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CALL TO ORDER

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

ROLL CALL

Present: Bianchi, Carpenter, Malay, Russo, Gaziano

Absent:

Also Present: Administrator McArthur, Attorney Belardo, Engineer Timko, and Municipal Clerk/Assist. Admin. Szabo

EXECUTIVE SESSION – [Resolution #2017-0351](#)

Motion by Carpenter, second by Russo, and unanimously agreed that Resolution #2017-0351 be approved and the meeting temporarily adjourned to Executive Session at 7:31 PM.

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

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

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

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

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

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

Reason for Closed Session

Estimated Time of Disclosure or Upon Occurrence Of

- Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.

Contract Negotiations Lafayette Bridge, Temporary Construction Easement

Upon conclusion of negotiations.

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

[Resolution #2017-0339](#) - In Recognition of Outstanding Service to Somerset County Freeholder, Peter S. Palmer

Motion by Carpenter, second by Bianchi, and unanimously agreed that the Resolution be approved. The mayor presented a frame resolution to the Freeholder and thanked him for his service.

WHEREAS, Freeholder Peter S. Palmer, a lifelong resident of Somerset County and Bernardsville, has announced his retirement from the Somerset County Freeholder Board effective 12/31/2017; and

WHEREAS, Freeholder Peter S. Palmer, has a long history of public service in Somerset County having served on the board from 1997-present, as Director, 1998, 2003, 2008, 2013, 2017, as Deputy Director, 2007, 2012, 2016, as Public Works I, Chairman, 1999, 2006, 2007, as Human Services, Chairman, 2001, 2002, 2005, and Ca 2012, Finance/Administration, Chairman, 1997, 2000, 2004, 2009, 2010, 2014, as Public Health & Safety, Chairman, 2011, 2015, 2016; and as Somerset County Planning Board, Member, 1995-1996; and

WHEREAS, Freeholder Peter S. Palmer, prior to his service on the Somerset County Freeholder Board served as the Bernardsville Borough, Mayor, 1985-1994; as Bernardsville Borough Council, Member, 1968-1984; and as Bernardsville Board of Education, Member, 1962-1968; and

WHEREAS, Freeholder Peter S. Palmer, affiliations and community service are equally impressive, having held leadership positions on New Jersey Association of Counties, Past President, 2010; North Jersey Transportation Planning Authority, Member, 1999-present, Chairman, 1998, 2004, 2005, 2016, 2017, Freight Initiatives Committee, Chairman, 2003-present; Raritan Valley Rail Coalition, Chairman, 1998-present; Somerset County Business Partnership, Board of Directors, Member; Six County Coalition, Founding Member; Somerset County Governing Officials Association, President, 1985; Clinton Hill Area Redevelopment Corp., Newark (low- and moderate-income housing), Board Member, 1977-2007; Bernards High School Marching Band, Volunteer Assistant Director, 1956-2006; Somerset County Commission on Child Abuse & Missing Children, Co-Chair; Liberty Corridor Technical Committee, Member, 2007-2010; and

WHEREAS, Freeholder Peter S. Palmer, has been recognized over and over again for his dedication and commitment to public service, having received such prestigious awards as the New Jersey Association of Counties, Freeholder of the Year, 2011; New Jersey Conference of Mayors, County Leadership Award, 2007; Somerset County Commission on Child Abuse & Missing Children, Richard Z. Voorhees Award for Child Advocacy, 2005; Regional Business Partnership of Newark, Transportation Leadership Award, 2005; National Association of Metropolitan Planning Organizations, first-ever award for Outstanding Elected Official Leadership, 2004.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do here acknowledge the public service, dedication and commitment of Freeholder Peter S. Palmer and thank him for a lifetime of public service to the residents of Bernards Township and Somerset County.

PUBLIC COMMENTT

Todd Edelstein, Riverside Drive, requested that resolution #201-0357 be removed from the Consent Agenda.

TOWNSHIP COMMITTEE/STAFF COMMENTS

Committee and staff members reported on their recent activities.

