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JULY 13, 2021 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 7:30 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present: Bannan, McNally, Fields
Absent: Baldassare, Jr., Grochala,
Also Present: Administrator Monaco, Engineer Timko, CFO McCarthy, and Deputy Municipal Clerk Andres

EXECUTIVE SESSION (if required) - [Resolution #2021-0276](#) - *Authorizing an Executive Session Meeting of the Bernards Township Committee*

Motion by Bannan, second by McNally, and unanimously agreed that Resolution #2021-0276 be adopted and the meeting temporarily adjourned to executive session at 7: 31 PM.

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

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

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

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

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

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

- ☒ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

Contract Negotiation - International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 Union Contract

The meeting resumed at 7: 40 PM and stood in recess until 8:00 PM.

Motion by McNally, second by Bannan, to amend the agenda to add Resolution #2021-0277 Ratification and Approval of International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 Union Agreement July 1, 2021 Through June 30, 2025 and Resolution #2021-0278 Authorization of a Memorandum of Agreement Between Bernards Township and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 July 1, 2021, through June 30, 2025 as items D. & E.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

PUBLIC WORK SESSION (if required)

None.

REPORTS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

The mayor opened public comment.

Todd Edelstein, 172 Riverside Dr. – commented on proposed Resolution #2021-0268 providing the Bernards Police Department with body cameras.

The mayor closed public comment.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

Staff provided comment and Committee members reported on their appointed boards and activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2021-0267](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company Evan Borchert, Junior Member

Motion by McNally, second by Bannan, that Resolution #2021-0267 be approved.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

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

WHEREAS, the Liberty Corner Fire Company is recommending Evan Borchert, residing at 23 Tysley Street, Basking Ridge, NJ, for appointment as a Junior Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Junior Member of the Liberty Corner Fire Company effective this date.

UNFINISHED BUSINESS

None.

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, are posted on the 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 Bannan, second by McNally, that the Consent Agenda be approved.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

****Begin Consent Agenda****

[Resolution #2021-0264](#) - Approval of the Bill List Dated 07/13/2021

BE IT RESOLVED, that the bill list dated 07/13/2021 be audited, and if found correct, be paid.

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
129163	07/13/21	90292 CORSENTINO, MARGARET	45.00	1592 Direct Deposit
129164	07/13/21	90507 GANDER, JENNIFER	117.17	1592 Direct Deposit

