

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE

COMBINED AGENDA - REGULAR MEETING

February 13, 2024 – 8:00 PM Public Open Session

The Municipal Building, 1 Collyer Lane, Basking Ridge, is open and is following the CDC's current guidelines. The meeting will be live streamed and can be found by clicking on the "Watch a Meeting Live" icon on the home page, www.bernards.org and can also be viewed live on Optimum/Cablevision TV - Channel 15 and Verizon FiOS TV - Channel 35.

**Estimated
Times**

A G E N D A

8:00 PM

- 1. CALL TO ORDER** Video
- 2. FLAG SALUTE**
- 3. MAYOR'S OPENING MEETING STATEMENT**
- 4. ROLL CALL**
- 5. EXECUTIVE SESSION (if required)**

8:05 PM

- 6. PRESENTATIONS**
 - A. Resolution #2024-0140 - In Celebration of the 100th Birthday of Dorothy Kusner
 - B. Resolution #2024-0130 - Recognizing Rachel Yuan and the Ridge High Chinese Culture Club Efforts for the Designation of Lunar New Year in New Jersey
 - C. Resolution #2024-0141 - Resolution of Celebration for Honoring Justin Liu

8:15 PM

- 7. PUBLIC WORK SESSION (if required)**
- 8. REPORTS**
- 9. CORRESPONDENCE**
- 10. PUBLIC COMMENT**
- 11. STAFF COMMENTS, TOWNSHIP COMMITTEE COMMENTS AND BOARD / LIAISON REPORTS**
- 12. FIRE & RESCUE APPOINTMENT**
 - A. Resolution #2024-0129 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 and First Aid Squad Sibylle Hinoul, Junior Member
 - B. Resolution #2024-0136 - Appointment to Membership in Township of Bernards Volunteer First Aid Squad of the Basking Ridge Fire Company #1 Aarohi Gami, Full Member
 - C. Resolution #2024-0139 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 Gregory Guempel, Full Member



Please call 24 hours in advance (908) 204-3001
if accommodations are required, including assistive listening devices (ALD).

13. UNFINISHED BUSINESS

- A. Ordinance #2543 - Accepting a Riparian Zone Conservation Easement on Property Located at 139 Riverside Drive, Block 3201, Lot 17, from Gavin Schiraldo and Bridget Schiraldo to the Township of Bernards – Map – Public Hearing
- B. Ordinance #2544 - An Ordinance of the Township of Bernards to set Calendar Year 2024 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 – Public Hearing

14. NEW BUSINESS

A. 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.

- 1) Resolution #2024-0135 - Approval of the Bill List Dated 02/13/2024
- 2) Resolution #2024-0128 - 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 Chris Lind to Use Space Solely as artist studio.
- 3) Resolution #2024-0131 - Acknowledgement of Receipt of the Construction Official's 2023 Annual Report
- 4) Resolution #2024-0132 - Acknowledgement of Receipt of the 2023 Historical Society Annual Report
- 5) Resolution #2024-0133 - Award of Final Change Order #2 for FY NJDOT Municipal Aid Funded Grant Keats Road, Thackeray Drive, & Highland Avenue Reconstruction To Reivax Contracting Corp., 165 River Road, Flemington, NJ 08822 Decrease of \$16,774.64 (1.57%)
- 6) Resolution #2024-0134 - Resolution entering into a Shared Service Agreement Between Bernards Township and Harding Township for Supplemental Construction Code Inspections in accordance with the NJ Uniform Construction Code
- 7) Resolution #2024-0137 – Issuance of a Rotational Towing License to Eagle Auto and Truck Services, 40 S. Jefferson Rd., Whippany, NJ, 07981 For the 3 Year Period of February 14, 2024, to February 13, 2027
- 8) Resolution #2024-0138 - Approval of Maintenance Surety and Return of Performance Bond for USGA- Entrance Improvements Block 9601 Lot 5.01
- 9) Resolution #2024-0142 - Award of Contract to M.A.I.N. (Morris Automated Information Network) as the provider of Database, Telecom, Operating, Downloadable Materials and Integrated Library System (ILS) Assessments for the Bernards Township Library In the Not to Exceed Amount of \$83,901.49
- 10) Resolution #2024-0143 - Authorizing and Approving Purchase of six (6) 2023 Ford Police Utility AWD police vehicles to Koch33 Ford, 3810 Hecktown Rd, Easton PA 18045 In the Amount Not to Exceed \$229,200
- 11) Resolution #2024-0144 - Authorizing Purchasing from the Somerset County Co-Op Contract #CC-0054-22 for Rock Salt (Bulk) at a Cost Not to Exceed \$200,000.00 to Atlantic Salt Inc.
- 12) Resolution #2024-0145 - Authorizing Purchasing from Somerset County Co-Op Pricing System Contract #CC-0036-22 for Red Dyed #2 Diesel Fuel, (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil Awarded to National Fuel Oil In the Amount Not to Exceed \$150,000
- 13) Resolution #2024-0146 - Authorizing Purchasing from NJ State Contract T-0083 (19-Fleet-00978) for Unleaded Gasoline Awarded to Griffith-Allied Trucking, LLC In the Amount Not to Exceed \$200,000.00
- 14) Resolution #2024-0147 - Awarding an Extraordinary Unspecifiable Professional Services Contract for Public Health Accreditation awarded to Trevor J. Weigle of the firm Strategic Health Advisers, LLC - In the Not to Exceed Amount of \$64,825.00



- B. Resolution #2024-0148 - Resolution Of The Township of Bernards, County Of Somerset, Opposing Assembly Bill No. 4/Senate Bill No. 50, Which Proposes To Overhaul The Fair Housing Act ("FHA") In A Way That Imposes Unrealistic Obligations With Unrealistic Deadlines Based Upon Onerous Standards
- C. Ordinance #2545 - An Ordinance Amending the Revised General Ordinances of the Township of Bernards, Chapter 7 "Traffic", Schedule IX "Stop Intersections" At the intersection of Concord Lane and Fairview Drive East – Introduction
- D. Appointments:
- 1) Designation by Mayor with Township Committee Advice
Environmental Commission, 2024 Chairperson - Alice Smyk and 2024 Vice Chairperson - Nancy Cook
- 2) Appointment made by Township Committee:
Municipal Alliance, Citizen Representative – Catherine Santati, filling the unexpired 1 yr. term of Michele Robertson, expiring 12/31/2024

Municipal Alliance, BOE Representative – Kirsten Light, filling the unexpired 1 yr. term of Csilla Csipak, expiring 12/31/2024
- E. Approval of Minutes
01/23/2024 Open Session Minutes

15. EXECUTIVE SESSION (if required)

16. ADJOURNMENT

Christine V. Kieffer, Municipal Clerk

(Note: Copies of Resolutions and other supporting documents listed on this agenda can be found on the pages below)



Please call 24 hours in advance (908) 204-3001
if accommodations are required, including assistive listening devices (ALD).



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0140

In Celebration of the 100th Birthday of Dorothy Kusner

WHEREAS, Dorothy Kusner of Basking Ridge is celebrating her 100th birthday on Tuesday, March 5th; and

WHEREAS, the Township Committee of Bernards Township deem it fitting and proper to honor this achievement; and

WHEREAS, Dorothy Kusner had a twin brother; and

WHEREAS, Dorothy Kusner lived through the Great Depression; and

WHEREAS, Dorothy Kusner commuted into New York City for years and worked as an executive secretary; and

WHEREAS, Dorothy's family includes two daughters, four grandchildren and two great grandchildren; and

WHEREAS, the Mayor and Township Committee of the Township of Bernards extend to Dorothy Kusner their congratulations on this most memorable occasion.

NOW THEREFORE BE IT RESOLVED, that Bernards Township salutes Dorothy Kusner on achieving a century of living and for her contributions and service to community.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0130

Recognizing Rachel Yuan and the Ridge High Chinese Culture Club Efforts for the
Designation of Lunar New Year in New Jersey

WHEREAS, Bernards Township takes great pride in the varied religious and cultural traditions of residents and seeks to afford all people the opportunity to better understand, recognize, and appreciate the rich histories, cultures, and shared principles of Asians, Asian Americans, and Pacific Islanders that bring these values and traditions that enrich the fabric of our Township; and

WHEREAS, Lunar New Year marks the beginning of the new lunar calendar year that uses the cycles of the moon to measure time and is significant to the Confucian, Daoist, and Buddhist traditions and has been celebrated internationally for thousands of years with festivities to welcome good fortune in the new year; and

WHEREAS, approximately 10 percent of residents in New Jersey are of Asian descent; and

WHEREAS, Rachel Yuan who led the Ridge High Chinese Culture Club that played a main role in the passage of the New Jersey Lunar New Year Bill (AJR201/SJR111) along with support and guidance from Ms. Jane Zhang, Mr. Nick Xu, Mr. Mike McTernan and Mr. Jerry Li; and

WHEREAS, the Ridge High Chinese Culture Club advocacy and testimony efforts, who contacted all New Jersey State Legislators, to raise awareness was significantly impactful in securing support and unanimous approval of the bill; and

WHEREAS, the Club's expanded outreach with the community to gather over 400 petition signatures, distribute literature to local businesses, and create a bilingual website to promote awareness and show public support for the bill.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Township Committee of the Township of Bernards does hereby recognize and congratulate the outstanding efforts of Rachel Yuan and the Ridge High Chinese Culture Club in the bill passage for the New Jersey state designation and proclamation of the second new moon following each year's winter solstice as Lunar New Year.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted
by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0141

Resolution of Celebration for Honoring Justin Liu

WHEREAS, Justin Liu, who is a senior at Ridge High School and is part of the 2024 ISU Short Track Junior World Championship Team for speedskating and juggles the demands of both high school and full-time training; and

WHEREAS, Justin Liu, who liked skating from a young age and has dedicated much of his life to training in preparation for competitions and has ambitions to compete at the 2026 Olympic Winter Games in Milan-Cortina; and

WHEREAS, Justin Liu along with the U.S. Junior World Team in the 2022-2023 season secured a bronze medal in the men's 3000m relay in Dresden, Germany where he personally achieved a top 10 finish in the Men's 1000m junior world standing; and

WHEREAS, Justin Liu, who emerged as the U.S. Junior Champion of U.S. short track speedskating at the Utah Olympic Oval earlier this year and claimed victory in 500m, 1000m, and 1500m; and

WHEREAS, Justin Liu has secured 4th overall in the combined field of junior and senior skaters which had earned him a spot on the U.S. Senior World Cup Team; and

WHEREAS, Bernards Township is extremely proud to be Justin Liu's hometown and wishes to recognize and honor him for his accomplishments.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, that we do hereby recognize and congratulate Justin Liu with great pride in these impressive accomplishments and his extraordinary commitment to the sport of speedskating and wish him well in his future endeavors.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0129

Appointment to Membership in Township of Bernards Volunteer
Basking Ridge Fire Company #1 and First Aid Squad
Sibylle Hinoul, Junior Member

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

WHEREAS, the Basking Ridge Fire Company #1 and First Aid Squad is recommending Sibylle Hinoul, residing at 215 Woods End Dr., 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 Basking Ridge Fire Company #1 and First Aid Squad effective this date.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made by the applicant to the above referenced organization who has vetted said person and recommends appointment. In addition, a police background check has been performed.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0136

Appointment to Membership in Township of Bernards Volunteer
First Aid Squad of the Basking Ridge Fire Company #1
Aarohe Gami, Full Member

WHEREAS, pursuant to §2-14.1 and §2-16.1 of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and the Bernards Township First Aid and Emergency Department shall consist of the First Aid Squad of the Basking Ridge Fire Company No. #1; and

WHEREAS, the First Aid Squad of the Basking Ridge Fire Company #1 is recommending Aarohe Gami, residing at 32 Culberson Road, Basking Ridge, NJ, for appointment as a Full Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Full Member of the First Aid Squad of the Basking Ridge Fire Company #1 effective this date.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made by the applicant to the above referenced organization who has vetted said person and recommends appointment. In addition, a police background check has been performed.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0139

Appointment to Membership in Township of Bernards Volunteer
Basking Ridge Fire Company #1
Gregory Guempel, Full Member

WHEREAS, pursuant to §2-14.1 and §2-16 .1 of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and

WHEREAS, the Basking Ridge Fire Company #1 is recommending Gregory Guempel, residing at 31 Mt Airy Rd., Basking Ridge, NJ, for appointment as a Full Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Full Member of the Basking Ridge Fire Company #1 effective this date.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made by the applicant to the above referenced organization who has vetted said person and recommends appointment. In addition, a police background check has been performed.

