

TABLE OF CONTENTS

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES January 25, 2022 – COMBINED AGENDA/REGULAR MEETING

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

CALL TO ORDER	3
ROLL CALL	3
EXECUTIVE SESSION (IF REQUIRED)	3
PUBLIC WORK SESSION (IF REQUIRED)	3
REPORTS	3
<i>Resolution #2022-0082 - Acknowledgement of 12/16/2021 Utility Advisory Task Force Report</i>	3
<i>Resolution #2022-0087 - Acknowledgement of the Diversity and Inclusion Committee's Year End</i> <i>Recommendations – 12/23/2021</i>	3
CORRESPONDENCE	4
PUBLIC COMMENT	4
TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS	4
FIRE & RESCUE APPOINTMENT	4
<i>Resolution #2022-0097 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire</i> <i>Company David Rozzelle, Full Member</i>	4
<i>Resolution #2022-0098- Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire</i> <i>Company #1 Ronald Salko, Full Member</i>	4
UNFINISHED BUSINESS	5
<i>ORDINANCE #2482 - ACCEPTING A WETLANDS CONSERVATION EASEMENT AND A STREAM BUFFER</i> <i>CONSERVATION EASEMENT ON PROPERTY LOCATED AT 20 LURLINE DRIVE; BLOCK 7801, LOT 20, FROM</i> <i>THERESE L. LAIRD TO THE TOWNSHIP OF BERNARDS - MAP – PUBLIC HEARING</i>	5
<i>ORDINANCE #2483 - ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 242</i> <i>LIBERTY CORNER ROAD; BLOCK 7301, LOT 33, FROM EDMOND J. HARDY AND SUZANNE L. HARDY TO THE</i> <i>TOWNSHIP OF BERNARDS – MAP – PUBLIC HEARING</i>	5
<i>ORDINANCE #2484- AN ORDINANCE OF THE TOWNSHIP OF BERNARDS TO SET CALENDAR YEAR 2022</i> <i>APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PER N.J.S.A. 40A: 4-45.14 – PUBLIC HEARING</i>	6
<i>ORDINANCE #2485- ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 22</i> <i>HIGH MEADOW LANE; BLOCK 9501, LOT 37, FROM BENJAMIN WEISFELNER AND REBECCA JACKSON TO THE</i> <i>TOWNSHIP OF BERNARDS – MAP – PUBLIC HEARING</i>	6
<i>ORDINANCE #2486- ACCEPTING VARIOUS EASEMENTS ON PROPERTY PRESENTLY KNOWN AS 3066 & 3074</i> <i>VALLEY ROAD, BLOCK 8201, LOTS 22 & 23, TO BE KNOWN AFTER LOT CONSOLIDATION AS 3066 VALLEY</i> <i>ROAD, BLOCK 8201, LOT 22.01, FROM RICA PROPERTIES, LLC (AS TO LOT 22), AND RICA RENTAL REALTY,</i> <i>LLC (AS TO LOT 23) TO THE TOWNSHIP OF BERNARDS – MAP – PUBLIC HEARING</i>	7
<i>ORDINANCE #2487 - AUTHORIZING THE VACATION OF AN EMERGENCY ROAD EASEMENT ON PROPERTY</i> <i>LOCATED AT 181 MOUNTAIN ROAD (BLOCK 11401, LOT 42; FORMERLY BLOCK 187, LOT 32.01) AND 16</i> <i>HARVEST WAY (BLOCK 11401, LOT 37.01; FORMERLY BLOCK 187, LOT 32.03) RELATING TO THE EMERALD</i> <i>VALLEY ESTATES DEVELOPMENT IN THE TOWNSHIP OF BERNARDS – PUBLIC HEARING</i>	7
<i>ORDINANCE #2488 - ACCEPTING A WETLANDS CONSERVATION EASEMENT ON PROPERTY LOCATED AT 177</i> <i>WHITENACK ROAD, BLOCK 4601, LOT 12, FROM EUGENE CORDANO AND GINA CORDANO TO THE TOWNSHIP</i> <i>OF BERNARDS – MAP – PUBLIC HEARING</i>	8
<i>ORDINANCE #2489 - AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF</i> <i>BERNARDS CHAPTER 4-2 "SALES OF GOODS AND SERVICES" SECTION 12.1(D) "SALE OF ICE CREAM" –</i> <i>PUBLIC HEARING</i>	8
NEW BUSINESS	8
CONSENT AGENDA	8
<i>Resolution #2022-0095 - Approval of the Bill List Dated 01/25/2022</i>	9
<i>Resolution #2022-0096 - Unused Vacation Accrual Due Jorge Casacuberta Public Works Department</i>	10
<i>Resolution #2022-0099 - Commendation on the Occasion of Your Retirement Debra Merghart – Library</i>	11
<i>Resolution #2022-0100 – Release or Executive Session Minutes</i>	11
<i>Resolution #2022-0102 - Awarding Professional Services Contract for Storm Sewer Lining Design Services to</i> <i>Andrew S. Holt, P.E., P.P., C.M.E., Lic.#24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S.</i> <i>Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$34,108.00</i>	11