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129165	07/13/21	90520	SWEENEY, MICHAEL	550.00	1592	Direct Deposit
129166	07/13/21	90563	CARTOCCIO, KAITLIN	96.62	1592	Direct Deposit
129167	07/13/21	90569	TALBERT, RACHEL	215.27	1592	Direct Deposit
129168	07/13/21	A0453	AMAZON.COM	304.60	1592	Direct Deposit
129169	07/13/21	A0611	AMERICAN WEAR, INC	1,135.10	1592	Direct Deposit
129170	07/13/21	B0203	DIFRANCESCO BATEMAN, PC	2,870.84	1592	Direct Deposit
129171	07/13/21	B0388	BLACKSTONE AUDIO BOOKS	12.95	1592	Direct Deposit
129172	07/13/21	B0581	BUY WISE AUTO PARTS	615.45	1592	Direct Deposit
129173	07/13/21	B0758	BCI TRUCK, INC	826.83	1592	Direct Deposit
129174	07/13/21	C0083	CDW GOVERNMENT, INC.	614.88	1592	Direct Deposit
129175	07/13/21	C0923	CHALLENGER FENCE INC	10,811.50	1592	Direct Deposit
129176	07/13/21	D0754	DC EXPRESS	807.04	1592	Direct Deposit
129177	07/13/21	E0267	EAW SECURITY	770.00	1592	Direct Deposit
129178	07/13/21	F0299	FASTENAL CO.	21.95	1592	Direct Deposit
129179	07/13/21	M0830	MOTT MACDONALD LLC	2,636.75	1592	Direct Deposit
129180	07/13/21	O0021	OFFICE DEPOT	498.61	1592	Direct Deposit
129181	07/13/21	P0706	PARTS AUTHORITY LLC	196.12	1592	Direct Deposit
129182	07/13/21	T0066	CENGAGE LEARNING CREDIT SVCS	74.23	1592	Direct Deposit
129183	07/13/21	T0378	THE GUARDIAN LIFE INS CO OF AM	96.77	1592	Direct Deposit
129184	07/13/21	A0249	APPLIED CONCEPTS, INC.	36,022.00	1593	
129185	07/13/21	A0672	ATLANTIC VISITING NURSE	4,818.00	1593	
129186	07/13/21	A0718	ASTLE, CHARLA	370.00	1593	
129187	07/13/21	B0001	BAKER & TAYLOR, INC.	1,847.26	1593	
129188	07/13/21	B0015	BRODART COMPANY	34.48	1593	
129189	07/13/21	B0017	BRIDGEWATER RESOURCES, INC.	2,885.53	1593	
129190	07/13/21	B0026	BERNARDS TOWNSHIP CURRENT	14,003.61	1593	
129191	07/13/21	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	660,496.02	1593	
129192	07/13/21	B0098	BERNARDS TOWNSHIP (RECREATION)	4,344.00	1593	
129193	07/13/21	B0105	BARONS AT BASKING RIDGE	3,499.49	1593	
129194	07/13/21	B0469	BEATLEMANIA AGAIN, LLC	2,000.00	1593	
129195	07/13/21	B0518	BERNARDSVILLE HARDWARE	17.94	1593	
129196	07/13/21	B0654	BRIDGEWATER CHEVROLET	610.76	1593	
129197	07/13/21	B0690	BIBLIOTHECA LLC	2,647.75	1593	
129198	07/13/21	B0831	BADGE COMPANY OF NJ LLC	218.00	1593	
129199	07/13/21	B0837	BISACCIA, MEGAN OR ADAM	130.00	1593	
129200	07/13/21	C0024	GANNETT NEW JERSEY NEWSPAPERS	50.31	1593	
129201	07/13/21	C0024	GANNETT NEW JERSEY NEWSPAPERS	48.16	1593	
129202	07/13/21	C0134	COUNTRYSIDE MANOR CONDO ASSOC.	4,809.89	1593	
129203	07/13/21	C0482	OPTIMUM	138.44	1593	
129204	07/13/21	C0482	OPTIMUM	44.95	1593	
129205	07/13/21	C0613	CIGNA GROUP INSURANCE	1,588.11	1593	
129206	07/13/21	C0697	BB&T/CPS	89.43	1593	
129207	07/13/21	C0774	COLONIAL LIFE & ACC INSURANCE	669.16	1593	
129208	07/13/21	C0811	COASTAL METAL RECYCLING CORP	221.50	1593	
129209	07/13/21	C0926	CLEANING SERVICES OF HUDSON	1,000.00	1593	
129210	07/13/21	D0107	DLT SOLUTIONS, LLC	431.20	1593	
129211	07/13/21	D0740	DOVER BRAKE & CLUTCH	70.76	1593	
129212	07/13/21	D0852	DH OF BASKING RIDGE	1,640.00	1593	
129213	07/13/21	E0231	EKA ASSOCIATES, P.A.	1,113.75	1593	
129214	07/13/21	E0250	E LIFEGUARD INC	3,841.73	1593	
129215	07/13/21	F0024	FISCHER, JOSEPH	3,050.00	1593	
129216	07/13/21	F0148	FAIRFIELD MAINTENANCE INC	373.00	1593	
129217	07/13/21	F0258	FINDAWAY WORLD, LLC	139.99	1593	
129218	07/13/21	F0313	FUN EXPRESS, LLC	511.45	1593	
129219	07/13/21	F0324	FLAGSHIP DENTAL PLANS	310.66	1593	
129220	07/13/21	F0326	FX AUTOMOTIVE LLC	160.84	1593	
129221	07/13/21	F0330	FIDELITY SECURITY LIFE INS	271.34	1593	
129222	07/13/21	F0393	FERNANDES, NIGEL	260.00	1593	
129223	07/13/21	F0426	FIRE GROUND TECHNOLOGIES LLC	20,050.00	1593	
129224	07/13/21	G0066	GRAINGER INC	3,407.94	1593	
129225	07/13/21	G0098	JCP&L	1,976.05	1593	
129226	07/13/21	G0333	BEDMINSTER CAR WASH	137.90	1593	
129227	07/13/21	G0481	GLOCK PROFESSIONAL, INC.	250.00	1593	
129228	07/13/21	G0509	GREEN ROCK RECYCLING	3,570.00	1593	
129229	07/13/21	G0643	GUTIERREZ, LAURA	145.00	1593	
129230	07/13/21	H0101	HAMILTON WOODS CONDO ASSOC.	4,147.44	1593	
129231	07/13/21	H0246	HOME DEPOT CREDIT SERVICES	1,454.24	1593	
129232	07/13/21	I0137	INTERSTATE WASTE SERVICES NJ	1,586.00	1593	
129233	07/13/21	K0039	KOBESKY, GREGG S.	423.95	1593	
129234	07/13/21	K0331	KONICA MINOLTA PREMIER FINANCE	266.04	1593	
129235	07/13/21	K0331	KONICA MINOLTA PREMIER FINANCE	192.89	1593	
129236	07/13/21	K0375	KRISTIANSEN, JAMIE	145.00	1593	
129237	07/13/21	L0046	LORD STIRLING VILLAGE	6,492.55	1593	
129238	07/13/21	L0372	LIFESAVERS, INC	694.40	1593	
129239	07/13/21	M0036	MORNINGSTAR	1,976.00	1593	
129240	07/13/21	M0251	MUNICIPAL CLERKS' ASSN OF NJ	175.00	1593	
129241	07/13/21	M0261	M.A.I.N., INC.	30.00	1593	
129242	07/13/21	M0441	MAIN LINE COMMERCIAL POOLS, INC	6,227.40	1593	
129243	07/13/21	M0518	KONICA MINOLTA BUSINESS SOL.	191.10	1593	
129244	07/13/21	M0518	KONICA MINOLTA BUSINESS SOL.	176.95	1593	
129245	07/13/21	M0518	KONICA MINOLTA BUSINESS SOL.	34.21	1593	
129246	07/13/21	M0518	KONICA MINOLTA BUSINESS SOL.	259.66	1593	
129247	07/13/21	M0859	MAXX'S FLEET REPAIRS, LLC	875.00	1593	
129248	07/13/21	M0906	MILSPRAY LLC	166.50	1593	
129249	07/13/21	N0032	NJ STATE DEPT HEALTH/SR SVCS	120.60	1593	
129250	07/13/21	N0514	NICKOLAUS CONSTRUCTION CO, INC	64,000.00	1593	
129251	07/13/21	O0135	OUTHOUSE LLC	990.00	1593	
129252	07/13/21	P0014	PUBLIC SERVICE ELEC. & GAS CO	639.57	1593	
129253	07/13/21	P0046	RESERVE ACCOUNT	1,053.55	1593	
129254	07/13/21	P0221	PATRIOT MEWS COMMUNITY ASSOC.	1,035.33	1593	
129255	07/13/21	P0525	POWER PLACE, INC.	44.84	1593	
129256	07/13/21	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	23.55	1593	
129257	07/13/21	P0602	PRAXAIR DISTRIBUTION, INC	38.93	1593	
129258	07/13/21	P0713	POOLWEB.COM	1,030.00	1593	
129259	07/13/21	Q0002	CINTAS CORP. - #062	438.85	1593	
129260	07/13/21	R0010	REIDER ASSOCIATES, INC.	3,060.00	1593	
129261	07/13/21	R0019	RECREONICS, INC.	1,167.61	1593	
129262	07/13/21	R0050	ROTO-ROOTER	3,764.00	1593	
129263	07/13/21	R0369	RUTGERS -CENTER FOR CONTINUING	880.00	1593	
129264	07/13/21	R0440	RAHWAY BUSINESS MACHINES, INC.	391.98	1593	
129265	07/13/21	S0061	SWANK MOTION PICTURES, INC.	1,080.00	1593	
129266	07/13/21	S0101	STICHEL, KOENIG, SULLIVAN&DRILL	46.25	1593	
129267	07/13/21	S0202	SUBURBAN PROPANE	658.32	1593	
129268	07/13/21	S0227	SHEARON ENVIRONMENTAL DESIGN	24,755.56	1593	

