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April 12, 2022 – 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: Asay, Grochala, Fields, McNally, Baldassare, Jr.

Absent:

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

EXECUTIVE SESSION - [Resolution #2022-0204](#)

Motion by Fields, second by Asay, and unanimously agreed that Resolution #2022-0204 be approved. The meeting temporarily adjourned to Executive Session at 7: 32 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 pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. *Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded, or the circumstances no longer present a potential impact.*

Attorney Client Privilege - to Discuss Term, Pricing and Possible Issuance of Liquor License. Upon resolution

The meeting resumed in open session at 7:59 PM and stood in recess until 8:00 PM.

PUBLIC WORK SESSION (if required)

None.

REPORTS

None.

PRESENTATION

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

The mayor opened public comment. There were no comments from the public and the comment period was closed.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

Staff provided comments and committee members reported on their appointed boards and activities.

FIRE & RESCUE APPOINTMENT

[Resolution #2022-0192](#) - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 - Ella Quincy, Junior Member

Motion by Grochala, second by McNally, and unanimously agreed that Resolution #2022-0192 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 First Aid Squad of the Basking Ridge Fire Company #1 is recommending Ella Quincy, residing at 53 North Maple Avenue, 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 First Aid Squad of the Basking Ridge Fire Company #1 effective this date.

[Resolution #2022-0205](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad - Eric R. Keller

Motion by Fields, second by Grochala, and unanimously agreed that Resolution #2022-0205 be approved.

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

WHEREAS, the Liberty Corner First Aid Squad is recommending Eric R. Keller, residing at 94 Governor Drive, Basking Ridge, NJ, for appointment as a member.

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

UNFINISHED BUSINESS

[Ordinance #2494](#) - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 12 "Building and Housing," Section 1-3 "Construction Fee Schedule"- 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 McNally, that Ordinance #2494 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 12, "Building and Housing," Section 1-3 "Construction Fee Schedule" of the Revised General Ordinances of the Township of Bernards is hereby amended: (new text is in **double underline**; deletions are **stricken**):

§ 12-1.3 Construction Fee Schedule.

[Ord. #413, § 3; Ord. #663; Ord. #725; Ord. #883; Ord. #851; Ord. #948; Ord. #1109, § 1; Ord. #1025, § 1; Ord. #1255, 6-10-1997, amended; Ord. #1302, 5-12-1998, amended; Ord. #1354, 4-13-1999, amended; Ord. #1390, 12-28-1999, amended; Ord. #1451, 3-13-2001, amended; Ord. #1568, 8-13-2002, amended; Ord. #1579, 9-10-2002, amended; Ord. #1631, 3-25-2003, amended; Ord. #1769, 12-28-2004, amended; Ord. #1896, 8-29-2006, amended]

- a. The fee for a construction permit shall be the sum of the subcode fees listed as follows, where applicable, and shall be paid before a permit is issued.
 1. Building subcode fees:

- (a) For new construction and additions: \$0.035 per cubic foot of building or structure volume. For commercial farm buildings as defined in N.J.S.A. 52:27D-121, the fee shall be \$0.008 per cubic foot for the first 100,000 cubic feet of construction and \$0.006 for each cubic foot in excess of 100,000 cubic feet of building or structure volume. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (b) For renovations, alterations, repairs, solar systems and communication towers: \$30 per \$1,000 for the first \$50,000, \$24 per \$1,000 from \$50,000 to \$100,000 and \$21 per \$1,000 over \$100,001 of the estimated cost of the work. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (c) For retaining walls:
 - (1) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: \$125. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (2) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: \$80. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (3) A retaining wall of any size at other than a Class 3 residential structure: the fee shall be calculated in accordance with Section 12-1.3a1(b) of this chapter.
- (d) For combination of renovations and additions: the sum of the fees computed separately as renovations and additions.
- (e) Swimming pools. [Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (1) For aboveground pools: \$80.
 - (2) For in-ground pools: \$175.
 - (3) For in-ground hot tubs: \$125.
- (f) For the construction or placement of an unclassified structure, including but not limited to fences, tents, sheds and temporary trailers: \$80. For accessory structures over one story in height: \$200. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (g) The fee for a demolition permit shall be as follows: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]
 - (1) Commercial building or structure: \$200. [Ord. #2412, 2-26-2019, amended]
 - (2) Use Groups R-2, R-3, R-4 and R-5 building or structure: \$80.
 - (3) Unclassified structures, oil/fuel tank removal or abandonment or pools: \$80 each. [Ord. #2412, 2-26-2019, amended]
- (h) The fee for a permit to erect a sign: [Ord. #2331, 2-9-2016, amended]
 - (1) Permanent sign: \$3 per square foot of sign area. Fees for double-faced signs shall be based on the total square footage of one side only.
- (i) Radon systems: \$40. [Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]
- (j) Roofing or siding: \$80. (Use Groups R-2, R-3 and R-4) including Use Group U that is an accessory to R-2, R-3 and R-4. All other Use Groups charged per Subsection 12-1.3.a.1.(b) of this chapter. [Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (k) Asbestos abatement in accordance with N.J.A.C. 5:23-8: \$70 and \$14 per certificate of occupancy.
- (l) Lead hazard abatement in accordance with N.J.A.C. 5:17: \$70 and \$14 per lead abatement certificate.
- 2. Certificates of occupancy fees, miscellaneous fees and waiver of fees: [Ord. #1907, 12-26-2006, amended; Ord. #2055, 3-10-2009, amended]
 - (a) The fee for a certificate of occupancy for Use Groups R-2, R-3, R-4 and R-5 shall be \$100. [Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (b) The fee for a certificate of occupancy for other than Use Groups R-2, R-3, R-4 and R-5 shall be 10% of the total construction permit fee. [Ord. #2316, 5-12-2015, amended]
 - (c) The fee for a certificate of continued occupancy: \$550. [Ord. #2331, 2-9-2016, amended]
 - (d) The fee for a change of use: \$350. [Ord. #2331, 2-9-2016, amended]
 - (e) Certificate of approval: no fee.
 - (f) Temporary certificate of occupancy: \$30 for the issuance and/or renewal of any temporary certificate. [Ord. #2331, 2-9-2016, amended]
 - (g) Public swimming pools, spas and hot tubs except for one- or two-family residential property, review of bonding and grounding certificate: \$100 for each pool, spa or hot tub renewable every five years. [Ord. #2152, 2-15-2011, amended]
 - (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. [Ord. #2468, 4-27-2021, added]
 - (h) Public swimming pools, spas and hot tubs except for one- or two-family residential property, electrical inspection to include issuance of certificate of compliance: \$100 annually for each pool, spa or hot tub. [Ord. #2152, 2-15-2011, amended]
 - (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. [Ord. #2468, 4-27-2021, added]

