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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

JANUARY 5, 2021 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The clerk called the meeting to order at 7:01 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the clerk read the open public meetings statement in accordance with the law.

OATH OF OFFICE – JAMES BALDASSARE, JR. and KATHLEEN GROCHALA

The clerk administered oaths of offices to Baldassare, Jr. and Grochala.

ROLL CALL

The clerk called the roll.

Present: Baldassare, Jr., Bannan, Esposito, Fields, Grochala

Absent:

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

2020 MAYORAL REPORT – JAMES BALDASSARE, JR.

Baldassare, Jr. gave his report.

To say that this has been an unprecedented year would be a huge understatement. It was, for the first time in recent living memory, that we as a town dealt with the consequences of a worldwide pandemic. Despite the challenges, we continued to successfully function as a community albeit with many concessions and sacrifices.

When 2020 began, we had no idea of the fear, anxiety and uncertainty that we would face both as a nation and as a community due to the COVID-19 pandemic. The COVID-19 public health crisis challenged us, both as individuals and as a community, and we have risen to meet that continuing challenge. What we demonstrated as a community is that people cared about and for each other. I note with pride that various religious and community organizations provided their members with numerous volunteering opportunities. Tragic as it is, the pandemic nevertheless showed us what being good neighbors is all about. It showed us that we are a community of caring people. Volunteers pitched in, got people fed, supported each other, got engaged and are still helping each other to get through a difficult time which continues. Simply stated, there was an extraordinary level of volunteering coupled with the outstanding efforts of our Bernards Township employees and our many essential workers. In particular, I want to thank our Health Department for providing so much timely information to all of our residents during this unprecedented period. Our Health Officer Lucy Forgione and her entire wonderful staff have continued to work days, nights, weekends and then some in a relentless effort to keep all of our residents, as well as the other 5 municipalities they handle, with as much up to date information as possible.

I cannot stress enough how proud of and grateful I am to all of the many individuals on the frontline of the continuing fight against this pandemic. This includes so many people, whether they be in the medical profession or others providing essential services including, but not limited to, our outstanding police, first-responders and all of the incredible Bernards Township staff and employees who care for us, protect us and serve us in such a selfless manner. We all owe them an enormous debt of gratitude.

As your Mayor, my first priority was always to ensure the health, safety and welfare of all of our residents. Accordingly, in order to ensure that all that needed to be done could be done, along with our Emergency Management Coordinator, Lt. Chris Hurst, we declared a state of emergency. As your Mayor, it was also my role to help provide all of our residents with the necessary information and reassurance that all that could be done to deal with the pandemic was in fact being done. In addition to providing critical information and facilitating the flow of information to the public, I saw an important part of my role as providing hope, encouragement and optimism. I endeavored to do this through my visibility and accessibility which included my many personal communications via daily emails to all residents as well as personal communications to individuals. It is in my nature to be positive and optimistic and I continue to be optimistic that we will all emerge from this pandemic even stronger than before.

I believe we should remain optimistic for many reasons including the quality and resilience of our residents. However, history also informs and guides us. From 1918 to 1919, 670,000 Americans and 50 million people worldwide died from a global pandemic known as the “Spanish Flu” which also destroyed the world economy. Yet, this tragedy coming on the heels of World War I, was followed by an unprecedented boom known as the Roaring Twenties. From 1921 to 1929, the US economy grew by forty-two percent. This period was also marked by incredible technological advances.

I see parallels between what happened after the Spanish Flu and what is in progress today with many changes in technology which will reshape our lives in what I believe to be positive ways. This should give us all hope that a better and brighter future awaits us all and that like in the past, we as Americans, will do our part and lead the way.