<i>Resolution #2022-0103- Awarding Professional Services Contract for 2022 Site Inspection Services to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$15,000.00</i>	<i>12</i>
<i>Resolution #2022-0104 - First Amendment to Contract #C2021-0346 and Award of Change Order #1 for the Newell Drive Reconstruction & Queen Anne Storm Sewer Reivax Contracting Corp., 68 Finderne Ave., Bridgewater, NJ 08807 Decrease of \$123,600.00 (21.15%)For a new not to exceed amount of \$460,720.00 ..</i>	<i>13</i>
<i>Resolution #2022-0105 - Personnel Appointment Ronald Simpson – Part-Time Field Inspector– Tax Assessor</i>	<i>14</i>
<i>Resolution #2022-0106 - Personnel Appointment Lori Zrebiec – Library Assistant-Public Relations/Communications Bernards Township Library</i>	<i>14</i>
<i>Resolution #2022-0107 - Personnel Appointment Susan Sample-Duffy – Library Assistant-Children’s Services Bernards Township Library.....</i>	<i>14</i>
<i>Resolution #2022-0108 - Unused Vacation Accrual Due Debra Merghart – Library.....</i>	<i>15</i>
<i>Resolution #2022-0109 – Interlocal Services Agreement for the Provision of 2022 Somerset County Recycling Pickup to the Township of Bernards.....</i>	<i>15</i>
<i>Resolution #2022-0110- Personnel Appointment Brandon Williams – Staff Engineer – Engineering.....</i>	<i>15</i>
<i>Resolution #2022-0111- Personnel Appointment Ryan Wallace – Superintendent of Public Works – Public Works Department.....</i>	<i>16</i>
RESOLUTION #2022-0101 – PERSONNEL APPOINTMENT NICHOLAS BRETT – PATROL OFFICER – POLICE DEPARTMENT.....	16
ORDINANCE #2491 - AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BERNARDS CHAPTER 14 “FIRE PREVENTION,” SECTION 14-3 “PERMITS, ADDITIONAL FEES AND INSPECTIONS”, SUBSECTION 14-3.2 “ADDITIONAL REQUIRED INSPECTIONS AND FEES”, SUBSECTION 14-3.3 “MOBILE FOOD VENDORS”, SECTION 14-3B “NON-LIFE HAZARD USE INSPECTION FEES,” SUBSECTION 14-3B.1 “FEES ESTABLISHED” – INTRODUCTION.....	17
TOWNSHIP COMMITTEE APPOINTMENT:.....	17
APPROVAL OF MINUTES:	17
01/11/2022 Open Session Minutes	17
EXECUTIVE SESSION (IF REQUIRED).....	17
ADJOURNMENT.....	17

CALL TO ORDER

The mayor called the meeting to order at 8:00 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: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Absent:

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

EXECUTIVE SESSION (if required)

None.

PUBLIC WORK SESSION (if required)

None.

REPORTS

[Resolution #2022-0082](#) - Acknowledgement of 12/16/2021 Utility Advisory Task Force [Report](#)

Motion by Fields, second by McNally, that Resolution #2022-0082 be approved.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

WHEREAS, Resolution #2020-0297 established a Utility Advisory Task Force 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; and

WHEREAS, pursuant to Resolution #2020-0297, the Utility Advisory Task Force will report their findings and recommendations to the Township Committee no later than 06/30/21; and

WHEREAS, the Utility Advisory Task Force provided a Progress Report dated 06/23/2021.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards hereby acknowledges receipt of the Utility Advisory Task Force 12/16/2021 report and expresses its appreciation for the work the committee members performed on behalf of the residents of Bernards Township.

[Resolution #2022-0087](#) - Acknowledgement of the Diversity and Inclusion Committee's [Year End Recommendations](#) – 12/23/2021

Motion by Asay, second by McNally, that Resolution #2022-0087 be approved.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

WHEREAS, Resolution #2020-0234 created a 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; and

WHEREAS, the duties of the Diversity and Inclusion Committee were 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.

WHEREAS, the Diversity and Inclusion Committee provided mid-year recommendations to the Township Committee on 06/01/2021.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards hereby acknowledges receipt of the Diversity and Inclusion Committee's 12/23/2021 recommendations and expresses its appreciation for the work the committee members performed on behalf of the residents of Bernards Township.

CORRESPONDENCE

None.

PUBLIC COMMENT

The mayor opened public comment.

Erica Blackman, 11 Heather Lane – commented on the continuation of the Diversity and Inclusion Committee.
Nancy D'Andrea, 3 Vanderveer Dr. – commented on; speed humps on Vanderveer Dr. in need of repair, the continuation of the Diversity and Inclusion Committee, the return of 2nd public comment period, and reviews of Tap the Talent forms.

Cody Smith, 36 Royal Oak Dr. – commented on the return of 2nd public comment period with a public vote.

Todd Edelstein, 172 Riverside Dr. – commented on the return of 2nd public comment period.

The mayor closed public comment.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

Township committee members recognized and thanked the Utility Task Force members for their work and extensive report and stated that the task force would not continue, but on-going follow-up with Altice laying fiber optics during the Spring/Summer in the Hills will be provided by Fields as the TC liaison.

Township committee members recognized and thanked the Diversity and Inclusion Committee members. They also recognized their report and recommendations and stated that the township committee plans to elevate what the D & I Committee and Mayor Field's "Meet the Mayor Series" began last year to a township level. This will be accomplished through a program series entitled "The Fabric of Bernards" featuring and highlighting different groups and topics throughout the year with Committeeperson Jennifer Asay as the liaison.

Township committee members stated their support of (1) one public comment period, responded to concerns expressed earlier during the public comment period, and provided liaisons reports; staff provided comments.

