

**BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE**  
**COMBINED AGENDA - REGULAR MEETING**  
**November 10, 2020 – 7:30 Executive Session, 8:00 PM Open Session**

The Municipal Building, 1 Collyer Ln., Basking Ridge, is open and will adhere to Executive Order #156. Indoor gatherings are limited to 25 percent of this room capacity or no more than 51 individuals. All attendees must wear face coverings and remain 6 feet apart. 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](http://www.bernards.org) and can also be viewed live on Optimum/Cablevision TV - Channel 15 and Verizon FiOS TV - Channel 35.

Estimated  
Times

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**A G E N D A**

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7:30 PM

- 1. CALL TO ORDER**    **Video Clip**
- 2. FLAG SALUTE**
- 3. MAYOR’S OPENING MEETING STATEMENT**
- 4. ROLL CALL**
- 5. EXECUTIVE SESSION –** [Resolution #2020-0368](#)

8:00 PM

- 6. PUBLIC WORK SESSION**  
A. [Review of Special Use Permits Issued June – October 2020 and Ordinances Relaxed, Waived of Modified](#)
- 7. REPORTS**
- 8. CORRESPONDENCE**
- 9. PUBLIC COMMENT**
- 10. TOWNSHIP COMMITTEE/LIAISON & BOARD REPORTS AND STAFF COMMENTS**

8:30 PM

- 11. FIRE & RESCUE APPOINTMENT**  
A. [Resolution #2020-0357](#) - Appointment to Membership in Township of Bernards Volunteer Liberty Corner First Aid Squad, Michaelena Scanniello, Full Member
- 12. UNFINISHED BUSINESS**  
A. [ORDINANCE #2455](#) - An Ordinance to Amend Salary Ordinance #2391, Fixing the Compensation of Certain Officers and Employees of the Township of Bernards on and After 11/10/2020 – Public Hearing
- 13. NEW BUSINESS**  
A. [ORDINANCE #2456](#) - An Ordinance Authorizing and Approving the Township of Bernards’ Sale and Transfer of the Real Property Identified as Block 6303, Lot 33.02, Overlook Avenue, to an Adjacent Property Owner – Introduction  
  
B. [ORDINANCE #2457](#) - An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Revised General Ordinances of the Township of Bernards, Chapter 18, “Streets, Sidewalks and Sanitation”, Section 18-3, “Requirements and Specifications for Street Openings” - Introduction



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

### C. 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.*

- 1) [Resolution #2020-0355](#) - Approval of the Bill List Dated 11/10/2020
- 2) [Resolution #2020-0356](#) - Commendation on the Occasion of Your Retirement, Judith Bauer – Deputy Tax Collector
- 3) [Resolution #2020-0358](#) - Authorization for Tax Refund
- 4) [Resolution #2020-0359](#) - Refund of Development Fee Residential Development Block 4701, Lot 2.05, 13 River Farm Lane
- 5) [Resolution #2020-0360](#) - Award of Bid for Hosted VOIP PBX Communications Awarded to Xtel Communications Inc., 401 Route 73 North, Building 10, Suite 106, Marlton, NJ 08503 In the Amount of \$ 9,774.00
- 6) [Resolution #2020-0361](#) - Personnel Appointment Margaret Aloisio – Library Assistant, Bernards Township Library
- 7) [Resolution #2020-0362](#) - Personnel Appointment Nancy Kilroy – Library Assistant-Adult Circulation Bernards Township Library
- 8) [Resolution #2020-0363](#) - Awarding Professional Services Contract for Evaluation of HVAC System for Police Department and Warren Craft Meeting Room to Mitul Patel, PE, NJ Lic #4852600 of the firm KeRri Engineering PC In the Not to Exceed Amount of \$4,750.00 – (To Include Reimbursable Expenses as Required)
- 9) [Resolution #2020-0364](#) - Award of Bid Renewal - 2020-2021 Snow Plowing Removal and Equipment Rental to Central Jersey Construction, 1225 Route 206 South, P.O. Box 391, Bedminster, NJ 07921
- 10) [Resolution #2020-0365](#) - 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 Harmony D. Merves to Use Space Solely as artist studio
- 11) [Resolution #2020-0366](#) - Award of Purchase Orders for Identified Vendors SHI International Corp.
- 12) [Resolution #2020-0367](#) - Approval of Maintenance Surety and Return of Improvement Performance Bond for Stonehedge at Bernards 5 Subdivision, Block 4802, Lot 1.01
- 13) [Resolution #2020-0369](#) - Bernards Township is Authorizing a Down Payment Affordability Assistance Grant Pursuant to the Township Ordinance #2420 to Deborah J. Appleton, 4109 Hackleberry Square, Block 9001, Lot 41.11 in the Amount of Six Thousand Five Hundred (\$6,500.00) Dollars
- 14) [Resolution #2020-0370](#) - Applicant's Resolution Local Government Emergency Fund (CRF) Grant
- 15) [Resolution #2020-0371](#) - In Recognition and Appreciation of Fellowship Deaconry Ministries Who Provided Space as a Polling Location For Both the 2020 Primary and General Elections During the COVID-19 Pandemic
- 16) [Resolution #2020-0372](#) - Authorizing the Appointment of Raymond J. Hayducka Jr., of RJH Law Enforcement Consulting to Serve as Hearing Officer with Regard to Certain Employment Matters Involving the Township of Bernards - In the Amount Not to Exceed \$ 4,800.00

### D. Approval of Minutes:

10/27/2020 Executive Session  
10/27/2020 Open Session

### 14. PUBLIC COMMENT

### 15. ADJOURNMENT

Rhonda Pisano Municipal Clerk





# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920

908-766-2510; www.bernards.org

## Resolution #2020-0368

Authorizing an Executive Session Meeting of the Bernards Township Committee

**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 collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.

**PBA Contract Negotiations**

Agenda and Date Voted: 11/10/2020


### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/20.

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk

**TOWNSHIP OF BERNARDS  
DEPARTMENT OF ENGINEERING SERVICES  
MEMO**

To: Mayor Baldassare and Township Committee Members

From: David Schley, PP, AICP   
Township Planner

Date: October 26, 2020

Subject: Special Use Permits Issued June-October 2020

In response to the COVID-19 pandemic, the Township Committee on June 9, 2020, adopted Resolution #2020-0222, which provides for the issuance of special use permits to temporarily relax, waive, or modify Township ordinances to assist local businesses.

A special use permit may allow activities such as increased signage, curbside pick-up for food or merchandise, outdoor seating for dining, outdoor storage & sale of merchandise, street closings for certain activities, and other services that can be performed outdoors.

Since the adoption of Resolution #2020-0222, special use permits have been issued for outdoor dining at five restaurants and for outdoor activities on five other (non-restaurant) properties. The properties for which special use permits were issued, and the types of ordinance requirements that were relaxed, waived, or modified, are as follows:

**Outdoor Dining at Restaurants**

1. Café Figaro - Dewy Meadow Village, King George Rd; B-5 Village Center Zone.
  - Minimum parking supply (dining area obstructs existing parking spaces).
2. Café Rustica - 3188 Valley Rd; R-4 Residential Zone.
  - Expansion of a nonconforming use (restaurant in a residential zone).
  - Minimum parking supply (dining area obstructs existing parking spaces).
  - Minimum setbacks/buffer width (dining area encroaches on residential buffer).
  - Significant change to site plan (dining area results in closure of one of two existing driveways).
3. Focacceria - 22-26 Church St; B-4 Liberty Corner Business Zone.
  - Minimum setbacks for a structure (dining tent).

4. Vine - 95 Morristown Rd; R-6 Residential Zone.
  - Expansion of a nonconforming use (restaurant in a residential zone).
  - Minimum parking supply (dining area obstructs existing parking spaces).
5. Washington House - 55 South Finley Ave; B-1 Village Business Zone.
  - Minimum parking supply (dining area obstructs existing parking spaces, including handicapped spaces).
  - Minimum setbacks for a structure (dining tent).

#### **Outdoor Activities for Other Uses (non-restaurants)**

1. Basking Ridge Presbyterian Church - 12 East Allen St; R-6 Residential Zone.  
Permit issued for outdoor religious services.
  - Street closure (East Allen Street).
  - Minimum parking supply (outdoor service area obstructs existing parking spaces)
2. Chabad Jewish Center - 3048 Valley Rd; R-6 Residential Zone.  
Permit issued for outdoor religious services.
  - Minimum parking supply (outdoor service area obstructs existing parking spaces).
  - Minimum setbacks for a structure (tent).
3. Fellowship Senior Living - 33 Allen Rd; R-2 Residential Zone.  
Permit issued for outdoor dining area for residents.
  - Minimum parking supply (dining area obstructs existing parking spaces, including handicapped spaces).
  - Significant change to site plan (internal vehicle circulation affected).
4. The Pingry School - 131 Martinsville Rd; R-3 Residential Zone.  
Two permits issued for tents for student gatherings, and for showing drive-in movies.
  - Stormwater management requirements not satisfied.
5. Priscilla's Pantry - 199 Morristown Rd; E-5 Office Zone.  
Permit issued for outdoor seating at specialty food shop.
  - Expansion of a nonconforming use (retail business in an office zone).

Do not hesitate to contact me at (908) 204-3004 or dschley@bernards.org if you have any questions.



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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## **Resolution #2020-0357**

Appointment to Membership in Township of Bernards Volunteer  
Liberty Corner First Aid Squad  
Michaelena Scanniello, 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 the Liberty Corner First Aid Squad; and

**WHEREAS**, the Liberty Corner First Aid Squad is recommending Michaelena Scanniello, residing at 17 Newell Drive, for appointment as a Full Member.

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

Agenda and Date Voted: 11/10/2020

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

\_\_\_\_\_  
**Rhonda Pisano, 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.