Christine V. Kieffer, Municipal Clerk



Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

ORDINANCE #2543

Accepting a Riparian Zone Conservation Easement on
Property Located at 139 Riverside Drive, Block 3201, Lot 17,
from Gavin Schiraldo and Bridget Schiraldo to the Township of Bernards

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 Gavin Schiraldo and Bridget Schiraldo, with a mailing address at 139 Riverside Drive, Basking Ridge, New Jersey, 07920, a Riparian Zone Conservation Easement on Block 3201, Lot 17, 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.

EXPLANATORY STATEMENT

This easement is provided in conjunction with the property owners' request for a permit to construct improvements to their dwelling. The purpose of the easement is to protect the riparian zone located on the property. The riparian zone provides a buffer along a stream located on an adjacent property. The property owners have submitted fees to reimburse the Township for costs incurred in processing the easement.

Date: December 26, 2023

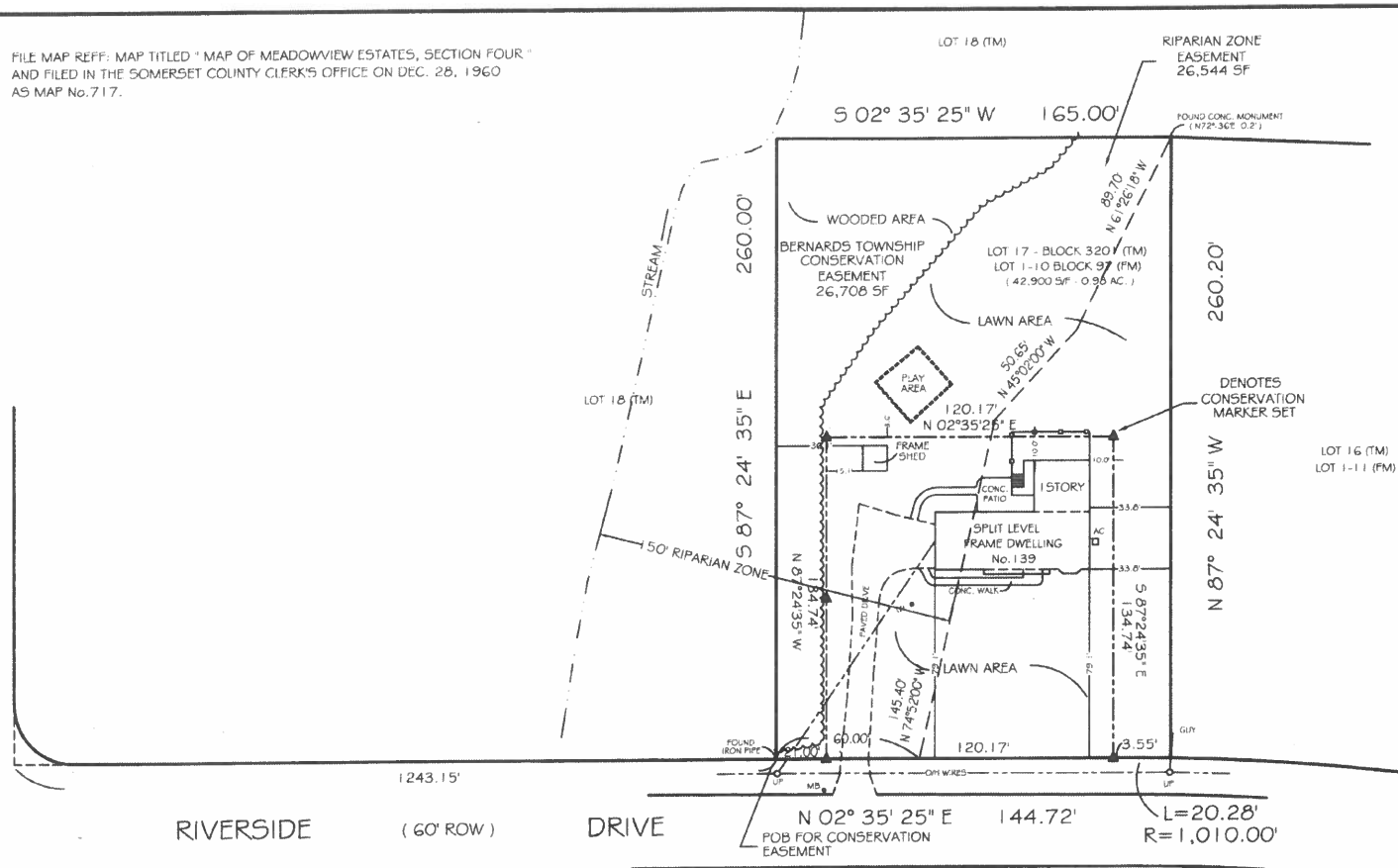
David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2543 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/23/2024 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 02/13/2024, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from ckieffer@bernards.org.

By Order of the Township Committee
Christine V. Kieffer, Municipal Clerk

LORD STIRLING ROAD



CHAPTER D

**Murphy
& Hollows
Associates LLC**

CIVIL ENGINEERING AND SURVEYING
182 CENTRAL AVENUE, STIRLING, NJ 07804
908.362.1235 murphyhollows@aol.com

CERTIFICATIONS :


REVISIONS :
NOVEMBER 7, 2023 POB

NOTES :

JOB No. 15-078
SCALE : 1" = 50'
DRAWN BY : S.P.
CHECKED BY : W.G.H.

DATE:
OCTOBER 23, 2023

CERTIFICATE OF AUTHORIZATION
No. 24GA27959700


WILLIAM G. HOLLOWS
N.J. LIC. PROFESSIONAL ENGINEER
& LAND SURVEYOR #GB27473
N.J. PROFESSIONAL PLANNER #2530



Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

ORDINANCE #2544

An Ordinance of the Township of Bernards to set Calendar Year 2024 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its Calendar Year 2024 Budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

WHEREAS, the Township Committee of the Township of Bernards in the County of Somerset finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$293,633.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and may be necessary; and

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

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Bernards shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, may be increased up to 3.5 %, amounting to no more than \$1,027,716.39, and that the CY 2024 municipal budget for the Township of Bernards be approved and adopted in accordance with this ordinance; and

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

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

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

EXPLANATORY STATEMENT

This ordinance is an annual housekeeping item that will allow for 2024 "inside the cap" budget appropriations to be increased by more than the 2.5% that the state allows for the current year. This does not mean that the 2024 budget will be increased by this amount but will allow us to "bank" any unused cap money for use in either of the next two succeeding years. This does not affect the calculation of the 2% Levy Cap.

Sean McCarthy, CFO
1/2/2024

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2544 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/23/2024 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said

township on 02/13/2024, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from ckieffer@bernards.org.

By Order of the Township Committee
Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0135

Approval of the Bill List Dated 02/13/2024

BE IT RESOLVED, that the bill list dated 02/13/2024 be audited, and if found correct, be paid.

