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May 10, 2022 – COMBINED AGENDA/REGULAR MEETING

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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, Fields (via phone), McNally, Baldassare, Jr.
Absent: Grochala (excused)
Also Present: Administrator Monaco, Attorney Belardo, and Deputy Municipal Clerk Andres

EXECUTIVE SESSION

None.

PUBLIC WORK SESSION (if required)

None.

REPORTS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

The mayor opened public comment.

Todd Edelstein, 172 Riverside Dr. – commented on the Understanding Bernards speaker series and the Board of Education meeting.

The mayor closed public comment.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

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

FIRE & RESCUE APPOINTMENT

None.

UNFINISHED BUSINESS

[Ordinance #2498](#) - *Accepting a Wetlands Conservation Easement on Property Located at 31 Country Lane; Block 3901, Lot 5, from Horowitz and Frasher, LLC, to the Township of Bernards – Map – Public Hearing*

The deputy 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 #2498 be adopted and advertised as required by law.

Roll Call:

Aye: Asay, 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 Horowitz and Frasher, LLC, having an address at 19 Lenape Court, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 3901, Lot 5, 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.

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 Asay, that Resolution #2022-0231 be removed from the Consent Agenda, and that the remaining items be approved.

Roll Call:

Aye: Asay, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

****Begin Consent Agenda****

Resolution #2022-0224 - Approval of the Bill List Dated 05/10/2022

BE IT RESOLVED, that the bill list dated 05/10/2022 be audited, and if found correct, be paid.