REPORTS

[Open Space Report](#) – Bruce D. McArthur

McArthur reported on Open Space

Open Space Tax History

- November 1997 Referendum
 - Voters approve a .02/\$100 tax to fund the preservation of Open Space
 - Tax begins in 1998, Open Space Trust Fund (OSTF) is created
 - Township creates an Open Space Committee and directs staff involvement

- November 2000 Referendum
 - Voters approve a .04/\$100 tax to further fund the preservation of Open Space
 - Tax increase begins in 2001
 - Ordinance creates a 2017 “sunset” of this Open Space Tax

- November 2014 Referendum
 - Voters approve allowing OSTF to be used for Park Infrastructure and Turf Fields

- Balance of OSTF not needed for Open Space Debt Payments (\$1.1M) appropriated for Turf Fields at Mountain Park

Strategies Employed to Preserve Land and Protect Natural Resources

- Work with Developers to Convey Open Space to the Township
 - Swath of Lands from King George to Martinsville Rd
 - Clustering Homes to Leave Open Space
 - Dedicating Lands Conveyed for Active Parkland (i.e. Dunham Park)
- Develop Mechanisms through the Land Use Process
 - Wetlands Protection through Easements
 - Conservation and Tree Protection Easements
 - Stream and River Buffering Easements
 - Pedestrian Access Easements
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 - Pedestrian Access Easements
- Advocate for County Acquisition and Protection
- Create a Municipal Funding Mechanism for Acquisition and Protection (OSTF)
 - NEED TO ACT EXPEDIOUSLY AS AVAILABLE LANDS DIMINISH

Results

- 6% of Bernards Land Mass was Preserved in 1975
 - Approximately 980 Acres – most of which was Somerset County’s Lord Stirling Holdings
- 5% of Bernards Land Mass was Preserved by Funds from BT OSTF
 - Approximately 770 Acres
- 20% of Bernards Land Mass of Open Space is in Public Hands Today
 - Approximately 3,211 Acres
 - Municipal Purchases of Land
 - Municipal Purchase of Development Rights
 - Municipal / County Partnership Purchases of Land
 - Municipal / County Partnership Farmland Preservation
 - Conveyed by Developers
 - Conveyed by Non-Profits

FIRE & RESCUE APPOINTMENT

[Resolution #2017-0350](#) - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 - David Foster Olsen, Full Member; First Aid Squad of Basking Ridge Fire Company #1 - Rachel Breslau, Full Member; Basking Ridge Fire Company #1 and First Aid Squad of Basking Ridge Fire Company #1 - Andrew W. Gene, Junior Member

Motion by Bianchi, second by Carpenter, and unanimously agreed that Resolution #2017-0350 be approved.

WHEREAS, pursuant to §2-14.1 of the Revised General Ordinances of the Township of Bernards, the volunteer fire department consisting of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc. are hereby made the fire departments for the Township of Bernards; and

WHEREAS, pursuant to § 2-16.1 of the Revised General Ordinances of the Township of Bernards, there shall be a first aid department known as the "Township of Bernards First Aid and Emergency Department" consisting of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad, Inc.; and

WHEREAS, the Basking Ridge Fire Co. #1 and First Aid Squad of Basking Ridge Fire Company #1 is recommending the following individuals for appointment:

NAME	ADDRESS	MEMBER STATUS	AGENCY
David Foster Olson	78 Hilltop Road Basking Ridge NJ 07920	Full	Basking Ridge Fire Company #1
Rachel Breslau	36 Hickery Drive Basking Ridge NJ 07920	Full	First Aid Squad of the Basking Ridge Fire Company #1
Andrew W. Gene	239 Lurline Drive Basking Ridge NJ 07920	Junior	Basking Ridge Fire Company #1 and First Aid Squad of the Basking Ridge Fire Company #1

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals are hereby appointed to the agency and membership status as stated above effective this date.

UNFINISHED BUSINESS

[Ordinance #2372](#) - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter VII, "Traffic", Schedule IX, Stop Intersections, Regarding the Intersections of Spring Valley Boulevard & Acken Road – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing. There were no comments and the hearing was closed.

Motion by Carpenter, second by Russo, that Ordinance #2372 be adopted and advertised as required by law.

Roll Call:

- Aye: Bianchi, Carpenter, Malay, Russo, Gaziano
- Nay:
- Abstain:
- Motion carried

NEW BUSINESS

Consent Agenda

The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study, linked to the posted agenda on the website, are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by township committee action and placed on the regular agenda under new business.