Rhonda Pisano, Municipal Clerk



# Ordinance of the Township of Bernards

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

## ORDINANCE #2455

An Ordinance to Amend Salary Ordinance #2391,  
Fixing the Compensation of Certain Officers and Employees of the Township of Bernards on  
and After 11/10/2020

**BE IT ORDAINED**, by the Township Committee of the Township of Bernards in the County of Somerset, that Ordinance #2391 is replaced in its entirety with the following (new text is in double underline; deletions are ~~stricken~~):

1. This ordinance shall be known and may be referred to as the Bernards Township Salary Ordinance.
- 2(a.) The annual base salaries of the following officers and employees of the Township of Bernards which, together with benefits now or hereafter provided by Township Ordinance or Resolution, shall be in lieu of all fees, now or hereafter provided by law, are hereby fixed and established as follows:

POSITION	GRADE
Accounting Specialist	5
Administrator	19
Administrator/Chief Financial Officer	20
Administrative Assistant	5
Administrative Associate	3
Administrative Coordinator	7
Animal Control Officer	6
Assistant Animal Control Officer	B
Assistant Director of Parks & Recreation	11
<u>Assistant Superintendent of Public Works</u>	<u>13</u>
Assistant to the Municipal Clerk	4
Assistant Township Engineer	13
Building Inspector	5
Building Sub-Code Official	9
Bus Driver	B
CAD Operator	3
Chief Financial Officer	17
Chief Financial Officer/Human Resources Officer	17
Chief Inspector	7
Chief of Police	17
Civil Engineering Technician	5
Community Service Manager	10
Community Service Supervisor	B
Construction Code Inspector- Plumbing, Electrical, Fire and Building Sub Codes	5
Construction Official	13
<del>Court Security Officer</del>	<del>C</del>
Crossing Guard	B
Custodian	B
Deputy Chief of Police	16
<del>Deputy Court Administrator</del>	<del>5</del>

POSITION	GRADE
Deputy Municipal Clerk	<del>65</del>
Deputy Tax Collector	5
Deputy Tax Assessor	10
Development Control Officer/Housing Administrator	10
Director of Parks & Recreation	15
Document Imaging/Records Retention Clerk	3
Electrical Sub Code Official	9
Field Inspector	3
Finance Assistant	3
Fire Official	10
Fire Prevention Inspector	5
Fire Sub Code Official	9
GIS Specialist 1	7
Human Resources Assistant Manager	10
Human Resources Generalist	8
Human Resources Manager	13
Human Resources Officer	15
Information Technology Technician	5
Information Technology Director	15
Information Technology Manager	12
Intern	B
Landfill Attendant	B
Library Director	15
Librarian	5
Library Assistant	1
Library Bookkeeper	4
Library Program Coordinator- Children	5
Library Program Coordinator- Adults	7
Library Shelves	A
Library Technician	1
Municipal Clerk	12
Municipal Clerk/Assistant Township Administrator	13
<del>Municipal Court Administrator</del>	<del>11</del>
Payroll Specialist	6
PC Technician	3
Police Matron	B
Police Support Specialist	5
Plumbing Sub-Code Official	9
Principal Technical Assistant to the Construction Official	7
Project Coordinator – Department of Public Works	10
Public Works Supervisor	12
Purchasing Agent	11
Records Specialist	2
Recreation Assistant	3
Recreation Coordinator	6
Recreation Programs Manager	8
Senior Administrative Assistant	6
Senior Deputy Court Administrator	6
Senior Librarian	8
Senior Library Assistant	3
Senior Library Technician	3



POSITION	GRADE
Senior Records Specialist	3
Senior Staff Engineer	<del>1140</del>
Senior Supervising Librarian	10
Smoke Detector Inspector	B
Staff Engineer	7
Superintendent of Public Works	15
Supervising Librarian	9
Supervisor of Treasury Services	11
Tax Assessment Associate	6
Tax Assessor	13
Tax Collector	11
Technical Assistant – Assessor’s Office	5
Technical Assistant to the Construction Official	5
Teen Services Librarian	5
Township Engineer	17
Township Planner	13
Township Surveyor	10
Treasurer	13
<del>Violations Clerk</del>	<del>3</del>
Zoning Officer	7

SALARY GRADES AND RANGES									
Grade	Min	Mid	Max	35 Hour Work Week			40 Hour Work Week		
				Min	Mid	Max	Min	Mid	Max
A	\$7.25	--	<del>\$16.00</del> <del>\$13.00</del>	N/A			N/A		
B	\$7.75	--	\$23.00	N/A			N/A		
C	\$10.00	--	\$28.00	N/A			N/A		
1	\$13.15	<del>\$18.55</del> <del>\$17.92</del>	<del>\$23.94</del> <del>\$22.69</del>	\$23,931	\$32,615	\$41,298	\$27,560	\$37,379	\$47,198
2	\$14.82	\$19.66	\$24.51	\$26,967	\$35,789	\$44,612	\$31,056	\$41,021	\$50,985
3	\$16.11	<del>\$22.73</del> <del>\$21.94</del>	<del>\$29.34</del> <del>\$27.76</del>	\$29,315	\$39,923	\$50,531	\$33,760	\$45,755	\$57,750
4	\$16.52	<del>\$24.30</del> <del>\$22.73</del>	<del>\$31.00</del> <del>\$28.93</del>	\$30,072	\$41,365	\$52,659	\$34,632	\$47,407	\$60,182
5	\$18.11	<del>\$25.10</del> <del>\$24.89</del>	<del>\$32.08</del> <del>\$31.66</del>	\$32,961	\$45,296	\$57,630	\$37,960	\$51,912	\$65,863
6	\$19.10	<del>\$26.55</del> <del>\$26.30</del>	<del>\$34.00</del> <del>\$33.49</del>	\$34,768	\$47,860	\$60,953	\$40,040	\$54,850	\$69,660
7	\$20.84	\$28.74	\$36.64	\$37,928	\$52,306	\$66,685	\$43,680	\$59,946	\$76,211
8	\$22.28	\$30.63	\$38.98	\$40,547	\$55,749	\$70,950	\$46,696	\$63,891	\$81,086
9	\$23.82	<del>\$33.08</del> <del>\$32.75</del>	<del>\$42.34</del> <del>\$41.69</del>	\$43,347	\$59,610	\$75,874	\$49,920	\$68,317	\$86,713
10	\$26.05	\$35.82	\$45.59	\$47,410	\$65,192	\$82,975	\$54,600	\$74,714	\$94,828
11	\$28.63	\$39.19	\$49.76	\$52,099	\$71,331	\$90,563	\$60,000	<del>\$84,136</del> <del>\$81,750</del>	<del>\$108,271</del> <del>\$103,500</del>
12	\$30.42	\$41.90	\$53.38	\$55,357	\$76,257	\$97,157	\$63,752	\$87,394	\$111,036
13	\$32.75	\$45.37	\$58.00	\$59,602	\$82,581	\$105,560	\$68,640	<del>\$97,988</del> <del>\$94,640</del>	<del>\$127,335</del> <del>\$120,640</del>
14	\$35.73	\$49.11	\$62.50	\$65,020	\$89,382	\$113,744	\$74,880	\$102,437	\$129,993

15	\$38.70	\$53.04	\$67.39	\$70,438	\$96,541	\$122,644	\$81,120	<del>\$112,382</del> <del>\$110,642</del>	<del>\$143,644</del> <del>\$140,164</del>
16	\$44.85	\$61.61	\$78.37	\$81,622	\$112,124	\$142,625	\$94,000	\$128,500	\$163,000
17	\$46.76	\$65.20	\$83.65	\$85,095	\$118,673	\$152,250	\$98,000	<del>\$139,827</del> <del>\$136,000</del>	<del>\$181,653</del> <del>\$174,000</del>
18	\$47.88	\$65.94	\$84.00	\$87,145	\$120,012	\$152,880	\$100,360	\$137,540	\$174,720
19	\$52.35	\$72.55	\$92.75	\$95,272	\$132,040	\$168,808	\$109,720	\$151,322	\$192,923
20	\$57.31	\$78.86	\$100.42	\$104,303	\$143,533	\$182,763	\$120,120	\$164,496	\$208,872

2(b). Seasonal and Parks and Recreation Part-Time Employees

The compensation of the following Seasonal and Parks and Recreation department part-time employees of the in the Township of Bernards shall be as follows:

Position	Grade/Range
Assistant Pool Manager	\$5,300 - \$8,250 Per season
Assistant Camp Site Supervisor	S2
Bus Aide	S1
Customer Relations	S1
Camp/Group Counselor	S1
Camp/Group Leader	S1
Golf Course Operation Supervisor	S2
Golf Course Ranger	S1
Golf Course Shift Supervisor	S2
Gym Supervisor	S2
Lifeguard	S2
Park Ranger	S1
Pool Maintenance	S1
Pool Management Pre-Season & Early Bird Swim	S2
Pool Manager	\$9,000 - \$19,250 Per season
Professional Assistant	S1
Professional Instructor	S3
Public Works Grounds –Seasonal	S1
Senior Customer Relations	S1
Camp Site Supervisor	S2
Swim Instructor	S2
Swim Team Assistant Coach	\$500 - \$1,500 Per season
Swim Team Coach	\$1,200 - \$2,000 Per season
Therapeutic Recreational Aide	S1

**Salary Ranges**

Grade	Minimum	Maximum
S1	<del>\$11.00</del> \$7.25	<del>\$13.00</del> \$11.00
S2	<del>\$11.00</del> \$7.75	\$21.00
S3	\$20.00	\$60.00

2(c). The compensation of the following employees of the Police Department within the Township of Bernards, based on an hourly rate of payment, shall be and is hereby established as follows:

Position	Range
Class I Special Officer	\$15.00 per hour
Class II Special Officer	\$20.00 - \$35.00 per hour

<u>Class III Special Officer</u>	<u>\$20.00 - \$35.00 per hour</u>
Office of Emergency Management Coordinator	\$25.00- \$30.00 per hour
Special Officer – Outside Duty	\$50.00 per hour

- 2(d). The compensation of the employee(s) assuming additional duties of the Administration Department within the Township of Bernards, based on an increase to their annual base salary, shall be and is hereby established as follows:

Position	Range
Assistant Administrator (limited to 2)	\$5,000-\$10,000 Per Year

- 2(e). The compensation of per diem employees for the Construction Department within the Township of Bernards, based on an hourly rate of payment, shall be and is hereby established as follows:

Position	Range
Per Diem Sub-Code Official	\$45-65 Per Hour
Per Diem Inspector	\$30-50 Per Hour

- 3.(a). (i) For the purposes of sections 2(a) of this Ordinance:
- A) "Base salary" shall mean that part of an employee's monetary compensation, stated in annualized or hourly terms as the case may be, upon which future percentage increases are to be calculated.
  - B) "Salary" shall mean an employee's base salary plus any monetary compensation paid to the employee, as defined in the Pay for Performance Compensation Program.
  - C) "Increase" shall mean an increase in an employee's monetary compensation, whether paid as an addition to base salary as a merit, assumption of additional duties, or otherwise.
  - D) "Merit increase" shall mean an increase, which is awarded based upon annual review of an employee's performance.
  - E) "Grade cap" shall mean the maximum base salary within the grade classification for an employee's position, as set forth in this ordinance as amended from time to time.
- (ii) Per the Township's Pay-for-Performance Compensation Program, employees are granted a Merit Increase effective within the timing and budget as determined by the Township Committee. The Merit Matrix provides the increase percent eligibility based on performance levels. Increases to base salary are recommended by employees' supervisors and approved by Human Resources within the budgetary framework. The merit increase to base will be paid in the employee's regular payroll cycle.
- (iii) If an employee's base salary is below the grade cap, all or a portion of any increase may be added to the base salary, provided that such addition does not cause the resulting base salary to exceed the grade cap by more than 2%.
- (iv) For any employee whose base salary was set under a previous salary ordinance and exceeds the grade cap stated in section 2(a) above, such employee's grade cap shall be deemed to be equal to the employee's base salary at the time this ordinance is adopted. Such employee's base salary

may not be raised above that figure unless a future amendment to section 2(a) increases the grade cap to an amount higher than such base salary.

- (v) In no event shall the total salary paid to an employee in any year exceed the approved Pay for Performance increases without Township Committee approval.

3(b). If the market permits, the Township Committee may approve the hiring of an employee at a base salary up to 10% below the position's range minimum. That employee's base salary shall be increased to at least the position's range minimum at the time of his or her first merit increase.