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129269	07/13/21	S0415	SPORTWORLD	525.00	1593
129270	07/13/21	S0526	SPATIAL DATA LOGIC	1,500.00	1593
129271	07/13/21	S0628	STATE OF NEW JERSEY-HB	193,827.96	1593
129272	07/13/21	S0875	SUNLIGHT GENERAL CAPITAL	305.70	1593
129273	07/13/21	S0926	SELECTIVE INSURANCE	1,218.00	1593
129274	07/13/21	S0997	STREET COP TRAINING LLC	249.00	1593
129275	07/13/21	S1007	SPRUCE INDUSTRIES	3,948.60	1593
129276	07/13/21	S1043	SUMMIT SOUNDZ ENTERTAINMNT LLC	1,200.00	1593
129277	07/13/21	S1173	SWEENEY,MICHAEL OR BYRNE KELLY	40.00	1593
129278	07/13/21	T0045	TREASURER - STATE OF N.J.	50.00	1593
129279	07/13/21	T0142	TODD HARRIS CO., INC.	357.00	1593
129280	07/13/21	T0240	TREASURER-STATE OF NEW JERSEY	50.00	1593
129281	07/13/21	T0372	TLO, LLC	340.80	1593
129282	07/13/21	T0443	THOMSON REUTERS-WEST	532.00	1593
129283	07/13/21	T0494	TRYSTONE CAPITAL ASSETS LLC	4,224.20	1593
129284	07/13/21	U0069	UNITED STATES TREASURY	50.54	1593
129285	07/13/21	V0037	VILLAGE SUPERMARKET, INC.	104.49	1593
129286	07/13/21	V0058	VERIZON	39.94	1593
129287	07/13/21	V0058	VERIZON	39.94	1593
129288	07/13/21	V0058	VERIZON	173.84	1593
129289	07/13/21	V0058	VERIZON	82.88	1593
129290	07/13/21	V0058	VERIZON	2,733.41	1593
129291	07/13/21	V0058	VERIZON	39.94	1593
129292	07/13/21	V0058	VERIZON	85.42	1593
129293	07/13/21	V0058	VERIZON	36.37	1593
129294	07/13/21	V0058	VERIZON	42.94	1593
129295	07/13/21	V0084	VERIZON	156.99	1593
129296	07/13/21	V0084	VERIZON	79.99	1593
129297	07/13/21	V0084	VERIZON	13.47	1593
129298	07/13/21	V0124	VERIZON BUSINESS FIOS	364.99	1593
129299	07/13/21	V0177	VERIZON	617.56	1593
129300	07/13/21	V0185	VERIZON CONNECT	534.27	1593
129301	07/13/21	W0259	VENTURA, MIESOWITZ, KEOUGH &	5,568.50	1593
129302	07/13/21	W0275	WINNING TEAMS BY NISSEL LLC	895.84	1593
129303	07/13/21	X0005	XTEL COMMUNICATION	452.97	1593
129304	07/13/21	X0005	XTEL COMMUNICATION	1,555.43	1593