Motion by Carpenter, second by Bianchi, that Resolutions #2017-0354 and #2017-0357 be removed from the Consent Agenda, and that the balance of items be approved

Roll Call:

- Aye: Bianchi, Carpenter, Malay, Russo, Gaziano
- Nay:
- Abstain:
- Motion carried.

Begin Consent Agenda

Approval of Minutes:

[09/12/2017 Open Session](#)

These minutes were approved for content and release.

[09/12/2017 Closed Session](#)

These minutes were approved for content only.

Resolution #2017-0348 - Authorizing an Affiliation Agreement with Safe and Sound Somerset, Somerset Hills Domestic Violence Response Team (SHDVRT)

WHEREAS, Safe and Sound Somerset, SHDVRT, is an agency established to provide participating municipalities with training and services in matters pertaining to domestic violence cases that occur within a participating municipality; and

WHEREAS, the NJ State Office of Victim-Witness Advocacy has awarded Safe and Sound Somerset, SHDVRT with grant funding to serve participating municipalities by provide services and training to volunteers and police officers in matters that pertain to domestic violence incidents that occur within participating municipalities; and

WHEREAS, the Township of Bernards wishes to be a participating municipality and receive services from the SHDVRT; and

WHEREAS, funding for these services are presently provided through a V.A.W.A. Grant (Violence Against Women Act) administered through the New Jersey Division of Law & Public Safety, Department of Criminal Justice, Office of Victim/ Witness Advocacy; and granted to the Resource Center of Somerset.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby: 1) authorize the affiliation agreement with Safe and Sound Somerset, SHDVRT, 2) authorize the Mayor and Township Clerk to execute this agreement on

Resolution #2017-0349 - Approval of the Bill List Dated 09/26/2017

BE IT RESOLVED, that the bill list dated 9/26/2017 be audited, and if found correct, be paid.

September 26, 2017
11:16 AM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 09/26/17 to 09/26/17
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CASH - CHECKING CURRENT CHECKING					
113241	09/26/17	90084 MCARTHUR, BRUCE D	45.44	09/26/17 VOID	1318 (Reason: ACH)
113242	09/26/17	90388 O'GRADY, SEAN	175.00	09/26/17 VOID	1318 (Reason: ACH)
113243	09/26/17	A0126 AFLAC NEW YORK	347.48		1318
113244	09/26/17	A0168 ALLIED OIL COMPANY, LLC	11,996.79		1318
113245	09/26/17	A0174 ALL SPORTS STADIUM, LLC	1,088.35		1318
113246	09/26/17	A0258 MEDICAL LABORATORY DIAGNOSTICS	24.50		1318
113247	09/26/17	A0338 AFLAC	550.92		1318
113248	09/26/17	A0398 STERLING BACKCHECK	61.25		1318
113249	09/26/17	A0425 ATLANTIC TACTICAL	222.87		1318
113250	09/26/17	A0512 AIR CONSULTING SERVICES LLC	1,000.00		1318
113251	09/26/17	A0576 ASTRA HEALTH CENTER OF LYONS	120.00		1318
113252	09/26/17	A0631 AROLDI, CARLEY	175.00		1318
113253	09/26/17	B0001 BAKER & TAYLOR, INC.	3,378.22		1318
113254	09/26/17	B0014 BREWER ASSOCIATES	65.73		1318
113255	09/26/17	B0015 BRODART COMPANY	133.82		1318
113256	09/26/17	B0026 BERNARDS TOWNSHIP CURRENT	8,331.67		1318
113257	09/26/17	B0029 BERNARDS TWP BD OF EDUCATION	7,404,480.75		1318
113258	09/26/17	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	557,422.44		1318
113259	09/26/17	B0038 BERNARDS TOWNSHIP (COURT)	246.00		1318
113260	09/26/17	B0044 BASKING RIDGE ANIMAL HOSPITAL	159.00		1318
113261	09/26/17	B0070 BASKING RIDGE CARPET CLEANING	460.00		1318
113262	09/26/17	B0098 BERNARDS TOWNSHIP (RECREATION)	467.32		1318
113263	09/26/17	B0203 DIFRANCESCO,BATEMAN,COLEY,YOSP	3,355.13		1318
113264	09/26/17	B0518 BERNARDSVILLE HARDWARE	8.58		1318
113265	09/26/17	B0633 BEST CLEANING BUILDING SERVICE	4,400.00		1318
113266	09/26/17	C0008 CHILDREN'S PRESS	156.00		1318
113267	09/26/17	C0024 GANNETT NEW JERSEY NEWSPAPERS	35.26		1318
113268	09/26/17	C0028 CY DRAKE LOCKSMITHS,INC.	19.75		1318
113269	09/26/17	C0597 CLIFFSIDE BODY CORPORATION	1,533.53		1318
113270	09/26/17	C0636 CENTER POINT LARGE PRINT	93.48		1318
113271	09/26/17	C0699 CROWN CASTLE	6,889.78		1318
113272	09/26/17	C0763 CINELLY GROUP CORP	33,435.84		1318
113273	09/26/17	D0120 DIVISION OF CRIMINAL JUSTICE	750.00		1318
113274	09/26/17	D0339 DEER CARCASS REMOVAL SVC, LLC	70.00		1318
113275	09/26/17	D0668 JOHN DOBASH CONSTR & TILE LLC	7,700.00		1318
113276	09/26/17	D0753 DAVIDOV, TOMER & LIZA	500.00		1318
113277	09/26/17	D0754 DC EXPRESS	771.00		1318
113278	09/26/17	E0007 ENGINEERING PETTY CASH	44.00		1318