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CASH - CHECKING CURRENT CHECKING					
138832	02/13/24	90220 BETTLER, DENNIS	20.00	1741 Direct Deposit	
138833	02/13/24	90239 SCHLEY, DAVID L	350.00	1741 Direct Deposit	
138834	02/13/24	90270 GELETA, ERIC M.	130.50	1741 Direct Deposit	
138835	02/13/24	90301 MAHONEY, STEPHEN	21.31	1741 Direct Deposit	
138836	02/13/24	90342 BAHLMAN, RICH	67.00	1741 Direct Deposit	
138837	02/13/24	90382 RAINEY, SYBIL	70.00	1741 Direct Deposit	
138838	02/13/24	90395 NERI, MARK	36.79	1741 Direct Deposit	
138839	02/13/24	90400 ALBANESE, CHRISTOPHER	96.00	1741 Direct Deposit	
138840	02/13/24	90563 CARTOCCIO, KAITLIN	67.97	1741 Direct Deposit	
138841	02/13/24	90586 COLEMAN, SAMPSON	24.43	1741 Direct Deposit	
138842	02/13/24	90664 POLIZZI, TIMOTHY	27.50	1741 Direct Deposit	
138843	02/13/24	90734 COSTA, MICHAEL	20.00	1741 Direct Deposit	
138844	02/13/24	90739 HANDWERGER, JACLYN	70.00	1741 Direct Deposit	
138845	02/13/24	90743 STRAMA, OLIVIA	19.00	1741 Direct Deposit	
138846	02/13/24	A0168 ALLIED OIL COMPANY, LLC	12,627.78	1741 Direct Deposit	
138847	02/13/24	A0425 ATLANTIC TACTICAL	326.26	1741 Direct Deposit	
138848	02/13/24	A0453 AMAZON.COM	3,908.29	1741 Direct Deposit	
138849	02/13/24	A0589 AFTERMATH SERVICES, LLC	300.00	1741 Direct Deposit	
138850	02/13/24	A0611 AMERICAN WEAR, INC	1,048.58	1741 Direct Deposit	
138851	02/13/24	A0748 ARMENTI CONTRACTING	5,080.00	1741 Direct Deposit	
138852	02/13/24	B0203 DIFRANCESCO BATEMAN, PC	3,898.00	1741 Direct Deposit	
138853	02/13/24	B0581 BUY WISE AUTO PARTS	1,151.34	1741 Direct Deposit	
138854	02/13/24	C0434 CENTRAL JERSEY CONSTRUCTION	5,400.00	1741 Direct Deposit	
138855	02/13/24	C0597 CLIFFSIDE BODY CORPORATION	523.05	1741 Direct Deposit	
138856	02/13/24	D0020 DELTA DENTAL OF NJ	12,751.46	1741 Direct Deposit	
138857	02/13/24	D0033 DEMCO, INC	519.00	1741 Direct Deposit	
138858	02/13/24	D0339 DEER CARCASS REMOVAL SVC, LLC	35.00	1741 Direct Deposit	
138859	02/13/24	D0380 DRIVERS TIRE & SERVICE CENTER	534.88	1741 Direct Deposit	
138860	02/13/24	E0224 EXCELLENT BUILDING SERVICES	2,745.00	1741 Direct Deposit	
138861	02/13/24	E0327 ELITE VEHICLE SOLUTIONS	760.00	1741 Direct Deposit	
138862	02/13/24	F0445 FACILITIES PARTNERS & SOLUTION	3,586.94	1741 Direct Deposit	
138863	02/13/24	G0066 GRAINGER INC	1,518.64	1741 Direct Deposit	
138864	02/13/24	G0133 GARDEN STATE LABORATORIES, INC	5,495.00	1741 Direct Deposit	
138865	02/13/24	G0300 GOLD TYPE BUSINESS MACHINES	1,000.00	1741 Direct Deposit	
138866	02/13/24	G0333 BEDMINSTER CAR WASH	207.90	1741 Direct Deposit	
138867	02/13/24	G0694 GREENMAN-PEDERSEN, INC.	2,523.25	1741 Direct Deposit	
138868	02/13/24	G0698 GENSERVE, LLC	11,572.12	1741 Direct Deposit	
138869	02/13/24	H0029 HUMPHREYS PEST CONTROL, INC.	130.00	1741 Direct Deposit	
138870	02/13/24	K0354 KANOPY INC	455.00	1741 Direct Deposit	
138871	02/13/24	M0353 MIDWEST TAPE LLC	2,420.53	1741 Direct Deposit	
138872	02/13/24	M0511 MOTOROLA SOLUTIONS, INC.	23,794.50	1741 Direct Deposit	
138873	02/13/24	M0856 MCGRATH MUNICIPAL	868.50	1741 Direct Deposit	
138874	02/13/24	M0997 MOBILE LIFTS, LLC	987.52	1741 Direct Deposit	
138875	02/13/24	N0030 NJ STATE ASSN.-CHIEFS/POLICE	275.00	1741 Direct Deposit	
138876	02/13/24	N0083 NJRPA	425.00	1741 Direct Deposit	
138877	02/13/24	N0189 NEW JERSEY FIRE EQUIPMENT CO.	19,957.32	1741 Direct Deposit	
138878	02/13/24	N0415 NATIONAL FUEL OIL INC	12,992.21	1741 Direct Deposit	
138879	02/13/24	N0482 NICOLETTI SNOW REMOVAL LLC	40,380.88	1741 Direct Deposit	
138880	02/13/24	O0135 OUTHOUSE LLC	300.00	1741 Direct Deposit	
138881	02/13/24	O0164 ODP BUSINESS SOLUTIONS LLC	358.99	1741 Direct Deposit	
138882	02/13/24	O0168 OCEAN COMPUTER GROUP, INC.	19,033.00	1741 Direct Deposit	
138883	02/13/24	P0663 PALINDROME TECHNOLOGIES INC	2,000.00	1741 Direct Deposit	
138884	02/13/24	P0752 PREMIER POOL RENOVATIONS INC	101,250.00	1741 Direct Deposit	
138885	02/13/24	R0393 RESEARCH&DESIGN LANDSCAPE LLC	13,513.00	1741 Direct Deposit	
138886	02/13/24	R0509 REIVAX CONTRACTING CORPORATION	27,247.03	1741 Direct Deposit	
138887	02/13/24	R0824 REPUBLIC SERVICES OF NJ LLC	1,330.00	1741 Direct Deposit	
138888	02/13/24	S0016 STORR TRACTOR COMPANY	39,604.13	1741 Direct Deposit	
138889	02/13/24	S0069 SAL'S AUTO BODY INC.	605.20	1741 Direct Deposit	
138890	02/13/24	S0135 CJHRC-CENTRAL JERSEY HOUSING	8,785.78	1741 Direct Deposit	
138891	02/13/24	S0526 SPATIAL DATA LOGIC	3,000.00	1741 Direct Deposit	
138892	02/13/24	S0764 STERICYCLE	71.40	1741 Direct Deposit	
138893	02/13/24	S1176 STONEFIELD ENG. & DESIGNS LLC	845.00	1741 Direct Deposit	
138894	02/13/24	T0066 CENGAGE LEARNING CREDIT SVCS	49.48	1741 Direct Deposit	
138895	02/13/24	T0192 TURN OUT UNIFORMS INC	218.99	1741 Direct Deposit	
138896	02/13/24	T0378 THE GUARDIAN LIFE INS CO OF AM	88.46	1741 Direct Deposit	
138897	02/13/24	U0001 UNITEMP MECHANICAL DEGREES LLC	14,714.88	1741 Direct Deposit	
138898	02/13/24	U0056 U.S. MUNICIPAL SUPPLY, INC.	648.20	1741 Direct Deposit	
138899	02/13/24	W0241 W.B. MASON CO INC.	592.50	1741 Direct Deposit	
138900	02/13/24	A0174 ALL SPORTS STADIUM, LLC	594.00	1742	
138901	02/13/24	A0250 AMBASSADOR MEDICAL SERVICES	256.00	1742	
138902	02/13/24	A0288 AIRPOWER INTERNATIONAL, INC.	43,950.00	1742	
138903	02/13/24	A0716 ACB SERVICES INC	2,660.00	1742	
138904	02/13/24	A0729 ABLE SECURITY LOCKSMITHS	651.00	1742	
138905	02/13/24	A0742 ALLEGIANCE TRUCKS LLC	1,387.06	1742	
138906	02/13/24	A0756 ATCF II NEW JERSEY LLC	153,228.56	1742	
138907	02/13/24	B0001 BAKER & TAYLOR, INC.	4,874.66	1742	
138908	02/13/24	B0017 BRIDGewater RESOURCES, INC.	2,133.96	1742	
138909	02/13/24	B0026 BERNARDS TOWNSHIP CURRENT	9,816.20	1742	
138910	02/13/24	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	592,325.31	1742	
138911	02/13/24	B0044 BASKING RIDGE ANIMAL HOSPITAL	1,064.80	1742	
138912	02/13/24	B0098 BERNARDS TOWNSHIP (RECREATION)	3,702.33	1742	
138913	02/13/24	B0159 BORO OF BERNARDSVILLE	8,275.00	1742	
138914	02/13/24	B0447 BRODART LIBRARY SUPPLIES&FURN	143.08	1742	

138915	02/13/24	C0024	GANNETT NEW JERSEY NEWSPAPERS	33.79	1742
138916	02/13/24	C0024	GANNETT NEW JERSEY NEWSPAPERS	9.30	1742
138917	02/13/24	C0208	NJCACOA	250.00	1742
138918	02/13/24	C0346	CROWN TROPHY OF GREEN BROOK	560.00	1742
138919	02/13/24	C0482	OPTIMUM	137.95	1742
138920	02/13/24	C0482	OPTIMUM	13.54	1742
138921	02/13/24	C0482	OPTIMUM	44.95	1742
138922	02/13/24	C0482	OPTIMUM	33.34	1742
138923	02/13/24	C0611	CHEMUNG SUPPLY CORP	1,469.00	1742
138924	02/13/24	C0613	CIGNA GROUP INSURANCE	1,598.00	1742
138925	02/13/24	C0697	BB&T/CPS	69.52	1742
138926	02/13/24	C0774	COLONIAL LIFE & ACC INSURANCE	539.52	1742
138927	02/13/24	C0802	CMIT SOLUTIONS OF MORRISTOWN	700.00	1742
138928	02/13/24	C0811	COASTAL METAL RECYCLING CORP	616.00	1742
138929	02/13/24	C0946	CIOCCA PARTS WAREHOUSE	371.31	1742
138930	02/13/24	D0869	DRUG IMPAIRMENT CONSULTING AND	225.00	1742
138931	02/13/24	D0874	DRAKE, IAN J	250.00	1742
138932	02/13/24	E0246	EMSL ANALYTICAL, INC.	70.00	1742
138933	02/13/24	E0342	EB EMPLOYEE SOLUTIONS, LLC	4,862.30	1742
138934	02/13/24	F0047	FULLERTON FORD	350.39	1742
138935	02/13/24	F0148	FAIRFIELD MAINTENANCE INC	422.00	1742
138936	02/13/24	F0158	FLEMINGTON DEPARTMENT STORE	321.18	1742
138937	02/13/24	F0324	FLAGSHIP DENTAL PLANS	108.74	1742
138938	02/13/24	F0326	FX AUTOMOTIVE LLC	1,053.71	1742
138939	02/13/24	F0330	FIDELITY SECURITY LIFE INS	361.42	1742
138940	02/13/24	F0383	FALCON ENGINEERING CO, LLC	21,390.00	1742
138941	02/13/24	G0098	JCP&L	4,825.20	1742
138942	02/13/24	H0178	HOSE SHOP, INC.	346.52	1742
138943	02/13/24	H0223	HOFFMAN SERVICES, INC.	650.00	1742
138944	02/13/24	H0227	HY-VIZ INCORPORATED	1,360.00	1742
138945	02/13/24	H0246	HOME DEPOT CREDIT SERVICES	227.90	1742
138946	02/13/24	H0476	HAREL, GILAD	250.00	1742
138947	02/13/24	I0159	IMPERIAL DADE	1,077.20	1742
138948	02/13/24	K0039	KOBESKY, GREGG S.	120.00	1742
138949	02/13/24	K0259	KONICA MINOLTA PREMIER FINANCE	123.54	1742
138950	02/13/24	K0331	KONICA MINOLTA PREMIER FINANCE	518.80	1742
138951	02/13/24	K0341	KONICA MINOLTA PREMIER FINANCE	133.42	1742
138952	02/13/24	K0412	KISKER, STEPHEN OR JENNIFER	50.00	1742
138953	02/13/24	K0430	KAUFMAN, KELLY	500.00	1742
138954	02/13/24	L0516	LIFEVAC, LLC	339.37	1742
138955	02/13/24	M0006	MGL PRINTING SOLUTIONS	158.00	1742
138956	02/13/24	M0116	MID-ALANTIC TRUCK CENTER, INC.	162,345.16	1742
138957	02/13/24	M0178	MARK'S AUTO SERVICE	75.00	1742
138958	02/13/24	M0292	MUNCO OF NJ	75.00	1742
138959	02/13/24	M0342	MORTON'S MARKETING RESOURCES	706.25	1742
138960	02/13/24	M0493	MCELROY, DEUTSCH, MULVANEY &	6,364.67	1742
138961	02/13/24	M0518	KONICA MINOLTA BUSINESS SOL.	27.30	1742
138962	02/13/24	M0518	KONICA MINOLTA BUSINESS SOL.	26.00	1742
138963	02/13/24	M0518	KONICA MINOLTA BUSINESS SOL.	68.18	1742
138964	02/13/24	M0518	KONICA MINOLTA BUSINESS SOL.	50.00	1742
138965	02/13/24	M0837	MORRIS CO CODE OFFICIALS ASSOC	25.00	1742
138966	02/13/24	M0865	MARYLES, TARA OR DAVID	115.00	1742
138967	02/13/24	M0899	MR JOHN	65.00	1742
138968	02/13/24	N0006	NEW JERSEY AMERICAN WATER CO.	732.42	1742
138969	02/13/24	N0010	NNJ CHAPTER NIGP	100.00	1742
138970	02/13/24	N0032	NJ STATE DEPT HEALTH/SR SVCS	961.80	1742
138971	02/13/24	N0050	NJ SHADE TREE FEDERATION	170.00	1742
138972	02/13/24	N0053	NJ UNEMPLOYMENT COMP. FUND	3,198.00	1742
138973	02/13/24	N0124	NJACCHO	250.00	1742
138974	02/13/24	N0187	NJ ENVIRONMENTAL HEALTH ASSOC	1,075.00	1742
138975	02/13/24	N0244	NORTHERN TOOL & EQUIPMENT CO.	365.73	1742
138976	02/13/24	N0296	NJASRO	450.00	1742
138977	02/13/24	N0317	NEW YORK TIMES - SUBSCRIPTIONS	1,085.93	1742
138978	02/13/24	N0339	NJ WOMEN IN LAW ENFORCEMENT	250.00	1742
138979	02/13/24	N0419	NIXON, PAMELA	215.00	1742
138980	02/13/24	N0451	NJ ADVANCE MEDIA	114.38	1742
138981	02/13/24	N0462	N M PREMIUM FOODS, INC	489.95	1742
138982	02/13/24	N0470	NATIONWIDE	182.77	1742
138983	02/13/24	O0100	OVERDRIVE, INC.	76.00	1742
138984	02/13/24	O0105	O.C.A. BENEFIT SERVICES, LLC	59.40	1742
138985	02/13/24	P0005	PITNEY BOWES, INC.	799.14	1742
138986	02/13/24	P0014	PUBLIC SERVICE ELEC. & GAS CO	428.07	1742
138987	02/13/24	P0046	RESERVE ACCOUNT	1,059.08	1742
138988	02/13/24	P0125	PWANJ	165.00	1742
138989	02/13/24	P0511	PERFORMANCE TRAILERS INC.	520.50	1742
138990	02/13/24	P0525	POWER PLACE, INC.	42.22	1742
138991	02/13/24	P0538	PROVIDENT LIFE & ACCIDENT	60.04	1742
138992	02/13/24	P0592	PERMITTECHNATION	50.00	1742
138993	02/13/24	P0602	LINDE GAS & EQUIPMENT INC	63.15	1742
138994	02/13/24	P0689	PALLOTTA, JOHN OR LAURA	50.00	1742
138995	02/13/24	P0724	PACE ANALYTICAL SERVICES LLC	2,300.00	1742
138996	02/13/24	P0750	PIZZA DA NAPOLI, LLC	479.80	1742
138997	02/13/24	R0005	RECORDER PUBLISHING CO., INC	40.80	1742
138998	02/13/24	R0005	RECORDER PUBLISHING CO., INC	33.15	1742
138999	02/13/24	R0005	RECORDER PUBLISHING CO., INC	16.83	1742
139000	02/13/24	R0005	RECORDER PUBLISHING CO., INC	72.42	1742
139001	02/13/24	R0010	REIDER ASSOCIATES, INC.	60.00	1742
139002	02/13/24	R0023	RICHIES TIRE SERVICE, INC.	1,545.51	1742
139003	02/13/24	R0025	RIDGE RESTAURANT	396.50	1742
139004	02/13/24	R0043	REGISTRARS' ASSOCIATION OF NJ	125.00	1742
139005	02/13/24	R0045	RUTGERS - THE STATE UNIVERSITY	1,908.00	1742
139006	02/13/24	R0308	ROUTE 23 AUTO MALL	1,220.98	1742
139007	02/13/24	R0369	RUTGERS -CENTER FOR CONTINUING	1,405.00	1742
139008	02/13/24	R0493	RIDGE BAGEL & CAFE	912.85	1742
139009	02/13/24	R0495	ROAD SAFETY SYSTEMS, LLC	6,574.00	1742
139010	02/13/24	S0067	SOMERSET COUNTY TREASURER	5,836,128.32	1742
139011	02/13/24	S0068	SOMERSET COUNTY TREASURER	583,419.07	1742
139012	02/13/24	S0083	SOMERSET COUNTY ASSESSORS ASSN	350.00	1742
139013	02/13/24	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	1,096.75	1742
139014	02/13/24	S0628	STATE OF NEW JERSEY-HB	202,303.87	1742
139015	02/13/24	S0736	SOMERSET COUNTY	205.00	1742
139016	02/13/24	S0875	SUNLIGHT GENERAL CAPITAL	53.23	1742
139017	02/13/24	S0913	SHEDLOCK CAR CARE	410.00	1742
139018	02/13/24	S0977	STAVOLA CONSTRUCTION MATERIALS	2,371.38	1742
139019	02/13/24	S1133	STARCREST KENNELS, LLC	1,737.68	1742