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

132327	05/10/22	90505 DECIBUS, FRANCIS J.	327.36	1640	Direct Deposit
132328	05/10/22	90535 YEAGER, ROBERT	119.95	1640	Direct Deposit
132329	05/10/22	90544 SANTORO, MICHELLE	115.00	1640	Direct Deposit
132330	05/10/22	90562 LAKATOS, MICHAEL	27.00	1640	Direct Deposit
132331	05/10/22	90667 LOPEZ, DUSTIN	999.99	1640	Direct Deposit
132332	05/10/22	90717 BRETT, NICHOLAS	225.00	1640	Direct Deposit
132333	05/10/22	A0044 APPROVED FIRE PROTECTION CO.	229.98	1640	Direct Deposit
132334	05/10/22	A0453 AMAZON.COM	560.13	1640	Direct Deposit
132335	05/10/22	A0611 AMERICAN WEAR, INC	951.04	1640	Direct Deposit
132336	05/10/22	A0714 ALLDATA LLC	1,500.00	1640	Direct Deposit
132337	05/10/22	B0203 DIFRANCESCO BATEMAN, PC	6,269.97	1640	Direct Deposit
132338	05/10/22	B0581 BUY WISE AUTO PARTS	231.56	1640	Direct Deposit
132339	05/10/22	B0758 BCI TRUCK, INC	1,865.75	1640	Direct Deposit
132340	05/10/22	K0354 KANOPY INC	309.00	1640	Direct Deposit
132341	05/10/22	M0261 M.A.I.N., INC.	21.74	1640	Direct Deposit
132342	05/10/22	M0353 MIDWEST TAPE LLC	1,557.45	1640	Direct Deposit
132343	05/10/22	M0830 MOTT MACDONALD LLC	2,151.75	1640	Direct Deposit
132344	05/10/22	N0449 NISIVOCIA & CO, LLP	16,500.00	1640	Direct Deposit
132345	05/10/22	O0021 OFFICE DEPOT	194.30	1640	Direct Deposit
132346	05/10/22	P0706 PARTS AUTHORITY LLC	19.59	1640	Direct Deposit
132347	05/10/22	S0016 STORR TRACTOR COMPANY	7,791.06	1640	Direct Deposit
132348	05/10/22	S0135 CJHRC-CENTRAL JERSEY HOUSING	11,000.00	1640	Direct Deposit
132349	05/10/22	S0227 SHEARON ENVIRONMENTAL DESIGN	50,488.88	1640	Direct Deposit
132350	05/10/22	S1177 SAL ELECTRIC CO., INC.	5,122.35	1640	Direct Deposit
132351	05/10/22	T0055 T & M ASSOCIATES	4,750.00	1640	Direct Deposit
132352	05/10/22	U0001 UNITEMP INC.	18,150.00	1640	Direct Deposit
132353	05/10/22	V0020 VILLAGE OFFICE SUPPLY	81.22	1640	Direct Deposit
132354	05/10/22	W0241 W.B. MASON CO INC.	194.97	1640	Direct Deposit
132355	05/10/22	W0339 W.B. MASON	134.10	1640	Direct Deposit
132356	05/10/22	A0123 AMERICAN PUBLIC HEALTH ASSN	205.00	1641	
132357	05/10/22	A0381 BLACK LAGOON	250.00	1641	
132358	05/10/22	A0425 ATLANTIC TACTICAL	611.95	1641	
132359	05/10/22	B0001 BAKER & TAYLOR, INC.	2,965.37	1641	
132360	05/10/22	B0017 BRIDGEWATER RESOURCES, INC.	1,399.77	1641	
132361	05/10/22	B0021 BASKING RIDGE FIRE CO.	55,000.00	1641	
132362	05/10/22	B0022 BASKING RIDGE FIRST AID SQUAD	15,000.00	1641	
132363	05/10/22	B0026 BERNARDS TOWNSHIP CURRENT	7,460.64	1641	
132364	05/10/22	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	536,209.13	1641	
132365	05/10/22	B0044 BASKING RIDGE ANIMAL HOSPITAL	121.00	1641	
132366	05/10/22	B0076 BERNARDS TOWNSHIP TRUST FUND	247,000.00	1641	
132367	05/10/22	B0076 BERNARDS TOWNSHIP TRUST FUND	110,000.00	1641	
132368	05/10/22	B0076 BERNARDS TOWNSHIP TRUST FUND	19,000.00	1641	
132369	05/10/22	B0829 BOCCHINO, FELICE S	560.90	1641	
132370	05/10/22	B0850 BABIGIAN, PETER OR NADYA	500.00	1641	
132371	05/10/22	C0024 GANNETT NEW JERSEY NEWSPAPERS	184.86	1641	
132372	05/10/22	C0024 GANNETT NEW JERSEY NEWSPAPERS	28.08	1641	
132373	05/10/22	C0482 OPTIMUM	11.45	1641	
132374	05/10/22	C0482 OPTIMUM	33.32	1641	
132375	05/10/22	C0482 OPTIMUM	138.44	1641	
132376	05/10/22	C0486 CITY FIRE EQUIPMENT CO, INC	1,729.00	1641	
132377	05/10/22	C0522 CHATHAM LAWNMOWER SALES & SVC	211.36	1641	
132378	05/10/22	C0597 CLIFFSIDE BODY CORPORATION	292.22	1641	
132379	05/10/22	C0613 CIGNA GROUP INSURANCE	1,566.24	1641	
132380	05/10/22	C0774 COLONIAL LIFE & ACC INSURANCE	643.94	1641	
132381	05/10/22	C0940 CARRICK, DIONE	500.00	1641	
132382	05/10/22	D0738 DONOHUE, JENNIFER	500.00	1641	
132383	05/10/22	E0144 E-Z PASS	150.00	1641	
132384	05/10/22	E0144 E-Z PASS	154.00	1641	
132385	05/10/22	E0231 EKA ASSOCIATES, P.A.	210.00	1641	
132386	05/10/22	E0327 ELITE VEHICLE SOLUTIONS	85.00	1641	
132387	05/10/22	F0001 FEDEX	33.18	1641	
132388	05/10/22	F0047 FULLERTON FORD	797.22	1641	
132389	05/10/22	F0148 FAIRFIELD MAINTENANCE INC	629.07	1641	
132390	05/10/22	F0158 FLEMINGTON DEPARTMENT STORE	1,214.15	1641	