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
	----	----	-----	-----
Checks:	121	0	1,137,087.65	0.00
Direct Deposit:	21	0	23,317.68	0.00
	=====	=====	=====	=====
Total:	142	0	1,160,405.33	0.00

CASH - CHECKING	CURRENT CHECKING	Continued		
Report Totals	Paid	Void	Amount Paid	Amount Void
	----	----	-----	-----
Checks:	121	0	1,137,087.65	0.00
Direct Deposit:	21	0	23,317.68	0.00
	=====	=====	=====	=====
Total:	142	0	1,160,405.33	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
Fund Description					
CURRENT FUND	0-01	20,910.95	0.00	0.00	20,910.95
CURRENT FUND	1-01	918,351.83	0.00	0.00	918,351.83
DOG FUND	1-12	156.61	0.00	0.00	156.61
GOLF COURSE UTILITY	1-26	30,198.34	0.00	0.00	30,198.34
Year Total:		948,706.78	0.00	0.00	948,706.78
CAPITAL FUND	C-04	74,441.87	0.00	0.00	74,441.87
PUBLIC GRANTS	G-02	39,448.17	0.00	0.00	39,448.17
TRUST FUNDS	T-13	61,665.56	0.00	0.00	61,665.56
PROJECT		15,232.00	0.00	0.00	15,232.00
Total Of All Funds:		1,160,405.33	0.00	0.00	1,160,405.33

Resolution #2021-0265 – Authorization of Agreement with Bergen County Cooperative Pricing Agreement in the Purchase of Work Materials and Supplies for their Respective Jurisdictions

WHEREAS, Bernards Township is a leader in the concept of shared services; and

WHEREAS, Bernards Township is desirous of participating in a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-1 et seq., with the Bergen County Cooperative Pricing Alliance a copy of which is attached hereto and made a part hereof; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency " has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, pursuant to the terms of this Agreement, the Lead Agency, which is designated as the Bergen County Cooperative Pricing Alliance, shall enter into pricing contracts for certain work, materials and supplies, of which Bernards Township, through its representative, will have input into the awarding of such contracts and is only responsible for such work, materials and supplies in which it orders under the pricing contract; and

WHEREAS, Bernards Township is not restricted from awarding contracts for work, materials and supplies outside of the pricing contracts, provided that such bids are not advertised for or received during the period in which the Bergen County Cooperative Pricing Alliance is advertising for and receiving the same bids; and

WHEREAS, the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, this Agreement shall take effect July 13, 2021, for a period not to exceed five (5) years; and

WHEREAS, Bernards Township Purchasing Agent Francis J. Decibus, QPA, is hereby designated as representative on behalf of the township.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, hereby authorizes the Township to enter into the Bergen County Cooperative Pricing Alliance for a period not to exceed five years.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign such Agreement on behalf of the Township.