139020	02/13/24	S1151	STERTIL-KONI USA, INC.	56,094.00	1742
139021	02/13/24	S1191	SAVO,SCHALK,CORSINI,GILLESPIE,	14,594.20	1742
139022	02/13/24	S1209	SPECIAL OPS TACTICAL LLC	4,670.73	1742
139023	02/13/24	S1228	SCHENKER, ALICE	100.00	1742
139024	02/13/24	T0025	TRUKMANN'S INC. C/O	1,007.93	1742
139025	02/13/24	T0049	TROPICANA ATLANTIC CITY	569.94	1742
139026	02/13/24	T0074	TREASURER - STATE OF N.J.	1,100.00	1742
139027	02/13/24	T0227	T.R.M. TRANSMISSIONS INC.	1,755.15	1742
139028	02/13/24	T0308	TORO NSN	2,100.00	1742
139029	02/13/24	T0372	TLO, LLC	179.40	1742
139030	02/13/24	T0498	TRINI AUTO GROUP LLC	250.00	1742
139031	02/13/24	T0508	TRISH CHAMBERS PRODUCTIONS LLC	300.00	1742
139032	02/13/24	U0131	UGI ENERGY SERVICES, LLC	5,007.74	1742
139033	02/13/24	V0056	VERIZON WIRELESS	1,839.22	1742
139034	02/13/24	V0058	VERIZON	182.70	1742
139035	02/13/24	V0058	VERIZON	87.88	1742
139036	02/13/24	V0058	VERIZON	648.87	1742
139037	02/13/24	V0058	VERIZON	42.19	1742
139038	02/13/24	V0058	VERIZON	42.19	1742
139039	02/13/24	V0058	VERIZON	89.60	1742
139040	02/13/24	V0058	VERIZON	84.39	1742
139041	02/13/24	V0058	VERIZON	42.19	1742
139042	02/13/24	V0058	VERIZON	274.24	1742
139043	02/13/24	V0058	VERIZON	38.02	1742
139044	02/13/24	V0084	VERIZON	268.30	1742
139045	02/13/24	V0177	VERIZON	338.36	1742
139046	02/13/24	V0185	VERIZON CONNECT	776.95	1742
139047	02/13/24	W0016	WARRENVILLE TRUE VALUE	654.62	1742
139048	02/13/24	W0347	THE WACKS LAW GROUP, LLC	938.00	1742
139049	02/13/24	X0003	XEROX CORPORATION	232.80	1742
139050	02/13/24	X0005	XTEL COMMUNICATION	1,863.04	1742
139051	02/13/24	Z0059	ZUFALL HEALTH CENTER, INC	1,007.00	1742

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	152	0	7,796,904.80	0.00
Direct Deposit:	68	0	415,475.49	0.00
	=====	=====	=====	=====
Total:	220	0	8,212,380.29	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
FUND DESCRIPTION					
CURRENT FUND	3-01	59,828.60	0.00	0.00	59,828.60
CURRENT FUND	4-01	7,483,057.91	0.00	0.00	7,483,057.91
DOG FUND	4-12	2,538.96	0.00	0.00	2,538.96
GOLF COURSE UTILITY	4-26	5,107.92	0.00	0.00	5,107.92
Year Total:		7,490,704.79	0.00	0.00	7,490,704.79
CAPITAL FUND	C-04	498,316.53	0.00	0.00	498,316.53
PUBLIC GRANTS	G-02	30,504.40	0.00	0.00	30,504.40
TRUST FUNDS	T-13	115,593.62	0.00	0.00	115,593.62
PROJECT		17,432.35	0.00	0.00	17,432.35
Total Of All Funds:		8,212,380.29	0.00	0.00	8,212,380.29

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine Kieffer , Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0128

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 Chris Lind to Use Space Solely as artist 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 January 18, 2024 the Friends requested approval to permit a lease agreement with Chris Lind 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 Chris Lind, 36 Debra Lane, Basking Ridge, NJ 07920 from February 1, 2024 to January 31, 2025; 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.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

12-month License for Chris Lind at KMS Farmstead Leslie Workman, President Dated: 01/18/2024.



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0131

Acknowledgement of Receipt of the Construction Official's 2023 Annual Report

WHEREAS, pursuant to §12-1.4. of the Revised General Ordinances of the Township of Bernards, the Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Committee biannually a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act; and

WHEREAS, the 2023 annual report has been submitted as required.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, acknowledges receipt of the following report.

Agenda Date and Vote: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

Pursuant to township ordinance, I respectfully submit this annual activity report for 2023

· Applications received and reviewed:	2,559
· Permits issued:	2,272
· Permit updates issued:	220
· Additions:	45
· Alterations:	2,397
· New single family unit permits:	3
· Single family demolition permits:	3
· Certificates of Occupancy issued:	64
· Certificates of Approval issued:	2,273
· Inspections conducted:	6,793
· Penalties Collected:	\$ 3,000.00
· Revenue:	\$ 909,151.05
· Expenditures:	\$ 912,131.42

	2019	2020	2021	2022	2023
Applications	2280	2210	2641	2423	2559
Permit Issued	2046	1906	2385	2236	2272
Permit Updates	241	155	196	231	220
Additions	46	40	44	47	45
Alterations	2166	1951	2478	2359	2397
New Single Family Permits	5	6	9	9	3
Single Family Demolitions	6	9	2	2	3
Certificates of Occupancy	64	26	50	39	64
Certificates of Approval	2029	1174	2176	1962	2273
Inspections	6611	5294	6367	6714	6793
Penalties revenue	\$11,300.00	\$ 14,150.00	\$ 7,450.00	\$ 2,650.00	\$ 3,000.00
Revenues	\$644,254.00	\$977,571.00	\$ 974,427.40	\$ 1,089,678.00	\$ 909,151.05
Expenditures	\$775,116.46	\$745,685.94	\$ 824,210.11	\$ 908,343.35	\$ 912,131.42



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0132

Acknowledgement of Receipt of the 2023 Historical Society Annual Report

WHEREAS, pursuant to Ordinance #994, on January 12, 1990, the Township of Bernards and the Historical Society of Somerset Hills entered into a 50-year lease agreement for lease of the township-owned Brick Academy located at 15 West Oak Street, Block 1506, Lot 10, Basking Ridge; and

WHEREAS, pursuant to said agreement and N.J.S.A. 40A:12-14c, the Historical Society of Somerset Hills must submit an annual report to the Township setting out the use to which the building was put during the preceding year, the activities of the Society undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the Society pursuant to both State and Federal law; and

WHEREAS, the 2023 annual report has been submitted as required and placed on file with the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the 2023 Annual Report of the Historical Society of Somerset Hills be acknowledged as submitted and is on file in the Municipal Clerk's office.