- (i) The fee to reinstate a lapsed permit: 25% of the initial fee, provided that such application is made within one year from the date the initial permit lapsed. Thereafter, the fee to reinstate the permit shall be 100%.
- (j) The fee for an application to the Construction Board of Appeals shall be based on the fee currently adopted by the County of Somerset and payable to the County of Somerset. [Ord. #2412, 2-26-2019, amended]
- (k) The fee for an application for a variation:
 - (1) Commercial: \$100.
 - (2) Use Groups R-2, R-3, R-4 and R-5: \$50.
- (l) Annual permits issued in accordance with N.J.A.C. 5:23-2.14(c):
 - (1) One to 25 workers: \$500 per worker.
 - (2) Over 25 workers: \$200 per worker.
- (3) Training fee in accordance with N.J.A.C. 5:23-4.18(a)5: \$140 per subcode.
- (m) The fee for plan review shall be 25% of the amount to be charged for the construction permit or the amount listed below and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. Plan review fees are not refundable. Plan revisions \$80 to be paid at the time of submission.
- (n) The minimum permit fee for a basic construction permit covering any or all of building, electrical, plumbing or fire protection work: \$80. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (o) New Jersey State permit surcharge fees: Fees shall be collected in accordance with N.J.A.C. 5:23-4.19.
- (p) Waiver of fees: All construction permit fees, ~~including the State of New Jersey training surcharge fee,~~ for any work requiring a construction permit shall be waived for the following buildings:
 - (1) Buildings owned and operated by Bernards Township, Somerset County, State of New Jersey, or the federal government.
 - (2) Buildings owned and operated by the Bernards Township Board of Education. In accordance with N.J.A.C. 5:23-3.11A(b)2, buildings owned and operated by the Bernards Township Board of Education are subject to payment of the plan review fee as required in Paragraph (m) above. [Ord. #2152, 2-15-2011, amended]
 - (3) Designs solely to promote accessibility by the handicapped to an existing structure. [Ord. #2412, 2-26-2019, amended]
 - (4) Rehabilitation of low- or moderate-income housing in accordance with N.J.S.A. 52:27D-126d.
 - (5) Buildings owned by the Bernards Township Volunteer Emergency Services are exempt from Township construction permit fees only. [Ord. #2426, 8-27-2019, added]
- (q) Annual review for commercial backflow prevention device certificate: \$50 each device. [Ord. #2093, 12-15-2009, added; Ord. #2152, 2-15-2011, amended]
 - (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. [Ord. #2468, 4-27-2021, added]
 - (r) Change of contractor: \$25 per subcode. [Ord. #2152, 2-15-2011, added]
 - (s) Change of ownership of a permit: \$100. [Ord. #2152, 2-15-2011, added]
 - (t) Change of ownership of a permit for a new dwelling: \$500. [Ord. #2468, 4-27-2021, added]
- 3. Electrical subcode fees:
 - (a) Fixtures and devices. For the purpose of computing this fee, receptacles, switches, fixtures, convenience receptacles or similar fixtures and motors and devices of one horsepower or one kilowatt or less shall be counted and totaled. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]
 - (1) First 50 fixtures or devices: \$80. [Ord. #2412, 2-26-2019, amended]
 - (2) Each fixture or device over 50: \$2 each.
 - (b) Swimming pools, in-ground spas and hot tubs: \$200. [Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (c) Storable pool or spa: \$80. [Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]

Calculating. For the purpose of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

- (d) Motors/electrical devices: [Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]
 - (1) One to 10 horsepower: \$40.
 - (2) To 50 horsepower: \$80.
 - (3) To 100 horsepower: \$125.
 - (4) Above 100 horsepower: \$200.
- (e) Transformers/generators: [Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]
 - (1) One to 10 kilowatt: \$40.
 - (2) To 45 kilowatt: \$75.
 - (3) To 112.5 kilowatt: \$125.
 - (4) Above 112.5 kilowatt: \$200.
- (f) Services/panels/subpanels/transfer switches: [Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]

- (1) To 100 amperes: \$80.
- (2) To 200 amperes: \$125.
- (3) To 300 amperes: \$200.
- (4) To 400 amperes: \$225.
- (5) To 800 amperes: \$275.
- (6) To 1,000 amperes: \$500.
- (7) To 1,200 amperes: \$750.
- (8) Above 1,200 amperes: \$1,000.
- (g) Radon systems: \$40. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (h) Rain sensors for irrigation systems: \$40. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (i) Future conduit run without connection: [Ord. #2331, 2-9-2016, amended]
 - (1) Up to 300 feet: \$100.
 - (2) Over 300 feet: \$250.
- (j) Photovoltaic solar systems. [Ord. #2093, 12-15-2009, added; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (1) One to 50 kw: \$150.
 - (2) Fifty-one to 100 kw: \$300.
 - (3) Greater than 100 kw: \$1,000.
- (k) Bonding of CSST gas piping: \$40. [Ord. #2185, 2-28-2012, added; Ord. #2412, 2-26-2019, amended]
4. Plumbing subcode fees: [Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]
 - (a) Fixtures, including devices and stacks: \$20.
 - (b) Water service connection: \$80.
 - (c) Sewer tie-in and septic: \$80.
 - (d) Gas connections: \$80. Each additional connection shall be \$10.
 - (e) Boilers (including pool heaters): \$80.
 - (f) Water-cooled air-conditioning and refrigeration systems: \$250.
 - (g) Air-conditioning systems: \$40.
 - (h) Backflow preventers:
 - (1) Use Groups R-2, R-3, R-4 and R-5: \$40.
 - (2) Other use groups: \$150.
 - (i) Pumps: \$80.
 - (j) Grease traps, interceptors and oil separators: \$80.
 - (k) Solar heating devices: \$80.
 - (l) Steam generator (shower): \$40.
 - (m) LP gas tank and associated connections: \$80.
 - (n) Fuel oil connections: \$40.
 - (o) Radiant floor heat: \$80.
 - (p) Water heater, fuel-fired: \$80.
 - (q) Water heater, electric: \$40.
 - (r) Swimming pool drains: \$80.
 - (s) Furnace in Use Groups R-3 and R-5: \$80.
 - (t) Gas logs in Use Groups R-3 and R-5: \$40.
 - (u) Generators in Use Groups R-3 and R-5: \$40.
 - (v) Gas fireplaces in Use Groups R-3 and R-5: \$80. [Ord. #2468, 4-27-2021, amended]
5. Fire protection fees:
 - (a) Automatic fire alarm systems: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]