[Resolution #2021-0266](#) – *Approval of Block Party Permit for Grove Road, 09/18/2021 (Rain Date 09/19/2021)*

WHEREAS, Lesly Acheson, 60 Peachtree Road, Basking Ridge, NJ, hereinafter “the applicant,” has requested permission to close Grove Road, on 09/18/2021 (rain date 09/19/2021), from 2:00 PM to 8:00 PM for the purpose of holding a block party; and

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

WHEREAS, the applicant agrees that participants will adhere to any applicable Executive Order(s) or Emergency Health Delectation(s) in effect at the time; and

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

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

[Resolution #2021-0269](#) - *Authorizing an Extension of Grace Period for the Third Quarter 2021 Taxes*

WHEREAS, the State of New Jersey has not released all information needed for striking a rate timely; and

WHEREAS, this information is needed to produce the Final 2021/Preliminary 2022 tax bills; and

WHEREAS, as a result, the County of Somerset could not release the tax rate; and

WHEREAS, the Tax Collector must allow 25 calendar days for payment from the date of mailing pursuant to NJSA 54:4-66.3.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Tax Collector be authorized to extend the grace period for the third quarter 2021 up to and including the 25th day after the actual bills are mailed; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that any payments received after the grace period for the third quarter 2021 will be charged interest from the original due date of August 1, 2021, as set by the guidelines set by NJSA 54:4-67 and Resolution # 2021-0017 passed by the Bernards Township Committee on January 5, 2021.

[Resolution#2021-0270](#) - *Approval of Special Event Permit, Basking Ridge Indian Community (BRIC), Summer Picnic and Community Meet & Greet, July 18, 2021 – Pleasant Valley Park*

WHEREAS, Anita Koppala, representing Basking Ridge Indian Community (BRIC), 17 Honeyman Rd., Basking Ridge, NJ 07920, “the applicant,” has requested a special event permit for a Summer Picnic and Community Meet & Greet on July 18, 2021, with the event time being from 11:00AM – 3:00PM; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 4-4. et. seq. and has applied for, and received, the necessary department permits; and

WHEREAS, the applicant understands that parking is limited to the parking lot adjacent to the softball field /Area B for the anticipated 400 attendees and will have volunteer parking attendants assist with parking and encourage car-pooling so as to limit any disruption to other areas of the park; and

WHEREAS, the applicant will ensure that all litter is placed in the appropriate receptacles; and

WHEREAS, the Municipal Clerk, Police Department, Administrator, Recreation Director, Health Officer, Risk Manager, Fire Official, and Director of Public Works have reviewed the application and find it complete.

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

Resolution #2021-0271 - Award of Bid for 2020 & 2021 NJDOT Local Aid Projects: Spring Valley Boulevard Improvements to Capital Paving and Contracting LLC, 1225 Rt. 31 S. Bld. A-Ste 124, Lebanon, NJ 08833 In the Amount of \$1,248,295.30

WHEREAS, the Township of Bernards received bids on Thursday, June 17, 2021, at 10:30 AM for 2020 & 2021 NJDOT Local Aid Projects: Spring Valley Boulevard Improvements:

BIDDERS NAME	TOTAL BID AMOUNT
J.A. Alexander, Inc.	\$1,227,128.54*
Capital Paving and Contracting, LLC	\$1,248,295.30
Top Line Construction Corp.	\$1,326,753.01
AJM Contractors, Inc.	\$1,394,784.50
YourWay Construction, Inc.	\$1,470,702.30
South State, Inc.	\$1,487,431.90
Lima Charlie Construction	\$1,639,000.00

**Represents unbalanced bid as submitted*

WHEREAS, the low bidder, J.A. Alexander Inc., has submitted an unbalanced bid, whereby a unit price of \$0.01 was submitted for eight (8) contract items; and

WHEREAS, Bernards Township project specifications indicate on the Bid Proposal Form that unbalanced bids or bids with pennied unit prices may be rejected; and