FIRE & RESCUE APPOINTMENT

[Resolution #2022-0097](#) - *Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company David Rozzelle, Full Member*

Motion by Grochala, second by McNally, and unanimously agreed the Resolution #2022-0097 be approved.

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

WHEREAS, the Liberty Corner Fire Company is recommending David Rozzelle, residing at 9 Bridlewood Court, 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 Liberty Corner Fire Company effective this date.

[Resolution #2022-0098](#) - *Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 Ronald Salko, Full Member*

Motion by Asay, second by Fields, and unanimously agreed that Resolution #2022-0098 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 Ronald Salko, residing at 104 Spencer Road, 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.

UNFINISHED BUSINESS

[Ordinance #2482](#) - *Accepting a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Property Located at 20 Lurline Drive; Block 7801, Lot 20, from Therese L. Laird to the Township of Bernards - [Map](#) – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing.

Todd Edelstein, 172 Riverside Dr. inquired why an easement was needed and Timko explained the ordinance requirement.

No other comments were heard and the hearing was closed.

Motion by McNally, second by Fields, that Ordinance #2482 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Therese L. Laird, having an address at 20 Lurline Drive, Basking Ridge, New Jersey, 07920, a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Block 7801, Lot 20, in Bernards Township.
2. The easements are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2483](#) - *Accepting a Wetlands Conservation Easement on Property Located at 242 Liberty Corner Road; Block 7301, Lot 33, from Edmond J. Hardy and Suzanne L. Hardy to the Township of Bernards – [Map](#) – 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 Fields, second by Grochala, that Ordinance #2483 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Edmond J. Hardy and Suzanne L. Hardy, having a mailing address at 242 Liberty Corner Road, Far Hills, NJ, 07931, a Wetlands Conservation Easement on Block 7301, Lot 33, in Bernards Township.
2. The easement is on file with the office of the Township Clerk.

3. This Ordinance shall take effect upon its final passage and publication according to law.

Ordinance #2484- An Ordinance of the Township of Bernards to set Calendar Year 2022 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 – Public Hearing

The clerk read the ordinance by title and the mayor opened the public hearing.

Todd Edelstein, 172 Riverside Dr. asked for clarification and amount saved. Monaco provided information.

No other comments were heard and the hearing was closed.

Motion by Asay, second by Fields, that Ordinance #2484 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its Calendar Year 2022 Budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Bernards in the County of Somerset finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$283,391.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and may be necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Bernards shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, may be increased up to 3.5 %, amounting to no more than \$991,870.47, and that the CY 2022 municipal budget for the Township of Bernards be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance #2485- Accepting a Wetlands Conservation Easement on Property Located at 22 High Meadow Lane; Block 9501, Lot 37, from Benjamin Weisfelner and Rebecca Jackson to the Township of Bernards – Map – 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 Grochala, second by McNally, that Ordinance #2485 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Benjamin Weisfelner and Rebecca Jackson, having an address at 22 High Meadow Lane, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 9501, Lot 37, in Bernards Township.
2. The easement is on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2486](#) - *Accepting Various Easements on Property Presently Known as 3066 & 3074 Valley Road, Block 8201, Lots 22 & 23, to be Known After Lot Consolidation as 3066 Valley Road, Block 8201, Lot 22.01, from Rica Properties, LLC (as to Lot 22), and Rica Rental Realty, LLC (as to Lot 23) to the Township of Bernards – [Map](#) – 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 McNally, second by Grochala, that Ordinance #2486 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Rica Properties, LLC (as to Block 8201, Lot 22), and Rica Rental Realty, LLC (as to Block 8201, Lot 23), both of which have offices at 151 Mount Bethel Road, Warren, New Jersey, 07059, the following:
 - A. Wetlands Conservation Easement.
 - B. Greenway/Public Access Easement.
 - C. Stormwater Management Easement.
2. The easements are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2487](#) - *Authorizing the Vacation of an Emergency Road Easement on Property Located at 181 Mountain Road (Block 11401, Lot 42; formerly Block 187, Lot 32.01) and 16 Harvest Way (Block 11401, Lot 37.01; formerly Block 187, Lot 32.03) relating to the Emerald Valley Estates Development in the Township of Bernards – Public Hearing*

The clerk read the ordinance by title and commented that the township planner on behalf of the planning board requested that the committee adjourn the public hearing of ordinance #2487 to 03/15/2022.

Motion by Fields, second by McNally, that Ordinance #2487's public hearing be tabled to the 03/15/2022 township committee meeting.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

[Ordinance #2488](#) - *Accepting a Wetlands Conservation Easement on Property Located at 177 Whitenack Road, Block 4601, Lot 12, from Eugene Cordano and Gina Cordano to the Township of Bernards – [Map](#) – 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 Fields, second by Grochala, that Ordinance #2488 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

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

1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Eugene Cordano and Gina Cordano, having an address at 177 Whitenack Road, Far Hills, NJ, 07931, a Wetlands Conservation Easement on Block 4601, Lot 12, in Bernards Township.
2. The easement is on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

[Ordinance #2489](#) - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 4-2 "Sales of Goods and Services" Section 12.1(d) "Sale of Ice Cream" – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing.

Eric Murphy, 12 High Hill Ct., who is also an ice cream vendor, commented in support of the Ordinance change.

There were no further comments and the hearing was closed.