3(c). The salary ordinance will be re-evaluated at least once every two years. The structure will be adjusted to reflect changes in the external market.

4. Should the federal minimum wage of \$7.25/hour be increased the above minimum wage, base salary rates will automatically increase to comply with the law.

5. The union contract effective July 1, 2017~~20~~20 is in effect for compensation of employees of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America Local 469 union until the contract expires June 30, 2020~~1~~.

6. The union contract effective January 1, 2016 is in effect for compensation of employees of the Police Department represented by the Bernards Township Police Officers Association Local 357 for both "Police Officers and Detectives" and "Supervisors" until the contract expires on December 31, 2019.

7. The Board of Health of the Township of Bernards is responsible for fixing compensation for the following health department employees:

- Community Assets Coordinator
- Community Programs Coordinator
- Health Officer
- Health Department Consultant
- Health Educator/Youth Services Coordinator
- Principal Registered Environmental Health Specialist
- Registered Environmental Health Specialist I
- Registered Environmental Health Specialist II
- Senior Registered Environmental Health Specialist
- Public Health Nutritionist

8. The Municipal Housing Liaison incumbent receives a stipend of \$300.00 per month.

9. Compensation for supervision of the Document Imaging/Records Retention Clerk will be \$0.50/hour to \$1.20/hour if assigned to a non-exempt employee.

~~10. The Municipal Court Judge receives an annual salary with no benefits except participation in the state pension plan and health benefits as was mandated by the State at the time of the current incumbent's initial appointment. The Township Committee sets the annual salary of the Municipal Court Judge at the time of the appointment with the authority, should they choose, to provide for a salary adjustment during the appointment. The salary range of the Municipal Court Judge is \$35,000—\$50,000.~~

11. The Library Board of Trustees has the ability to fix compensation as set above in the appropriate salary range.
12. A position that assumes the formal responsibilities of Assistant Administrator in addition to the regular responsibilities of the position will be reclassified to one grade above the grade specified herein.
13. This Ordinance shall continue in effect from and after its year of adoption, except as it may be amended from time to time.
14. If any portion of this Ordinance shall be declared to be unconstitutional, invalid, or inoperative by a court of competent jurisdiction, those portions which are not unconstitutional, invalid, or inoperative shall remain in full force and effect.

This ordinance shall take effect immediately upon final adoption and publication according to law.

Explanatory Statement

The salary ordinance must be reviewed at least every two years and the ordinance was last revised May 29, 2018. The Township conducted a salary survey and utilized salary data from the New Jersey League of Municipalities to determine the appropriate salary grades and ranges. This Salary Ordinance is updated to reflect changes in external market rates to ensure that the Township remains able to attract and retain talent. This ordinance includes a new job title of Assistant Superintendent of Public Works to allow flexibility as we navigation succession planning. In addition, this Ordinance reflects 1-year extension of the Teamster contract, changes in job grades in engineering and municipal clerk to reflect responsibilities and skills required for positions. None of the changes in this ordinance will result in an additional headcount.

Emily Kesselmeier, Human Resources Manager

**TOWNSHIP OF BERNARDS  
PUBLIC NOTICE**

Ordinance #2455 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 10/27/2020 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing on 11/10/2020 to be held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ, 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 on the township website bulletin board [www.bernards.org](http://www.bernards.org).

By Order of the Township Committee  
Rhonda Pisano, Municipal Clerk



# Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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EXPLANATION: This Ordinance authorizes and approves the Township's sale and transfer of its undersized lot identified as Block 6303, Lot 33.02, Overlook Avenue, to an adjacent property owner.
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## **ORDINANCE #2456**

An Ordinance Authorizing and Approving the Township of Bernards'  
Sale and Transfer of the Real Property Identified as  
Block 6303, Lot 33.02, Overlook Avenue,  
to an Adjacent Property Owner

**WHEREAS**, the Township of Bernards (the "Township") owns an undersized vacant property at Overlook Avenue, identified as Block 6303, Lot 33.02, consisting of approximately 343± square feet, upon which there are no improvements (the "Property"); and

**WHEREAS**, the Property does not conform to the applicable Township minimum lot size zoning requirements; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.* ("LLBL"), specifically, N.J.S.A. 40A:12-13(b)(5), authorizes a municipality, by ordinance, to transfer real property owned by the municipality by private sale to the owner of real property contiguous to the property being sold provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon; and

**WHEREAS**, the Township offered the sale of the Property to the owners of the four adjacent properties, identified as Lots 27, 28, 36 and 37 in Block 6303; and

**WHEREAS**, the Township Engineer recommended the transfer and conveyance of the Property to Ken and Patrice Wessel, 74 Haas Road, Block 6303, Lot 37 for consideration of \$2,604 Dollars; and

**WHEREAS**, the Property is undersized, being less than an eighth of the minimum size required for development under the Township Zoning Ordinance, and does not contain any capital improvements thereon; and

**WHEREAS**, the Township Committee of the Township of Bernards does determine that the Property is no longer needed for public purposes; and

**WHEREAS**, the Township Committee of the Township of Bernards does determine that the conveyance of the Property to Ken and Patrice Wessel, and the placement of the Property on the real estate tax roll will better serve the public interest; and

**WHEREAS**, the Township Committee of the Township of Bernards finds it to be in the best interests of the Township and its citizenry to convey its ownership rights in and to the Property to Ken and Patrice Wessel.

**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. Subject to the conditions set forth herein, the Township's rights and interests in and to the undersized Property, Overlook Ave, identified as Block 6303, Lot 33.02, consisting of approximately 343± square feet, upon which there are no improvements are hereby authorized to be transferred and conveyed to the adjacent property owners of Block 6303, Lot 37, 74 Haas Road for the consideration of \$2,604 Dollars.
2. The Mayor and Township Clerk of the Township of Bernards are authorized and directed to sign and execute a Quitclaim Deed.
3. This Ordinance shall take effect upon final passage, adoption and publication according to law.
4. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.



# Ordinance of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

## EXPLANATORY STATEMENT

Due to lack of coordination by utility companies this ordinance is being revised to strengthen requirements for road openings. ADA compliance is also included due to recent complaints received by this office. Other changes are minor.  
Thomas Timko, P.E., Township Engineer

## ORDINANCE #2457

An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey,  
Amending, Revising and Supplementing the Revised General Ordinances of the Township of Bernards,  
Chapter 18, "Streets, Sidewalks and Sanitation",  
Section 18-3, "Requirements and Specifications for Street Openings"

**BE IT ORDAINED** by the Township Committee of the Township of Bernards in the County of Somerset and State of New Jersey, that Chapter 18, "Streets, Sidewalks and Sanitation", Section 18-3, "Requirements and Specifications for Street Openings" of the Revised General Ordinances of the Township of Bernards be amended, revised and supplemented as follows (new text is in double underline; deletions are ~~stricken~~):

## SECTION 18-3

### Requirements and Specifications for Street Openings

[1][Ord. #381, §§ 1, 2; Ord. #479, §§ 8-2.1, 8-2.2, 8-2.3, 8-2.4, 8-2.5, 8-2.6, 8-2.7, 8-2.8, 8-2.9, 8-2.10, 8-2.11, 8-2.12; Ord. #629, § 1; Ord. #924; Ord. #2053, § 1, 3-10-2009, amended]

#### § 18-3.1 Definitions.

As used in this section, the following terms shall have the meanings indicated:

#### ADA

Shall mean the Americans with Disabilities Act

## BERNARDS TOWNSHIP STANDARD DETAILS

Shall mean specifications and details for construction available from the Bernards Township Engineering Department.

## CART WAY

Shall mean the paved area of the street, including curbing, drainage structures, utilities, etc.

## DBH

Shall mean tree diameter at breast height.

## ENGINEER

Shall mean the Township Engineer, or his representative.



## MUTCD

Shall mean the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration.

## NJDOT

Shall mean the New Jersey Department of Transportation.

## NEW JERSEY DEPARTMENT OF TRANSPORTATION SPECIFICATIONS

Shall mean the New Jersey ~~State Highway~~ Department of Transportation Standard Specifications for Road and Bridge Construction, and all amendments thereto available from the New Jersey Department of Transportation.

## OSHA

Shall mean all regulations from the Occupational Safety and Health Administration.

## SIDEWALK

Shall mean concrete, ~~or~~ bituminous, paver, or other materials that comprise the sidewalk located in the street, outside the cart way.

## STREET

Shall mean the area as defined by ~~the right-of-way lines as described on the Bernards Township tax-~~  
~~maps~~ Section 18-1.

## STREET OPENING

Shall mean construction of any kind within the street or public right of way including but not limited to cutting, trenching, excavating, and grading.

## TOWNSHIP

Shall mean the Township of Bernards, Somerset County, ~~New-~~ Jersey.

## § 18-3.2 General.

- a. It is the intent of these provisions to guarantee the restoration of the paved and unpaved portion of the street after work has occurred within the street. All restoration work shall occur within ~~two weeks~~ 14 calendar days after substantial completion of the work, weather permitting.
- b. ~~The contractor is referred to the New Jersey Department of Transportation Specifications for Road and Bridge Construction.~~ Unless otherwise specified herein within, all work shall be performed in accordance with the latest edition of the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction and ADA.
- c. Street openings shall not be permitted within any right of way or in any streets or sidewalks that have been constructed, reconstructed, or resurfaced within the previous five years.
- ed. It shall be the responsibility of the contractor to replace all broken or damaged pavement, curbing, drainage facilities, sidewalks, trees and shrubs, and disturbed unpaved areas that resulted from the contractor's action during construction, caused for any reason by the contractor, his agents,

subcontractors, and/or employees. The contractor should give special attention to vehicles of such weight that cause damage, especially to the pavement. Notwithstanding any other provision of this Section 18-3, when if with prior approval from the Township Engineer or in the case of an emergency, the contractor disturbs any street or sidewalk which was constructed, reconstructed, or resurfaced within the five years preceding the disturbance, the Township Engineer may require the contractor to resurface and reconstruct up to the full width of the affected portion of the street or sidewalk, if in the Engineer's reasonable discretion such resurfacing or reconstruction is required in order to restore the street or sidewalk to a condition equivalent in function, durability, and smoothness of surface, to its condition immediately preceding the disturbance.

de. An engineering permit shall be obtained from the Township Engineer for excavation of any kind within the public right-of-way or Township easements on private property or for a connection to the Township storm sewer system. All information pertaining to written approvals shall be submitted to the Township Engineer with the permit application. No work shall commence, ~~however,~~ until the contractor has received written notification of approval by the Township Engineer in the form of an approved engineering permit.

f. An engineering permit shall be obtained for the paving of any private street or parking lot.

eg. It is the contractor's responsibility to carry on construction in a safe and efficient manner as required by various governmental agencies and to notify the Township Police, for work in a street, 48 hours prior to the start of construction. Similarly, the contractor shall notify the Township Engineer for all work in the street or an easement. For work in the street, the permit application shall be considered notice.

fh. It shall be the contractor's responsibility to maintain a safe job site, in accordance with all MUTCD and OSHA requirements, and to protect vehicular, pedestrian, and bicycle traffic. The contractor shall maintain and replace permanent and temporary signs as directed by the Township Engineer or Township Police required by MUTCD for construction zones.

gi. The contractor shall provide the Township with a telephone number where they contractor can be reached 24 hours a day for the duration of the project.

hi. Should, during the course of the project, the Township advise the contractor of failure to comply with the specifications and requirements, corrective action shall occur within 24 hours. Should corrective action not be undertaken by the contractor within the twenty-four-hour period, or if the same problem reoccurs, the Township Engineer may revoke the engineering permit and proceed to restore the street. The contractor shall be responsible for all restoration costs incurred by the Township including but not limited to labor, equipment, materials, hired contractors, and administrative costs of 15%. Contractors and subcontractors shall be hired for restoration work at the discretion of the Township Engineer. All contractors hired for restoration work shall be paid by the Township and the Township shall be reimbursed by the contractor or applicant listed on the permit.