Agenda Date and Vote: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



2023 Annual Report

The Historical Society of the Somerset Hills

Submitted by Sue Zibelli, Chairman

Board of Trustees

Sue Zibelli	Chairman
Pat Gray	President
W. Barry Thomson	Vice President
Dave Urbani	Treasurer
Cynthia Crosson	Recording Secretary
Jon Booth	Historic Preservation and Restoration, Building Maintenance
Roy Crego	Archives, Content Management, Social Media, Website
Marcella Miccolis	Affiliate Memberships, Newsletter, Publications

Throughout 2023, the Board of Trustees comprised of eight active volunteer members. One Trustee joined the Board in February. One Trustee resigned in June. The Board convened ten times during 2023.

A general membership meeting was held in September. General membership meetings may include business updates, announcements and guest speakers. The Board of Trustees met with the mayors of Bernards Township, Bernardsville, Far Hills, and Peapack-Gladstone.

The Historical Society of the Somerset Hills (THSSH) is the oldest historical society in the Somerset Hills and surrounding area, in existence for over 90 years. THSSH is a 501 (c) (3) non-profit organization.

Executive Summary

The primary objective of The Historical Society of the Somerset Hills (THSSH) in 2023 was to create cultural opportunities and enrichment for the local community by providing programs and initiatives that inform, educate and foster interest in local history.

• Education Programs – Bernards Township

The popular Early American Schoolhouse education program for 3rd grade students, administered by former schoolteachers, was provided to over 350 children from five Bernards Township schools.

Additionally, one Ridge High School student provided volunteer hours as part of the Young Historians program.

An interactive map of historic Basking Ridge center was created by a local Boy Scout and is now part of THSSH's website. The interactive map was sponsored by THSSH as an Eagle Scout project.

- **Research** – Nationwide

Over 30 research requests were addressed by Trustees throughout 2023 in person, and via email. THSSH's Archivist met regularly at the Brick Academy to work on the proper management of our archives and donated materials. An electronic catalog program was purchased to capture extensive information that can be shared beyond THSSH in the future.

- **Museum** – Somerset Hills

The museum was open to the public the first Sunday of each month. A special exhibit was installed on the main floor of the museum during most of the year, "Slavery in Our Own Backyard," which focused on the history of slavery in the Somerset Hills. The exhibit featured the story of an enslaved black Revolutionary War soldier, Samuel Sutphin, who fought bravely in some of the most famous battles of the Revolutionary War. The "Rush Family Treasures," a multigenerational display featuring a rare collection of 18th & 19th C. personal artifacts, household items, and business documents from a local family was exhibited in the museum at the end of 2023. Out-of-print books on the history of the area were acquired for the museum bookstore from the AAUW Book Sale.

- **Communications** – Nationwide (membership)

Members received three issues of "*Inside the Brick Academy*" newsletters, along with the annual report. An email communication was created and was sent at the same time as the newsletter to members, as well as non-members. The email highlights programs and events and includes a Volunteer Spotlight. The email was designed to also lead readers to the current newsletter on our website, as well as our Facebook page.

- **Website and Social Media** – Nationwide

THSSH continued to communicate news and information through our website www.thssh.org, and through eMail. Extensive website revisions were ongoing throughout 2023. A Blog was created to reside on THSSH's website. A Facebook and Instagram page was created for THSSH. Our Facebook page has 263 followers; our Instagram page has 145 followers.

To ensure THSSH's archives and artifacts can be efficiently and effectively digitized and cataloged, the Verizon Internet service was upgraded in the Brick Academy, and a new computer and monitor, as well as a new printer were purchased.

- **Programs**

A book talk and book signing brunch event for "*All the Presidents' Gardens*," by Marta McDowell was held at the historic Grain House restaurant. A Black Revolutionary War Soldier reenactor delivered a living history program at the Brick Academy. Author reading and book signing of "*The Gilded Frame*," a historical mystery set in New Jersey's Bernardsville Mountain Colony, was held at the Brick Academy.

An exclusive, members only presentation on the history of the Sky Farm Nudist Resort was held at the Brick Academy. A special screening of the film “Saving The Great Swamp Battle to Defeat the Jetport,” documenting an important piece of the Somerset Hills’ history, was presented at the Brick Academy along with a Membership Gathering that served as the General Membership Meeting. THSSH hosted a Holiday Party for members that took place in St. Mark’s Episcopal Church in Basking Ridge where members were entertained by the Somerset Hills Harmony a Capella Chorus in the historic 1852 Post Chapel.

Trustees gave a tour of the historic “Astor Mansion” Bernards Township Townhall, to St. James first-grade class, as well as during the Mayor’s Fall Festival.

A Programs & Events brochure was created that listed the programs and events in 2023. Copies were left at Bernards Township Town Hall, in local libraries and food establishments.

- **Advocacy**

THSSH participated in the 1770’s Lord Stirling Festival and Somerset County’s Weekend Journey through the Past. THSSH print pieces were provided to the Somerset County 4-H Fair.

- **Historic Restoration and Preservation and Brick Academy Maintenance**

THSSH continues to work with parties to advise on the historic importance of properties. An issue with the boiler at the Brick Academy was effectively addressed.

- **Membership – Nationwide**

Total membership in 2023 was 234. THSSH welcomed 48 new members in 2023.

- **Donations – Nationwide**

THSSH received over \$8500 in donations. Several artifacts were donated to the museum including an extensive, and important collection from a local family dating into the 1700s, as well as a framed “General Return of Wagons and Horses in the Service of the United States” from the late 1700s.

Education

Print publications are available free of charge at the Brick Academy:

- THSSH Pamphlet – Highlights the history of the Brick Academy, the mission of The Historical Society of the Somerset Hills, ongoing projects, fund raising events, museum hours, and membership information.
- Inside the Brick Academy Newsletter – Published three times a year and mailed to our membership, this newsletter comprises society news, event calendar, and local interest stories.

- Volunteer Brochure – Describes the primary THSSH committees, which include Affiliate Organizations; Archives & Research; Bookstore; Building Maintenance; Clerical; Community Outreach; Education; Fund Raisers; Gardens & Grounds; Hospitality; Membership; Museum; Newsletter; Production; Public Relations; Publicity; Speaker Programs; Website/Social Media

On sale at the Brick Academy is the *Around and About Basking Ridge, Liberty Corner and Lyons* picture book, as well as other history related books.

Archives & Research

THSSH archives is coveted by local and distant researchers who contact THSSH via our website, phone, and mail to request local research assistance. The primary information requested is local family and house documents and pictures; historic maps; local historic figures; and buildings.

THSSH received over 30 research requests that were addressed in person and remotely by Trustees.

Museum

The Brick Academy serves as a museum of local artifacts and historical information about the towns in the Somerset Hills – Bedminster, Peapack-Gladstone, Far Hills, Bernardsville, and Bernards Township/Basking Ridge, the only one of its kind in the Somerset Hills.

The top floor, restored to an 1890s period schoolroom with an authentic potbelly stove, period schoolroom furniture, and classroom objects, is used for education programs. Along with the 1890s schoolroom display, the top floor displays a timeline of the building; poster images and biographies of important people who had once attended the Classical School of Basking Ridge, the precursor to the Brick Academy; a schoolwork display case that showcases students' work from the early 1900s; and a bobsled that was used in the township in the early 1900s.

The lower floor, which is mainly used for research and meetings, has on display late 1800/early 1900 maps of the Somerset Hills towns, artifacts from local post offices, and other notable artifacts.

The main floor displays a permanent exhibit: 'What Put Somerset Hills on the Map.' Included in the exhibit are 8" x 10" color photographs of many of the magnificent homes on the Bernardsville Mountain. THSSH has been given the rights to many of the photos for this exhibit by the Turpin Real Estate Agency. In addition to building our library with these important photos, the Museum Committee has been building relationships with many organizations in the Somerset Hills, including Hamilton Farm, Trump National Golf Club, Natirar, Matheny, Meadowbrook Inventions, the USGA, the Jacobus Vanderveer House and Museum, the Farmstead Arts Center, and the Boudinot-Southard-Ross Estate, to name a few.

A temporary exhibit "Slavery in Our Own Backyard," which focused on the history of slavery in the Somerset Hills, was on display during most of the year. The exhibit featured the story of an enslaved black Revolutionary War soldier, Samuel Sutphin, who fought bravely in some of the most famous battles of the Revolutionary War. The "Rush Family Treasures," a multigenerational display featuring a

rare collection of 18th & 19th C. personal artifacts, household items, and business documents from a local family was exhibited in the museum at the end of 2023.

In the interest of collaborating with other history organizations, the Museum Committee has provided on long-term loan to the Boudinot-Southard-Ross Estate a collection of tools and kitchen utensils.

THSSH museum and archives collections are catalogued, digitized and entered into Rutgers' New Jersey Digital Highway (NJDH), a digital repository that preserves the state's cultural resources and artifacts for use by current and future generations of citizens, educators, researchers and students. Resources are available and maintained 24/7 and maintained in perpetuity. THSSH joins 50 other New Jersey historical organizations participating in NJDH.

Website and Social Media

The Historical Society of the Somerset Hills (THSSH) online:

- Website: www.thssh.org
- Facebook: <https://www.facebook.com/historicalsocietynj>
- Instagram: <https://www.instagram.com/historicalsocietynj/>

Donations

- Several artifacts were donated to the Museum.
- THSSH received over \$8500 in donations. Donations and Bequests are received from our school programs, current and past members, and their families.
- Membership dues paid in 2023 were \$2,600.
- Revenue is generated through program and event ticket sales, as well as book sales.
- Gift items sold through our website, and at the Brick Academy and community events, amounted to \$75.
- Non-profit organizations that conduct meetings at the Brick Academy provide a contribution.
- Area residents and out-of-town visitors to our museum leave donations in our donation box at the Brick Academy.

Brick Academy Utilization

In addition to our museum, research room, education programs, speaker programs, and community events, the Brick Academy is normally utilized by outside groups for their meetings and programs.

Advocacy & Affiliations

The Historical Society is a member of The Somerset County Historical Society, League of Historical Societies of New Jersey, American Association for State and Local History, Small Museum Association, and National Trust for Historic Preservation.

THSSH participated in the 1770's Lord Stirling Festival and Somerset County's Weekend Journey through the Past.

2024 Outlook

The Historical Society of the Somerset Hills will continue to pursue its mission to acquire, conserve and share artifacts and information on matters of local historic interest; cultivate interest in local history; partake in community events; encourage the preservation of local historic resources; facilitate historic research; and preserve, operate and interpret the Brick Academy.

- To strengthen and grow the organizational structure of THSSH's Board of Trustees.
- Trustees will be actively engaging current members to volunteer on THSSH committees, as well as for programs and events.
- THSSH will maintain its image as a premier historical society through committee work.
- Programs will be offered that appeal to our members and to the community.
- Our website and social media strategy will continue to share information regarding local events and history in the Somerset Hills.
- THSSH will work toward growing sources of income to achieve financial independence.