Motion by McNally, second by Asay, that Ordinance #2489 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, 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 4-2 "Sales of Goods and Services" Section 12.1(d) "Sale of Ice Cream" read in its entirety as follows:

d. Ice cream may be sold or offered for sale not only in sealed containers but also by filling of individual containers with ice cream in or from any vehicle from the street, highway or any other public place in accordance with any state regulations governing the health of such sales.

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 Fields, second by Grochala, that Resolution #2022-0101 be removed from the Consent Agenda, and that the remaining items be approved.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:
 Abstain:
 Motion carried.

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

Resolution #2022-0095 - Approval of the Bill List Dated 01/25/2022

BE IT RESOLVED, that the bill list dated 01/25/2022 be audited, and if found correct, be paid.

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

131314	01/25/22	90395 NERI, MARK	81.74		1625	Direct Deposit
131315	01/25/22	90400 ALBANESE, CHRISTOPHER	246.58		1625	Direct Deposit
131316	01/25/22	90504 COWELL, TRICIA	230.00		1625	Direct Deposit
131317	01/25/22	90664 POLIZZI, TIMOTHY	86.20		1625	Direct Deposit
131318	01/25/22	A0398 STERLING TALENT SOLUTIONS	172.50		1625	Direct Deposit
131319	01/25/22	A0453 AMAZON.COM	141.94		1625	Direct Deposit
131320	01/25/22	C0083 CDW GOVERNMENT, INC.	12,207.35		1625	Direct Deposit
131321	01/25/22	C0442 CONTINENTAL FIRE & SAFETY, INC	3,936.80		1625	Direct Deposit
131322	01/25/22	D0020 DELTA DENTAL OF NJ	12,573.30		1625	Direct Deposit
131323	01/25/22	D0033 DEMCO, INC	28.99		1625	Direct Deposit
131324	01/25/22	D0380 DRIVERS TIRE & SERVICE CENTER	416.94		1625	Direct Deposit
131325	01/25/22	D0754 DC EXPRESS	797.74		1625	Direct Deposit
131326	01/25/22	E0224 EXCELLENT BUILDING SERVICES	2,795.00		1625	Direct Deposit
131327	01/25/22	G0201 GENERAL CODE LLC	1,195.00		1625	Direct Deposit
131328	01/25/22	G0305 GREAT AMERICAN SIGN COMPANY	240.00		1625	Direct Deposit
131329	01/25/22	K0354 KANOPY INC	430.00		1625	Direct Deposit
131330	01/25/22	M0261 M.A.I.N., INC.	1,312.50		1625	Direct Deposit
131331	01/25/22	M0342 MORTON'S MARKETING RESOURCES	467.50		1625	Direct Deposit
131332	01/25/22	N0189 NEW JERSEY FIRE EQUIPMENT CO.	17,712.00		1625	Direct Deposit
131333	01/25/22	N0482 NICOLETTI SNOW REMOVAL LLC	45,630.00		1625	Direct Deposit
131334	01/25/22	P0687 PETROCHOICE LLC	780.84		1625	Direct Deposit
131335	01/25/22	R0393 RESEARCH&DESIGN LANDSCAPE LLC	16,570.00		1625	Direct Deposit
131336	01/25/22	R0425 ROBINSON AERIAL SURVEYS, INC	4,838.64		1625	Direct Deposit
131337	01/25/22	R0824 REPUBLIC SERVICES OF NJ LLC	1,175.00		1625	Direct Deposit
131338	01/25/22	S0443 STAPLES ADVANTAGE	1,634.15		1625	Direct Deposit
131339	01/25/22	S1161 SETTEMBRINO ARCHITECTS	25,000.00		1625	Direct Deposit
131340	01/25/22	S1177 SAL ELECTRIC CO., INC.	7,423.12		1625	Direct Deposit
131341	01/25/22	T0378 THE GUARDIAN LIFE INS CO OF AM	93.61		1625	Direct Deposit
131342	01/25/22	V0020 VILLAGE OFFICE SUPPLY	144.53		1625	Direct Deposit
131343	01/25/22	W0241 W.B. MASON CO INC.	449.55		1625	Direct Deposit
131344	01/25/22	77049 195 MORRISTOWN ROAD LLC	20.27		1626	
131345	01/25/22	A0041 STEWART & STEVENSON POWER/ADDA	1,335.14		1626	
131346	01/25/22	A0126 AFLAC NEW YORK	137.94		1626	
131347	01/25/22	A0237 ACCUCUT SYSTEMS	63.00		1626	
131348	01/25/22	A0338 AFLAC	516.61		1626	
131349	01/25/22	A0694 ALVAREX, MAX	250.00		1626	
131350	01/25/22	A0716 ACB SERVICES INC	2,660.00		1626	
131351	01/25/22	A0717 AAA FACILITY SOLUTIONS LLC	3,700.83		1626	
131352	01/25/22	B0001 BAKER & TAYLOR, INC.	464.56		1626	
131353	01/25/22	B0017 BRIDGEWATER RESOURCES, INC.	466.59		1626	
131354	01/25/22	B0026 BERNARDS TOWNSHIP CURRENT	3,934.43		1626	
131355	01/25/22	B0029 BERNARDS TWP BD OF EDUCATION	7,980,080.00		1626	
131356	01/25/22	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	549,136.54		1626	
131357	01/25/22	B0044 BASKING RIDGE ANIMAL HOSPITAL	497.00		1626	
131358	01/25/22	B0154 ASSA ABLOY/BESAM	429.45		1626	
131359	01/25/22	B0690 BIBLIOTHECA LLC	6,588.71		1626	
131360	01/25/22	C0482 OPTIMUM	33.32		1626	
131361	01/25/22	C0482 OPTIMUM	11.45		1626	
131362	01/25/22	C0482 OPTIMUM	44.95		1626	
131363	01/25/22	C0522 CHATHAM LAWNMOWER SALES & SVC	83.12		1626	
131364	01/25/22	D0074 DIAMOND M LUMBER CO	793.56		1626	
131365	01/25/22	D0740 DOVER BRAKE & CLUTCH	194.34		1626	
131366	01/25/22	E0002 EDMUNDS GOVTECH	26,099.99		1626	
131367	01/25/22	E0297 EMR POWER SYSTEMS LLC	420.00		1626	
131368	01/25/22	F0052 FIT-RITE UNIFORM CO.INC	239.97		1626	
131369	01/25/22	F0148 FAIRFIELD MAINTENANCE INC	535.00		1626	
131370	01/25/22	F0171 FIRST CHOICE AUTO PARTS &	624.06		1626	
131371	01/25/22	G0066 GRAINGER INC	378.96		1626	
131372	01/25/22	G0098 JCP&L	20,111.54		1626	
131373	01/25/22	G0300 GOLD TYPE BUSINESS MACHINES	376.00		1626	
131374	01/25/22	H0178 HOSE SHOP, INC.	868.73		1626	
131375	01/25/22	H0428 HEALTHIER SOMERSET - RWJUH	100.00		1626	
131376	01/25/22	I0110 LIBRARY LINK NJ	193.28		1626	
131377	01/25/22	I0159 IMPERIAL DADE	1,131.19		1626	
131378	01/25/22	J0025 MEEKER SHARKEY & HURLEY	600.00		1626	
131379	01/25/22	K0259 KONICA MINOLTA PREMIER FINANCE	123.54		1626	
131380	01/25/22	K0259 KONICA MINOLTA PREMIER FINANCE	108.92		1626	
131381	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	110.74		1626	
131382	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	82.60		1626	
131383	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	133.02		1626	
131384	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	148.97		1626	
131385	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	133.42		1626	
131386	01/25/22	L0331 LEVITT'S LLC	2,530.00		1626	
131387	01/25/22	M0015 MCKESSON MEDICAL SURGICAL	2,280.05		1626	
131388	01/25/22	M0292 MUNCO OF NJ	75.00		1626	
131389	01/25/22	M0498 MP OVERHEAD DOORS	507.50		1626	
131390	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	31.85		1626	
131391	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	18.25		1626	
131392	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	199.14		1626	
131393	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	34.51		1626	
131394	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	26.00		1626	
131395	01/25/22	M0899 MR JOHN	130.00		1626	
131396	01/25/22	M1007 MALLICK, MALAYA	3,716.29		1626	
131397	01/25/22	N0006 NEW JERSEY AMERICAN WATER CO.	89,750.31		1626	