113279	09/26/17	E0267	EAW SECURITY	1,000.00	1318
113280	09/26/17	F0001	FEDEX	142.79	1318
113281	09/26/17	F0158	FLEMINGTON DEPARTMENT STORE	281.90	1318
113282	09/26/17	F0298	FWDSE & ASSOCIATES LP	5,469.46	1318
113283	09/26/17	F0340	FIOROT, MAUREEN	35.00	1318
113284	09/26/17	G0066	GRAINGER INC	832.36	1318
113285	09/26/17	G0098	JCP&L	21,384.98	1318
113286	09/26/17	G0202	GRASS ROOTS TURF PRODUCTS, INC	444.97	1318
113287	09/26/17	G0331	GLOBAL EQUIPMENT COMPANY INC	94.65	1318
113288	09/26/17	G0481	GLOCK PROFESSIONAL, INC.	250.00	1318
113289	09/26/17	G0497	GARTH, LORI	75.00	1318
113290	09/26/17	G0509	GREEN ROCK RECYCLING	900.00	1318
113291	09/26/17	H0029	HUMPHREYS PEST CONTROL, INC.	195.00	1318
113292	09/26/17	H0246	HOME DEPOT CREDIT SERVICES	458.83	1318
113293	09/26/17	H0312	HEFFERNAN, ROBERT F	5,706.25	1318
113294	09/26/17	H0375	HICKS PAVING, LLC	480.00	1318
113295	09/26/17	J0093	JOHNNY ON THE SPOT	65.00	1318
113296	09/26/17	J0123	JERSEY PAPER PLUS (JCP PAPER)	1,702.48	1318
113297	09/26/17	K0039	KOBESKY, GREGG S.	249.00	1318
113298	09/26/17	K0324	HARMATY, KIM & MARCO	100.00	1318
113299	09/26/17	L0004	LIBERTY CORNER FIRE COMPANY	4,106.00	1318
113300	09/26/17	L0038	LIN-GATE EQUIPMENT SALES & SVC	47.44	1318
113301	09/26/17	L0322	LIBERTY HALL MUSEUM-KEAN UNIV	200.00	1318
113302	09/26/17	L0398	LONGSTRETH SPORTING GOODS, LLC	185.85	1318
113303	09/26/17	L0409	LYONS, PAUL & LUANN	325.00	1318
113304	09/26/17	M0055	MCASC	100.00	1318
113305	09/26/17	M0062	CAVENDISH SQUARE PUBLISHING	195.54	1318
113306	09/26/17	M0178	MARK'S AUTO SERVICE	150.00	1318
113307	09/26/17	M0279	MITZNER, SCOTT C.	1,125.00	1318
113308	09/26/17	M0493	MCLEROY, DEUTSCH, MULVANEY &	10,259.61	1318
113309	09/26/17	M0796	MCCAIG, JENNIFER	135.00	1318
113310	09/26/17	M0823	MOOSEWOOD TREE SERVICE	26,216.00	1318
113311	09/26/17	M0852	MILLER, BRENDA & SCOTT	210.00	1318
113312	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	107.89	1318
113313	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	79.76	1318
113314	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	7,314.47	1318
113315	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	179.46	1318
113316	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	319.04	1318
113317	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	41.35	1318
113318	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	41.35	1318
113319	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	132.32	1318
113320	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	212.17	1318
113321	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	198.86	1318
113322	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	23.19	1318
113323	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	16.54	1318
113324	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	36.50	1318
113325	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	49.81	1318
113326	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	132.32	1318
113327	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	209.50	1318
113328	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	178.90	1318
113329	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	258.75	1318
113330	09/26/17	N0006	NEW JERSEY AMERICAN WATER CO.	3,026.72	1318
113331	09/26/17	N0017	NJ STATE LEAGUE OF MUNICIPAL.	7.00	1318
113332	09/26/17	N0017	NJ STATE LEAGUE OF MUNICIPAL.	215.00	1318
113333	09/26/17	N0083	NJRPA	150.00	1318
113334	09/26/17	N0124	NJACCHO	110.00	1318
113335	09/26/17	N0139	NORTHEAST FLUID POWER CO, INC	1,643.05	1318
113336	09/26/17	N0187	NJ ENVIRONMENTAL HEALTH ASSOC	65.00	1318
113337	09/26/17	N0415	NATIONAL FUEL OIL INC	7,550.44	1318
113338	09/26/17	N0419	NIXON, PAMELA	65.00	1318
113339	09/26/17	O0021	OFFICE DEPOT	822.20	1318
113340	09/26/17	O0102	OCLC, INC	193.94	1318
113341	09/26/17	O0116	OBERLY, BARRY	990.00	1318
113342	09/26/17	O0127	OMERE, IVY	325.00	1318
113343	09/26/17	P0005	PITNEY BOWES, INC.	690.00	1318
113344	09/26/17	P0014	PUBLIC SERVICE ELEC. & GAS CO	319.73	1318
113345	09/26/17	P0021	PETERSON'S, A NELNET COMPANY	30.50	1318
113346	09/26/17	P0415	PERTH AMBOY SPRING WORKS	650.52	1318
113347	09/26/17	P0538	PROVIDENT LIFE & ACCIDENT	325.96	1318
113348	09/26/17	P0601	PALFLEET TRUCK EQUIPMENT CO	90.28	1318
113349	09/26/17	P0602	PRAXAIR DISTRIBUTION, INC	44.00	1318
113350	09/26/17	R0004	RECORDED BOOKS INC.	89.98	1318
113351	09/26/17	R0005	RECORDER PUBLISHING CO., INC	90.27	1318
113352	09/26/17	R0010	REIDER ASSOCIATES	3,438.90	1318
113353	09/26/17	R0036	RUTGERS YOUTH SPORTS RESEARCH	1,525.00	1318
113354	09/26/17	R0045	RUTGERS - THE STATE UNIVERSITY	660.00	1318
113355	09/26/17	R0050	ROTO-ROOTER	5,450.00	1318
113356	09/26/17	R0180	RAFF, STEPHEN	40.00	1318
113357	09/26/17	S0011	SHERWIN-WILLIAMS COMPANY	2,220.00	1318
113358	09/26/17	S0072	SOMERSET COUNTY GOVERNING OFF.	220.00	1318
113359	09/26/17	S0101	STICKEL, KOENIG, SULLIVAN&DRILL	140.00	1318
113360	09/26/17	S0136	SOCIETY HILL AT BERNARDS II	7,227.52	1318
113361	09/26/17	S0327	RED HAWK FIRE & SECURITY	1,505.00	1318
113362	09/26/17	S0378	STAVOLA ASPHALT	1,858.67	1318
113363	09/26/17	S0457	STRAIGHT EDGE STRIPING	285.00	1318
113364	09/26/17	S0628	STATE OF NEW JERSEY-HB	222,614.35	1318
113365	09/26/17	S0973	SEA OTT SWIMMING LLC	4,225.00	1318
113366	09/26/17	S0979	SMALL, LAUREN & ROBERT	35.00	1318
113367	09/26/17	T0003	ENVIROTEST LABORATORIES, INC.	2,275.00	1318
113368	09/26/17	T0024	TRUIS OF NJ INC	208.88	1318
113369	09/26/17	T0055	T & M ASSOCIATES	1,114.72	1318
113370	09/26/17	T0066	CENGAGE LEARNING CREDIT SVCS	175.68	1318
113371	09/26/17	T0378	THE GUARDIAN LIFE INS CO OF AM	81.55	1318
113372	09/26/17	T0424	TRALIAN, LLC	825.00	1318
113373	09/26/17	T0425	TDII CREATIVE	1,500.00	1318
113374	09/26/17	U0090	UNUM LIFE INSURANCE COMPANY	410.59	1318
113375	09/26/17	V0020	VILLAGE OFFICE SUPPLY	385.85	1318