I am very proud to say that Bernards Township was well-prepared from a financial and preparedness standpoint to weather the effects of the COVID-19 pandemic. In many respects, the pandemic made serving our residents even more challenging, however; we met that challenge and because of our financial strength no employees were furloughed or laid off and we were able to continue to provide the necessary services to our residents without interruption. We were fortunate to be well-prepared and well-staffed to meet this challenge including the use of the new RAVE network for communication. As noted, Bernards Township's financial strength allowed us to avoid laying off municipal staff, keeping our police, first-responders and other personnel available to continue to serve our residents.

Early on, the Township Committee and I recognized that small businesses in particular were especially vulnerable to the effects of the pandemic. Accordingly, during this period of the pandemic, we relaxed certain rules for doing business while maintaining appropriate safeguards. In addition, as part of the "Mayor's for Main Street" initiative, we recognized the importance of the small business economy and, to this day, continue to advocate on behalf of the business community. Having an efficient and quick process for the granting of building and other permits as well as the responsiveness of our planning and zoning boards also helped mitigate the challenges of doing business during the pandemic.

In the midst of these challenges, we nevertheless continued to engage in the important business of managing the town and addressing significant matters. We created a Diversity and Inclusion Committee for residents of various backgrounds to come together and discuss some of the issues that are important to the many diverse residents that make up our town in an effort to better understand our citizenry. We created a Utility Task Force to better identify problems and concerns and also provide potential solutions on the recurring needs and challenges of our community with regard to JCP&L, PSE&G, Verizon, Comcast/Optimum and New Jersey American Water Company. In support of federal, state and local elections, we engaged in an unprecedented voter education effort through our Municipal Clerk to provide frequent updates and information on the vote-by-mail election process pursuant to Governor Murphy's Executive Orders.

We also worked to keep the Pleasant Valley pool open during the summer in a manner that was safe. And we did all this while keeping the 2020 increase to the municipal tax levy under 2%.

2020 proved to be a year of many challenges. We not only dealt with the Covid-19 pandemic but, like many other governmental institutions and corporations, also suffered an attack on our website. No data was lost, or sensitive information compromised, and we quickly rebuilt our website. We took advantage of the opportunity to put in place a new and improved system that is better and stronger than before with increased transparency allowing all of our residents to see how their tax dollars are being spent on municipal, county and school expenditures and understand the relative allocations.

I would like to conclude by telling all of you how very thankful and grateful I am to have been given the opportunity to be your Mayor during this historic and extraordinarily challenging time. Although the job was demanding, it was my great honor and pleasure to be of service to this community. We are so very fortunate to call Bernards Township home, a community well-known for a strong and welcoming character with an outstanding quality of life, excellent schools, and public safety. I have no doubt that our future remains bright and that better days are still ahead of us.

Thank you and God bless you all.

NOMINATIONS FOR 2021 MAYOR

The clerk opened the nominations for mayor.

Baldassare, Jr. nominated Fields. There were no further nominations. The clerk called the roll for Fields as mayor.

Roll Call:

Aye: Baldassare, Jr., Esposito, Grochala, Fields

Nay:

Abstain: Bannan

Motion carried.

OATH OF OFFICE – MAYOR

The clerk administered oath of office to Fields.

NOMINATIONS FOR 2021 DEPUTY MAYOR

The mayor opened the nominations for deputy mayor. Baldassare, Jr. nominated Esposito. There were no further nominations. The clerk called the roll for Esposito as deputy mayor.

Roll Call:

Aye: Baldassare, Jr., Esposito, Grochala, Fields
Nay:
Abstain: Bannan
Motion carried.

MAYOR'S ADDRESS

Fields gave her address.

“Happy New Year” and thank you to all who are here and those of you watching online.

Thank you to my colleagues on Township Committee for the honor of serving as Mayor in 2021.

I would like to take a moment to congratulate Joe Esposito as Deputy Mayor, Kate Grochala on becoming our newest Township Committee member, and especially our outgoing Mayor Jim Baldassare. A true leader is one who operates fearlessly in the face of great adversity. 2020 was an incredibly challenging year Jim, and your actions proved you are a true leader.