131398	01/25/22	N0023	TREASURER, STATE OF NEW JERSEY	19,130.00	1626
131399	01/25/22	N0035	NEW JERSEY PLANNING OFFICIALS	123.00	1626
131400	01/25/22	N0333	NJ PUBLIC SAFETY ACCRED COAL	300.00	1626
131401	01/25/22	N0419	NIXON, PAMELA	175.00	1626
131402	01/25/22	N0462	N M PREMIUM FOODS, INC	302.85	1626
131403	01/25/22	N0470	NATIONWIDE	146.70	1626
131404	01/25/22	O0100	OVERDRIVE, INC.	2,967.50	1626
131405	01/25/22	O0105	O.C.A. BENEFIT SERVICES, LLC	89.10	1626
131406	01/25/22	O0135	OUTHOUSE LLC	480.00	1626
131407	01/25/22	P0005	PITNEY BOWES, INC.	1,004.98	1626
131408	01/25/22	P0525	POWER PLACE, INC.	95.56	1626
131409	01/25/22	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	20.00	1626
131410	01/25/22	P0538	PROVIDENT LIFE & ACCIDENT	60.04	1626
131411	01/25/22	P0592	PERMITTECHNATION	50.00	1626
131412	01/25/22	P0602	LINDE GAS & EQUIPMENT INC	385.87	1626
131413	01/25/22	R0005	RECORDER PUBLISHING CO., INC	60.02	1626
131414	01/25/22	R0010	REIDER ASSOCIATES, INC.	1,133.90	1626
131415	01/25/22	R0023	RICHIES TIRE SERVICE, INC.	390.00	1626
131416	01/25/22	R0025	RIDGE RESTAURANT	97.44	1626
131417	01/25/22	R0043	REGISTRARS' ASSOCIATION OF NJ	75.00	1626
131418	01/25/22	R0050	ROTO-ROOTER	1,192.00	1626
131419	01/25/22	R0368	RPTC, LLC	12,932.50	1626
131420	01/25/22	R0493	RIDGE BAGEL & CAFE	407.92	1626
131421	01/25/22	S0875	SUNLIGHT GENERAL CAPITAL	91.62	1626
131422	01/25/22	S0950	THE SILVERMAN GROUP	48.02	1626
131423	01/25/22	S1007	SPRUCE INDUSTRIES	420.00	1626
131424	01/25/22	S1133	STARCREST KENNELS, LLC	1,913.75	1626
131425	01/25/22	T0029	TCTA OF NJ	100.00	1626
131426	01/25/22	T0286	TOWNSHIP OF RANDOLPH	1,100.00	1626
131427	01/25/22	T0498	TRINI AUTO GROUP LLC	810.00	1626
131428	01/25/22	V0058	VERIZON	760.91	1626
131429	01/25/22	V0084	VERIZON	639.27	1626
131430	01/25/22	V0124	VERIZON BUSINESS FIOS	364.99	1626
131431	01/25/22	V0185	VERIZON CONNECT	534.27	1626
131432	01/25/22	W0014	BEYER-WARNOCK FLEET	446.57	1626
131433	01/25/22	W0016	WARRENVILLE TRUE VALUE	22.14	1626
131434	01/25/22	W0056	WELDON CONCRETE CO.	140.48	1626
131435	01/25/22	W0347	EDWARD WACKS & ASSOCIATES, LLC	255.00	1626
131436	01/25/22	W0355	WARD, SUSAN S.	45.26	1626
131437	01/25/22	X0003	XEROX CORPORATION	263.27	1626
131438	01/25/22	X0005	XTel COMMUNICATION	477.55	1626

```

---
Report Totals          Paid      Void      Amount Paid      Amount Void
-----
Checks:                95        0      8,753,313.12      0.00
Direct Deposit:        30        0      158,811.52      0.00
=====
Total:                 125        0      8,912,124.64      0.00