WHEREAS, the other bidders submitted similar unit prices and bid totals, to a more appropriate estimate of true project cost; and

WHEREAS, it is the combined recommendation of the Township Engineer, Administrator and Purchasing Agent to reject the bid of J.A. Alexander, Inc., since the bid does not meet Township specifications; and

WHEREAS, it is the combined recommendation of the Township Engineer, Administrator and Purchasing Agent to award the contract to the lowest responsible bidder, Capital Paving and Contracting LLC, 1225 Rt. 31 S. Bld A-Ste 124, NJ 08833, in the amount of \$1,248,295.30; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line-item appropriations or Grant Fund, account number G-02-20-DOT-220 (\$320,000.00), account number G-02-20-DOT-221 (\$400,000.00), Capital Ordinance #2465 line account C-04-55-465-A01 (\$528,295.30); and

WHEREAS, this contract has been awarded to Capital Paving and Contracting LLC, through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to Capital Paving and Contracting LLC, in the amount of \$1,248,295.30.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and Capital Paving and Contracting LLC, ("Contractor") shall contain:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the 2020 & 2021 NJDOT Local Aid Projects: Spring Valley Boulevard Improvements.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon five (5) days written notice via certified mail.
8. The work contemplated under the Contract shall be completed within 90 days of the Notice to Proceed.
9. The Contractor shall commence the work not later than ten (10) calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
10. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
11. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$1,000.00 per day for every day thereafter until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages.
12. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within ten (10) days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

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

Brent Mitzak, Managing Manager

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$1,248,295.30. Monies are available in the line account Grant Fund, account number G-02-20-DOT-220 (\$320,000.00), account number G-02-20-DOT-221 (\$400,000.00), and Capital Ordinance #2465 line account C-04-55-465-A01 (\$528,295.30).

Date: July 7, 2021



Sean McCarthy
Chief Financial Officer

Resolution 2021-0272 - *Authorizing a Renewal Agreement with Morris County to Enter Into a Cooperative Pricing Agreement with the Morris County Cooperative Pricing Council for the Conduct of Certain Functions Relating to the Purchase of Work Materials and Supplies for their Respective Jurisdictions*

WHEREAS, Bernards Township is a leader in the concept of shared services; and

WHEREAS, Bernards Township is desirous to continue participation in a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-1 et seq., with the County of Morris, a copy of which is attached hereto and made a part hereof; and

WHEREAS, pursuant to the terms of this Agreement, the Lead Agency, which is designated as the Township of Randolph, shall enter into pricing contracts for certain work, materials and supplies, of which Bernards Township, through its representative, will have input in various commodity products and is only responsible for such work, materials and supplies in which it orders under the pricing contract; and

WHEREAS, the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, desires to enter into an Agreement with the Morris County Cooperative Pricing Council effective October 1, 2021 through September 30, 2026 for a period not to exceed five (5) years; and

WHEREAS, Bernards Township shall provide an annual fee of \$1,250.00 as an estimated prorated share of administrative expenses under the Agreement; and

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2017-2021 Budget for the same, and the line item appropriation 1-01-20-136-204/2-01-20-136-204/3-01-20-136-204/4-01-20-136-204/5-02-20-136-204 and 6-02-20-136-204 (pending Township Committee budget approval); and

WHEREAS, Bernards Township designates Francis J. Decibus, QPA, RPPO, Purchasing Agent as designated representative on behalf of the township.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, hereby authorizes the Township to enter into the Cooperative Pricing Agreement with the Morris County Cooperative Pricing Program for a period not to exceed five years.

NOW, THEREFORE BE IT FINALLY RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign such Agreement on behalf of the Township.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, CFO of the Township of Bernards, hereby certify that funds will be made available in the 2021 budget line appropriation, Purchasing, Fees and Compensation # 1-01-20-136-204. Funds for 2022, 2023, 2024, and 2026 will be made available in the Purchasing budget pending adoption by the Township Committee.