Number of Smoke/Heat Detectors and Mass Evacuation Speakers	Fee
1 to 20	\$80
21 to 100	\$150
101 to 200	\$250
201 to 400	\$600
401 to 1,000	\$825
Over 1,000	\$1,200

- (b) Automatic fire sprinkler systems: [Ord. #2316, 5-12-2015, amended]

Number of Sprinkler Heads	Fee
1 to 20	\$100
21 to 100	\$150
101 to 200	\$260

Number of Sprinkler Heads	Fee
201 to 400	\$675
401 to 1,000	\$900
Over 1,000	\$1,350

- (c) Pre-engineered systems:
 - (1) CO2 suppression: \$150.
 - (2) FM-200: \$150.
 - (3) Foam system: \$150.
 - (4) Dry chemical: \$150.
 - (5) Wet chemical: \$150.
- (d) Commercial kitchen hood: \$100.
- (e) Heat-producing devices and venting: [Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]
 - (1) Factory-built wood fireplaces and solid fuel stoves: \$80.
 - (2) Furnaces in all Use Groups except R-3 and R-5: \$80.
 - (3) Gas logs in all Use Groups except R-3 and R-5: \$80.
 - (4) Factory-built chimneys: \$80.
 - (5) Chimney lining in all Use Groups except R-3 and R-5: \$80.
 - (6) Generators in all Use Groups except R-3 and R-5: \$80.
 - (7) Fuel-fired appliances in new construction, per appliance: \$80.
 - (f) Standpipe systems: \$200 each riser.
 - (g) Fire pumps: \$200.
 - (h) Preaction valve: \$200.
 - (i) Dry pipe valve: \$200.
 - (j) Drafting systems: \$200. [Ord. #2055, 3-10-2009, amended]
 - (k) Smoke control system: \$200.
 - (l) Supervisory and signaling devices: \$15 each. [Ord. #2331, 2-9-2016, amended]
 - (m) Fuel storage tank installation: [Ord. #2055, 3-10-2009, amended]
 - (1) Use Groups R-2, R-3, R-4 and R-5: \$40. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (2) All other use groups: \$200.
 - (n) Roof-mounted solar systems: \$80. [Ord. #2468, 4-27-2021, added]
 - (o) Fire hydrants: \$80 each. [Ord. #2468, 4-27-2021, added]
- 6. Mechanical subcode fees: [Ord. #2398, 8-14-2018, added; Ord. #2412, 2-26-2019, amended]
 - (a) Water heater: \$80 each.
 - (b) Boiler: \$80 each.
 - (c) Furnace: \$80 each.
 - (d) Oil tank: \$40 each.
 - (e) LP tank: \$40 each.
 - (f) Kerosene tank: \$40 each.
 - (g) Air conditioning: \$40 each.
 - (h) Gas fireplace: \$80 each.
 - (i) Gas log set: \$40 each.
 - (j) Gas log lighter: \$40 each.
 - (k) Gas heater: \$80 each.
 - (l) Kerosene heater: \$80 each.
 - (m) Oil heater: \$80 each.
 - (n) Generator: \$40 each.
 - (o) Gas piping connection: \$80. Each additional connection shall be \$10.
 - (p) Oil piping connection: \$40.
 - (q) Chimney liner: \$80 each.
- 7. Elevator subcode fees:
 - (a) Elevator subcode fees shall be in accordance with the elevator subcode fee schedule as adopted in the New Jersey Uniform Construction Code.

Ordinance #2495 - An Ordinance of the Township of Bernards Appropriating \$500,000.00 for Various Capital Improvements - 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 #2495 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

BE IT ORDAINED by the Township Committee of the Township of Bernards in the County of Somerset, New Jersey that the sum of \$500,000.00 is hereby appropriated from the Capital Improvement Fund for the following purposes:

A	\$500,000.00	Purchase of Motor Vehicle Fleet Replacements including, but not limited to DPW Equipment Vehicles, Passenger Vehicles and Trailers
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Any grant moneys received for the purposes described above hereof shall be applied to direct payment of the cost of the improvements and shall reduce the amount authorized from the capital improvement fund to the extent that such funds are so used.

The period of usefulness is five years or more. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services is on file with the Township Clerk and are available for public inspection.

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

[Ordinance #2496](#) - *Accepting a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Property Located at 282 Stonehouse Road; Block 8101, Lot 9, from Carmine and Cynthia DiNardo 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 Asay, that Ordinance #2496 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare

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 Carmine and Cynthia DiNardo, with a mailing address at 282 Stonehouse Road, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Block 8101, Lot 9, 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.

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 Asay, second by Fields, that the Consent Agenda be approved.

Roll Call:

Aye: Asay, Grochala, Fields, McNally, Baldassare

Nay:
Abstain:
Motion carried.

****Begin Consent Agenda****

Resolution #2022-0190 - Approval of the Bill List Dated 04/12/2022

BE IT RESOLVED, that the bill list dated 04/12/2022 be audited, and if found correct, be paid.