```

```

---
Totals by Year-Fund
Fund Description      Fund      Budget Total      Revenue Total      G/L Total      Total
-----
CURRENT FUND          1-01          118,348.60          0.00          0.00          118,348.60
GOLF COURSE UTILITY   1-26           139.07          0.00          0.00           139.07
Year Total:           118,487.67          0.00          0.00          118,487.67
CURRENT FUND          2-01          8,696,734.95          0.00          0.00          8,696,734.95
DOG FUND              2-12           2,768.91          0.00          0.00           2,768.91
GOLF COURSE UTILITY   2-26           38.21          0.00          0.00           38.21
Year Total:           8,699,542.07          0.00          0.00          8,699,542.07
CAPITAL FUND          C-04           68,084.43          0.00          0.00           68,084.43
PUBLIC GRANTS         G-02           4,190.72          0.00          0.00           4,190.72
TRUST FUNDS          T-13           21,706.20          0.00          0.00          21,706.20
PROJECT              113.55          0.00          0.00          113.55
=====
Total Of All Funds:   8,912,124.64          0.00          0.00          8,912,124.64

```

Resolution #2022-0096 - Unused Vacation Accrual Due Jorge Casacuberta Public Works Department

WHEREAS, the Township Committee adopted Resolution No. 2022-0066 at their regularly scheduled meeting of January 4, 2022, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

WHEREAS, Jorge Casacuberta's employment terminated on January 5, 2022; and

WHEREAS, per the requirements of the Township's Personnel Policy, Jorge Casacuberta is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$66.11.

	Total Hours Available	Amount Due
Vacation Accrual	72	\$4,759.92

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 Streets & Roads S&W, Line Account #2-01-26-290-101 for an amount not to exceed \$4,759.92



Date: January 6, 2022

Sean McCarthy, CFO

Resolution #2022-0099 - Commendation on the Occasion of Your Retirement Debra Merghart – Library

WHEREAS, the Township Committee of the Township of Bernards desires to convey to you an expression of its appreciation and grateful acknowledgment for the valued services rendered by you as an employee of the Township of Bernards for the past 18+ years; and

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

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

WHEREAS, on the occasion of your 18+ years of service you are retiring to start the next challenging and exciting chapter of your life.

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

Signed and sealed on behalf of the Township Committee on this 25th Day of January, Two Thousand and Twenty-Two.

Resolution #2022-0100 – Release or Executive Session Minutes

WHEREAS, the topics discussed in the minutes below no longer need to be kept private.

NOW THEREFORE BE IT RESVOLED, by the Township Committee of the Township of Bernards that the following minutes, previously approved for content, now be approved for release.

<i>DATE</i>	<i>TOPIC</i>
06/15/2021	Personnel - Performance Evaluation - Township Administrator
11/09/2021	Personnel 2022 Board Appointments
11/23/2021	Personnel 2022 Board Appointments and Professional Appointments

Resolution #2022-0102 - Awarding Professional Services Contract for Storm Sewer Lining Design Services to Andrew S. Holt, P.E., P.P., C.M.E., Lic.#24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$34,108.00

WHEREAS, the Township of Bernards requires services for Storm Sewer Lining Design for the Newell Drive Reconstruction and Queen Anne Storm Sewer Project; and

WHEREAS, Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, has submitted a proposal dated January 12, 2022 outlining Professional Design Services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in the budget; the line-item appropriations or Capital Ordinance #2446-line account C-04-55-446-A08.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 12, 2022.
2. The contract term is from January 25, 2022, through July 24, 2022, for professional design services at the provided rate schedule with a not to exceed amount of \$34,108.00. Bid documents must be provided within 30 days.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the "not to exceed" contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Katelyn E. Dmitruk, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm
Suburban Consulting Engineers, Inc.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$34,108.00 in the line-item appropriations or Capital Ordinance #2446 line account: C-04-55-446-A08.