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113376	09/26/17	V0037	VILLAGE SUPERMARKET, INC.	166.25	1318
113377	09/26/17	V0056	VERIZON WIRELESS	1,193.00	1318
113378	09/26/17	V0058	VERIZON	148.98	1318
113379	09/26/17	V0084	VERIZON	283.30	1318
113380	09/26/17	V0124	VERIZON BUSINESS FIOS	204.99	1318
113381	09/26/17	V0171	VASIL ID TRAINING, LLC	119.00	1318
113382	09/26/17	W0016	WARRENVILLE TRUE VALUE	18.54	1318
113383	09/26/17	W0254	WARREN MATERIALS	1,059.78	1318
113384	09/26/17	W0339	W.B. MASON	121.05	1318
113385	09/26/17	W0352	WALSH PIZZI O'REILLY PALANGA	6,467.04	1318
113386	09/26/17	X0003	XEROX CORPORATION	78.16	1318
113387	09/26/17	X0005	XTEL COMMUNICATION	1,375.06	1318
113388	09/26/17	Z0041	ZERO WASTE USA	390.00	1318
113389	09/26/17	90084	MCARTHUR, BRUCE D	45.44	1319 Direct Deposit
113390	09/26/17	90388	O'GRADY, SEAN	175.00	1319 Direct Deposit

