------------------|-------------------|
| Vacation Accrual | 33                           | \$610.50          |

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the unused accrued vacation payment be approved and distributed in the next available pay cycle.

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Municipal Court S&W, Line Account #0-01-43-490-101 for an amount not to exceed \$610.50



Sean McCarthy, CFO

Date: September 22, 2020

**Resolution #2020-0319 - Bernards Township Housing Rehabilitation Program Authorizing and Approving Deferred Loan Agreement to Lori Romero 3611 Balsam Way Block 9001 Lot 36.08**

**WHEREAS**, Bernards Township (hereinafter referred to as "Township") has authorized Central Jersey Housing Resource Center ("CJHRC") to administer the Bernards Township Housing Rehabilitation Program; and

**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**, the principal goal of the Bernards Township Housing Rehabilitation Program is to provide funding for affordable unit qualified owners to bring substandard units up to code; and

**WHEREAS**, Lori Romero whose principal address is 3611 Balsam Way Basking Ridge, County of Somerset, in the State of New Jersey 07920 (the "Property") is an owner of an affordable housing unit; and

**WHEREAS**, Lori Romero has submitted an application to the Bernards Township Housing Rehabilitation Program for funds to be provided by way of a deferred loan to rehabilitate a new water heater and replace windows; and

**WHEREAS**, Lori Romero is eligible to receive funding for the rehabilitation of her owner-occupied unit under the program pursuant to the Uniform Housing Affordability Controls at N.J.A.C. 5:80-16.1 et seq.; and

**WHEREAS**, the funding will be provided to the Lori Romero by way of a ten-year, interest free, amortized depreciating loan in the amount of Four Thousand Five Hundred and Seventy Dollars (\$ 4,570.00).

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby approve the deferred loan agreement for the funds to be used for the rehabilitation on the property as set forth in the Deferred Loan Agreement and Rehabilitation Construction Contract; 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 and other required legal documents with Lori Romero on behalf of the Township; and

**NOW, THEREFORE, BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that 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.

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced loan in the not to exceed amount of \$4,570.00. Monies are available in the 2020 Affordable Housing Trust Fund line account #T-13-56-055-COA.

Date: September 23, 2020



Sean McCarthy, Chief Financial Officer

**Resolution #2020-0320 - Award of Purchase Orders for Identified Vendors IWS/Bridgewater Resources**

**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 \$44,000.00 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 |
|--------------------------|---------------|
| IWS/Bridgewater Resource | \$ 44,000.00  |

**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 vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2020.

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

**Resolution #2020-0308 - Pill Hill Landfill NJDEP Post-Closure Escrow Request**

Motion by Carpenter, second by Fields, that Resolution #2020-0308 be approved.

**Roll Call**

Aye: Carpenter, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

**WHEREAS**, Pill Hill Landfill was closed and NJDEP approved post-closure escrow for the ongoing post-closure maintenance of the site including environmental monitoring in 1996; and

**WHEREAS**, the Township of Bernards wishes to purchase renewal software licenses from N. J. State Co-Operative Contract #M0003 (A89851); and

**WHEREAS**, the N.J. State Division of Purchase and Property awarded a contract to SHI, 290 Davidson Avenue, Somerset, NJ 08873; 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 budget; the line item appropriation to be charged is line account #0-01-20-140-204 (\$45,000.00); and

**WHEREAS**, it is the recommendation of the IT Director and the Purchasing Agent to purchase renewal software licenses from N. J. State Contract # M0003 (A89851).

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase order to SHI, 290 Davidson Avenue, Somerset, NJ 08873 in the amount not to exceed \$ 45,000.00.

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$45,000.00. Monies are available in line account #0-01-20-140-204.

Date: September 17, 2020



Sean McCarthy, Chief Financial Officer

**Resolution #2020-0309 - Pill Hill Landfill NJDEP Post-Closure Monitoring**

Motion by Carpenter, second by Esposito, that Resolution #2020-0309 be approved.

**Roll Call**

Aye: Carpenter, Fields, Harris, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

**WHEREAS**, Pill Hill Landfill was closed and NJDEP approved post-closure escrow for the ongoing post-closure maintenance of the site including environmental monitoring in 1996; and

**WHEREAS**, the landfill closure was approved in 1996 and post-closure environmental monitoring is required for 30 years until May 28, 2026; and

**WHEREAS**, available escrow as of 12/31/2019 is \$39,038.65 and will not fully fund all monitoring until 2026; and

**WHEREAS**, NJDEP requires a commitment from the Township to pay for all additional costs of post-closure activities each year above the amount withdrawn or available from escrow in accordance with NJDEP requirements; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the 2020 Current Fund Budget: Solid Waste Collections, Fees and Compensation line item appropriation #0-01-26-305-204.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the Township of Bernards will be responsible for the additional costs of post-closure activities each year above the amount requested or available to be withdrawn from escrow in order for the Township to meet its ongoing obligation for post-closure maintenance activities at the Pill Hill Landfill until 2026.

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate are budgeted annually for the above referenced monitoring. Monies will be available in the 2020 Current Fund Budget – Solid Waste Collections, Fees & Compensation line item appropriation #0-01-26-305-204.

Date: 9/10/2020



Sean McCarthy  
Chief Financial Officer

**Approval of Minutes – Open Session – 09/15/2020**

Motion by Carpenter, second by Harris, and unanimously agreed that the 09/15/2020 [Open Session minutes](#) be approved for content and release.

## **PUBLIC COMMENT**

The mayor opened public comment.

Todd Edelstein, 172 Riverside Dr. - commented on allowing emails for public comment and the risks involved.

## **ADJOURNMENT**

By unanimous consent the meeting adjourned at 10:07 PM

Respectfully submitted,

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Jordan Padovano  
Deputy Municipal Clerk

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James Baldassare, Jr.  
Mayor

Approved: 10/13/2020