Date: January 19, 2022



Sean McCarthy, Chief Financial Officer

Resolution #2022-0103- Awarding Professional Services Contract for 2022 Site Inspection Services to Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$15,000.00
WHEREAS, the Township of Bernards requires Professional Site Inspection Services; and

WHEREAS, Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, has submitted a proposal dated January 3, 2022 outlining Professional Site Inspection Services to the Township; and

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

WHEREAS, this professional services contract is not subject to the requirements of N.J.S.A. 19:44A-20.4, *et seq* and Section 2-34 of the "Township Ordinances" as the Contract is under the threshold for the ordinance as well; and

WHEREAS, the Chief Financial Officer has certified funds are available in the Bernards Township Trust Fund Inspection Fees-Escrow, accounts #T-13-56-051-IFP and #T-13-56-050-IFO line-item appropriations or ordinances.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 3, 2022.
2. The contract term is from January 1, 2022, through December 31, 2022, for Professional Site Inspection Services not to exceed an amount of \$15,000.00
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the "not to exceed" contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Katelyn E. Dmitruck, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc.

CFO 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 amount not to exceed \$15,000.00. Monies are collected from the developers and held in escrow accounts; Trust, Inspection Fees: T-13-56-051 IFP and T-13-56-050-IFO.

Date: January 19, 2022



Sean McCarthy, Chief Financial Officer

Resolution #2022-0104 - First Amendment to Contract #C2021-0346 and Award of Change Order #1 for the Newell Drive Reconstruction & Queen Anne Storm Sewer Reivax Contracting Corp., 68 Finderne Ave., Bridgewater, NJ 08807 Decrease of \$123,600.00 (21.15%) For a new not to exceed amount of \$460,720.00
WHEREAS, Bernards Township approved resolution #2021-0346 on September 14, 2021, awarding the Newell Drive Reconstruction and Queen Anne Storm Sewer project to Reivax Contracting Corp. in the amount of \$584,320.00; and

WHEREAS, the project specifications includes the repair of corrugated metal pipes on Newell Drive and Queen Anne Drive via the method of Centrifugally Cast Concrete; and

WHEREAS, the contractor contends that the Centrifugally Cast Concrete pipe repair method on Newell Drive and Queen Anne Drive would not be a viable option due to the height of the arch shaped pipe; and

WHEREAS, the Engineering Department and Reivax Contracting were unable to agree on a change order for an alternative repair method; and

WHEREAS, it is the recommendation of the Township Engineer to Amend the Contract with Reivax Contracting Corp. to remove bid item #27, 22"x 36" Centrifugally Cast Concrete Pipe, and bid item #28, 30" Centrifugally Cast Concrete Pipe, from the Contract and pursue the necessary repairs with a separate bid from a contractor who specializes in pipe lining; and

WHEREAS, in this First Amendment the Contractor agrees to complete all remaining Contract items on or before an extended completion date of May 31, 2022; and,

WHEREAS, as a result of this First Amendment; the original Contract Sum will decrease by 21.15%; with a new Contract Sum of \$460,720.00 subject to any future additions and deductions as provided in the Contract Documents; and

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award Change Order #1 to Reivax Contracting Corp; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey, that the mayor is hereby authorized to execute the First Amendment to Contract #C2021-0346 and the Purchasing Agent is hereby authorized to issue Change Order #1 to Reivax Contracting Corp., 68 FINDERNE Ave., Bridgewater, NJ 08807.

[Resolution #2022-0105](#) - *Personnel Appointment Ronald Simpson – Part-Time Field Inspector– Tax Assessor*

WHEREAS, the tax Assessor's Office requires a part-time Field Inspector; and

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

WHEREAS, Ronald Simpson has applied for and is qualified to fill said position; and

WHEREAS, the Tax Assessor, Township Administrator, Chief Financial Officer and Human Resources Officer recommend appointment of Ronald Simpson to part-time Field Inspector.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Ronald Simpson be appointed part-time Field Inspector with a hire date of Monday, January 31, 2022, at an hourly rate of \$18.50 for a 20-hour work week.

[Resolution #2022-0106](#) - *Personnel Appointment Lori Zrebiec – Library Assistant-Public Relations/Communications Bernards Township Library*

WHEREAS, the Library Assistant-Public Relations/Communications position became available due to a vacancy; and

WHEREAS, the Library Director, Library Board and Human Resources Officer have deemed it necessary to fill this position; and

WHEREAS, Lori Zrebiec has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Human Resources Officer recommend appointment of Lori Zrebiec to the position of Library Assistant-Public Relations/Communications.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Lori Zrebiec be appointed Library Assistant-Public Relations/Communications with a start date of February 7, 2022, at an hourly rate of \$18.00 for a 12-hour work week.

[Resolution #2022-0107](#) - *Personnel Appointment Susan Sample-Duffy – Library Assistant-Children's Services Bernards Township Library*

WHEREAS, the Library Assistant-Children's Services position became available due to a vacancy; and

WHEREAS, the Library Director, Library Board and Human Resources Officer have deemed it necessary to fill this position; and

WHEREAS, Susan Sample-Duffy has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Human Resources Officer recommend appointment of Susan Sample-Duffy to the position of Library Assistant-Children's Services.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Susan Sample-Duffy be appointed Library Assistant-Children's Services with a start date of January 31, 2022, at an hourly rate of \$14.50 for a 12-hour work week.