Should the contractor or applicant fail to pay the cost of the work, all other permits associated in any way with the project shall be revoked and no further other Township permits shall be issued until payment is received.

k. Utility companies, including those engaged in the installation of gas, water, electric, and

telecommunications infrastructure, shall submit annually to the Township Engineer a list of proposed capital construction projects for the next three years to coordinate with Township paving projects. Except in the case of an emergency, the Township shall ultimately determine street openings' schedules. Upon request the Township Engineer may provide the utilities a prospective list of streets for Township reconstruction or resurfacing within the next year. The Township Engineer shall maintain a list of all streets improved within the previous five years subject to moratorium.

l. Damage to Township streets or infrastructure caused by any contractor shall be repaired to the satisfaction of the Township Engineer within 14 calendar days or the Township shall retain a contractor to complete the repairs at the expense of the contractor or utility company.

m. This section shall be enforced by the Engineering Services Department. The penalty for any violation of this section shall be as set for in § 3-1.1.

#### **§ 18-3.3 Issuance of Permits.**

Engineering permits shall be issued by the Township Engineer. Permits shall be valid for one calendar year from date of issue. All permits are subject to the following fees:

- a. Application fee of \$50.
- b. Inspection fee of \$75. For permit applications requiring a performance/maintenance surety greater than \$5,000, the inspection fee shall be established by the Township Engineer.
- c. Performance/maintenance surety of \$100 per square yard of opening. Minimum surety shall be \$500. Surety amounts may be increased at the discretion of the Township Engineer.

#### **§ 18-3.4 Inspections.**

The contractor shall call the Engineering Department 48 hours in advance to schedule inspections. The contractor shall call the Engineering Department before the start of work to ascertain what inspections are required for the work.

#### **§ 18-3.5 Emergency Permits.**

- a. If work is required to be performed on an emergency basis, the Township Engineer may waive the requirement for written approval. However, the contractor shall perform all construction to the specifications and requirements set forth herein within and at the first opportunity the contractor shall submit all required engineering permit paperwork as described within 7 calendar days from the date of emergency street opening. The contractor shall comply with all items enumerated under Section 18-3.6, Written Approval.
- b. An emergency shall be defined as an occurrence requiring the opening of a street, whereby any delay would result in a risk to the health, safety, or welfare of the public, such as a utility main break. False declarations of emergency shall be subject to a fine of not less than \$1,000 per incident.
- c. The contractor or utility company shall notify the Engineering Department via telephone or email within 24 hours of all emergencies.

#### **§ 18-3.6 Written Approval.**

Prior to the issuance of an engineering permit for work within the Township street, the following written approval is required:

a. Maintenance and Protection of Traffic.

1. The contractor shall furnish two copies of a detailed map showing the location of construction signage, as set forth in the Manual of Uniform Traffic Control Devices, ~~published by the Federal Highway Administration~~ to both the Township Engineer and the Township Police Department. The Township Police Department shall approve the map and the contractor shall adhere to the requirements set forth during construction.
2. Should detour(s) be required during construction, the proposed detour(s) shall be indicated on the map, along with required signage.
3. Should flagmen be required for the project, the number and time period(s) required shall be indicated on the map.
4. If the Chief of Police determines that the best interest of public safety requires the attendance of a police officer for the work at any time, ~~he shall so order~~ the Chief shall schedule the officer and the permittee shall reimburse the Township for the reasonable costs thereof. A fee setting forth the reasonable costs shall be set by resolution of the Township Committee, and may be periodically updated to reflect the current costs of providing the protective services.

§ 18-3.7 **Street Openings.**

a. Within the Cart Way.

1. Pavement. The contractor shall saw cut the pavement to be removed, and shall remove the pavement in a neat and workmanlike manner.
2. Curbing. The contractor shall saw cut and remove curbing in a neat and workmanlike manner. Concrete curb shall be removed to the nearest joint.
3. Drainage and Utilities. It shall be the contractor's responsibility to locate and protect all underground utilities and drainage structures. If necessary, the contractor shall excavate test pits to locate drainage and/or underground utilities. During the course of construction, it shall be the contractor's responsibility to protect all underground utilities and drainage structures. Should the contractor damage any underground utilities or drainage structures, they shall be replaced to the Township Engineer's or utility company's satisfaction at the contractor's expense before proceeding with construction.

b. Outside the Cart Way.

1. The contractor shall protect all trees, shrubs, etc.
2. Concrete Sidewalk. The contractor shall remove sidewalk required for construction at existing expansion joints. Should no expansion joint exist within a distance of 10 feet on either side of the construction area, the contractor will saw cut the existing sidewalk at the nearest tool joint and remove the existing sidewalk in a neat and workmanlike manner. It is the contractor's responsibility to protect all sidewalks not to be removed for the duration of the construction period.
3. Bituminous Sidewalk. The contractor shall saw cut the existing sidewalk and remove the existing sidewalk within the construction area in a neat and workmanlike manner. It is the contractor's

responsibility to protect all sidewalks not to be removed for the duration of the construction period.

#### § 18-3.8 **Trenching.**

- a. All trenching shall be done in a safe and efficient manner. OSHA regulations regarding open trenches shall be strictly observed.
  1. All material removed from outside the cart way shall be stockpiled outside the cart way. The stockpiled materials shall not interfere with vehicular, bicycle, or pedestrian traffic, shall not interfere with drainage, or shall not cause sight distance problems for vehicular, bicycle, or pedestrian traffic.
- b. All trenches shall be backfilled within 48 hours of opening of the trench.
  1. Open trenches within the cart way shall be protected by traffic control devices as set forth in the Manual on Uniform Traffic Control Devices.
  2. Open trenches outside the cart way, shall be protected with temporary fencing.

#### § 18-3.9 **Backfilling.**

Trenches shall be backfilled in the following manner and with the materials set forth below.

- a. Within the Cart Way.
  1. The trench shall be free of water, and all foreign material, including soil. The trench walls shall be well formed and free of loose material.
  2. The trench shall be backfilled with dense graded aggregate in six-inch lifts. After placing the six-inch lift, the material shall be compacted by mechanical methods to 95% standard proctor density.
  3. The dense graded aggregate backfill shall be brought to an elevation seven inches below the finished pavement grade to leave proper depth for the pavement section as described herein.
  4. The backfill material shall be carried to a point one foot outside the pavement or one foot past the back of curb if curb is to be placed.
- b. Outside the Cart Way.
  1. The trench shall be free of water and all foreign material, including soil. The trench walls shall be well formed and free of loose material.
  2. The trench shall be backfilled using material acceptable to the Township Engineer in six-inch lifts and compacted by mechanical methods.
  3. The backfill material shall be brought to an elevation of four inches below the finished grade to leave proper depth for the topsoil as described herein.

#### § 18-3.10 **Curbing.**

If curbing was damaged or removed during the work, the contractor shall replace the curbing to the following specifications. The type of curbing shall be determined by the Township Engineer.

a. Preparation for Placement of Curb.

1. The existing curb shall be saw cut so that no broken concrete remains. Concrete curb shall be removed to the nearest expansion joint.
2. In the area where new curb is to be constructed, the existing pavement shall be saw cut and removed for the length of the new curb, ~~and the~~ width of one foot from the curb, and a new pavement section consisting of six inches of dense graded aggregate, five inches of ~~Stabilized Base Mix #12~~ Hot Mix Asphalt Base Course, Mix 19M64, Tack Coat, ~~and~~ two inches of ~~F.A.B.C. Mix #15~~ Hot Mix Asphalt Surface Course, Mix 9.5M64 ~~and~~ shall be constructed as set forth in the Section 18-3.11 entitled ~~to~~ "Surface Treatment."

b. One of the following types of curbs shall be constructed.

1. Nine-inch by twenty-inch white concrete curb as per N~~JDOT~~ew Jersey Department of Transportation Specifications.
  2. Six~~-~~inch by eighteen-inch concrete curb as per N~~JDOT~~ew Jersey Department of Transportation Specifications.
  3. Six-inch vertical granite block curb as per Bernards Township Standard Details.
  4. Six-inch sloping granite block curb as per Bernards Township Standard Details.
  5. Eight-inch vertical granite block curb as per Bernards Township Standard Details.
- c. Horizontal cutting of curbing to create a depressed or dropped curb is prohibited.

§ 18-3.11 **Surface Treatment.**

The trench shall be surfaced in the manner and with the materials set forth below.

a. Within the Cart Way.

1. The backfill material shall be properly graded and all foreign material removed. Saturated or unsuitable materials must be removed before grading with dense graded aggregate.
2. The contractor shall remove all broken pavement from the limits of the trench and recut the existing pavement as required by the Engineer. In areas where pavement has been removed outside the limits of the trench, the contractor shall hand excavate all material to a depth of 13 inches below finished pavement grade and place six inches of dense graded aggregate compacted.
3. Five inches, compacted, of ~~stabilized base plant mix bituminous material (Mix #12)~~ Hot Mix Asphalt Base Course, Mix 19M64 shall be placed. ~~in accordance with NJDOT Specifications.~~
4. The contractor shall apply a tack coat to the stabilized base material, ~~and the~~ pavement edges, ~~and then~~ place two inches of compacted ~~F.A.B.C. (Mix #15)~~ Hot Mix Asphalt Surface Course, Mix 9.5M64, ~~in accordance with NJDOT specifications.~~

5. For pavements overlaid or reconstructed within five years prior to the engineering permit application date, an infrared heater shall be utilized during the installation of the final asphalt surface course. The required maximum temperature that the pavement may be heated to and the total length of time of heating process shall comply with manufacturer requirements of the infrared heater. For pavements older than five years, an infrared heater may be required at the discretion of the Township Engineer. **[Ord. #2053, § 1, 3-10-2009, amended]**
- b. Outside the Cart Way.
  1. The contractor shall place four inches of topsoil. The topsoil shall be graded and hand raked.
  2. Lime, fertilizer, and grass seed shall be spread uniformly at rates in accordance with NJDOT specifications.
  3. It shall be the contractor's responsibility to water and maintain the area in a weed-free condition, and guarantee the new seeded area for one full season (May through October). Should the seeded area prove unsatisfactory, the entire process shall be repeated.
  4. The contractor shall trim and paint all damaged trees and shrubs to the satisfaction of the Shade Tree Commission (or their representatives). Should the Shade Tree Commission determine that trees or shrubs have been damaged so that the aesthetic quality cannot be restored, the contractor shall replace the trees and/or shrubs in kind at the contractor's expense. For trees greater than eight inches in diameter (DBH), the contractor or applicant shall be responsible for the value of the tree as established by a professional forester retained by the Township.