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
132047	03/30/22	P0013 PUBLIC EMP. RETIREMENT SYSTEM	1,176,770.00	1635
132048	03/30/22	P0032 POLICE & FIREMENS RETIREMENT	1,400,253.00	1635
132049	04/12/22	90220 BETTLER, DENNIS	28.00	1636 Direct Deposit
132050	04/12/22	90239 SCHLEY, DAVID L	130.00	1636 Direct Deposit
132051	04/12/22	90270 GELETA, ERIC M.	524.98	1636 Direct Deposit
132052	04/12/22	90395 NERI, MARK	35.42	1636 Direct Deposit
132053	04/12/22	90504 COWELL, TRICIA	203.70	1636 Direct Deposit
132054	04/12/22	90522 BARBER, JACQUELINE	11.02	1636 Direct Deposit
132055	04/12/22	90590 MARTEN, RHYS	1,584.02	1636 Direct Deposit
132056	04/12/22	90613 RIVERA, ANNMARIE	19.36	1636 Direct Deposit
132057	04/12/22	90639 ABOOSAMARA, DOMINICK	241.51	1636 Direct Deposit
132058	04/12/22	90640 MOORE, JD	538.35	1636 Direct Deposit
132059	04/12/22	90647 KESSELMAYER, EMILY	350.00	1636 Direct Deposit
132060	04/12/22	90664 POLIZZI, TIMOTHY	1,446.36	1636 Direct Deposit
132061	04/12/22	90666 MCCREA, ALEC	509.97	1636 Direct Deposit
132062	04/12/22	A0150 ATLANTIC SALT, INC.	32,204.80	1636 Direct Deposit
132063	04/12/22	A0168 ALLIED OIL COMPANY, LLC	17,264.94	1636 Direct Deposit
132064	04/12/22	A0453 AMAZON.COM	1,532.80	1636 Direct Deposit
132065	04/12/22	A0611 AMERICAN WEAR, INC	1,174.06	1636 Direct Deposit
132066	04/12/22	A0716 ACB SERVICES INC	2,660.00	1636 Direct Deposit
132067	04/12/22	B0581 BUY WISE AUTO PARTS	1,274.50	1636 Direct Deposit
132068	04/12/22	C0434 CENTRAL JERSEY CONSTRUCTION	52,015.00	1636 Direct Deposit
132069	04/12/22	D0754 DC EXPRESS	922.31	1636 Direct Deposit
132070	04/12/22	G0674 GALLS, LLC	217.04	1636 Direct Deposit
132071	04/12/22	H0420 HARMONY TREE CARE LLC	8,600.00	1636 Direct Deposit
132072	04/12/22	K0354 KANOPY INC	296.00	1636 Direct Deposit
132073	04/12/22	M0261 M.A.I.N., INC.	71,001.48	1636 Direct Deposit
132074	04/12/22	M0353 MIDWEST TAPE LLC	1,556.88	1636 Direct Deposit
132075	04/12/22	M0830 MOTT MACDONALD LLC	314.00	1636 Direct Deposit
132076	04/12/22	P0706 PARTS AUTHORITY LLC	152.95	1636 Direct Deposit
132077	04/12/22	S0016 STORR TRACTOR COMPANY	98.80	1636 Direct Deposit
132078	04/12/22	S1177 SAL ELECTRIC CO., INC.	2,426.05	1636 Direct Deposit
132079	04/12/22	T0066 CENGAGE LEARNING CREDIT SVCS	56.98	1636 Direct Deposit
132080	04/12/22	T0192 TURN OUT UNIFORMS INC	250.98	1636 Direct Deposit
132081	04/12/22	W0241 W.B. MASON CO INC.	395.00	1636 Direct Deposit
132082	04/12/22	A0232 ARROW ELEVATOR, INC.	330.00	1637
132083	04/12/22	A0425 ATLANTIC TACTICAL	774.91	1637
132084	04/12/22	A0670 AQUARIUS SUPPLY INC	4,367.48	1637
132085	04/12/22	A0717 AAA FACILITY SOLUTIONS LLC	3,700.83	1637
132086	04/12/22	B0001 BAKER & TAYLOR, INC.	2,259.13	1637
132087	04/12/22	B0017 BRIDGEWATER RESOURCES, INC.	1,683.02	1637
132088	04/12/22	B0024 BEN SHAFFER RECREATION INC	7,228.95	1637
132089	04/12/22	B0026 BERNARDS TOWNSHIP CURRENT	81,404.68	1637
132090	04/12/22	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	585,775.75	1637
132091	04/12/22	B0044 BASKING RIDGE ANIMAL HOSPITAL	18.00	1637
132092	04/12/22	B0447 BRODART LIBRARY SUPPLIES&FURN	108.86	1637
132093	04/12/22	B0518 BERNARDSVILLE HARDWARE	17.96	1637
132094	04/12/22	B0831 BADGE COMPANY OF NJ LLC	175.00	1637
132095	04/12/22	C0346 CROWN TROPHY OF GREEN BROOK	1,080.00	1637
132096	04/12/22	C0482 OPTIMUM	11.45	1637
132097	04/12/22	C0482 OPTIMUM	33.32	1637
132098	04/12/22	C0482 OPTIMUM	138.44	1637
132099	04/12/22	C0597 CLIFFSIDE BODY CORPORATION	1,371.74	1637
132100	04/12/22	C0613 CIGNA GROUP INSURANCE	1,564.74	1637
132101	04/12/22	C0697 BB&T/CPS	10.56	1637
132102	04/12/22	C0773 COMMUNITY HOME CARE	659.00	1637
132103	04/12/22	C0774 COLONIAL LIFE & ACC INSURANCE	643.94	1637
132104	04/12/22	C0939 CONCORD THEATRICALS CORP.	412.50	1637
132105	04/12/22	D0319 DRAEGER, INC	179.00	1637
132106	04/12/22	D0740 DOVER BRAKE & CLUTCH	190.82	1637
132107	04/12/22	E0180 ENFORSYS POLICE SYSTEMS, INC	15,375.00	1637
132108	04/12/22	E0185 EDWARDS TIRE COMPANY	2,678.03	1637
132109	04/12/22	E0231 EKA ASSOCIATES, P.A.	560.00	1637
132110	04/12/22	E0235 ESRI, INC.	2,900.00	1637
132111	04/12/22	E0327 ELITE VEHICLE SOLUTIONS	10,961.25	1637
132112	04/12/22	F0001 FEDEX	3.46	1637
132113	04/12/22	F0047 FULLERTON FORD	393.29	1637
132114	04/12/22	F0148 FAIRFIELD MAINTENANCE INC	375.00	1637
132115	04/12/22	F0158 FLEMINGTON DEPARTMENT STORE	15.90	1637
132116	04/12/22	F0326 FX AUTOMOTIVE LLC	581.66	1637
132117	04/12/22	F0330 FIDELITY SECURITY LIFE INS	341.88	1637
132118	04/12/22	F0377 FARKAS, JOEL	175.00	1637
132119	04/12/22	G0066 GRAINGER INC	1,880.25	1637
132120	04/12/22	G0098 JCP&L	4,181.86	1637
132121	04/12/22	G0300 GOLD TYPE BUSINESS MACHINES	4,920.50	1637
132122	04/12/22	G0333 BEDMINSTER CAR WASH	177.90	1637
132123	04/12/22	G0509 GREEN ROCK RECYCLING	1,175.00	1637
132124	04/12/22	G0670 GLOBAL SOLUTIONS GROUP INC	3,904.00	1637
132125	04/12/22	H0004 HEALTH DEPARTMENT PETTY CASH	13.59	1637
132126	04/12/22	H0178 HOSE SHOP, INC.	121.98	1637
132127	04/12/22	H0235 HOOVER TRUCK CENTERS	194.41	1637
132128	04/12/22	H0246 HOME DEPOT CREDIT SERVICES	1,009.52	1637
132129	04/12/22	H0297 DIRECT ENERGY BUSINESS	4,823.09	1637
132130	04/12/22	H0482 HAN, FEI	100.00	1637