Respectfully submitted:

Susan Zibelli

Susan Zibelli, THSSH Chairman

January 26, 2024



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0133

Award of Final Change Order #2 for FY NJDOT Municipal Aid Funded
Grant Keats Road, Thackeray Drive, & Highland Avenue Reconstruction
To Reivax Contracting Corp., 165 River Road, Flemington, NJ 08822
Decrease of \$16,774.64 (1.57%)

WHEREAS, the Engineering Department requests the following change order be authorized by the Township Committee:

CO	Original Award	Change Amount	New Total
	\$1,168,961.89 RA2023-0220		\$1,168,961.89
CO #1	RA2023-0367	-\$1,532.84 (0.13%)	\$1,167,429.05
CO #2		-\$16,774.64 (1.57%)	\$1,150,654.41
TOTAL			\$1,150,654.41

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award this change order to Reivax Contracting Corp., 165 River Road, Flemington, NJ 08822; and

WHEREAS, the Chief Financial Officer is directed to credit Capital Ordinance #2499, line account #C-04-55-499-A02.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey, that the Purchasing Agent is hereby authorized to issue a change order to Reivax Contracting Corp., 165 River Road, Flemington, NJ 08822.

Agenda and Date Voted: 02/13/2024

EXPLANATORY STATEMENT

This change order represents the net contract change as a result of the revisions per field conditions.

Date: January 26, 2024

Katelyn E. Dmitruck, P.E.
Assistant Township Engineer

PURCHASING CERTIFICATION

I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Date: January 26, 2024

Francis J. Decibus, QPA, RPPO
Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted
by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510 www.bernards.org

Resolution #2024-0134

Resolution Entering into a Shared Service Agreement Between Bernards Township and Harding Township for Supplemental Construction Code Inspections in Accordance with the NJ Uniform Construction Code

WHEREAS, pursuant to the Uniform Construction Code Act, N.J.S.A. 52:27D-119, *et. seq.*, and the corresponding Uniform Construction Code at N.J.A.C. 5:23, *et. seq.*, municipalities may contract with one another for supplemental construction inspection services; and

WHEREAS, Bernards Township and Harding Township seek to enter into a Shared Services Agreement for supplemental construction inspection services; and

WHEREAS, Bernards Township and Harding Township seek to outline the duties and obligations of each party for supplemental construction services through a shared services agreement as outlined in N.J.S.A. 40A:65-1, *et. seq.*; and

WHEREAS, Bernards Township seeks to authorize the execution of the shared services agreement.

BE IT RESOLVED by the Township Committee of the Township of Bernards (the “Committee”) that subject to the following conditions:

1. The Committee hereby authorizes and directs the Mayor, or his/her designee to execute the Shared Services Agreement attached hereto as **Exhibit A**, subject to any minor revisions from Counsel.

Agenda and Date Voted: 02/13/2024

EXPLANATORY STATEMENT:

The State of New Jersey has adopted new regulations which in the event the municipality cannot provide construction inspections within 72 hours, the municipality must have a plan in place to provide these services. One method that the municipalities can utilize is a shared service with another municipality. This agreement assures our compliance with the regulations.
Dennis Bettler, C.B.O., Construction Official

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0137

Issuance of Rotational Towing License to Eagle Auto and Truck Services, 40 S. Jefferson Rd.,
Whippany, NJ, 07981

For the 3 Year Period of February 14, 2024, to February 13, 2027

WHEREAS Eagle Auto and Truck Services, 40 S. Jefferson Rd., Whippany, NJ, 07981 has applied for a Rotational Towing License for a three-year period February 14, 2024, to February 13, 2027, for the purpose of providing municipal towing services on behalf of the Township of Bernards; and

WHEREAS, pursuant to Chapter 4, Section 7 of the Revised General Ordinances of the Township of Bernards, the applicant has provided required documentation and paid the applicable fee; and

WHEREAS, the Municipal Clerk and Chief of Police have reviewed said application and found it complete and in compliance with the ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a Rotational Towing License be issued to Eagle Auto and Truck Services, 40 S. Jefferson Rd., Whippany, NJ, 07981 for the 3 Year Period of February 14, 2024, to February 13, 2027.

Agenda Date and Vote: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted
by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made reviewed by the Police Department and Clerks Office and found to be complete.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0138

Approval of Maintenance Surety and Return of Performance Bond for
USGA- Entrance Improvements Block 9601 Lot 5.01

WHEREAS, the Engineer of the Township of Bernards, Somerset County, New Jersey, 07920, has received the following Maintenance Surety:

Name of Applicant: United States Golf Association
Address: 77 Liberty Corner Rd, Liberty Corner, NJ 07938
Maintenance Bond: Cash Bond
Amount: \$21,134.41

WHEREAS, the aforesaid applicant is requesting return of their Performance Bond:

Name of Applicant: United States Golf Association
Address: 77 Liberty Corner Rd, Liberty Corner, NJ 07938
Letter of Credit #: 210622812-26456901
Insurance Company: First Republic Bank
Address: 1230 Avenue of the Americas, 2nd Floor, New York, NY 10020
Amount: Cash Portion: \$367,950.81

WHEREAS, the Township Engineer, after inspection, advises that the site has now been completed in compliance with Township regulations and recommends return of the Improvement Performance Bond to the applicant; and

WHEREAS, the Township Attorney has approved the Maintenance Surety as to its form and sufficiency.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Maintenance Surety is hereby approved, and effective upon passage of this resolution for a two-year period; and

NOW, THEREFORE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that the aforesaid Improvement Performance Bond be released to the above-named applicant.

Agenda and Date Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine Kieffer, Municipal Clerk

EXPLANATORY STATEMENT:

Entrance Expansion project has been completed. All bonded site improvements are completed, inspected, and approved. Required maintenance surety has been submitted.

Jennifer Martins, Administrative Assistant 02/13/2024



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution # 2024-0142

Award of Contract to M.A.I.N. (Morris Automated Information Network) as the provider of Database, Telecom, Operating, Downloadable Materials and Integrated Library System (ILS) Assessments for the Bernards Township Library
In the Not to Exceed Amount of \$83,901.49

WHEREAS, the State of New Jersey in N.J. S.A. 40:54-12.1, provides for Municipal Libraries to make certain purchases without advertising for bids, in particular for (3) specialized library services; and

WHEREAS, the Bernards Township Library is a full participating member library of M.A.I.N. since 1997; and

WHEREAS, the 2024 annual assessment for Bernards Township Library totals \$69,766.49; and

WHEREAS, from time to time in 2024 M.A.I.N. may provide other specialized library services to Bernards Township Library in the areas of training, consortium compatible computer supplies, or software licensing at a cost not to exceed \$14,135.00; and

WHEREAS, the Library Director and Chief Financial Officer have certified funds are available in the budget; the line item appropriation or ordinance to be charged is line account #4-01-29-390-222 (\$500.00), #4-01-29-390-264 (\$8,150.00), #4-01-29-390-265 (\$70,001.49), and #4-01-29-390-268 (\$5,250.00).

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 M.A.I.N. (Morris Automated Information Network, Inc.) in the not the exceed amount of \$89,672.67.

Agenda and Date Voted: 02/13/2024

EXPLANATORY STATEMENT

Sharing services through participation in the M.A.I.N. consortium is a cost-effective method of increasing availability of library materials and information resources to Bernards Township residents, providing for an efficient computerized integrated library information system and access to an ever-growing range of jointly licensed downloadable materials.

Date: February 13, 2024

Rachel Burt
Library Director

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase. Monies are available in line account #4-01-29-390-222 (\$500.00), #4-01-29-390-264 (\$8,150.00), #4-01-29-390-265 (\$70,001.49), and #4-01-29-390-268 (\$5,250.00).



Date: February 7, 2024

Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

I hereby certify that I have prepared this resolution and reviewed it for accuracy.


For Purchasing Agent

Date: January 19, 2024

Francis J. Decibus, QPA, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0143

Authorizing and Approving Purchase of six (6) 2023 Ford Police Utility AWD police vehicles
to Koch33 Ford, 3810 Hecktown Rd, Easton PA 18045
In the Amount Not to Exceed \$229,200

WHEREAS, the Township of Bernards Police Department wishes to purchase six (6) 2023 Ford Police Utility AWD police vehicles;

QTY	DESCRIPTION	UNIT TOTAL
6	2023 Ford Police Utility police vehicles with options included below.	\$38,200.00
	WITH ADDITIONAL OPTIONS	
	Dark Car Feature- Courtesy Lamp Disable (43D)	
	Fleet Key 1284x (59B)	
	Rear Door Handle In-operable / Locks Inoperable (68G)	
	Heated Mirrors (549)	
	Spot Lamp-Driver Only (LED Bulb) (51R)	
	Tail Lamp Prep (Pre-drilled Housing only) (86T)	
	Red/White Dome Lamp in Cargo Area (17T)	
	Pre-Wiring for Grille LED Lights, Siren, and Speaker (60A)	
	Global Lock/Unlock Feature (18D)	
	OBD II Split Connectors (61B)	
	Back Up Camera in Rear View Mirror (87R)	
	GRAND TOTAL	\$229,200.00

WHEREAS, it is the combined recommendation of the Police Chief, Township Administrator and Purchasing Agent to award this purchase to: Koch33 Ford, 3810 Hecktown Rd, Easton PA 18045 in the amount of \$229,200.00; 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 #4-01-25-251-xxx (\$229,200.00); 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 six (6) 2023 Ford Police Utility police vehicles to Koch33 Ford, 3810 Hecktown Rd, Easton PA 18045 in the amount not to exceed \$229,200.00.

Agenda and Date Voted: February 13, 2024

EXPLANATORY STATEMENT

The Police Department requires the replacement of existing police vehicles that have met or exceeded their useful lives. The Police Department currently possesses eleven vehicles with over 100,000 miles. This vendor (Koch 33 Ford) has the above vehicles in stock for immediate delivery; the timeline of delivery for ordered vehicles from the manufacturer could be as long as one year. The purchase of these vehicles is consistent with the Police Department's fleet rotation/vehicle replacement plan.

Date: 02-05-2024

Chief Jon Burger

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available pending adoption of the 2024 budget for the above referenced purchase in the amount not to exceed \$229,200. Monies are available in the Police Cars-Payment line account #4-01-25-251-295



Date: February 7, 2024

Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION:

I hereby certify that I have prepared this resolution and reviewed it for accuracy.


For Purchasing Agent

Date: February 5, 2024

Francis J. Decibus, QPA, RPPO
Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0144

Authorizing Purchasing from the Somerset County Co-Op Contract #CC-0054-22
for Rock Salt (Bulk) at a Cost Not to Exceed \$200,000.00 to Atlantic Salt Inc.

WHEREAS, the Township of Bernards wishes to continue to purchase rock salt (bulk) from the lowest responsible bidder under the Somerset County Co-Op # CC-0054-22; and

WHEREAS, Somerset County Co-Op awarded a contract to Atlantic Salt Inc., 134 Middle Street, Suite 210., Lowell, MA 01851; and

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2024 Budget for \$150,000.00 and the line item appropriation to be charged is #4-01-26-291-266, the balance will be funded out of the Snow Removal Trust account #T-13-56-050-SNR; and.