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
	-----	-----	-----	-----
Checks:	146	2	8,430,691.20	220.44
Direct Deposit:	2	0	220.44	0.00
	=====	=====	=====	=====
Total:	148	2	8,430,911.64	220.44

Report Totals	Paid	Void	Amount Paid	Amount Void
	-----	-----	-----	-----
Checks:	146	2	8,430,691.20	220.44
Direct Deposit:	2	0	220.44	0.00
	=====	=====	=====	=====
Total:	148	2	8,430,911.64	220.44

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	-----	-----	-----	-----	-----
CURRENT FUND	6-01	10,335.05	0.00	0.00	10,335.05
CURRENT FUND	7-01	8,309,530.15	0.00	0.00	8,309,530.15
DOG FUND	7-12	540.78	0.00	0.00	540.78
GOLF COURSE UTILITY	7-26	13,934.30	0.00	0.00	13,934.30
	Year Total:	8,324,005.23	0.00	0.00	8,324,005.23
CAPITAL FUND	C-04	41,179.84	0.00	0.00	41,179.84
PUBLIC GRANTS	G-02	208.88	0.00	0.00	208.88
TRUST FUNDS	T-13	54,087.64	0.00	0.00	54,087.64
PROJECT ESCROW		1,095.00	0.00	0.00	1,095.00
	Total Of All Funds:	8,430,911.64	0.00	0.00	8,430,911.64

[Resolution #2017-0352](#) - Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for Manchester Drive and Juniper Way Improvements

WHEREAS, application is hereby made to the Commissioner of Transportation for the allotment of State Aid for Manchester Drive and Juniper Way Improvements. The project limits are as follows: Manchester Drive from South Maple Avenue (CR 657) to the end of public right-of-way, a distance of 0.55 miles, and Juniper Way from Manchester Drive to the end of public right-of-way, a distance of 0.48 miles, or such portion thereof as may be approved by the Commissioner of Transportation; and

WHEREAS, the total cost estimate for these improvements is \$734,170. The Township requests \$500,000 in State funds and anticipates contributing \$234,170; and