Date: July 7, 2021



Sean McCarthy, CFO

Resolution #2021-0273 - Award of Change Order #1 for HVAC Upgrade Municipal Building to Keri Engineering Increase of \$400.34 (+ 0.93%)

WHEREAS, the Department of Public Works requests the following change order be authorized by the Township Committee:

Vendor	CO	Original Award	Amount of Increase	New Total
		\$43,228.00 (RA#2017-0420)	\$400.34 & 0.93% Increase	\$43,628.34
TOTAL CO	CO #1		\$400.34 & 0.93% Increase	\$43,628.34

WHEREAS, it is the recommendation of the Director of Public Works and Purchasing Agent to award this change order to Keri Engineering, 911 Springfield Road, Suite 2, Union New Jersey 07083; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget or the line-item appropriation Capital Ordinance #2446, line account #C-04-55-446-B01.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey, that the Purchasing Agent is hereby authorized to issue a change order Keri Engineering, 911 Springfield Road, Suite 2, Union New Jersey 07083 in the amount of \$400.34 for a new total award of \$43,628.34.

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the in the budget or the line-item appropriation Capital Ordinance # 2446 in the not to exceed amount of \$ 400.34. Monies are available in account # C-04-55-446-B01.

Date: July 7, 2021



Sean McCarthy, Chief Financial Officer

[Resolution #2021-0274](#) - *Acceptance of Grant and Insertion of Revenue Item Into the 2021 Budget \$50,000.00 from the New Jersey Department of Health (NJDOH) for the Purpose of Vaccination Supplemental Funding 2022 related to Covid-19 (VSF)*

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

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

WHEREAS, the Township has received an award of \$50,000.00 from the New Jersey Department of Health (NJDOH) for the purpose of vaccination supplemental funding directly related to COVID-19 and wishes to amend its 2021 budget to include this amount as revenue.

Title of Award: Covid-19 Vaccination Supplemental Funding 2022

Grant Award No.: OLP22VSF019

Project Period: 07/01/2021 through 06/30/2023

Budget Period: 07/01/2021 through 06/30/2022

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

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written

Consent of Director of Local Government Services - Public and Private Revenues Offset with

Appropriations:

NJDOH-22 OLP22 Vaccination Supp (VSF)

BE IT FURTHER RESOLVED that a like sum of \$50,000.00 total be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Appropriations Offset by Revenues:

NJDOH-22 OLP22 Vaccination Supp (VSF)

[Resolution #2021-0268](#) - *Authorizing the Acceptance of Grant Funding from the State of New Jersey Department of Law and Public Safety for the Purpose of Purchasing Police Body-Worn Cameras*

WHEREAS, The State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY21 Budget to administer the Body-Worn Camera (BWC) Grant Program; and

WHEREAS, A total of approximately \$57,500,000 of the budget will be awarded to participating law enforcement agencies, for use by December 31, 2025; and

WHEREAS, Under the Body-Worn Camera Grant Program, law enforcement agencies are eligible to receive grant funding for the purchase of Body-Worn Camera and related expenses; and

WHEREAS, the Township of Bernards has authorized the purchase of twenty-nine Body-Worn Cameras and related equipment and storage costs for the cost sum of \$124,249; and

WHEREAS, the Township of Bernards has applied for and been awarded the sum of \$59,102 for the purpose of offsetting the cost of implementing Body-Worn Cameras within its police department; and

WHEREAS, the Bernards Township Police Chief is recommending the Township Committee approve acceptance of the awarded funding totaling \$59,102 to be applied to the purchase of Body- Worn Cameras and related equipment for the police department.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize the acceptance of \$59,102, Award # 21-BWC-033, from the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) for the purpose of applying to the purchase of Body Worn Camera and related expenses for the Police Department.

[Resolution #2021-0275](#) - Authorizing Acceptance and Insertion of Revenue Item Into the 2021 Budget Funds Awarded to the Bernards Township Police Department for a Grant Entitled "SFY21 Body-Worn Camera Grant Program" from the NJ Department of Law and Public Safety - \$59,102.00

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

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

WHEREAS, the Township has been awarded \$59,102.00 from the NJ Department of Law and Safety for the purpose of funding the Township's Body-Worn Camera program and wishes to amend its 2021 budget to include this amount as revenue.

State Account No.: BFY21-100-066-1020-495
Award No.: 21-BWC-033
Award Period: January 1,2021- December 31,2025

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

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written
Consent of Director of Local Government Services - Public and
Private Revenues Offset with Appropriations:
Body-Worn Camera Program

BE IT FURTHER RESOLVED, that a like sum of \$59,102.00 total be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Appropriations Offset by Revenues:
Body-Worn Camera Program

End Consent Agenda

[Resolution #2021-0251](#) - Authorizing a Shared Services Agreement with the Borough of Bernardsville and the Township of Bernards for the Oversight and Operation of the Bernardsville Fire Prevention Bureau
Motion by Bannan, second by McNally, that Resolution #2021-0251 be approved.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