#### § 18-3.12 Sidewalks.

- a. Replacement of sidewalks will either be bituminous or concrete and the replacement type shall be based on the type that was damaged or removed unless otherwise required by the Township Engineer. The replacement sidewalk shall be constructed to the following specifications:
  1. Concrete: as per the Bernards Township Standard Details and ADA.
  2. Bituminous: as per the Bernards Township Standard Details and ADA.
- b. The sidewalk subbase shall be graded and compacted to the Township Engineer's requirements. Should unsuitable material be encountered, it shall be removed and replaced with a four-inch-thick lift of compacted dense graded aggregate.
- c. All form work shall be in a neat and workmanlike manner and shall be inspected and approved for line and grade ~~and approved, by the Township Engineer~~ prior to the placement of sidewalk, ~~by the Township Engineer~~.

#### § 18-3.13 Return of Surety.

- a. Upon completion of all work, the contractor shall advise the Township Engineer and a final inspection shall be made. The performance/maintenance surety shall be held for one calendar year from the date of final approval. After one year from the date of final approval, the work shall be re-inspected and any corrective work shall be completed prior to the return of the surety.





# Resolution of the Township of Bernards

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

## Resolution #2020-0355

Approval of the Bill List Dated 11/10/2020

**BE IT RESOLVED**, that the bill list dated 11/10/2020 be audited, and if found correct, be paid.

November 10, 2020  
08:32 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: 11/10/20 to 12/31/20  
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				
126712	11/10/20	90327 MCKNIGHT, ALEX	104.97	1546 Direct Deposit
126713	11/10/20	90333 KING, TIMOTHY D	2,040.48	1546 Direct Deposit
126714	11/10/20	90514 MERGHART, DEBRA	6.02	1546 Direct Deposit
126715	11/10/20	90522 BARBER, JACQUELINE	20.04	1546 Direct Deposit
126716	11/10/20	90535 YEAGER, ROBERT	6.50	1546 Direct Deposit
126717	11/10/20	90677 BEGRAFT, GERALYN	30.00	1546 Direct Deposit
126718	11/10/20	A0453 AMAZON.COM	414.63	1546 Direct Deposit
126719	11/10/20	A0611 AMERICAN WEAR, INC	1,150.20	1546 Direct Deposit
126720	11/10/20	B0203 DIFRANCESCO BATEMAN, PC	2,128.80	1546 Direct Deposit
126721	11/10/20	B0581 BUY WISE AUTO PARTS	845.09	1546 Direct Deposit
126722	11/10/20	B0758 BCI TRUCK, INC	61.23	1546 Direct Deposit
126723	11/10/20	C0083 CDW GOVERNMENT, INC.	337.50	1546 Direct Deposit
126724	11/10/20	D0754 DC EXPRESS	763.00	1546 Direct Deposit
126725	11/10/20	G0133 GARDEN STATE LABORATORIES, INC	110.00	1546 Direct Deposit
126726	11/10/20	H0420 HARMONY TREE CARE LLC	25,400.00	1546 Direct Deposit
126727	11/10/20	K0354 KANOPY INC	319.00	1546 Direct Deposit
126728	11/10/20	M0830 MOTT MACDONALD LLC	2,227.50	1546 Direct Deposit
126729	11/10/20	O0021 OFFICE DEPOT	378.49	1546 Direct Deposit
126730	11/10/20	P0546 PETER RUBINETTI PRIVATE DISP	52.86	1546 Direct Deposit
126731	11/10/20	P0706 PARTS AUTHORITY LLC	155.44	1546 Direct Deposit
126732	11/10/20	T0192 TURN OUT UNIFORMS INC	294.97	1546 Direct Deposit
126733	11/10/20	U0001 UNITEMP INC.	11,099.06	1546 Direct Deposit
126734	11/10/20	V0020 VILLAGE OFFICE SUPPLY	304.06	1546 Direct Deposit
126735	11/10/20	72094 STONEHEDGE OF BERNARDS, INC.	9,821.66	1547
126736	11/10/20	A0306 AMERICAN PLANNING ASSOCIATION	766.85	1547
126737	11/10/20	A0381 BLACK LAGOON	1,845.00	1547
126738	11/10/20	A0471 APEX AMERICAN ELECTRICAL	1,208.00	1547
126739	11/10/20	A0474 AIR GROUP, LLC	7,125.00	1547
126740	11/10/20	A0666 ALSTEDE FARMS, LLC	60.00	1547
126741	11/10/20	B0001 BAKER & TAYLOR, INC.	2,936.83	1547
126742	11/10/20	B0021 BASKING RIDGE FIRE CO.	7,290.56	1547
126743	11/10/20	B0026 BERNARDS TOWNSHIP CURRENT	8,923.14	1547
126744	11/10/20	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	558,158.75	1547
126745	11/10/20	B0044 BASKING RIDGE ANIMAL HOSPITAL	18.00	1547
126746	11/10/20	B0107 BESSE MEDICAL SUPPLY	2,497.95	1547
126747	11/10/20	B0311 BOBCAT OF CENTRAL JERSEY	163.01	1547
126748	11/10/20	B0518 BERNARDSVILLE HARDWARE	99.99	1547
126749	11/10/20	B0750 BEYER OF MORRISTOWN	96,105.90	1547
126750	11/10/20	B0826 BALA PARTNERS LLC	69,132.13	1547
126751	11/10/20	C0024 GANNETT NEW JERSEY NEWSPAPERS	48.59	1547
126752	11/10/20	C0482 OPTIMUM	138.44	1547
126753	11/10/20	C0482 OPTIMUM	8.33	1547
126754	11/10/20	C0482 OPTIMUM	33.32	1547
126755	11/10/20	C0545 AHS HOSPITAL CORP	724.50	1547
126756	11/10/20	C0613 CIGNA GROUP INSURANCE	1,577.58	1547
126757	11/10/20	C0697 BB&T/CPS	41.25	1547
126758	11/10/20	C0717 CIRILLO, PAUL	150.00	1547
126759	11/10/20	C0907 CARRIER ENTERPRISE NORTHEAST	1,231.00	1547
126760	11/10/20	C0910 CREEGAN, KATE	125.00	1547
126761	11/10/20	C0911 CLOTT, DEVEN	28.00	1547
126762	11/10/20	C0912 CASTORRI, PEGGY	1,040.00	1547
126763	11/10/20	D0740 DOVER BRAKE & CLUTCH	815.37	1547
126764	11/10/20	E0008 EBSCO SUBSCRIPTION SERVICES	662.00	1547
126765	11/10/20	E0185 EDWARDS TIRE COMPANY	1,390.00	1547
126766	11/10/20	E0191 EAST COAST EMERGENCY LIGHTING	4,712.16	1547
126767	11/10/20	E0205 EAGLE POINT GUN SHOP	6,722.52	1547
126768	11/10/20	E0231 EKA ASSOCIATES, P.A.	67.50	1547
126769	11/10/20	F0001 FEDEX	39.69	1547
126770	11/10/20	F0148 FAIRFIELD MAINTENANCE INC	358.00	1547
126771	11/10/20	F0158 FLEMINGTON DEPARTMENT STORE	3,349.45	1547
126772	11/10/20	F0326 FX AUTOMOTIVE LLC	491.85	1547
126773	11/10/20	F0330 FIDELITY SECURITY LIFE INS	246.24	1547
126774	11/10/20	G0066 GRAINGER INC	134.50	1547
126775	11/10/20	G0098 JCP&L	76.43	1547
126776	11/10/20	G0333 BEDMINSTER CAR WASH	151.90	1547
126777	11/10/20	G0509 GREEN ROCK RECYCLING	2,400.00	1547
126778	11/10/20	G0596 GRIFFITH - ALLIED TRUCKING LLC	6,015.79	1547
126779	11/10/20	H0029 HUMPHREYS PEST CONTROL, INC.	230.00	1547
126780	11/10/20	H0075 HARBOR FREIGHT TOOLS	114.99	1547
126781	11/10/20	I0010 INTERNATIONAL ASSN.OF ARSON	400.00	1547
126782	11/10/20	J0002 JAEGER LUMBER	120.00	1547
126783	11/10/20	J0245 JAYE RICHIE, LLC	300.00	1547
126784	11/10/20	K0302 KAISER, MATTHEW OR NATASHA	500.00	1547
126785	11/10/20	K0334 KONICA MINOLTA BUSINESS	100.00	1547
126786	11/10/20	K0341 KONICA MINOLTA PREMIER FINANCE	133.02	1547
126787	11/10/20	K0341 KONICA MINOLTA PREMIER FINANCE	110.74	1547