132131	04/12/22	I0013	INSTITUTE FOR PROF.DEVELOPMENT	50.00	1637
132132	04/12/22	I0159	IMPERIAL DADE	419.55	1637
132133	04/12/22	J0255	JERSEY WHOLESALE TIRE CORP.	862.00	1637
132134	04/12/22	K0331	KONICA MINOLTA PREMIER FINANCE	110.74	1637
132135	04/12/22	K0331	KONICA MINOLTA PREMIER FINANCE	192.89	1637
132136	04/12/22	K0331	KONICA MINOLTA PREMIER FINANCE	133.02	1637
132137	04/12/22	K0404	KUMAR, JITENDRA	430.00	1637
132138	04/12/22	K0414	KELLY WINTHROP LLC	76.00	1637
132139	04/12/22	K0415	KIM, SONGEE	440.00	1637
132140	04/12/22	K0416	KONG, PING	440.00	1637
132141	04/12/22	L0116	LAWMEN SUPPLY	1,353.46	1637
132142	04/12/22	M0006	MGL PRINTING SOLUTIONS	309.00	1637
132143	04/12/22	M0015	MCKESSON MEDICAL SURGICAL	2,240.69	1637
132144	04/12/22	M0055	MCASC	50.00	1637
132145	04/12/22	M0487	MARTINSVILLE FLORIST	72.95	1637
132146	04/12/22	M0518	KONICA MINOLTA BUSINESS SOL.	50.00	1637
132147	04/12/22	M0518	KONICA MINOLTA BUSINESS SOL.	26.00	1637
132148	04/12/22	M0899	MR JOHN	65.00	1637
132149	04/12/22	M0999	MVP TEAM GEAR LLC	297.50	1637
132150	04/12/22	N0006	NEW JERSEY AMERICAN WATER CO.	43,219.60	1637
132151	04/12/22	N0023	TREASURER, STATE OF NEW JERSEY	14,108.00	1637
132152	04/12/22	N0032	NJ STATE DEPT HEALTH/SR SVCS	350.40	1637
132153	04/12/22	N0074	NCHC, INC	60.00	1637
132154	04/12/22	N0083	NJRPA	35.00	1637
132155	04/12/22	N0339	NJ WOMEN IN LAW ENFORCEMENT	250.00	1637
132156	04/12/22	N0468	NORCIA CORPORATION	1,083.36	1637
132157	04/12/22	O0100	OVERDRIVE, INC.	2.99	1637
132158	04/12/22	O0105	O.C.A. BENEFIT SERVICES, LLC	89.10	1637
132159	04/12/22	O0135	OUTHOUSE LLC	690.00	1637
132160	04/12/22	P0014	PUBLIC SERVICE ELEC. & GAS CO	3,918.84	1637
132161	04/12/22	P0046	RESERVE ACCOUNT	1,561.17	1637
132162	04/12/22	P0602	LINDE GAS & EQUIPMENT INC	44.26	1637
132163	04/12/22	P0644	POWERDMS, INC.	6,280.58	1637
132164	04/12/22	P0655	PANNUCCI, LINDSAY OR JOHN	440.00	1637
132165	04/12/22	P0721	PAUL MILLER CHEVROLET	1,223.40	1637
132166	04/12/22	Q0002	CINTAS CORP. - #062	250.74	1637
132167	04/12/22	R0005	RECORDER PUBLISHING CO., INC	68.85	1637
132168	04/12/22	R0005	RECORDER PUBLISHING CO., INC	130.00	1637
132169	04/12/22	R0010	REIDER ASSOCIATES, INC.	3,213.90	1637
132170	04/12/22	R0308	ROUTE 23 AUTO MALL	3,430.63	1637
132171	04/12/22	R0408	RADATA, INC	891.00	1637
132172	04/12/22	R0436	ROSE VALLEY NURSERY, LLC	736.00	1637
132173	04/12/22	S0056	RWJHN - MOBILE HEALTH SERVICE	184.00	1637
132174	04/12/22	S0129	SOMES UNIFORMS INC.	112.00	1637
132175	04/12/22	S0278	STATE TREASURER OF NEW JERSEY	50.00	1637
132176	04/12/22	S0278	STATE TREASURER OF NEW JERSEY	35.00	1637
132177	04/12/22	S0278	STATE TREASURER OF NEW JERSEY	35.00	1637
132178	04/12/22	S0628	STATE OF NEW JERSEY-HB	195,831.37	1637
132179	04/12/22	S0691	SUPERIOR DISTRIBUTORS	369.26	1637
132180	04/12/22	S0913	SHEDLOCK CAR CARE	825.00	1637
132181	04/12/22	S0977	STAVOLA CONSTRUCTION MATERIALS	179.74	1637
132182	04/12/22	S1004	SAMADANI, AZADEH	260.00	1637
132183	04/12/22	S1133	STARCREST KENNELS, LLC	1,613.40	1637
132184	04/12/22	T0024	TRIUS OF NJ INC	4,704.01	1637
132185	04/12/22	T0025	TRUKMANN'S INC. C/O	1,151.28	1637
132186	04/12/22	T0074	TREASURER - STATE OF N.J.	500.00	1637
132187	04/12/22	T0372	TLO, LLC	568.00	1637
132188	04/12/22	T0471	THE OFFICIAL FUN GUYS	100.00	1637
132189	04/12/22	V0056	VERIZON WIRELESS	900.40	1637
132190	04/12/22	V0058	VERIZON	2,888.80	1637
132191	04/12/22	V0084	VERIZON	236.98	1637
132192	04/12/22	V0186	FISHER AND SON COMPANY, INC	359.40	1637
132193	04/12/22	W0016	WARRENVILLE TRUE VALUE	750.32	1637
132194	04/12/22	W0143	WARREN AUTO WRECKERS	50.00	1637
132195	04/12/22	W0259	VENTURA, MIESOWITZ, KEOUGH &	897.00	1637
132196	04/12/22	W0411	WU, ZHAOXIANG OR ZHAO, WENJUN	165.00	1637
132197	04/12/22	X0003	XEROX CORPORATION	194.69	1637
132198	04/12/22	X0005	XTEL COMMUNICATION	1,673.00	1637