WHEREAS, the Borough of Bernardsville ("Bernardsville") and the Township of Bernards ("Bernards") have reviewed their needs, resources and personnel and have found that they can assist each other by Bernards operating the Bernardsville Fire Prevention Bureau with greater efficiency than the Borough operating the office with multiple part-time staff; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any Fire Prevention Bureau of the State of New Jersey may contract with any other municipality for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by, Bernardsville and Bernards which establishes a shared Fire Prevention Bureau and provides for the sharing of bureau facilities and bureau staff including the Fire Official and Fire Inspectors; and

WHEREAS, Bernardsville and Bernards have negotiated a Shared Services Agreement, which is attached hereto and made a part hereof; and

WHEREAS, the Shared Services Agreement has been reviewed by the Township Attorney, along with representatives of the Township; and

WHEREAS, the Township Committee of the Township of Bernards finds it to be in the best interest of the Township and its residents to enter into this Shared Services Agreement with Bernardsville and Bernards for the establishment and operation of a shared Fire Prevention Bureau.

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

1. There shall be established a shared Fire Prevention Bureau servicing the Borough of Bernardsville and Township of Bernards subject to compliance with the terms and conditions of the approval of.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Shared Services Agreement with the Borough of Bernardsville, which Agreement sets forth the terms and conditions for the operation of the shared Fire Prevention Bureau, including the sharing of bureau facilities and bureau staff including the Fire Official and Fire Inspectors.
3. The Township Clerk/Administrator, Township Attorney and other appropriate Township officials are further authorized to take any and all action required to comply with this Agreement.
4. This Resolution shall take effect immediately upon adoption, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Township.

Approval of Minutes:

06/15/2021 Closed Session Minutes

06/29/2021 Open Session Minutes

Motion by McNally, second by Bannan, and unanimously agreed that the 06/15/2021 Closed Session minutes be approved for content and the 06/29/2021 Open Session minutes be approved for content and release.

[Resolution #2021-0277](#) - *Ratification and Approval of International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 Union Agreement July 1, 2021, Through June 30, 2025*

Motion by Bannan, second by McNally, that Resolution #2021-0277 be approved.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

WHEREAS, the Township of Bernards and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 have negotiated in good faith to resolve all issues in dispute regarding a four year agreement for the period of time from July 1, 2021 through June 30, 2025; and

WHEREAS, all issues have been resolved to the satisfaction of all parties; and

WHEREAS, the terms have been commemorated into the new agreement for the period of time from July 1, 2021 through June 30, 2025; and

WHEREAS, the agreement is hereby ratified and approved in accordance with the new terms as negotiated.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 Union Agreement dated July 1, 2021, through June 30, 2025, be and is hereby approved.

[Resolution #2021-0278](#) - *Authorization of a Memorandum of Agreement Between Bernards Township and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 July 1, 2021, through June 30, 2025*

Motion by McNally, second by Bannan, that Resolution #2021-0278 be approved.

Roll Call:

Aye: Bannan, McNally, Fields

Nay:

Abstain:

Motion carried.

WHEREAS, the Township of Bernards and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America, Local 469 (“Teamsters”) had an Agreement in place for the period of time from July 1, 2020 through June 30, 2021; and

WHEREAS, the Township of Bernards and the Teamsters have negotiated in good faith for terms to replace the expired Agreement; and

WHEREAS, the Township of Bernards and the Teamsters have commemorated the terms of this agreement into a formal Memorandum of Agreement to cover the period of time from July 1, 2021 through June 30, 2025; and

WHEREAS, the Township Committee of the Township of Bernards has reviewed the terms of settlement and is in agreement, and

WHEREAS, the Township Committee of the Township of Bernards directs that the terms defined in the Memorandum of Agreement between the Township of Bernards and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America be commemorated to a new contract for the period of time between from July 1, 2021 through June 30, 2025.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the Memorandum of Agreement dated July 13, 2021, between Bernards Township and the International Brotherhood of Teamsters, Chauffeurs and Warehousemen and Helpers of America is hereby approved and hereby authorizes the Mayor to sign the original of this agreement.

PUBLIC COMMENT

The mayor opened public comment. No comments were heard and the mayor closed public comment.

EXECUTIVE SESSION (if required)

None Required.

By unanimous consent, the meeting adjourned at 8:16 PM.

Christine V. Andres
Deputy Municipal Clerk

Janice M. Fields,
Mayor

Approved: 07/27/2021