TOWNSHIP COMMITTEE MINUTES

05/10/2022

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132391	05/10/22	F0324	FLAGSHIP DENTAL PLANS	292.50	1641
132392	05/10/22	F0326	FX AUTOMOTIVE LLC	332.17	1641
132393	05/10/22	F0330	FIDELITY SECURITY LIFE INS	337.69	1641
132394	05/10/22	G0066	GRAINGER INC	37.61	1641
132395	05/10/22	G0098	JCP&L	30.04	1641
132396	05/10/22	G0333	BEDMINSTER CAR WASH	236.55	1641
132397	05/10/22	G0509	GREEN ROCK RECYCLING	900.00	1641
132398	05/10/22	H0075	HARBOR FREIGHT TOOLS	179.99	1641
132399	05/10/22	H0178	HOSE SHOP, INC.	8.84	1641
132400	05/10/22	H0228	HARCOURT, DANIELLE	500.00	1641
132401	05/10/22	H0297	DIRECT ENERGY BUSINESS	2,899.16	1641
132402	05/10/22	H0481	HANNON FLOOR COVERING CORP.	7,224.00	1641
132403	05/10/22	I0159	IMPERIAL DADE	1,131.19	1641
132404	05/10/22	J0211	J. APPLESEED	236.40	1641
132405	05/10/22	K0076	KENVIL POWER MOWER INC	551.99	1641
132406	05/10/22	K0331	KONICA MINOLTA PREMIER FINANCE	192.89	1641
132407	05/10/22	K0331	KONICA MINOLTA PREMIER FINANCE	133.02	1641
132408	05/10/22	K0331	KONICA MINOLTA PREMIER FINANCE	133.42	1641
132409	05/10/22	L0003	LIBERTY CORNER 1ST AID SQUAD	15,000.00	1641
132410	05/10/22	L0004	LIBERTY CORNER FIRE COMPANY	55,000.00	1641
132411	05/10/22	L0372	LIFESAVERS, INC	135.32	1641
132412	05/10/22	M0015	MCKESSON MEDICAL SURGICAL	355.55	1641
132413	05/10/22	M0062	CAVENDISH SQUARE PUBLISHING	201.48	1641
132414	05/10/22	M0178	MARK'S AUTO SERVICE	112.50	1641
132415	05/10/22	M0498	MP OVERHEAD DOORS	2,767.50	1641
132416	05/10/22	M0518	KONICA MINOLTA BUSINESS SOL.	30.59	1641
132417	05/10/22	M0518	KONICA MINOLTA BUSINESS SOL.	50.00	1641
132418	05/10/22	M0899	MR JOHN	65.00	1641
132419	05/10/22	N0016	NJSOPHE MEMBERSHIP	130.00	1641
132420	05/10/22	N0017	NJ STATE LEAGUE OF MUNICIPAL.	230.00	1641
132421	05/10/22	N0032	NJ STATE DEPT HEALTH/SR SVCS	96.00	1641
132422	05/10/22	N0311	NEW JERSEY EMERG PREP ASSN	225.00	1641
132423	05/10/22	N0339	NJ WOMEN IN LAW ENFORCEMENT	125.00	1641
132424	05/10/22	O0105	O.C.A. BENEFIT SERVICES, LLC	103.95	1641
132425	05/10/22	P0014	PUBLIC SERVICE ELEC. & GAS CO	2,140.82	1641
132426	05/10/22	P0046	RESERVE ACCOUNT	848.91	1641
132427	05/10/22	P0602	LINDE GAS & EQUIPMENT INC	48.47	1641
132428	05/10/22	Q0002	CINTAS CORP. - #062	334.32	1641
132429	05/10/22	Q0022	QUEUES ENFORTH DEVELOPMENT INC	1,058.00	1641
132430	05/10/22	R0050	ROTO-ROOTER	6,555.00	1641
132431	05/10/22	R0308	ROUTE 23 AUTO MALL	701.92	1641
132432	05/10/22	R0827	RAM TAX LIEN FUND LP	3,664.70	1641
132433	05/10/22	S0036	SOMERSET COUNTY PARK COMM.	800.00	1641
132434	05/10/22	S0067	SOMERSET COUNTY TREASURER	5,542,467.01	1641
132435	05/10/22	S0068	SOMERSET COUNTY TREASURER	524,263.01	1641
132436	05/10/22	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	97.50	1641
132437	05/10/22	S0378	STAVOLA ASPHALT	387.05	1641
132438	05/10/22	S0628	STATE OF NEW JERSEY-HB	199,133.41	1641
132439	05/10/22	S0789	STAN & SON CONSTRUCTION LLC	15,164.00	1641
132440	05/10/22	S0847	SHI INTERNATIONAL	54,432.50	1641
132441	05/10/22	S0913	SHEDLOCK CAR CARE	125.00	1641
132442	05/10/22	S0977	STAVOLA CONSTRUCTION MATERIALS	499.76	1641
132443	05/10/22	S1163	SMITH TRUSTEES,	962.34	1641
132444	05/10/22	T0024	TRIUS OF NJ INC	28.00	1641
132445	05/10/22	T0090	TREASURER, STATE OF NEW JERSEY	115.00	1641
132446	05/10/22	T0372	TLO, LLC	336.80	1641
132447	05/10/22	U0063	US TRUCK PARTS & SERVICE	73.71	1641
132448	05/10/22	V0056	VERIZON WIRELESS	684.30	1641
132449	05/10/22	V0058	VERIZON	2,932.05	1641
132450	05/10/22	V0177	VERIZON	355.43	1641
132451	05/10/22	V0185	VERIZON CONNECT	534.27	1641
132452	05/10/22	W0016	WARRENVILLE TRUE VALUE	775.48	1641
132453	05/10/22	W0259	VENTURA, MIESOWITZ, KEOUGH &	1,813.50	1641
132454	05/10/22	W0405	WASTIE, MEG	100.00	1641
132455	05/10/22	X0005	XTEL COMMUNICATION	472.21	1641
132456	05/10/22	X0005	XTEL COMMUNICATION	1,671.95	1641