126788	11/10/20	K0341	KONICA MINOLTA PREMIER FINANCE	266.84	1547
126789	11/10/20	L0484	LANDVEST CONSTRUCTION LLC	1,100.00	1547
126790	11/10/20	M0353	MIDWEST TAPE	1,642.79	1547
126791	11/10/20	M0487	MARTINSVILLE FLORIST	60.50	1547
126792	11/10/20	M0518	KONICA MINOLTA BUSINESS SOL.	252.51	1547
126793	11/10/20	M0859	MAXX'S FLEET REPAIRS, LLC	4,103.01	1547
126794	11/10/20	M0903	MBR INVESTMENT	3,349.50	1547
126795	11/10/20	N0006	NEW JERSEY AMERICAN WATER CO.	38,318.00	1547
126796	11/10/20	N0006	NEW JERSEY AMERICAN WATER CO.	80.98	1547
126797	11/10/20	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	220.00	1547
126798	11/10/20	N0032	NJ STATE DEPT HEALTH/SR SVCS	84.00	1547
126799	11/10/20	N0035	NEW JERSEY PLANNING OFFICIALS	121.00	1547
126800	11/10/20	N0389	NJ MOTOR VEHICLE COMMISSION	60.00	1547
126801	11/10/20	N0389	NJ MOTOR VEHICLE COMMISSION	60.00	1547
126802	11/10/20	N0415	NATIONAL FUEL OIL INC	5,849.55	1547
126803	11/10/20	N0484	NEW JERSEY AMERICAN WATER	600.00	1547
126804	11/10/20	O0046	ALLEGRA MARKETING, PRINT&MAIL	725.00	1547
126805	11/10/20	O0116	OBERLY, BARRY	990.00	1547
126806	11/10/20	O0135	OUTHUSE LLC	160.00	1547
126807	11/10/20	P0014	PUBLIC SERVICE ELEC. & GAS CO	568.25	1547
126808	11/10/20	P0046	RESERVE ACCOUNT	1,083.20	1547
126809	11/10/20	P0211	PATRIOT HILL CONDO ASSOCIATION	7,389.48	1547
126810	11/10/20	P0525	POWER PLACE, INC.	189.42	1547
126811	11/10/20	P0602	PRAXAIR DISTRIBUTION, INC	35.64	1547
126812	11/10/20	Q0002	CINTAS CORP. - #062	351.08	1547
126813	11/10/20	R0031	ROCKWOOD CORPORATION	223.80	1547
126814	11/10/20	R0423	ROTH, RICHARD	500.00	1547
126815	11/10/20	R0440	RAHWAY BUSINESS MACHINES, INC.	344.00	1547
126816	11/10/20	R0509	REIVAX CONTRACTING CORPORATION	36,094.81	1547
126817	11/10/20	S0062	STAR LEDGER	737.48	1547
126818	11/10/20	S0067	SOMERSET COUNTY TREASURER	5,389,187.71	1547
126819	11/10/20	S0068	SOMERSET COUNTY TREASURER	516,824.36	1547
126820	11/10/20	S0135	CJHRC-CENTRAL JERSEY HOUSING	3,379.00	1547
126821	11/10/20	S0227	SHEARON ENVIRONMENTAL DESIGN	24,266.67	1547
126822	11/10/20	S0628	STATE OF NEW JERSEY-HB	196,364.41	1547
126823	11/10/20	S0691	SUPERIOR DISTRIBUTORS	61.98	1547
126824	11/10/20	S0741	SUBURBAN CONSULTING ENGINEERS	200.00	1547
126825	11/10/20	S0875	SUNLIGHT GENERAL CAPITAL	154.08	1547
126826	11/10/20	S0984	SHERMAN, PAUL	35.00	1547
126827	11/10/20	S1162	SACHS, JERRY A OR KAREN T	16.56	1547
126828	11/10/20	S1163	SMITH TRUSTEES,	7,626.93	1547
126829	11/10/20	T0066	CENGAGE LEARNING CREDIT SVCS	200.68	1547
126830	11/10/20	T0265	TREASURER, STATE OF NEW JERSEY	50.00	1547
126831	11/10/20	T0372	TLO, LLC	574.20	1547
126832	11/10/20	U0056	U.S. MUNICIPAL SUPPLY, INC.	2,119.07	1547
126833	11/10/20	U0127	US BANK CUST ACTLIEN HOLDING	4,151.69	1547
126834	11/10/20	V0008	VITAL COMMUNICATIONS, INC.	100.00	1547
126835	11/10/20	V0011	VARITRONICS SYSTEMS	96.86	1547
126836	11/10/20	V0037	VILLAGE SUPERMARKET, INC.	84.70	1547
126837	11/10/20	V0056	VERIZON WIRELESS	910.50	1547
126838	11/10/20	V0058	VERIZON	706.42	1547
126839	11/10/20	V0084	VERIZON	156.99	1547
126840	11/10/20	V0140	VANTAGEPOINT TRANSFER AGENTS	4,848.48	1547
126841	11/10/20	V0177	VERIZON	561.50	1547
126842	11/10/20	V0185	VERIZON CONNECT	534.27	1547
126843	11/10/20	W0016	WARRENVILLE TRUE VALUE	652.78	1547
126844	11/10/20	W0030	WORLD BOOK, INC	787.50	1547
126845	11/10/20	W0074	WELSH'S MOTOR SALES, INC.	20.80	1547
126846	11/10/20	W0259	VENTURA, MIESOWITZ, KEOUGH &	1,998.00	1547
126847	11/10/20	W0404	WOODS MACHINERY	70.40	1547
126848	11/10/20	X0003	XEROX CORPORATION	383.78	1547
126849	11/10/20	X0005	XTEL COMMUNICATION	1,666.85	1547
126850	11/10/20	Z0087	ZAMARA, DAVID	500.00	1547
126851	11/10/20	K0334	KONICA MINOLTA BUSINESS	192.89	1548

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
	----	----	-----	-----
Checks:	117	0	7,065,986.83	0.00
Direct Deposit:	23	0	48,249.84	0.00
	=====	=====	=====	=====
Total:	140	0	7,114,236.67	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
-----					
CURRENT FUND	0-01	6,895,461.15	0.00	0.00	6,895,461.15
DOG FUND	0-12	342.55	0.00	0.00	342.55
GOLF COURSE UTILITY	0-26	27,847.97	0.00	0.00	27,847.97
Year Total:		6,923,651.67	0.00	0.00	6,923,651.67
-----					
CURRENT FUND	9-01	7,389.48	0.00	0.00	7,389.48
CAPITAL FUND	C-04	41,144.47	0.00	0.00	41,144.47
PUBLIC GRANTS	G-02	2,331.39	0.00	0.00	2,331.39
TRUST FUNDS	T-13	122,756.25	0.00	0.00	122,756.25
PROJECT		16,963.41	0.00	0.00	16,963.41
-----					
Total Of All Funds:		7,114,236.67	0.00	0.00	7,114,236.67

Agenda and Date Voted: 11/10/2020

#### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

Rhonda Pisano , Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510 \* [www.bernards.org](http://www.bernards.org)

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## **Resolution #2020-0356**

Commendation on the Occasion of Your Retirement  
Judith Bauer – Deputy Tax Collector

**WHEREAS**, the Township Committee of the Township of Bernards desires to convey to you an expression of its appreciation and grateful acknowledgment for the valued services rendered by you as an employee of the Township of Bernards for the past 9+ years; and

**WHEREAS**, you have given generously of your time and efforts in a dignified, faithful and professional manner for the residents of Bernards Township; and

**WHEREAS**, Judy's' dedication, patience and perseverance to not only her fellow employees but also to the residents of Bernards Township made every visit to the Tax office inviting, pleasant, and informative; and

**WHEREAS**, Judy's true commitment to Bernards Township was evident in every interaction; and

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

**WHEREAS**, on the occasion of your 9+ years of service you are retiring to start the next challenging and exciting chapter of your life.

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

Signed and sealed on behalf of the Township Committee on this 10<sup>th</sup> Day of November, Two Thousand and Twenty.

Agenda and Date Voted: 11/10/2020

\_\_\_\_\_  
James Baldassare Jr., Mayor

\_\_\_\_\_  
Joseph Esposito, Deputy Mayor

\_\_\_\_\_  
John Carpenter

\_\_\_\_\_  
Janice M. Fields

\_\_\_\_\_  
Joan Bannan Harris

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted  
by the Bernards Township Committee on 11/10/2020.

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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## **Resolution #2020-0358** Authorization for Tax Refund

**WHEREAS**, a tax overpayment exists because the property owner's representative and mortgage company made payment; and

**WHEREAS**, the tax collector has suggested that a refund be issued in order to clear the account.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do be hereby approve and authorize the following refund.

Block & Lot	Quarter & Year	Amount	Issue Refund To
4201/5	4Q2020	\$3,436.60	Associated Title Agency 64 W Main St Freehold NJ 07728

Agenda and Date Voted: 11/10/2020

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on **11/10/2020**.

\_\_\_\_\_  
**Rhonda Pisano, Municipal Clerk**

*Interpretive Statement: This property has an overpayment due to the sale of the property. I recommend a refund be issued to clear the account.*

*Peggy Warren, Tax Collector*



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

**Resolution #2020-0359**  
Refund of Development Fee  
Residential Development Block: 4701, Lot: 2.05  
13 River Farm Lane

**WHEREAS**, Section 27-76.16 of the Revised Land Use Ordinance of the Township of Bernards provides for a collection of a Development Fee; and

**WHEREAS**, to determine the Development Fee, the Tax Assessor calculated an ESTIMATED equalized assessed value of the property; and

**WHEREAS**, as a condition of the issuance of a Building Permit and a Certificate of Occupancy, payment of one- and one-half percent of the estimated equalized assessed value of \$1,600,000.00 was required; and

**WHEREAS**, \$24,000.00 was paid by MBR Investment; and

**WHEREAS**, the Tax Assessor has now determined the FINAL equalized assessed value of the property to be less than the ESTIMATED equalized assessed value; and

**WHEREAS**, payment of one- and one-half percent of the FINAL equalized assessed value of the property is \$20,650.50; and

**WHEREAS**, a refund of \$3,349.50 is due to MBR Investment.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Township Committee of the Township of Bernards hereby authorizes the refund of \$3,349.50.

Agenda and Date Voted: 11/10/2020

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk

**Explanatory Statement**

his authorizes the refund of Development Fees. In some cases, the estimated equalized assessed value of a property may be greater than the actual final equalized assessed value, calculated sometime in the future, thereby, requiring a refund.

Maria Rossi, Administrative Assistant

Date: 11/10/2020



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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## **Resolution #2020-0360**

Award of Bid for Hosted VOIP PBX Communications

Awarded to Xtel Communications Inc., 401 Route 73 North, Building 10, Suite 106, Marlton, NJ 08503  
In the Amount of \$ 9,774.00

**WHEREAS**, the Township of Bernards received bids on October 21, 2020, at 11:00 AM for Hosted VOIP PBX:

Description	Xtel	Data Network Solutions
Initial Configuration and Start Up Costs (Inc. Labor Hardware & Software)	\$0.00	\$1,000.00

### **Monthly Recurring VOIP Service Charge: Town Hall/Health/Engineering**

Vendor	Xtel	Data Network Solutions
Year One 2020-2021	\$437.00	\$1,086.00
Year Two 2021-2022	\$437.00	\$1,086.00
Year Three 2022-2023	\$437.00	\$1,086.00
Year Four 2023-2024	\$437.00	\$1,086.00
Year Five 2024-2025	\$437.00	\$1,086.00

### **Monthly Recurring VOIP Service Charge: Library**

Vendor	Xtel	Data Network Solutions
Year One 2020-2021	\$122.00	\$320.00
Year Two 2021-2022	\$122.00	\$320.00

Year Three 2022-2023	\$122.00	\$320.00
Year Four 2023-2024	\$122.00	\$320.00
Year Five 2024-2025	\$122.00	\$320.00

**Monthly Recurring VOIP Service Charge: Police**

Vendor	Xtel	Data Network Solutions
Year One 2020-2021	\$155.50	\$420.00
Year Two 2021-2022	\$155.50	\$420.00
Year Three 2022-2023	\$155.50	\$420.00
Year Four 2023-2024	\$155.50	\$420.00
Year Five 2024-2025	\$155.50	\$420.00

Call Recording	\$100.00/Month
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**WHEREAS**, it is the combined recommendation of the IT Director, Administrator and Purchasing Agent to award the contract to Xtel Communications, 401 Route 73 North, Building 10, Suite 106, Marlton, NJ 08503 in the annual amount of \$ 9,774.00; and

**WHEREAS**, as provided by the N.J.S.A. 40A:11-15(8), this is a one year contract which may be extended for four (4) one year (1) additional periods providing performance is satisfactory and funds are appropriated in the annual budget; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations to be charged are # 0-01-31-430-B05 / 1-01-31-430-B05 / 2-01-31-430-B05 / 3-01-31-430-B05 / 4-01-31-430-B05 / 5-01-31-430-B05; 0-01-31-430-B02 / 1-01-31-430-B02 / 2-01-31-430-B02 / 3-01-31-430-B02 / 4-01-31-430-B02 / 5-01-31-430-B02; 0-01-31-430-B06 / 1-01-31-430-B06 / 2-01-31-430-B06 / 3-01-31-430-B06 / 4-01-31-430-B06 / 5-01-31-430-B06; 0-01-29-390-216 / 1-01-29-390-216 / 2-01-29-390-216 / 3-01-29-390-216 / 4-01-29-390-B06 / 5-01-29-390-216 (future years pending Township Committee budget approval); and

**WHEREAS**, this contract has been awarded to Xtel Communications, through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to: Xtel Communications, 401 Route 73 North, Building 10, Suite 106, Marlton, NJ 08503, in the amount of \$ 9,774.00; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and Xtel Communications, ("Contractor") shall contain:

1. The total bid amount consists of Hosted VOIP PBX Communications.
2. The work contemplated under the Contract shall commence on or about signature date of award documents through November 10, 2021.
3. This contract shall, for all-purpose be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
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. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
6. Billing must be rendered within 30 days of service delivery.
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 resolution as Exhibit A.
8. The Township may terminate this contract if contractor does not full its obligations as set forth in the Bid Specification, upon thirty days written notice via certified mail.
9. To the extent the terms of the resolution are inconsistent with the contract the terms of the contract shall govern.