Thank you to our First Responders for performing under incredible circumstances and risking your own health to ensure that our well-being was a top priority. And thank you to our township employees who did an astounding job during an exceedingly difficult year.

A special thank you to my husband Barry and our two sons, Avery and Jeremy for their unwavering love and support. And of course, I want to recognize my special friends whose relationships I truly cherish and are always there when I need them.

Only a year ago I stood here and was sworn in as a committee member. None of us here this evening could have envisioned the challenges 2020 would bring. Every single one of us has found ourselves putting community first in ways that we never imagined. I am immensely proud of how our community has come together and continues to do so in the face of this pandemic. To former Mayor Baldassare, the members of the committee, and to all our township employees, I say thank you. Your commitment to Bernards has given us tremendous leadership through this crisis and has prepared us for the work that lies ahead.

I accept the responsibility of being your Mayor knowing that we face many challenges. I recognize this seat belongs to you, the residents, and we have the responsibility to do what you have put us here to do - to govern, to lead, to listen, and to work toward a fiscally responsible, community engaged, successful, and strong Bernards.

The Township Committee along with you, the citizens of Bernards, will be at the forefront of every decision that is made. Every idea, ordinance, resolution, or proposal will be a collaborative effort amongst all of us. There are many things that demand our attention in the coming year and that will be our focus during my term as Mayor. Such as:

- *My colleagues and I will continue to work with our government and healthcare partners to ensure our safety and security as this pandemic continues.*
- *We will use every resource at our disposal to help those in our community affected by the current pandemic, particularly our most vulnerable populations. I challenge every resident to join us in looking for ways to help those in need.*
- *Our business community is the backbone of Bernards Township. We will work together to identify initiatives that support the business owners through the balance of the pandemic, as well as ways to help them thrive going forward. The success of these businesses benefits us both financially and personally – we must remember that these business owners and their employees are our neighbors and friends.*

- *The Town will continue to examine key infrastructure projects throughout the township and seek ways to have those needs addressed. Our roadways, drainage, walkways, and parks must be maintained to provide the quality of life that you and your tax dollars demand.*
- *We will work with our partners to ensure Bernards maintains its presence on the leading edge of communication with our residents. Our Rave Mobile Alert 911 System, introduced this year, is a part of the ongoing effort to ensure effective communication. We will enhance this with emphasis on our public television channel and work toward a public meeting broadcast capability that will increase transparency and connection between township residents and your elected officials.*
- *We will continue to advocate for our fiscal policies which have positioned Bernards Township as a leader in sustainable and responsible government as well as a debt free and tax stable community. Part of this will involve continually seeking opportunities for shared services and reduction of redundancy so that our tax dollars are spent in a way that demonstrates efficiency, effectiveness, and responsibility.*
- *Starting in the Spring, I will be hosting a “Monthly Meet the Mayor” where I look forward to hearing your concerns and issues. Time and location will be posted on the town’s website.*
- *Finally, I want to work toward a public recognition of those volunteers who are the lifeblood of our township and who make Bernards the place that it is. Each of our committees, boards and task forces are staffed by volunteers and I thank them for all they do. Without their ongoing commitment to Bernards day in and day out, we would not be able to provide the services upon which our community relies.*

In closing, the year ahead is one that finds us all filled with concern and uncertainty, but a lot of hope. Working together we will make it through this and come out a better and stronger community. As your Mayor, I promise that you will always find me ready to listen and work extremely hard to ensure that Bernards can meet any challenge and our residents can rely on their elected officials for proactive leadership that always puts community first.

May God Bless you all. It’s time to get to work.

MAYOR’S APPOINTEES

The mayor announced her appointees.