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

WHEREAS, it is the recommendation of the Director of Public Works and the Purchasing Agent to purchase rock salt (bulk) through the Somerset County Co-Op # CC-0054-22; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to Atlantic Salt Inc., 134 Middle Street, Suite 210, Lowell, MA 01851 through December 31, 2024.

Agenda and Date Voted: 02/13/2024

EXPLANATORY STATEMENT

This resolution authorizes the purchase of Rock Salt (bulk) under the Somerset County Co-Op agreement, for use in DPW winter operations.

Date: January 23, 2023

Francis J. Decibus, QPA, RPPO
Purchasing Agent

CHIEF FINANCIAL OFFICERS CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available in the 2024 Operating budget; Snow Removal, Street and Road materials line account #4-01-26-291-266 for an amount not to exceed \$150,000.00, the balance will be funded out of the Snow Removal Trust account #T-13-56-050-SNR.

Date: February 7, 2024

Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

Adoption will permit the purchase of recurring commodities from noted vendor relative to the day to day operation of the township DPW. I hereby certify that I have prepared this resolution and reviewed it for accuracy.



Francis J. Decibus
For Purchasing List.

Date: January 29, 2024

Francis J. Decibus, QPA, RPPO Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0145

Authorizing Purchasing from Somerset County Co-Op Pricing System Contract #CC-0036-22 for Red Dyed #2 Diesel Fuel, (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil Awarded to National Fuel Oil
In the Amount Not to Exceed \$150,000

WHEREAS, the Township of Bernards wishes to continue to purchase petroleum products from the lowest responsible bidder under the Somerset County Co-Op Pricing System; and

WHEREAS, the Somerset County Co-Op Pricing System awarded a contract to National Fuel Oil, 175 Orange Street, Newark, NJ 07103 for petroleum products; and

WHEREAS, the Chief Financial Officer has certified that funds are requested in the 2024 budget for \$150,000.00 and the line item appropriation to be charged is #4-01-31-430-G01. Additional purchases may be required for a total not to exceed amount of \$210,000 to be reimbursed by organizations participating in our Interlocal Agreements; and

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

WHEREAS, it is the recommendation of the Director of Public Works and the Purchasing Agent to purchase these petroleum products through the New Jersey State Cooperative Agreement and Somerset County Co-Op Pricing System.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to National Fuel Oil, 175 Orange Street, Newark, NJ 07103 through December 31, 2024.

Agenda and Date Voted: 02/13/2024

EXPLANATORY STATEMENT

This resolution authorizes the purchase of petroleum products (gasoline and diesel under the Somerset County Co-Op) for use by the Township fleet, as well as, the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Liberty Corner First Aid, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

Date: January 25, 2024

Francis J. Decibus, QPA

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available pending final adoption of the 2024 budget for the above referenced purchase in the amount not to exceed \$210,000.00 Monies will be made available in the Utilities O/E account line item #4-01-31-430-G01 for \$150,000.00 and through reimbursements received from the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

Date: February 7, 2024

Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

Adoption will permit the purchase of recurring commodities from noted vendor relative to the day to day operation of the township departments. I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Date: January 25, 2024

Francis J. Decibus, QPA, RPPO
Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0146

Authorizing Purchasing from NJ State Contract T-0083 (19-Fleet-00978) for Unleaded Gasoline
Awarded to Griffith-Allied Trucking, LLC
In the Amount Not to Exceed \$200,000.00

WHEREAS, the Township of Bernards wishes to continue to purchase petroleum products from the lowest responsible bidder under the New Jersey State Cooperative Agreements; and

WHEREAS, the New Jersey State Cooperative awarded a contract to Griffith-Allied Trucking, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 for petroleum products; and

WHEREAS, the Chief Financial Officer has certified that funds are requested in the 2024 budget for \$200,000 and the line item appropriation to be charged is #4-01-31-430-G01. Additional purchases may be required for a total not to exceed amount of \$300,000 to be reimbursed by organizations participating in our Interlocal Agreements; and

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

WHEREAS, it is the recommendation of the Director of Public Works and the Purchasing Agent to purchase petroleum products through the New Jersey State Cooperative Agreement.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to Griffith-Allied Trucking, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 through December 31, 2024.

Agenda Date and Voted: 02/13/2024

EXPLANATORY STATEMENT

This resolution authorizes the purchase of gasoline from State Contract T-0083 for use by the Township fleet, as well as, the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Liberty Corner First Aid, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

Date: January 29, 2024

Francis J. Decibus, QPA,RPPO, Purchasing Agent

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$300,000.00 Monies will be made available pending final adoption of the 2024 budget in the Utilities O/E account line item #4-01-31-430-G01 for \$200,000.00 and through reimbursements received from the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

Sean McCarthy, Chief Financial Officer

Date: February 7, 2024

PURCHASING CERTIFICATION

Adoption will permit the purchase of recurring commodities from noted vendor relative to the day to day operation of the township departments. I here certify that I have prepared this resolution and reviewed it for accuracy.

Francis J. Decibus
For Purchasing List.

Date: January 29, 2024

Francis J. Decibus, QPA, RPPO, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0147

Awarding an Extraordinary Unspecifiable Professional Services Contract
for Public Health Accreditation awarded to Trevor J. Weigle of the firm Strategic Health Advisers,
LLC - In the Not to Exceed Amount of \$64,825.00

WHEREAS, the Township of Bernards requires services for Public Health Accreditation; and

WHEREAS, a quotation for the extraordinary unspecifiable services received pursuant to the criteria

Vendor	Quote Amount
Strategic Health Advisers, LLC	\$64,825.00

and;

WHEREAS, Trevor J. Weigle of the firm Strategic Health Advisers, LLC, 67 Woodland Road, Bloomfield, NJ 07003 has submitted a proposal dated January, 24, 2024 outlining Public Health Accreditation services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in the Enhancing Local Public Health Grant Account: G-02-27-COV-224; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that an extraordinary unspecifiable service contract be awarded to Strategic Health Advisers, LLC, 67 Woodland Road, Bloomfield, NJ 07003 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 24, 2024.
2. The contract term is based on a project duration from January 24, 2024 to June 30, 2024 at a not to exceed amount of \$64,825.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. Either party upon 10 days written notice via certified mail may terminate this contract.

7. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
8. This contract shall, for all purposes, be deemed a New Jersey Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
9. The contractor shall report directly to Lucy A. Forgione, who will be the chief contact for the Township of Bernards on this project.

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


NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official Township newspaper and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Trevor J. Weigle, Director of Finance/ Co-Owner

Date Voted and Agenda: 02/13/2024

CERTIFICATE DECLARATION FOR EXTRAORDINARY UNSPECIFIABLE SERVICE	
Describe in detail the nature of work:	See proposal dated January 24, 2024.
Describe why the contract meets the provision of the statute:	The services provided by Strategic Health Advisers, LLC are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of public health accreditation.
Describe why the service is qualitative in nature requiring the need for expertise, extensive training and proven reputation:	This provider has the public health knowledge to strategically offer services that will accredit Bernards Township Health Department in accordance with PHAB (Public Health Accreditation Board) standards.
Explain why it is not reasonably possible to draft specifications:	Service is particular and inherent to this provider because of the scope of work.
Describe the informal solicitation of quotes:	Strategic Health Advisers, LLC was solicited because of their vast experience in the field of public health accreditation.
<div style="text-align: center; margin-top: 10px;"> <u>Francis J. Decibus</u> Francis J. Decibus, QPA, RPPO, Purchasing Agent </div>	I, Francis J. Decibus, have reviewed the rules of the DLGS pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

CHIEF FINANCIAL OFFICER	
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 \$64,825.00. Monies are available in Enhancing Local Public Health Infrastructure Grant Account: G-02-27-COV-224.	
Date: February 7, 2024	 Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

I hereby certify that I have prepared this resolution and reviewed it for accuracy.



Francis J. Decibus, QPA, RPPO
Purchasing Agent

Date: January 25, 2024

CERTIFICATION

**I hereby certify this is a true and exact copy of a resolution adopted
by the Bernards Township Committee on 02/13/2024.**

Christine V. Kieffer, Municipal Clerk



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

Resolution #2024-0148

Resolution Of The Township of Bernards, County Of Somerset,
Opposing Assembly Bill No. 4/Senate Bill No. 50, Which Proposes To Overhaul The Fair Housing
Act (“FHA”) In A Way That Imposes Unrealistic Obligations With Unrealistic Deadlines Based Upon
Onerous Standards

WHEREAS, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II, wherein it created an easy standard for developers to satisfy to secure a “builder’s remedy” and also established standards to provide general guidance to the newly appointed Mount Laurel judges as to an appropriate fair share formula; and

WHEREAS, the State exploded with builder’s remedy lawsuits in the wake of Mount Laurel II seriously depriving many municipalities of their home rule power to zone and control their destiny; and

WHEREAS, in 1984, Judge Serpentelli decided the AMG case in which he established a fair share formula that generated high fair share responsibilities that were widely regarded as grossly excessive; and

WHEREAS, the combination of the avalanche of builder’s remedy lawsuits precipitated by Mount Laurel II and the grossly excessive fair share responsibilities generated by the AMG formula fueled a movement for a legislative response to the Mount Laurel doctrine; and

The Fair Housing Act of 1985

WHEREAS, a week after Judge Serpentelli issued the AMG decision, committees of the Legislature started to meet to develop affordable housing legislation; and

WHEREAS, the legislators on both sides of the aisle recognized that any legislation had to be bi-partisan to work; and

WHEREAS, those efforts culminated in the adoption of the Fair Housing Act (“FHA”) by both houses early in 1985; and

WHEREAS, on July 2, 1985 -- less than a year after Judge Serpentelli decided the AMG case -- former Governor Kean signed the New Jersey Fair Housing Act (“FHA”) into law to curb the excesses caused by Mount Laurel II and to restore balance to legitimate public purposes; and

WHEREAS, more specifically, the Legislature enacted the FHA to restore home rule, to bring the fair share numbers back to reality and to reduce the burdens of Mount Laurel compliance; and

WHEREAS, more specifically, the FHA sought to *restore home rule* by imposing a moratorium on the builder’s remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder’s remedies to try to compel them to capitulate their zoning demands; and

WHEREAS, the FHA sought to *bring the fair share numbers back to reality* by among other things defining the prospective need as the need “based on development and growth which is reasonably likely to occur” and by calling for the fair share to be adjusted to a number lower than the fair share formula generated if the municipality lacked sufficient land to satisfy the obligation generated by the fair share formula; and

WHEREAS, the FHA sought to *reduce the burdens on municipalities* by prohibiting any requirement for municipalities to expend their own resources to comply; and

The New Jersey Council on Affordable Housing

WHEREAS, the FHA created COAH and conferred “primary jurisdiction” on COAH to administer the FHA and to implement the affordable housing policies of our State; and

WHEREAS, FSHC argued “that COAH's enabling legislation established such a delicate balance of control, as evidenced not only by its use of the phrase “in but not of,” but also by its detailed attention to the composition of its Council. Accordingly, the Legislature could not have intended to allow the Governor to unilaterally disrupt that balance” *In re Plan for Abolition of Council on Affordable Hous.*, 424 N.J. Super. 410, 419-420(App.Div.2012) 419-420; and