Report Totals Paid Void Amount Paid Amount Void
 --- --- ---
 Checks: 101 0 7,458,957.06 0.00
 Direct Deposit: 29 0 131,889.14 0.00
 =====
 Total: 130 0 7,590,846.20 0.00

Totals by Year-Fund
Fund Description Fund Budget Total Revenue Total G/L Total Total

CURRENT FUND 1-01 57,455.17 0.00 0.00 57,455.17
CURRENT FUND 2-01 7,396,633.11 0.00 0.00 7,396,633.11
DOG FUND 2-12 567.13 0.00 0.00 567.13
GOLF COURSE UTILITY 2-26 55,868.56 0.00 0.00 55,868.56

 Year Total: 7,453,068.80 0.00 0.00 7,453,068.80
CAPITAL FUND C-04 47,234.98 0.00 0.00 47,234.98
PUBLIC GRANTS G-02 1,612.37 0.00 0.00 1,612.37
TRUST FUNDS T-13 25,448.61 0.00 0.00 25,448.61
PROJECT 6,026.27 0.00 0.00 6,026.27

 =====
Total Of All Funds: 7,590,846.20 0.00 0.00 7,590,846.20

Resolution #2022-0208 - Commendation on Attaining the Gold Award Girls Scouts of the USA - Nethru Raju

WHEREAS, since 1916, the Girl Scout Gold Award has stood for excellence and leadership and is the most prestigious award that Girl Scout Seniors and Ambassadors can earn; and

WHEREAS, girls who pursue their Gold Award aspire to make a difference in their community through an actionable plan with measurable, sustainable, and far-reaching results; and

WHEREAS, Nethru Raju, as a member of Troop 61124, has demonstrated outstanding leadership and contributed many hours of service to her community during her years in scouting.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards is pleased to recognize and congratulate Nethru Raju on her outstanding personal achievement in attaining the Girl Scout Gold Award; and

NOW THEREFORE BE IT FINALLY RESOLVED, that the Township Committee offers its best wishes to Nethru Raju for her continued success and that her Gold Award be a reminder of the importance of the pursuit of excellence throughout her life.

Resolution #2022-0226 - Unused Vacation Accrual Due Christopher Zimmerman Recreation 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, Christopher Zimmerman's full-time employment terminated on May 5, 2022; and

WHEREAS, per the requirements of the Township's Personnel Policy, Christopher Zimmerman is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$29.31.

	Total Hours Available	Amount Due
Vacation Accrual	24	\$703.44

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 Parks & Recreation S&W Line, Account #2-01-28-370-101 for an amount not to exceed \$703.44



Sean McCarthy, CFO

Date: April 27, 2022

Resolution #2022-0228 - Authorizing the Issuance of a Clothing Bin License to Turnkey Enterprises, LLC for Placement at Fellowship Village

WHEREAS, Turnkey Enterprises, LLC, has applied for a license to place one recycling clothing bin on Fellowship Village property located at 8000 Fellowship Road; and

WHEREAS, Turnkey Enterprises, LLC, has submitted an application for licensing of this recycling clothing bin, which is in compliance with Chapter 4, Section 13 of the Revised General Ordinances of the Township of Bernards; and

WHEREAS, the Municipal Clerk and Zoning Officer, have reviewed said application and find it complete.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a license be issued to Turnkey Enterprises, LLC, for one recycling clothing bin at the location described above for a one-year term to expire 01/31/2023.