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

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Elizabeth Sorino, Executive Vice President

Agenda and Date Voted: November 10, 2020

Explanatory Statement

This is an award for a hosted VOIP system that will allow our phone and voicemail system to be hosted off-site. This is for the buildings of townhall, engineering & health to include the options per the bid specifications of the police and library.

Date: 10/26/2020

Name Christopher Kyriacou  
Title IT Director

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$ 9,774.00. Monies are available in the line item appropriations or line account to be charged; # 0-01-31-430-B05 / 1-01-31-430-B05 / 2-01-31-430-B05 / 3-01-430-B05 / 4-01-31-430-B05 / 5-01-31-430-B05; 0-01-31-430-B02 / 1-01-31-430-B02 / 2-01-31-430-B02 / 3-01-31-430-B02 / 4-01-31-430-B02 / 5-01-31-430-B02; 0-01-31-430-B06 / 1-01-31-430-B06 / 2-01-31-430-B06 / 3-01-31-430-B06 / 4-01-31-430-B06 / 5-01-31-430-B06; 0-01-29-390-216 / 1-01-29-390-216 / 2-01-29-390-216 / 3-01-29-390-216 / 4-01-29-390-B06 / 5-01-29-390-216 (future years pending Township Committee budget approval).

Date: October 30,2020



Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

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

  
*For Purchasing Agent*

Francis J. Decibus, QPA  
Purchasing Agent

Date: October 30, 2020

**CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted  
by the Bernards Township Committee on 11/10/2020.**

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**Rhonda Pisano, Municipal Clerk**





# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510 • [www.bernards.org](http://www.bernards.org)

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**Resolution #2020-0361**  
**Personnel Appointment**  
Margaret Aloisio – Library Assistant  
Bernards Township Library

**WHEREAS**, the Library Assistant position became available due to a restructuring of the Circulation Department; and

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

**WHEREAS**, Margaret Aloisio has applied for and is qualified to fill said position; and

**WHEREAS**, the Library Director, Library Board and Human Resources Manager recommend appointment of Margaret Aloisio to the position of Library Assistant.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Margaret Aloisio be appointed Library Assistant with a start date of November 24, 2020 at an hourly rate of \$14.50 for a 12-hour work week.

Agenda and Date Voted: 11/10/2020

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/20.

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk

**EXPLANATORY STATEMENT**

A vacancy occurred for the Library Assistant position due to a restructuring of the Circulation Department. The position was approved and advertised per Township policy. Margaret Aloisio applied for the position and is qualified to fill said position. Ms. Aloisio had a long successful career in the private sector and will be an asset to our library staff.  
Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

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

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## **Resolution #2020-0362 Personnel Appointment**

Nancy Kilroy – Library Assistant-Adult Circulation  
Bernards Township Library

**WHEREAS**, the Library Assistant-Adult Circulation position became available due to a retirement; and

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

**WHEREAS**, Nancy Kilroy has applied for and is qualified to fill said position; and

**WHEREAS**, the Library Director, Library Board and Human Resources Manager recommend appointment of Nancy Kilroy to the position of Library Assistant-Adult Circulation.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Nancy Kilroy be appointed Library Assistant-Adult Circulation with a start date of November 16, 2020 at an hourly rate of \$16.00 for a 12-hour work week.

Agenda and Date Voted: 11/10/2020

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/20.

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk

### **EXPLANATORY STATEMENT**

A vacancy occurred for the Library Assistant-Adult Circulation position due to a retirement. The position was approved and advertised per Township policy. Nancy Kilroy applied for the position and is qualified to fill said position. Ms. Kilroy has worked at the Long Hill Township Public Library for the past several years and will bring a wealth of knowledge and experience. Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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## **Resolution #2020-0363**

Awarding Professional Services Contract for Evaluation of HVAC System for Police Department and Warren Craft Meeting Room  
to Mitul Patel, PE, NJ Lic #4852600 of the firm KeRri Engineering PC  
In the Not to Exceed Amount of \$4,750.00 – (To Include Reimbursable Expenses as Required)

**WHEREAS**, the Township of Bernards requires Professional Mechanical Engineering Services for resolution of HVAC issues; and

**WHEREAS**, Mitul Patel, PE, NJ Lic #4852600 of the firm KeRri Engineering PC, 911 Springfield Road, Suite 2, Union, NJ 07083 has submitted a proposal dated July 27, 2020 outlining professional mechanical 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 professional services contract is not subject to the requirements of N.J.S.A. 19:44A-20.4, *et seq* and Section 2-34 of the "Township Ordinances" as the Contract is under the threshold for the ordinance as well; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in Capital Ordinance #2446 line account #C-04-55-446-B04.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Mitul Patel, PE, NJ Lic #4852600 of the firm KeRri Engineering PC, 911 Springfield Road, Suite 2, Union, NJ 07083 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated July 27, 2020.
2. The contract term is from November 11, 2020 through November 10, 2021 for professional mechanical services in the not to exceed amount of \$ 4,750.00.
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 Jorge Casacuberta, Director of Public Works, who will be the chief contact for the Township of Bernards on this project.

**NOW THEREFORE BE IT FINALLY RESOLVED**, that notice of this contract award and a copy of the resolution be on file and available for public inspection in the office of the Bernards Township Purchasing Department.

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.

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Mitul Patel, PE, NJ Lic #4852600

Agenda and Date Voted: November 10, 2020

**Explanatory Statement**

KeRi Engineering PC was solicited to evaluate the existing HVAC distribution system in the Police Department and Warren Craft Meeting Room as both locations are experiencing problems with high humidity, improper heating and cooling and lack of proper controls with existing systems.

The scope of this project is to evaluate the current operation and HVAC distribution systems, review and analyze existing conditions and to evaluate the problem. KeRi Engineering will also survey existing site conditions, perform calculations and detail code analysis, calculate the space required for installation of new equipment if needed and prepare a report with recommendations.

It is my recommendation to award a professional services contract to Mitul Patel, PE, NJ Lic #4852600 to perform these services.

Date: 10/29/20

Jorge Casacuberta  
Director of Public Works

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$4,750.00. Monies are available in Capital Ordinance #2446, line account #C-04-55-446-B04.

Date: November 2, 2020



Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

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

Date: November 2, 2020



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 11/10/2020.

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Rhonda Pisano, Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

## Resolution #2020-0364

Award of Bid Renewal - 2020-2021 Snow Plowing Removal and Equipment Rental to Central Jersey Construction, 1225 Route 206 South, P.O. Box 391, Bedminster, NJ 07921

**WHEREAS**, The Township received bids on Wednesday, September 9, 2018 at 11:30 A.M. for Snow Plowing Removal and Equipment Rental. The bid summary is as follows:

Equipment	Snow Base Hourly Rate	# of Vehicles
Class A – 45,000 pounds or over (Tandem Axle) with 11' plow or larger	\$176.17	3
Class B – 20,000-44,999 pounds (Single Axle, approx. 5 cubic yards) w/10' plow or larger	\$164.77	4
Class C – Under 20,000 pounds (Mason Dump, 2-3 cubic yds) w/ 8.5' plow or larger	\$129.55	3
Class D – 4wd Pickup (full size) w/plow	\$82.91	4
Class E – Front end loader (2-1/4 to 2-3/4 CY)	\$259.08	1
Class G – Backhoe loader (1-1/2 to 1-3/4 CY)	\$124.36	4
Standby - Plows	\$62.18/\$77.73	0
Standby - Equipment	\$51.82/\$67.37	0
Superintendent	\$62.18/\$77.73	0

**WHEREAS**, hourly rates for each subsequent year (second and third year of the contract), provided the Township exercises its option to renew the contract, will be adjusted based on the index rate (1.9%) published on the Department of Community Affairs, Division of Local Services website. The index rate used will be the most recently completed quarterly calculation available on the date for renewal (October 1<sup>st</sup>); and

**WHEREAS**, Central Jersey Construction has satisfactorily performed such services in 2019/2020; and

**WHEREAS**, this is the final year of a three-year contract; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations to be charged are Current Fund, Snow Removal Other Expenses, line accounts #0-01-26-291-204/#1-01-26-291-204 (pending Township Committee budget approval), and Trust Fund, Reserve for Snow Removal, line account T-13-56-050-SNR; and

**WHEREAS**, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award a contract to Central Jersey Construction, P.O. Box 391, Bedminster, NJ 07921 per the schedule above.

**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 contract and purchase order to: Central Jersey Construction, 1225 Route 206 South, P.O. Box 391, Bedminster, NJ 07921.

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

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Peter Gianetti, President

Agenda and Date Voted: November 10, 2020

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards hereby certify that adequate funds are available for the above referenced contract for Snow Plowing Removal and Equipment Rental. Monies are available in: Current Fund, Snow Removal Other Expenses, account #0-01-26-291-204/#1-01-26-291-204 (pending Township Committee budget approval) and Trust Fund, Reserve for Snow Removal, line account T-13-56-050-SNR.



Sean McCarthy  
Chief Financial Officer

Date: November 2, 2020

**Explanatory Statement**

It is recommended in accordance with the information above that a contract be awarded for Snow Plowing Removal and Equipment Rental to Central Jersey Construction to satisfy the Township's requirement for winter operations and provide for the safety of the Township's road network, residents and traveling public.

Date: 10/29/20

Jorge Casacuberta  
Director of Public Works

**PURCHASING CERTIFICATION**

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



Francis J. Decibus, QPA, RPPO  
Purchasing Agent

Date: November 2, 2020

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

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Rhonda Pisano, Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

## Resolution # 2020-0365

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 Harmony D. Merves to Use Space Solely as an 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 November 2, 2020 the Friends requested approval to permit a lease agreement with Harmony D. Merves for use of space solely as 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 Harmony D. Merves, 14 Locust Street, Madison NJ 07940, for six (6) months: January 1, 2021 – June 30, 2021 at 9:00 am.