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	119	0	3,632,355.92	0.00
Direct Deposit:	33	0	200,037.26	0.00
Total:	152	0	3,832,393.18	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	9,766.00	0.00	0.00	9,766.00
CURRENT FUND	2-01	3,681,738.14	0.00	0.00	3,681,738.14
DOG FUND	2-12	2,321.53	0.00	0.00	2,321.53
GOLF COURSE UTILITY	2-26	1,447.50	0.00	0.00	1,447.50
Year Total:		3,685,507.17	0.00	0.00	3,685,507.17
CAPITAL FUND	C-04	8,271.48	0.00	0.00	8,271.48
PUBLIC GRANTS	G-02	76,511.15	0.00	0.00	76,511.15
TRUST FUNDS	T-13	46,879.38	0.00	0.00	46,879.38
PROJECT		5,458.00	0.00	0.00	5,458.00
Total Of All Funds:		3,832,393.18	0.00	0.00	3,832,393.18

[Resolution #2022-0193](#) - Building Safety Month — May 2022

WHEREAS, Bernards Township, located in the County of Somerset, in the State of New Jersey, is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike; and

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play; and

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities’ largely unknown protectors of public safety—our local code officials— who assure us of safe, sustainable and affordable buildings that are essential to our prosperity; and

WHEREAS, “Safety for All: Building Codes in Action,” the theme for Building Safety Month 2022, encourages us all to raise awareness about planning for safe and sustainable construction; career opportunities in building safety; understanding disaster mitigation, energy conservation; and creating a safe and abundant water supply to all of our benefit; and

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Bernards, does hereby proclaim the month of May 2022 as Building Safety Month and accordingly, encourages our citizens to join us as we participate in Building Safety Month activities.

[Resolution #2022-0194](#) - *Resolution Authorizing the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to Lease, License, Rent or Otherwise Permit the Use of the Farmstead Property for Classes, Programs, Events and Meetings Consistent with the Purpose of a Lease Agreement with Oscar Peterson to Use Space Solely as an artist’s studio*

WHEREAS, the Township of Bernards owns the real property identified as Block 8401, Lot 23 (formally known as Block 185, Lot 20.03), consisting of approximately 4.397± acres, and located at 450 King George Road in the Township of Bernards, County of Somerset, State of New Jersey (the “Property”); and

WHEREAS, the Property contains an “English Barn,” “Farm House,” Wagon House,” “Cow Shed,” and other ancillary structures, which are on the New Jersey Historic Register and the National Register of Historic Places; and

WHEREAS, the Township and the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. (“Friends”) entered into Lease Agreement C1775-1, dated March 29, 2005, for the Property (the “Lease”), which was thereafter amended to increase the term of the Lease; and

WHEREAS, Sections 2 and 3 of the Lease provide that Friends may provide access to Township residents for meetings and other appropriate events, provide alternate uses, and sublet or assign any interests in the Lease, subject to the prior written approval of the Township; and

WHEREAS, by email dated March 29, 2022 the Friends requested approval to permit a lease agreement with Oscar Peterson for use of space solely as an artist studio; and

WHEREAS, the Township Committee has reviewed the proposed non-exclusive license agreement and finds it consistent with public purposes of the Lease and Mission and Vision of the Friends.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, in the County of Somerset and State of NJ, that the Township of Bernards hereby grants authorization to the Friends of the Kennedy-Martin-Stelle Farmstead, Inc., to enter into a non-exclusive lease agreement with Oscar Peterson, 16 Norwood Terrace, Millburn, New Jersey 07041, from April 1, 2022 – April 1, 2023; and

BE IT FURTHER RESOLVED that the Township hereby explicitly reserves the right to revoke the authorization herein granted to Friends at its sole discretion.

Resolution #2022-0195 - *Memorializing Submission of a Grant Application on 4/4/2022 to the Somerset County Board of County Commissioners for a Grant Entitled Somerset County Municipal Youth Services Commission "2021- 2022 Competitive Grant Application"*

WHEREAS, the COVID-19 pandemic has presented many challenges to students, educators, and parents. Children already coping with mental health conditions have been especially vulnerable to changes and have felt the impacts of schools being closed, physically distancing guidelines and isolation and other unexpected changes to their lives; and

WHEREAS, children and many elementary school aged children would greatly benefit from having access to calming tools and learning how to cope with difficult situations with mindfulness; and

WHEREAS, the Somerset County Board of County Commissioners has made competitive grant funding available to all Municipal Youth Services Commission for the 2021-2022 school year; and

WHEREAS, Community Programs Coordinator Kaitlin Cartoccio has submitted a grant application on behalf of Bernards Township to the Somerset County Board of County Commissioners and Somerset County Municipal Youth Services Commission for a grant entitled "2021 - 2022 Competitive Grant Application" which would provide \$4,000 for funding a program entitled "Creating Opportunities for Positive Emotion (COPE)" which will provide students at Cedar Hill Elementary School, Oak Street Elementary School, Mount Prospect Elementary School and Liberty Corner Elementary School with the opportunity to learn how to cope with difficult emotions and the tools necessary to do so; and

WHEREAS, Bernards Township is providing in-kind contributions in the amount of \$7,947.50 for a total program budget of \$11,947.50.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby memorialize the submission of said grant application to the Somerset County Board of County Commissioners entitled Somerset County Municipal Youth Services Commission "2021-2022 Competitive Grant Application" for \$4,000; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that Kaitlin Cartoccio of the Bernards Township Health Department will serve as the project manager for this grant application; and

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that the Mayor, Project Manager, and Municipal Clerk are hereby authorized to sign any agreement provided in conjunction with the grant on behalf of the township.

Resolution #2022-0196 - *Authorization for Tax Refunds*

WHEREAS, the following tax overpayments exist due to receipt of the Homestead Rebate Credit and because the property owners are Veteran Exempt; and

WHEREAS, the overpayments must be returned to the homeowners to clear the accounts; and

WHEREAS, the tax collector is recommending refunds be issued.

Block & Lot	Quarter & Yea	Amount	Issue Refund To
10002/5.03/CONDO	2Q22	\$962.34	Smith, Elaine M & Walter A Trustees 22 Battalion Dr Basking Ridge, NJ 07920
8701/47/CONDO	2Q22	\$560.90	Bocchino, Felice 30 Potomac Dr Basking Ridge, NJ 07920

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby approve and authorize these refunds.

Resolution #2022-0197 – Award of Purchase Orders for Identified Vendors Betts Environmental Services, Corp & PMG SM AP LLC

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

WHEREAS, pursuant to the ordinance window contracts determined to exceed \$17,500.00 and within the bid threshold of \$44,000.00 requires governing body approval; and

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

Vendor		Not to Exceed	Vendor	Not to Exceed
Betts Environmental Services, Corp		\$ 44,000	PMG SM AP LLC d/b/a Seal Master	\$ 44,000

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2022.