Resolution #2022-0229 - In Recognition of Apraxia Awareness Day – May 14th

WHEREAS, childhood Apraxia is a neurological disorder that can make it difficult for children to speak; and

WHEREAS, while the act of learning to speak comes effortlessly to most children, those with apraxia require early, appropriate, and intensive speech therapy, often for many years to learn to speak; and

WHEREAS, May 14, 2022, marks Apraxia Awareness Day during which awareness will be raised throughout New Jersey about childhood apraxia, an extremely challenging speech disorder that affects 1-in-1,000 children; and

WHEREAS, public awareness about childhood apraxia in New Jersey is essential for families of children with this neurological disorder and the professionals who support them to achieve the needed services for those learning to use their own voice.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby recognizes May 14, 2022, “Apraxia Awareness Day” and encourages its citizens within the Bernards Township community to work to increase awareness and understanding of childhood apraxia.

Resolution #2022-0230 - *Authorizing and Approving Repair and Upgrade of Guide Rail from MCCPC (Morris County Cooperative Pricing Council) Contract # 26 – Various Items to Road Safety Systems, LLC, 12 Park Drive, Shamong NJ, 08088 In the Amount Not to Exceed \$45,040.00*

WHEREAS, the Township of Bernards Department of Public Works wishes to Upgrade and Repair Guide Rail at various locations within the Township; and

QTY	DESCRIPTION	UNIT TOTAL
	Repair and Upgrade of Guide Rail – Various Locations	\$45,040.00
	MCCPC Contract #26 – Various Items	
	TOTAL	\$45,040.00

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award this purchase to; Road Safety Systems, LLC, 12 Park Drive, Shamong NJ, 08088 in the Amount Not to Exceed \$45,040.00; 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-C04 (\$45,040.00); 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 for Repair and Upgrade of Guide Rail at various locations within the Township to Road Safety Systems, LLC, 12 Park Drive, Shamong, NJ, 08088 in the Amount Not to Exceed \$45,040.00.

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 \$45,040.00. Monies are available in the Capital Ordinance #2470, line account #C-04-55-470-C04.



Date: May 3, 2022

Sean McCarthy, Chief Financial Officer

Resolution #2022-0232 - *Authorizing the Purchase of Electricity Supply Services for Public Use on an Online Auction Website*

WHEREAS, the Township of Bernards has determined to move forward with the EMEX Reverse Auction in order procure electricity for Township accounts; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Township of Bernards will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price for metered electricity of \$0.132/kWh or less for a 12-month term, a price of \$0.114/kWh or less for an 18 month term, or a price of \$0.105/kWh or less for a 24 month term; the Township of Bernards may award a contract to the winning supplier for metered electricity for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Township Administrator or the Qualified Purchasing Agent of the Township of Bernards is hereby authorized to execute on behalf of the Township of Bernards any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price for metered electricity of \$0.132/kWh or less for a 12 month term, a price of \$0.114/kWh or less for an 18 month term, or a price of \$0.105/kWh or less for a 24 month term; the Township of Bernards may award a contract to the winning supplier for the selected term.

Resolution #2022-0233 - Declaring May 24th as “Charter Day” and Approval of a Special Event Permit for Bernards Township’s Charter Day Celebration to be held on 05/21/2022, Including Street Closures

WHEREAS, Francis Bernard, the Provincial Governor of the Royal Colony of New Jersey, served nobly in this position from 1758-1760; and

WHEREAS, Bernard was instrumental in ending the hostilities of the French and Indian Wars through negotiating a treaty with all parties at Easton, Pennsylvania; and

WHEREAS, Francis Bernard, a true humanitarian, expressed his concern for the colony’s Native Americans, therefore establishing a reservation for Indians at Brotherton, also referred to as Indian Mills, the first such reservation in the thirteen colonies; and

WHEREAS, Bernard left New Jersey to assume the position as Royal Governor of the Colony of Massachusetts; and

WHEREAS, King George II of Great Britain created by Charter on May 24, 1760, the Township of Bernardston in honor of Francis Bernard; and

WHEREAS, Jennifer Gander, Director, representing the Bernards Township Department of Parks & Recreation “the applicant,” has requested a special event permit for 05/21/2022, from 7:00 A.M. to 11:00 P.M. for the purpose of holding a “Charter Day” celebration in honor of the Township’s Charter on May 24, 1760; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 4-4. et. seq.; and

WHEREAS, the Municipal Clerk, Police Chief, Construction Code Official, Fire Official, Health Officer, Recreation Director, Director of Public Works, and Risk Manager have reviewed the application and recommend approval; and

WHEREAS, the “Charter Day” celebration is a township-sponsored event, and all costs for township support personnel are paid for by the township.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the special event permit, to include the following temporary street closure, is hereby approved:

1. Temporary Street Closures –
 - a. S. Finley Avenue between Collyer Lane and West Oak Street
 - b. Henry Street
 - c. West Oak Street between S. Maple Ave. & S. Finley Avenue; and Brownlee Pl. becomes a 2-way street with access from West Oak Street.