WHEREAS, any aid received as a result of this application will only be used for eligible costs of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Bernards Township, formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED, that the Township Engineer and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Manchester Drive and Juniper Way Imp-00077 for Bernards Township to the New Jersey Department of Transportation on behalf of the Township of Bernards; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bernards and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution #2017-0353 - Awarding Professional Services Contract for the Old Army Road Retaining Wall Reconstruction to Daren J. Phil, PE, PP, CME, Lic. No. 24GE03619100 of the firm Suburban Consulting Engineers, Inc. in the Not to Exceed Amount of \$24,100.00

WHEREAS, the Township of Bernards requires services for Professional Structural Engineering for the replacement of a section of retaining wall along the frontage of #253 Old Army Road to prepare required soil testing, structural design, and bid documents; and

WHEREAS, Daren J. Phil, PE, PP, CME, Lic. No. 24GE03619100 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 has submitted a proposal dated August 18, 2017 outlining Professional Structural Engineering Services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in account name, Retaining Walls, line account #C-04-55-337-A09 line item appropriation or ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Daren J. Phil, PE, PP, CME, of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated August 18, 2017.
2. The contract term is from September 26, 2017 through September 25, 2018 for professional structural engineering services in the not to exceed amount of \$24,100.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the "not to exceed" contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Thomas Timko, PE, CME, Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

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.

Daren J. Phil, PE, PP, CME, Lic. No. 24GE03619100

CFO CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$24,100.00. Monies are available in the 2016 Capital Budget: Engineering; Retaining Walls line account #C-04-55-337-A09.

Date: 9/15/17

*Terri Johnson
FOR TREASURY
CERTIFICATION ONLY*

Terri Johnson, Chief Financial Officer

Resolution #2017-0355 - Change Order #1 – Increase of \$25,000.00 Authorizing an Increase to the Professional Service Contract for Legal Services, Labor Counsel Awarded to Richard Flaum, Esq., of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum P.C. - For a New Not to Exceed Amount of \$50,000.00 (Excluding Matters of Litigation and Unanticipated Reimbursable Disbursements as Required

WHEREAS, the Bernards Township Committee adopted Resolution #2017-0058 on January 3, 2017 awarding a professional services contract in the amount of \$25,000.00 to Labor Attorney, Richard Flaum, Esq., of the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum P.C.; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2017 Current Fund Budget – Legal Fees and Compensation, line account #7-01-20-155-20B.

NOW, THEREFORE BE IT RESOLVED, by the Bernards Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to; Richard Flaum, Esq., in the amount of \$25,000.00 for a new not to exceed amount of \$50,000.00 for the contract term from January 1, 2017 through December 31, 2017.

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

Richard Flaum, Esq.

CFO CERTIFICATION

I, Terri Johnson, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced change order in the amount of \$25,000.00. Monies are available in the 2017 Current Fund Budget – Legal Expenses; Labor Attorney, line account #7-01-20-155-20B for a new not to exceed amount of \$50,000.00.

*Terri Johnson
FOR TREASURY
CERTIFICATION ONLY*

Date: 8/28/2017

Terri Johnson, Chief Financial Officer

Resolution #2017-0356 - Award of Change Order #1 for 2016 NJDOT Local Aid: Douglas Road Improvements to Top Line Construction Corp. Decrease of \$35,349.54 (16.56%)

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

Vendor	CO	Original Award	Amount of Decrease	New Total
	Number 1	\$213,412.52	\$35,349.54 (16.56%)	\$178,062.98
TOTAL CO	CO #1		\$35,349.54 (16.56%)	\$178,062.98

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award this change order to Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876; and

WHEREAS, the Chief Financial has certified that funds are available in the budget; the line item appropriations account Grant Fund, account number G-02-20-DOT-116.

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 Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876.

Resolution #2017-0358 - *Acknowledging and Supporting the Individual Application by the Borough of Far Hills for a NJDOT Local Aid Grant for Improvements to Douglas Road (Section East of Liberty Corner / Far Hills Road)*

WHEREAS, the Borough Council of the Borough of Far Hills desires to have their Borough Engineer submit a grant application for a NJDOT Local Aid grant for improvements to the eastern half of Douglas Road solely on behalf of the Borough of Far Hills; and,

WHEREAS, Douglas Road is a shared jurisdictional road of both Bernards Township and Far Hills Borough.; and,

WHEREAS, this is not a joint grant application, and the Township of Bernards is filing its own grant application(s) to NJDOT for other roadways.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby acknowledge and support Far Hills Borough's independent filing to NJDOT for a grant for improvements to eastern section of Douglas Road.