Resolution #2022-0198 – Transfer Resolution – April 12, 2022

WHEREAS, there appears to be insufficient funds in the following account(s) (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands for the balance of the Current Year; and

Current Fund – 2021 Appropriation Reserves

Public Safety – LOSAP Other Expenses

WHEREAS, there appears to be a surplus in the following accounts(s) (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund, or Interest and Debt Redemption Charges) over and above the demand deemed necessary for the balance of the Current Year; and

Current Fund – 2021 Appropriation Reserves

Utilities & Bulk Purchases – Other Expenses

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized and directed to make the following transfers to be effective 3/31/2022:

<u>FROM:</u>	<u>AMOUNT</u>	<u>TO</u>
Appropriation Reserves: Utilities & Bulk Exp. OE	\$1,223.00	Appropriation Reserves: Public Safety – LOSAP O.E.

Resolution #2022-0199 - Accepting a Certified List from Bernards Township Participating Volunteer Fire Companies and First Aid Squad For Eligibility in Length of Service Awards Program (LOSAP) for the Year 2021

WHEREAS, the creation of a Length of Service Awards Program (LOSAP) for the volunteer fire and first aid squad members was approved by the voters of Bernards Township on November 5, 2002; and

WHEREAS, the Township Committee of the Township of Bernards approved the adoption of the Plan Document designating AIG VALIC as the service provider in Resolution #030353 on November 11, 2003; and

WHEREAS, the State of New Jersey, Department of Community Affairs, Division of Local Government Services has reviewed the Plan Document and supporting documentation and found the plan to be in compliance with the requirements of N.J.A.C. 5:30-14.25(b) on January 30, 2004; and

WHEREAS, each participating volunteer fire company and first aid squad has submitted a certified list to the Local Plan Administrator of those emergency service workers who have met the requirements of the plan as outlined in Ordinance #1576 (for BRFC/FA, and LCFC), and Ordinance # 2028 (for LCFAS).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following certified lists from each participating volunteer fire company and first aid squad be accepted and approved;

Basking Ridge Fire Company No. 1 and First Aid Squad

Jon Bentley	Robert Fullagar Jr.	Kevin Pescatore
Matt Biondo	Brian Fullagar	Andrew Pottorff
Richard Bloom	Richard Hall	Ted Renz Jr.
Sarah Bonnefoi	Greg Heiner	John Sabel
Scott Brinkley	Steve Hornblow	Gregory Sicheloff
Robert (RJ) Carney	Jody Jacobus	Steven Tex
Doug Carroll	Ed Lafean	Peter Von der Linde
Michael Delgado	Arthur Marky	Duncan Watt
Katie Ferrante	Dan McCabe	Christian Whaley
Louise Fordham-Hale	Owen Miller	
Robert Fullagar III	Richard Moschello	

Liberty Corner Fire Company

William Allen Sr.	Peter Aprahamian	Carl Blanchard
Caroline Blanchard	John Borchert	Zachary Borchert
Louis Carlucci	Ronald DePasquale	Marc Friedman
Douglas Gazzale	Glenn Hart	Christopher Hurst
Scott Kessel	Eric Mark	Gerald Modugno
Charles Pisano	Richard Vindici	Kenneth White
Ryan Woods		

Liberty Corner First Aid Squad

Jad Abousleiman	Don Hart	Greg Taylor
Mark Fentress	Dave (Phil) Lai-Len	Ambrish Thanawala
Charlotte Flohl	Fred Miller	

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be posted for a period of 30 days in the office of the Township Clerk, the Basking Ridge Fire Company, the Liberty Corner Fire Company and the Liberty Corner First Aid Squad.

[Resolution #2022-0200](#) - Authorizing and Approving Purchase of Playground Equipment from MRC, PO Box 106, Spring Lake, New Jersey 07762 from ESCNJ Co-Op #17/18-20 In the Amount Not to Exceed \$179,240.21

WHEREAS, the Township of Bernards Recreation Department wishes to purchase:

1	6223 GameTime - Merry Musical	\$4,746.00
1	6252 GameTime - Wrinkle Wall (7 Panel)	\$14,247.00
1	6272 GameTime - Merry-Go-All	\$6,764.00
1	5933SP GameTime - Sky Tower 4	\$13,629.00
1	RDU GameTime - Sensory Ring with Color Wheel	\$2,787.00
1	RDU GameTime - Custom PrimeTime 2-5 Unit	\$21,891.00
1	RDU GameTime - Custom Ionix 5-12 Unit	\$41,431.00


1	INSTALL GameTime - Installation by a Certified GameTime Installer	\$73,400.00
1	Discount	(\$9,065.64)
	Freight	\$9,410.85
	Total	\$179,240.21

WHEREAS, it is the combined recommendation of the Director of Parks and Recreation, Administrator and Purchasing Agent to award this purchase to; MRC, PO Box 106, Spring Lake, New Jersey 07762 in the amount of \$179,240.21; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriation to be charged is line account #C-04-55-470-I02 (\$179,240.21); and

WHEREAS, the Township is authorized to make purchases through cooperative and State contracts pursuant to N.J.S.A. 40A:11-10 and -12.

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 purchase order to MRC, PO Box 106, Spring Lake, New Jersey 07762 in the amount of \$179,240.21.

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 amount not to exceed \$179,240.21. Monies are available in the Parks Capital Accounts #C-04-55-470-I02.	
	
Date: April 6, 2022	Sean McCarthy, Chief Financial Officer

Resolution #2022-0201 - *Approval of Independent Agreement with Central Jersey Housing Resource Center (CJHRC) at a cost not to exceed \$60,706.20*

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

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

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

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in line-item account # 2-01-20-155-204.