Resolution #2022-0234 - Acceptance of Grant and Insertion of Revenue Item Into the 2022 Budget \$14,473.51 from the New Jersey Department of Environmental Protection for the Purpose of Funding the 2022 Recycling Tonnage Program

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

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

WHEREAS, the Township has received an award of \$14,473.51 from the New Jersey Department of Environmental Protection for the purpose of funding the 2022 Recycling Tonnage Program and wishes to amend its 2022 budget to include this amount as revenue.

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

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written

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

Appropriations:

2022 NJDEP –Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a like sum of \$14,473.51 total be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from “CAPS”

Public and Private Appropriations Offset by Revenues:

2022 NJDEP – Recycling Tonnage Grant

End Consent Agenda

[Resolution #2022-0231](#) – *In Recognition of Falun Dafa Day – May 13th*

Motion by McNally, second by Asay, that Resolution #2022-0225 be approved.

Roll Call:

Aye: Asay, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

WHEREAS, Falun Dafa was first taught publicly in 1992 by Master Li Hongzhi and has demonstrated a steadfast commitment to improving health in mind, body, and spirit, and to enhance the wellbeing of people from all walks of society; and

WHEREAS, Falun Dafa, also known as Falun Gong, is a peaceful advanced cultivation practice system that centers around the universal principals of truthfulness, compassion, and forbearance; and

WHEREAS, Falun Dafa practitioners in the community including New Jersey and across the United States celebrate the 30th anniversary of public introduction of Falun Dafa and the 21st World Falun Dafa Day.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards hereby recognizes May 13, 2022, “Falun Dafa Day” honoring truthfulness, compassion, and forbearance.

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

[Resolution #2022-0225](#) - *Commendation on the Occasion of Your Retirement Captain Scott Ward – Police Department*

Motion by Asay, second by Fields, that Resolution #2022-0225 be approved.

Roll Call:

Aye: Asay, Fields, McNally

Nay:

Abstain:

Motion carried.

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 25+ 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 25+ 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 10th Day of May, Two Thousand and Twenty-Two.

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

[Resolution #2022-0227](#) - *Authorization to Sell One New Plenary Retail Consumption Liquor License at Public Auction*

Motion by Asay, second by Fields, that Resolution #2022-0227 be approved.

Roll Call:

Aye: Asay, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

WHEREAS, the 2020 Federal Census determined that the population of Bernards Township (the “Township”) exceeds 27,000 persons; and

WHEREAS, pursuant to N.J.S.A.33:1-1 *et seq.*, N.J.S.A. 33:1-19.3 *et seq.*, and Chapter VI of the Bernards Township Revised General Ordinances, the Township is authorized to issue one new plenary retail consumption license; and

WHEREAS, it has been determined to be in the best interest of the Township at this time to permit the issuance of one such additional license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Bernards as follows:

1. The Township Committee authorizes the taking of bids for one new plenary retail consumption license and shall consider applications of interested parties for such license.
2. The one plenary retail consumption license shall be issued to the highest qualified bidder.
3. Pursuant to the “Public Sale Option”, the Township shall conduct a public sale for the purpose of issuance of the one license.
4. Notice of this Resolution, the public sale, and an invitation to bid shall be published by the Township Clerk in an official newspaper of the Township circulating in the municipality by not less than two insertions, to be published not less than one week apart, and none to be published less than 30 days prior to the date of sale. The Public Notice shall also specify that all prospective bidders shall be preliminarily qualified on a date at least five business days prior to the opening of the bids.
5. The Notice shall specify the conditions, special requirements and qualifications of the proposed bidders, including that all bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the N.J. Statutes and Administrative Code including the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, any Township Ordinances, all requirements and conditions contained in the Notice, and all applicable laws. The said Notice is attached hereto and the terms, conditions, special requirements and qualifications set forth therein are hereby adopted as part of this authorizing Resolution.
6. The minimum acceptable bid for the one license shall be **\$625,000.00**. The bid must include a deposit paid by certified check, bank check or cashier’s check for 20% of the bid amount and upon acceptance of the

highest qualified bid by formal Resolution, the successful applicant shall pay the balance of the bid amount by certified check within five business days of the adoption of such Resolution. Bids shall be submitted upon the Bid Package Proposal Forms available in the Office of the Township Clerk and at www.bernards.org, with the name, address and contact information of the bidder printed on the outside of the envelope.