**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: 11/10/2020

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

Rhonda Pisano, Municipal Clerk

### EXPLANATORY STATEMENT

License renewal for Harmony Merves at KMS Farmstead; Ms. Merves is unable to commit to a standard 12month renewal period at this time due to personal circumstances and has requested 6 month agreement.

Thank you, Leslie Workman, President  
Dated: November 2, 2020



# Resolution of the Township of Bernards

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

## Resolution #2020-0366

Award of Purchase Orders for Identified Vendors  
SHI International Corp.

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

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

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

Vendor	Not to Exceed
SHI International Corp	\$ 44,000.00

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

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2020.

Agenda and Date Voted: November 10, 2020

### EXPLANATORY STATEMENT

Pursuant to the adoption of the Bernards Township Pay to Play ordinance #1854 and P. L. 2004, Chapter 19, adoption will permit procurement from noted vendor(s) relative to the day to day operation of the township departments.

Date: September 29, 2020

Francis J. Decibus, QPA, RPPO Purchasing Agent

### PURCHASING CERTIFICATION

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

Date: November 3, 2020

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 11/10/2020.

Rhonda Pisano, Municipal Clerk





# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

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## Resolution #2020-0367

Approval of Maintenance Surety and Return of Improvement Performance Bond for  
Stonehedge at Bernards 5 Subdivision, Block 4802, Lot 1.01

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

Name of Applicant: Stonehedge at Bernards V LLC  
Address: PO Box 904, Far Hills, NJ 07931  
Maintenance Bond: # FP0024718  
Dated: 10/26/2020  
Insurance Company: First Indemnity of America Insurance Company  
Address: 2740 State Route 10, Suite 205, Morris Plains, NJ 07950  
Amount: \$37,051.80

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

Name of Applicant: Stonehedge at Bernards V LLC  
Address: PO Box 904, Far Hills, NJ 07931  
Performance Bond #: S0013394  
Insurance Company: First Indemnity of America Insurance Company  
Address: 119 Littleton Road, Parsippany, NJ 07054  
Amount: \$80,031.89 (Reduction) Cash Portion: \$8,892.43 (Reduction)

**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: 11/10/2020

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted  
by the Bernards Township Committee on 11/10/2020

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk

### EXPLANATORY STATEMENT:

This project consists of three building lots, one which has frontage on Annin Road and two which have frontage on Queen Anne Drive. All bonded site improvements are completed, inspected and approved. Required maintenance surety has been submitted.

Maria Rossi, Administrative Assistant  
11/3/2020



# Resolution of the Township of Bernards

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

## Resolution #2020-0369

Bernards Township is Authorizing a Down Payment Affordability Assistance Grant Pursuant to the Township Ordinance #2420 to Deborah J. Appleton, 4109 Hackleberry Square, Block 9001, Lot 41.11 in the Amount of Six Thousand Five Hundred (\$6,500.00) Dollars

**WHEREAS**, Deborah J. Appleton, single (the "Homeowner") is the contract purchasers of property designated as Lot 41.11 in Block 9001 (*formerly identified as Lot 41.09 in Block 178.03*) on the Tax Map of the Township of Bernards in the County of Somerset, State of New Jersey, commonly known as 4109 Hackleberry Square (the "Property"); and

**WHEREAS**, the Homeowner seeks monetary assistance in the form of a grant through the Bernards Township Housing Down Payment Affordability Assistance Program for the purpose of buying an Affordable Unit; and

**WHEREAS**, the Township has an authorized down payment affordability assistance program pursuant to Ordinance #2420, Section 21.85.3d.; and

**WHEREAS**, the maximum amount of any Township grant shall not exceed \$8,000 and the Township shall not award more than four grants per calendar year; and

**WHEREAS**, based on the requirements of Ordinance #2420, the Homeowner has met the obligations for and is entitled to a Six Thousand Five Hundred Dollar (\$6,500.00) grant (the "Grant").

**NOW, THEREFORE, BE IT RESOLVED THAT** the Township Committee of Bernards Township, County of Somerset, hereby authorizes the Grant provided the Homeowner occupy the Affordable Unit as a principle residence and own no other real property or dwelling.

Agenda and Date Voted: 11/10/2020

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020

Rhonda Pisano, Municipal Clerk

### EXPLANATORY STATEMENT

There is established a down payment affordability assistance program, funded by developer fees, payable only from the Township Housing Trust Fund and administered through the Township of Bernards affordable housing program, for purchasers who seek to purchase low- or moderate-income condominium units as part of program. Prospective homeowners will not receive direct funds. Funds will be made available at closing to the appropriate attorney trust account. The assistance dollars will be supplied to the appropriate entity/entities.

Susan Long, Municipal Housing Liaison

### CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced expenditure in the amount not to exceed \$6,500.00. Monies are available in the 2020 Affordable Housing Trust Fund line acct # T-13-56-055-COA.

Date: November 4, 2020

Sean McCarthy, Chief Financial Officer



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

**Resolution #2020-0370**  
Applicant's Resolution  
Local Government Emergency Fund (CRF) Grant

**WHEREAS**, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

**WHEREAS**, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

**WHEREAS**, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

**WHEREAS**, the Department of Community Affairs ("DCA"), through the Division of Local Government Services ("DLGS" or "Division"), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the "LGEF" or "Program"), provided through an allocation of the State of New Jersey's CARES Act Coronavirus Relief Fund (CRF Funds); and

**WHEREAS**, counties and municipalities excluded from the federal government's direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

**WHEREAS**, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

**WHEREAS**, LGEF Grants exist to support costs incurred as part of a local unit's response to COVID-19.

**NOW, THEREFORE BE IT RESOLVED**, by the Township of Bernards, that the Township of Bernards will apply for a LGEF Grant in the amount of \$286,353.

Agenda and Date Voted: 11/10/2020

**EXPLANATORY STATEMENT**

This resolution authorizes the Townships participation in the State of New Jersey Local Government Emergency Fund (CRF) grant program for COVID-19 relief. Application will be made for the full allocation of funds made available to Bernards Township in the amount of \$286,353. The request for reimbursement will be made pursuant to the applicable program and CARES Act expense eligibility requirements including but not limited to; safety equipment and supplies, PPE, and staff time substantially dedicated to COVID-19 response.

Date: 11/4/2020

Sean McCarthy, CFO

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020

\_\_\_\_\_  
Rhonda Pisano, Municipal Clerk



# Resolution of the Township of Bernards

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

## Resolution #2020-0371

In Recognition and Appreciation of Fellowship Deaconry Ministries  
Who Provided Space as a Polling Location  
For Both the 2020 Primary and General Elections During the COVID-19 Pandemic

**WHEREAS**, in response to the COVID-19 pandemic, Governor Murphy issued Executive Order #103, on March 9, 2020, declaring and proclaiming a public health emergency and state of emergency in the State of New Jersey; and

**WHEREAS**, on April 8<sup>th</sup>, by Executive Order #120, the June 2<sup>nd</sup> Primary Elections was postponed until July 7<sup>th</sup> and Executive Order #144 declared the primary to be conducted primarily by vote-by-mail and to provide a limited number of public polling places; and

**WHEREAS**, on August 14<sup>th</sup>, by Executive Order #177, the November 3<sup>rd</sup> General Election was declared to be conducted primarily by vote-by-mail and to provide a limited number of public polling places; and

**WHEREAS**, several of the already dedicated polling locations in Bernards Township expressed concern about holding election activity within their facility, possibly increasing the risks COVID-19 to their members, residents and / or staff; and

**WHEREAS**, in an effort by Bernards Township staff to identify and locate a limited number of polling places in a convenient, equally dispersed, and central location within the Township which would benefit those voters who choose to cast their vote in-person at a polling location; and

**WHEREAS**, Rev. Joel Davis of Fellowship Deaconry Ministries reached out to Bernards Township early on during the pandemic to see how their organization could assist in helping the community; and

**WHEREAS**, the Fellowship Deaconry allowed use of one of their buildings to be a polling location in both the Primary and General Elections giving Bernards Township residents a safe and convenient location to cast their vote in-person; and

**WHEREAS**, the staff at Fellowship Deaconry provided helpful and gracious assistance to Bernards Township staff, to the Board of Election poll workers and the voters.

**NOW, THEREFORE, BE IT RESOLVED** that the Bernards Township Committee of the Township of Bernards hereby recognizes and is appreciative of Rev. Joel Davis and the staff at Fellowship Deaconry for stepping-up to provide Bernards Township residents with a safe and convenient polling location during the 2020 Primary and General Elections.

Agenda and Date: 11/10/2020

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 11/10/2020.

Rhonda Pisano, Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; [www.bernards.org](http://www.bernards.org)

## Resolution #2020-0372

Authorizing the Appointment of Raymond J. Hayducka Jr., of RJH Law Enforcement Consulting to Serve as Hearing Officer with Regard to Certain Employment Matters Involving the Township of Bernards - In the Amount Not to Exceed \$ 4,800.00

**WHEREAS**, the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey has advised a police employee of the Township's intention to discipline the employee; and

**WHEREAS**, the employee has invoked the provisions of N.J.S.A. 40A:14-147, et seq., which requires an internal hearing before discipline is imposed; and

**WHEREAS**, the invocation of the employee's statutory right to an internal hearing requires the Township to appoint a hearing officer to carefully consider all of the evidence; and

**WHEREAS**, the Township has selected Raymond J. Hayducka, Jr., of RJH Law Enforcement Consulting, to serve as the hearing officer in this matter; and

**WHEREAS**, Raymond J. Hayducka, Jr. is a municipal Chief of Police in good standing with sufficient credentials and has confirmed his willingness to serve as the hearing officer for this matter; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the 2020 Current Fund Budget, line account # 0-01-20-155-20B.

**NOW THEREFORE BE IT RESOLVED** Raymond J. Hayducka, Jr. is hereby appointed as hearing officer for the Township of Bernards at an hourly rate not to exceed \$150.00 per hour, not anticipated to exceed \$4,800.00, with regard to the pending employment related grievance filed by an employee of the Township and the Township Committee hereby authorizes and directs the Chief of Police, Township Administrator and Township Clerk to execute any and all necessary documents, including a contract for legal services, to be prepared by Raymond J. Hayducka, Jr.

Agenda and Date Voted: November 10, 2020

### CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$4,800. Monies are available in line account #0-01-20-155-20B.

Date: November 5, 2020

Sean McCarthy, Chief Financial Officer

### EXPLANATORY STATEMENT

The Police Department requires retaining a hearing officer to preside over a personnel matter consistent with New Jersey law. The above individual meets the criteria to serve as a hearing officer for resolution of the personnel matter.

Date: November 05, 2020

Michael Shimsky, Police Chief

**PURCHASING CERTIFICATION:**

I hereby certify that I have reviewed this resolution for accuracy.

*Francis J. Decibus*  
For Purchasing Agent

Date: November 6, 2020

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 11/10/2020.

\_\_\_\_\_  
**Rhonda Pisano, Municipal Clerk**