NOW BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby approve an agreement at a cost not to exceed \$60,706.20 with the Central Jersey Housing Resource Center (CJHRC) effective May 1, 2022, through April 30, 2023; and

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

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

Resolution #2022-0202 - Approval of Developer's Agreement Arbor Terrace Basking Ridge (Braemar), Block 8201 Lot(s) 22 & 23

WHEREAS, Section 21-58A of the Revised Land Use Ordinance of the Township of Bernards requires that as a condition of final approval, a Developer's Agreement pursuant to Section 21-58A.1. shall be provided by the applicant for review and comment of the Township Engineer, in consultation with the Township Attorney as the Township Engineer may deem appropriate; and

WHEREAS, the Developer's Agreement must be approved by the Township Committee upon recommendation of the Township Engineer; and

WHEREAS, there shall be executed a Developer's Agreement between the developer and the Township incorporating all of the terms and conditions of approval imposed by the board in the form set forth in "Appendix C" of the Revised Land Use Ordinance of the Township of Bernards; and

WHEREAS, a developer must use the pre-printed form which is available from the Township Engineering Department; and

WHEREAS, the Township Engineer may revise the pre-printed form from time to time, provided such revisions may not alter the substance of such forms authorized by an ordinance implementing the revision; and

WHEREAS, BPS Basking Ridge Project GP, d/b/a Braemar Partners has submitted a Developer's Agreement with respect to 3066 & 3074 Valley Road, pursuant to preliminary approval by the Zoning Board dated June 9, 2021; and final approval dated June 9, 2021; and

WHEREAS, the Township Engineer and Township Attorney have approved the Developer's Agreement.

NOW THEREFORE BE IT RESOLVED, pursuant to Section 21-58A of the revised Land Use Ordinance of the Township of Bernards that the aforesaid developer's agreement is hereby approved as to form and substance by the Township Committee of the Township of Bernards.

Resolution #2022-0203 - Authorization of the Sale at Public Auction of the Township's Personal Property Not Needed for Public Use through USGovBid

WHEREAS, the Purchasing Agent has presented the following listing of personal property which are no longer needed for public use by the Township of Bernards:

F450 Dump Truck	2006 Ford	Vin# 1FDXF47P56EB92238
F450Utility Body	2007 Ford	Vin# 1FDXF47P67EA84678
Crown Victoria	2010 Ford	Vin# 2FABP78V7BX101181
International Dump	2002 I/H	Vin# 1HTSHADR22H521115
2011 Ford Crown Victoria		Vin# 2FABP7BV5BX161279
Incident Commanders Radio		C-AT.COM
TORO Sentinel Field Satellite Controller		
Used Engine 4.6 L	2010 Ford	
Sony 46" HD TV	KDL-46V5100	S018099053K
Overhead Camera Table		
Collapsible Animal Cage		
Vehicle Wiring Harness & Console		
Panasonic Arbitrator		L7TA10084
Panasonic Arbitrator		L7TA10126
Panasonic Arbitrator		K7TA10709
Panasonic Arbitrator		K7TA10678
Panasonic Arbitrator		L7TA10071
Panasonic Arbitrator		L7TA10200
Panasonic Arbitrator		K7TA10593
Panasonic Arbitrator		L7TA10075
Panasonic Arbitrator		C9TA10590
Panasonic Arbitrator		D8TA10240
Panasonic Arbitrator		D8TA10164
Panasonic Arbitrator		D8TA10223
Panasonic Arbitrator		19TA10150

Panasonic Arbitrator Camera
Panasonic Arbitrator Mk 2.0 360
(3) Prisoner Cages
12 Rear Seat Cushions
2 MDT Vehicle Stands
Misc Office Furniture
2-Sided Book Cart (Metal)
2 Sided Book Cart (Wood)
Computer Monitors (Dell)
Dell Optiplex CPU's
Epson Thermal Printer TM-T88
HP Color Laser Jet Pro M452w
(3) iPads
Exhibio Digital Signage System
Infocus LPS540 Projector
Infocus LP425Z Projector

PLA00100

EXM500031

WHEREAS, pursuant to N.J.S.A.40A:11-36, "Sale or other disposition of personal property," the governing body may authorize the public sale of municipal owned property no longer needed for public use; and

WHEREAS, the sale of surplus property shall be conducted through USGovBid pursuant to State Contract T2581/A-70967 in accordance with the terms and conditions of the state contract; and

WHEREAS, the terms and conditions of the agreement entered into with USGovBid is available on-line at; www.USGovBid.com and placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the sale will be conducted online and the address of the auction site is; www.USGovBid.com; and

WHEREAS, no express or implied warranty is made for the property subject to sale. All property is being sold in "as is"- "where is" condition; and

WHEREAS, all sales are final; and

WHEREAS, method of payment is Cash, Certified Check, Money Order or Company Check (with bank letter guaranteeing funds-mandatory); and

WHEREAS, all merchandise shall be removed within 10 business days from the time and date of issuance of the Buyers Certification otherwise buyers will be charged \$ 10.00 per day per item storage fee; and

WHEREAS, this resolution shall be published in accordance with provisions of N.J.S.A. 40A-11-36.

BE IT RESOLVED, that the Resolution (or Notice of the date, time and place of the auction, with a description of the items to be sold) shall be published in an official newspaper as required by N.J.S.A. 40A:11-36(3); and

BE IT FURTHER RESOLVED, that the Bernards Township Committee does hereby declare that the personal property listed above are surplus and no longer needed for Township use; and

NOW, THEREFORE BE IT FINALLY RESOLVED, that the Township Committee does hereby authorize the purchasing agent to enter into an agreement with USGovBids to conduct an internet auction of surplus property identified.

End Consent Agenda

Mayor Baldassare recused himself and left the dais. Deputy Mayor McNally presided over the meeting.

[Resolution #2022-0191](#) - Personnel Appointment Jon Burger – Captain – Police Department

Motion by Fields, second by Asay, that Resolution #2022-0191 be approved.

Roll Call:

Aye: Asay, Grochala, Fields, McNally,

Nay:

Abstain:

Motion carried.

WHEREAS, the full time Captain position became available due to a retirement within the department; and

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

WHEREAS, Jon Burger has applied for and is qualified to fill said position; and

WHEREAS, the Chief of Police, Township Administrator and Human Resources Officer recommend appointment of Jon Burger to the position of full time Captain.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Jon Burger be appointed full time Captain with a hire date of June 1, 2022 at an annual salary of \$168,714.58 for a 40 hour work week.

Baldassare returned to the dais and resumed presiding over the meeting.

[Ordinance #2497](#) - Accepting a Wetlands Conservation Easement on Property Located at 31 Country Lane; Block 3901, Lot 5, from RCP Realty Associates, LLC, to the Township of Bernards – [Map](#) – Introduction

The clerk informed the committee that due to a clerical error, Ordinance #2497 is withdrawn and no action is needed.

Approval of Minutes:

03/29/2022 Open Session Minutes

Motion by Grochala, second by Asay, and unanimously agreed that the 03/29/2022 Open Session minutes be approved for content and release.

EXECUTIVE SESSION (if required)

None.

ADJOURNMENT

By unanimous consent, the meeting adjourned at 8:15 PM.

Rhonda Pisano, Municipal Clerk

James Baldassare, Jr., Mayor

Approved: 04/26/2022