7. In the event of the failure of a successful bidder to pay the balance of the bid amount within the five-business day period following adoption of the award Resolution, the 20% deposit submitted with the bid shall be forfeited by the bidder to the Township, and all other rights of the defaulting bidder shall likewise be forfeited.
8. The Township reserves the right to reject all bids where the highest bid is not accepted, or where the highest bidder defaults in the payment of the balance due on the bid amount.
9. As a condition of the award of a license, the licensee shall operate the licensed premises in an existing restaurant or other suitable location, or on a site, or in a structure where such use is a permitted use, or on a site which has or may receive preliminary and final site plan approval (within the time period hereinafter set forth) from the Township Planning Board or Zoning Board of Adjustment, but in any event, the consumption license operation must be capable of beginning, and actually begin such license use within twenty-four (24) months of the date of the Resolution granting the license and establishing the effective date unless such period is extended by governing law. Should the successful bidder's application be completed without specifying the premises to be licensed, the license issued hereunder shall be a Pocket License and a Place-to-Place transfer shall be required when the location of the premises to be licensed has been determined.
10. The license shall be sited at the place of business and location indicated in the application or such other site initially approved by the Township Committee and shall not be moved from such site for a minimum period of two years without the prior consent of the Township.
11. The sale may be postponed or canceled at any time prior to the opening of the sealed bids.
12. Each bidder shall submit its bid package to Rhonda Pisano, Clerk of the Township of Bernards, at her office located at the Township Municipal Building, One Collyer Lane in the Township of Bernards, Somerset County, New Jersey no later than 11:00 a.m. on June 28, 2022.
13. The Township Clerk on July 7, 2022, at 11:00 a.m. shall publicly announce those applicants who have met and satisfied the pre-qualification standards for bidding as fixed by the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, Township Ordinances, the conditions set forth in this Notice, and applicable law.
14. The time and place at which qualified bids shall be opened shall be at 11:00 a.m. on July 14, 2022, at the office of the Township Clerk of Bernards Township at One Collyer Lane, Township of Bernards, Somerset County, New Jersey. The Clerk shall publicly announce all bid amounts and the highest bid amount will be declared. The Township reserves the right to reject one or all of the bids if the highest bid is not accepted. No bid will be opened from or on behalf of any bidder who does not qualify or has not submitted a Certificate of Proof of Compliance, Source of Funding Affidavit and completed the Alcoholic Beverage Control License Application.
15. The deposit of any bidder deemed to be unqualified shall be returned within seventy-two (72) hours of the determination of lack of qualification. The deposit of any unsuccessful bidder deemed to be qualified shall be returned within seventy-two (72) hours of the award of the license or rejection of all bids as the case may be.
16. Award of the bid will be by action of the Township Committee by formal Resolution to the highest, qualified bidder at the regular Township meeting on July 26, 2022, except that the Township reserves the right to reject one or all bids when the highest bid is not accepted.

Ordinance #2499 - An Ordinance of the Township of Bernards Appropriating \$5,166,485.81 for Various Capital Improvements – Introduction

The deputy clerk read the ordinance by title. Motion by McNally, second by Asay that Ordinance #2499 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 05/24/2022.

Roll Call:

Aye: Asay, Fields, McNally, Baldassare

Nay:

Abstain:

Motion carried.

Approval of Minutes:

04/26/2022 Open Session Minutes and Closed Session Minutes

Motion by Fields, second by McNally, and unanimously agreed that the 04/26/2022 Open Session minutes be approved for content and release and the 04/26/2022 Executive Session Minutes be approved for content.

EXECUTIVE SESSION (if required)

None.

ADJOURNMENT

By unanimous consent, the meeting adjourned at 8:26 PM.

Christine V. Andres
Deputy Municipal Clerk

James Baldassare, Jr.,
Mayor

Approved: 05/24/2022