WHEREAS, COAH adopted regulations for Round 1 in 1986 and for Round 2 in 1994 to implement the FHA and processed applications by municipalities for approval of their affordable housing plans in accordance with the regulations it adopted; and

WHEREAS, all acknowledged -- even Fair Share Housing Center (“FSHC”) -- that COAH functioned just fine in Rounds 1 and 2; and

WHEREAS, the regulations COAH adopted in Round 2 made the obligations for Rounds 1 and 2 cumulative and adjusted the cumulative number downwards because the State did not grow as much as was anticipated in Round 1; and

WHEREAS, COAH’s new construction obligation for Rounds 1 and 2 **averaged 5,034.5 units per year**, or 50,345 units for every 10 years as noted in 36 N.J.R. 5748(a) (November 22, 2004), COAH’s comment regarding 5:94: Appendix A; and

WHEREAS, COAH’s Round 1 and/or 2 regulations permitted a 1-for-1 rental bonus credit for up to 25% of the obligations and provided flexible standards for adjustments predicated upon lack of adequate vacant developable land; and

WHEREAS, the same expert who calculated the Round 2 obligations provided a technical appendix in 2014 when COAH proposed regulations for Round 3; and

WHEREAS, COAH’s expert in 2014 calculated a prospective need obligation (then 2014-2024) of less than 40,000 units for the 10-year cycle, plus roughly an additional 23,000 units for the “gap” which were to be phased in between 2014-2034 due to concerns over what could be reasonably anticipated as a result of market absorption; and

WHEREAS, housing advocates attacked the regulations COAH adopted for Round 3 the first time it adopted them in 2004, the second time it adopted them in 2008 and the third time it proposed them in 2014,

thereby crippling COAH's ability to certify the plans that municipalities petitioned COAH to approve because the FHA required that COAH only certify municipalities consistent with its regulations; and

WHEREAS, COAH's inability to certify Round 3 plans severely limited the production of affordable housing in Round 3 because COAH found itself fending off attacks instead of certifying affordable housing plans that municipalities could implement; and

Mount Laurel IV

WHEREAS, in 2015, the Supreme Court issued a decision, commonly referred to as Mount Laurel IV, in response to a motion to transfer the responsibilities of COAH back to the courts; and

WHEREAS, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job; and

WHEREAS, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that one day COAH would be effective so that towns could comply once again through the administrative process created by the FHA; and

WHEREAS, transferring the implementation of the doctrine from COAH back to the courts deprived the citizens of our State of an evenly balanced administrative body with four representatives of municipalities and four representatives of low- and moderate-income ("LMI") households adopting regulations consistent with the FHA and processing petitions for substantive certification; and

WHEREAS, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing; and

WHEREAS, even municipalities that complied voluntarily in the newly minted court process were subject to intervention from developers, who were then able to leverage the process, litigate the municipalities into the ground, and often obtain site-specific rezoning contrary to one of the overriding public purposes of the FHA; and

WHEREAS, the judicial process the Supreme Court fashioned in Mount Laurel IV required municipalities to spend municipal resources not only on their own attorneys and planners, but also on Court appointed masters in a litigation process that was much more expensive than the administrative process the legislature established in the FHA; and

WHEREAS, FSHC routinely demanded that municipalities make a payment to them; and

WHEREAS, the Round 3 was problematic, with judges pressing municipalities to comply before even establishing the obligations with which they must comply; and

WHEREAS, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, Judge Jacobson issued an opinion in which she set forth a fair share methodology; and

WHEREAS, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 affordable units to be produced between 2015 and 2025; and

WHEREAS, municipalities, through Dr. Robert Powell, presented evidence that the State could only absorb less than 40,000 affordable units, in a best-case scenario, and thus argued that FSHC’s calculations was not grounded in reality whatsoever; and

WHEREAS, the Court, having been constrained by the Supreme Court to prescriptively utilize a formula from 1993, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

The 354 Settlements with FSHC

WHEREAS, FSHC reports that it entered 354 settlements in Round 3; and

WHEREAS, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

WHEREAS, Round 4 is set to begin in 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

WHEREAS, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking, and open space; and

WHEREAS, the Round 3 process destroyed the balance achieved by the Fair Housing Act in 1985; and

A-4/S-50

WHEREAS, against the above backdrop, on December 19, 2023, the Housing Committee of the Assembly unveiled the Legislation (A-4) that it stated it had been working on for a long time and scheduled the bill for a vote at a hearing scheduled less than 24 hours later; and

WHEREAS, on December 19, 2023, the Administrative Office of the Courts wrote to the Legislature and made clear that it could not structure the bill in the manner set forth in the proposed legislation; and

WHEREAS, notwithstanding the foregoing, the Housing Committee of the Assembly voted the bill out of Committee and announced that the bill needed to be ready for signing by the Governor before the end of the lame duck session on January 8, 2024; and

WHEREAS, the bill was not rammed through in the lame duck session and on January 16, 2024, the Legislature released a new version of the bill, Assembly Bill No. 4/Senate Bill No. 50 (hereinafter the “A4/S50” or “the Bill”); and

WHEREAS, A4/S50 Bill seeks to abolish the Council on Affordable Housing (“COAH”) and purports to reform municipal responsibilities concerning the provision of affordable housing; and

WHEREAS, the Bill would purportedly reduce litigation and municipal expenses; and

WHEREAS, A4/S50 details the methodology to be used for determining the fair share numbers of municipalities in Round 4 and in subsequent rounds; and

WHEREAS, the Bill is premised on the proposition that 40 percent of all households qualify as low or moderate; and

WHEREAS, A4/S50 calls for the determination of the prospective need by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

WHEREAS, we calculate that number to be 84,690; and

WHEREAS, A4/S50 calls for that number to be adjusted by the number of conversions and demolitions; and

WHEREAS, the statewide fair share would be increased from 84,690 to 96,780, if we assume the same number of demolitions and conversions used by Judge Jacobson in her formula for Round 3; and

WHEREAS, the 96,780 fair share compares to the roughly 211,000 COs issued between 2010 and 2020; and

WHEREAS, the 96,780 fair number divided by 211,000 COs equals roughly 46 percent (45.867 percent to be more precise); and

WHEREAS, all municipalities should be able to cure any violations of the prohibition against exclusionary zoning with inclusionary zoning; and

WHEREAS, traditional inclusionary zoning ordinances generally require no more than 20 percent of the units to be affordable; and

WHEREAS, it is mathematically impossible to satisfy a 46 percent problem with a 20 percent solution and, therefore, the number generated by the statutory formula is patently excessive; and

WHEREAS, while this mathematical error conceptually may have existed at COAH, COAH utilized its discretion to reduce the statewide number to roughly 5,000 units per year in Rounds 1-2 (or lower for prospective need in its attempted regulations in 2014); and

WHEREAS, in addition, COAH's Round 2 regulations had flexible standards, Regional Contribution Agreements (RCAs), an achievable bonus structure, waivers and other flexible standards to further mitigate the problem; and

WHEREAS, had COAH not mitigated the problem, it is likely that the regulations would have been challenged by municipalities; and

WHEREAS, A4/S50 also, systemically, calcifies the Court process and indeed makes critical changes which severely prejudice municipal interests and undercut the incentive to comply voluntarily; and

WHEREAS, in stark contrast to current laws that preserve a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", A4/S50 creates multiple opportunities to strip municipalities of immunity and expose them to litigation; and

WHEREAS A4/S50 subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

WHEREAS, more specifically, while A4/S50 provides municipalities a “compliance certification” if the municipality secures approval of its affordable housing plan, that certification only protects municipalities from builder’s remedy lawsuits-not from exclusionary zoning lawsuits by FSHC or anyone else who is not seeking a builder’s remedy; and

WHEREAS, in stark contrast to the goal of A4/S50 to reduce litigation, A4/S50 dramatically proliferates litigation by providing many opportunities to sue the subject municipality and through other means; and

WHEREAS, even if a municipality, via the adoption of a resolution, accepts the Fourth Round affordable housing obligation numbers that will be promulgated by the Department of Community Affairs (the “DCA”) under the A4/S50 Bill, there is still a risk that the affordable housing obligation numbers will increase during the subsequent process required by the bill, as both housing advocates like FSHC and developers can subsequently challenge the fair share number the municipality accepts; and

WHEREAS, the A4/S50 Bill creates a judicial entity made up of 3-7 retired Mount Laurel judges called “The Program”, which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

WHEREAS, the A4/S50 Bill does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH’s response to their comments; and

WHEREAS, the A4/S50 Bill reduces, and in some cases completely eliminates affordable housing bonus credits, and creates an overcomplicated and difficult process to obtain the bonus credits that are still available under the bill; and

WHEREAS, the initial version of the A4/S50 Bill allowed for municipalities to utilize age -restricted affordable units to satisfy up to thirty-three percent (33%) of its Fourth Round obligation in recognition that roughly 33 percent of the demand for affordable housing came from this age group; however, the current version of A4/S50 unfairly and unceremoniously reduced the cap on age-restricted housing down to twenty-five (25%); and

WHEREAS, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be “onerous”; A4/S50 applies the 1,000-unit cap only to a component of the municipality’s fair share -- the prospective need – and authorizes the imposition of an obligation that is onerous; and

WHEREAS, the A4/S50 Bill creates unfair requirements and ambiguity when it comes to the Vacant Land Adjustment process, which could lead to municipalities that lack sufficient vacant land being required to produce more affordable housing units than is practical; and

WHEREAS, the A4/S50 Bill includes many other provisions and changes to the FHA that are impractical and devoid of any consideration of the burdens created by the statute; and

WHEREAS, the Office of Legislative Services (OLS) has not evaluated the formula required by the A4/S50 Bill for calculating a municipality’s Fourth Round or Prospective Need Obligation for its magnitude or reasonableness.

NOW, THEREFORE, BE IT RESOLVED, that for all of the above reasons, the Township Committee of Bernards Township, objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, re-written and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations.

Agenda Dated and Voted: 02/13/2024

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 02/13/2024.

Christine V. Keiffer, Municipal Clerk



Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
908-766-2510; www.bernards.org

ORDINANCE #2545

An Ordinance Amending the Revised General Ordinances of the Township of Bernards,
Chapter 7 “Traffic”, Schedule IX “Stop Intersections”
At the intersection of Concord Lane and Fairview Drive East

WHEREAS, in order to promote the betterment of public safety there is a need to provide a Stop Sign at the intersection of Concord Lane and Fairview Drive East.

NOW, THEREFORE, 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. Schedule IX of Chapter 7, “Traffic” of the Revised General Ordinances of the Township of Bernards is amended by the addition of the following:

Intersection	Stop Sign Installed On
Concord Lane and Fairview Drive East	Concord Lane

2. Regulatory signs shall be erected and maintained to affect the above restrictions.

EXPLANATORY STATEMENT

A stop sign at the intersection of Concord Lane and Fairview Drive East will prevent conflicts between vehicles turning left from Concord onto Fairview and vehicles traveling straight through the intersection.

Thomas Timko, P.E., C.M.E., Township Engineer