[Resolution #2022-0108](#) - *Unused Vacation Accrual Due Debra Merghart – Library*

WHEREAS, the Township Committee adopted Resolution No. 2022-0066 at their regularly scheduled meeting of January 4, 2022, accepting the Personnel Policies and Procedures that outline pay-outs due at the time of retirement; and

WHEREAS, Debra Merghart, will retire from Bernards Township effective February 1, 2022; and

WHEREAS, per the requirements of the Township's Personnel Policy, Debra Merghart is entitled to a Vacation Time Accrual payment for unused vacation time as calculated below based on an hourly rate of \$26.80. If the employee uses vacation time prior to her retirement date, the calculation below could be less but not more:

	Total Hours Available	Amount Due
Vacation Accrual	192.75	\$5,165.70

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 following her separation.

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 Library S&W, Line Account #1-01-29-390-101 for an amount not to exceed \$5,165.70



Sean McCarthy, CFO

Date: January 19, 2022

[Resolution #2022-0109](#) – *Interlocal Services Agreement for the Provision of 2022 Somerset County Recycling Pickup to the Township of Bernards*

WHEREAS, the Township of Bernards requires recycling pickup; and

WHEREAS, the County of Somerset has indicated a willingness to provide recycling pickup pursuant to and on the terms set forth herein and, in a contract, dated January 25, 2022; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, the County of Somerset already has in place a recycling pickup program.


NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the County of Somerset, to implement recycling pickup, subject to the terms and provisions set forth below and, in a contract, dated January 25, 2022.

THIS AGREEMENT sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the County of Somerset for recycling pickup for the calendar year 2022 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The rate is \$26.70 per household. The number of households will be adjusted on a quarterly basis, when and if appropriate.

CFO 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 amount of \$26.70 per household. Monies will be made available after Budget Adoption, and subsequently transferred to Trust Fund – Reserve for Recycling. Note: Amount budgeted for curbside recycling is annually transferred to the Bernards Township Trust Fund after budget adoption. These funds are earmarked exclusively for Recycling Expenditures.



Sean McCarthy,
Chief Financial Officer

Date: January 19, 2022

[Resolution #2022-0110](#) - *Personnel Appointment Brandon Williams – Staff Engineer – Engineering*

WHEREAS, the Staff Engineer position became available due to a vacancy; and

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

WHEREAS, Brandon Williams has applied for and is qualified to fill said position; and

WHEREAS, the Township Engineer, Township Administrator, Chief Financial Officer and Human Resources Officer recommend appointment of Brandon Williams to the position of Staff Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Brandon Williams be appointed Staff Engineer with a start date of January 31, 2022, at an hourly rate of \$30.00 for a 40-hour work week.

[Resolution #2022-0111](#)- *Personnel Appointment Ryan Wallace – Superintendent of Public Works – Public Works Department*

WHEREAS, the full time position of Superintendent of Public Works become vacant due to a resignation; and

WHEREAS, the Township Administrator and Human Resources Officer have deemed it necessary to fill this position; and

WHEREAS, Ryan Wallace has applied for and is qualified to fill said position; and

WHEREAS, the Township Administrator and Human Resources Officer recommend appointment of Ryan Wallace to full time Superintendent of Public Works.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Ryan Wallace be appointed full time Superintendent of Public Works with a hire date of Monday, February 14, 2022, at an annual rate of \$120,000.00 for a 40 hour work week.

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

The mayor rescued himself from the following discussion and left the dais. Deputy Mayor, McNally presided over the meeting.

[Resolution #2022-0101](#) – *Personnel Appointment Nicholas Brett – Patrol Officer – Police Department*

Motion by Fields, second by Grochala, that Resolution #2022-0101 be approved.

Roll Call:

Aye: Asay, Fields, Grochala, McNally

Nay:

Abstain:

Motion carried.

WHEREAS, the full-time position of Patrol Officer became vacant due to a resignation; and

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

WHEREAS, Nicholas Brett has applied for and is qualified to fill said position; and

WHEREAS, the Chief of Police, Township Administrator and Human Resources Officer recommend appointment of Nicholas Brett to full time Patrol Officer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Nicholas Brett be appointed full time Patrol Officer effective Wednesday, March 16, 2022, at an annual salary of \$49,992.00 which is in accordance with the Policemen's Benevolent Association, Local No. 357 Contract.

The Mayor returned to the dais and continued presiding over the meeting.

[Ordinance #2491](#) - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 14 "Fire Prevention," Section 14-3 "Permits, Additional Fees and Inspections", Subsection 14-3.2 "Additional Required Inspections and Fees", Subsection 14-3.3 "Mobile Food Vendors", Section 14-3B "Non-Life Hazard Use Inspection Fees," Subsection 14-3B.1 "Fees Established" – Introduction

The clerk read the ordinance by title. Motion by McNally, second by Fields that Ordinance #2491 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 02/15/2022.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Nay:

Abstain:

Motion carried.

Township Committee Appointment:

All township committee members unanimously agreed that the following appointment be approved.

Municipal Alliance, Karen Gray, BOE Representative, 1 year term, filling the unexpired term of Jennifer Korn, expiring 12/31/2022.

Approval of Minutes:

01/11/2022 Open Session Minutes

Motion by McNally second by Grochala, and unanimously agreed that the 01/11/2022 Open Session minutes be approved for content and release.

EXECUTIVE SESSION (if required)

None.

ADJOURNMENT

Motion by Fields, second by Asay, and unanimously agreed to adjourn the meeting at 9:02 PM.

Rhonda Pisano
Municipal Clerk

James Baldassare, Jr.
Mayor

Approved: 02/15/2022