Environmental Commission

- 1) Jane Conklin, RM, filling the unexpired 3 yr. term of Mahwish Mustafa term expiring 12/31/21
- 2) Debra Dewitt, RM, 3 yr. term expiring 12/31/23
- 3) Emily Johnson Schlenker, RM, filling the unexpired 3 yr. term of John Crane expiring 12/31/22
- 4) Sarah Wolfson, A1, filling the unexpired 2 yr. term of Jane Conklin expiring 12/31/21
- 5) Jason Roberts, A2, 2 yr. term expiring 12/31/22
- 6) Joan Bannan, TC Liaison 1 yr. term expiring 12/31/21

Local Emergency Planning and Flood Mitigation Committee

- 1) Chris Hurst, OEM Coordinator, continuing in 3 yr. term expiring 12/31/21
- 2) John Neiman, Deputy OEM Coordinator
- 3) Pat Monaco, Administrator
- 4) Chris Albanese, BOE Representative
- 5) Dennis Bettler, Construction Official
- 6) Thomas Timko, Township Engineer
- 7) Mark Sylvester, Fire Official
- 8) Lucy Forgione, Health Officer
- 9) Christopher Kyriacou, IT Director
- 10) Mike Shimsky, Police Chief
- 11) BRFC #1 First Aid Squad Representative
- 12) BRFC #1 Chief
- 13) LCFAS Captain
- 14) LCFC Chief
- 15) James Baldassare, Jr., TC Voting Member
1 yr. terms expiring 12/31/21

Mayor's Recommendation to the Somerset County Community Development Committee

Pat Monaco, RM

1 yr. term expiring 12/31/21

Planning Board

- 1) John Crane, RM, Class II Member, 1 yr. term expiring 12/31/21
- 2) Paul Damurjian, RM, Class IV Member, 4 yr. term expiring 12/31/24
- 3) Lauren Manduke, RM, Class IV Member, 4 yr. term expiring 12/31/24
- 4) Kathleen Mastrangelo, RM, Class IV Member, filling unexpired 4 yr. term of Gregory Hurley expiring 12/31/22
- 5) Andrew McNally, RM, Class IV Member, 4 yr. term expiring 12/31/24
- 6) Tyler Seville, Mayor's Designee, Class 1 Member, 1 yr. term expiring 12/31/21
- 7) Gary Baumann, A1, Class IV Member, filling unexpired 2 yr. term of Kathleen Mastrangelo expiring 12/31/21
- 8) Daniel Eorio, A2, Class IV Member, 2 yr. term expiring 12/31/22

Police Subcommittee

- 1) Pat Monaco, Administrator
 - 2) Joseph Esposito, TC Voting Member
 - 3) Joan Bannan, TC Voting Member
- 1 yr. terms expiring 12/31/21

Recommendation to the Somerset County Solid Waste Advisory

Joseph Esposito, Mayor's Designee

1 yr. term expiring 12/31/21

Shade Tree Commission

- 1) Kate Creegan, RM, 5 yr. term, expiring 12/31/25
- 2) Ryan Wallace, DPW Advisor, 1 yr. expiring 12/31/21
- 3) Scott Kessel, A1, filling vacant 5 yr. term, expiring 12/31/22
- 4) Gregory Axt, A2, filling vacant 5 yr. term expiring 12/31/21
- 5) James Baldassare, Jr., TC Liaison, 1 yr. term expiring 12/31/21

Zoning Board

- 1) Lisamarie Baumann, RM, 4 yr. term, expiring 12/31/24
- 2) Jeanmarie Genirs, RM, 4 yr. term, expiring 12/31/24
- 3) Joseph Pavlosky, A1, 2 yr. term, expiring 12/31/22
- 4) Rakesh Agarwal, A2, filling an unexpired 2 yr. term, expiring 12/31/21

MAYOR'S APPOINTEES SUBJECT TO TOWNSHIP COMMITTEE CONFIRMATION

The mayor made the following appointments and asked for a motion to confirm.