Resolution #2017-0359 - *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 Renewing a Lease Agreement with Dance New Jersey for Executive Offices*

WHEREAS, the Township of Bernards owns the real property identified as Block 185, Lot 20.03, consisting of approximately 4.397± acres, and located along 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 September 20, 2017, the Friends requested approval to permit a renewed lease agreement with Dance New Jersey for Use of Space Solely as Executive Offices

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 Dance NJ for a 1 year period of October 1, 2017; through October 1, 2018; 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.

End Consent Agenda

Resolution #2017-0354 - *Knock Out Opioid Abuse Day October 6, 2017*

Motion by Gaziano, second by Carpenter, that the resolution be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2017 as Knock Out Opioid Abuse Day – an initiative with a dual purpose: to educate families of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opiates, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the pros and cons of opioids; and

WHEREAS, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as “Knock Out Opioid Abuse Day” in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, State lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS, the Bernards Township Municipal Alliance and Community In Crisis supports initiatives designed to raise awareness about opiate abuse in New Jersey and take steps to prevent addiction.

THEREFORE BE IT RESOLVED, that October 6, 2017 be recognized as Knock Out Opioid Abuse Day in Basking Ridge, NJ.

Resolution #2017-0357 - *Expressing Opposition to S1045 Concerning the Open Public Meetings Act and S1046 Concerning the Open Public Records Act*

Motion by Carpenter, second by Bianchi, that the resolution be approved.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on S1045 and S1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, these bills will negatively impact daily operations, staff time and resources and increase the township’s exposure to liability and frivolous lawsuits; and

WHEREAS, both bills continue to exempt the Legislature from many of the requirements and in the interest of transparency and openness, the various exceptions in the Open Public Meetings Act and the Open Public Records Act that apply to the Legislature should be removed. The rules that the legislation makes applicable to other

governmental bodies should apply equally to all governmental levels and officials.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bernards, that the Legislature is strongly urged to reject S1045 and S1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of S1045 and S1046 and A2697 and A2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent S1045 and S1046 from becoming law.

[Resolution #2017-0345](#) - *Approval of Street Closing Permit for a Block Party on Highland Avenue, 09/30/2017*

Malay recused himself from this matter..

Motion by Carpenter, second by Russo, and unanimously agreed that the resolution be approved.

WHEREAS, Courtney Samuel, hereinafter “the applicant,” has applied for a street closing permit for a block party on Highland Avenue on September 30, 2017 from 3:00 PM to 7:00 PM; and

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

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

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the street closing permit for a Block Party be approved.

[Ordinance #2373](#) - *An Ordinance of the Township of Bernards Appropriating \$65,000.00 for Pool Improvements – Introduction*

The clerk read the ordinance by title.

Motion by Carpenter, second by Russo, that Ordinance #2373 be introduced on first reading, advertised as required by law, and scheduled for a public hearing on 10/10/2017.

Roll Call:

Aye: Bianchi, Carpenter, Malay, Russo, Gaziano

Nay:

Abstain:

Motion carried.

BE IT ORDAINED by the Township Committee of the Township of Bernards in the County of Somerset, New Jersey that the sum of \$65,000.00 is hereby appropriated from the Capital Improvement Fund for the following purposes:

A	\$65,000.00	Pleasant Valley Pool Facility Improvements including, but not limited to Refurbishment/ Replacement of Water Features, Replacement of Split Rail Fencing and Various Concrete Repair/Replacement, Replacement of Soft Surfacing, Purchase of Site Furnishings, Replacement of Chemical Controllers
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Any grant moneys received for the purposes described above hereof shall be applied to direct payment of the cost of the improvements and shall reduce the amount authorized from the capital improvement fund to the extent that such funds are so used.

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

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

EXECUTIVE SESSION (continuation of earlier session, if required)

Not required.

ADJOURNMENT

The meeting adjourned at 9:11 PM.

Respectfully submitted,

Denise Szabo
Municipal Clerk/Assistant Administrator

Carolyn Gaziano
Mayor