Motion by Bannan, second by Baldassare, and unanimously agreed to confirm the following appointments:

Board of Health

- 1) Patricia Crane, RM, 3 yr. term filling unexpired term of Mona Birk expiring 12/31/2021
- 2) Karen Ellis, RM, 3 yr. term expiring 12/31/23
- 3) Joan Bannan, RM, 3 yr. term, expiring 12/31/23

Library Board

- 1) Lewis Cohen, RM, filling the unexpired 5 yr. term of Cynthia Yin expiring 12/31/24
- 2) Mary Jane McNally, BOE Representative, RM, 1 yr. term expiring 12/31/21
- 3) Joseph Esposito, 1 yr. term expiring 12/31/21

CONSENT AGENDA

The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study and a copy placed on the township website. They 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 consent agenda by township committee action and placed on the regular agenda under new business.

Motion by Baldassare, second by Bannan, that item “E” “Police Subcommittee Appointees” and item “UU” Police-Special Officer” be removed from the Consent Agenda and the remaining items be approved.

Roll Call:

Aye: Baldassare, Jr., Bannan, Esposito, Grochala, Fields

Nay:

Abstain:

Motion carried.

(CORRECTION: item “E” “Police Subcommittee Appointees” was mistakenly included in the motion which had been previously approved under #11 Mayor’s appointees. As such, only item UU was removed from consent agenda)

Begin Consent Agenda

Agricultural Advisory Committee

- 1) Anthony McCracken, Sr., Somerset County Advisor, 1 yr. term expiring 12/31/21
- 2) Nick Polanin, Rutgers Cooperative Extension Liaison, 1 yr. term expiring 12/31/21
- 3) Thomas Timko, Township Engineering Advisor, 1 yr. term expiring 12/31/21
- 4) Mariellen Keefe, RM, 3yr. term expiring 12/31/23
- 5) Tyson Mertz, RM, 3yr. term expiring 12/31/23
- 6) Tyler Seville, A1, filling an unexpired vacant 3 yr. term expiring 12/31/21
- 7) Debra DeWitt, A2, filling an unexpired vacant 3 yr. term expiring 12/31/22
- 8) Kathleen Grochala. TC Liaison, 3 yr. term, expiring 12/31/23

Deer Management Advisory Committee

- 1) Lieutenant Eric Geleta, Coordinator
- 2) William L. Allen, RM
- 3) Curtis Graham, RM
- 4) Leon Harris, RM
- 5) William Nobels, RM
- 6) Donald Rica, RM
- 7) Robert Rich, Jr., RM
- 8) Robert Vincent, RM
- 9) Janice Fields, TC Liaison
1 yr. terms expiring 12/31/21

Diversity and Inclusion Committee

- 1) Deborah Ablordeppey, RM
- 2) Sophia Chadda, RM
- 3) John Coelho, RM
- 4) Jane Conklin, RM
- 5) Nancy Cook, RM
- 6) Sofia Fernandez, RM
- 7) Stacy Irvine, RM
- 8) Ana Durarte-McCarthy RM
- 9) Goutham Puppala, RM
- 10) Patrice Whitehouse, RM
- 11) Joan Bannan, RM, TC Representative
1 yr. terms expiring 12/31/21

Golf Advisory Committee

- 1) Greg Angelillo, RM
- 2) Michael Conley, RM
- 3) John Gunning, RM
- 4) Ana McCarthy, RM
- 5) Timothy O'Rourke, RM
- 6) Peter Tobia, RM
- 7) James Devaney Jr., Alternate 1
- 8) *James Baldassare, Jr., TC Voting Member*
1 yr. terms expiring 12/31/21

Green Team

- 1) Jorge Casacuberta, RM
- 2) Francis Decibus, RM
- 3) Gail Dillin, RM
- 4) Pat Monaco, RM
- 5) Ann Marie Siclare, RM
- 6) Thomas Timko, RM
- 7) *Joan Bannan, TC Voting Member*
1 yr. term expiring 12/31/21

Municipal Alliance

- 1) Laurie Albee, Citizen Representative
- 2) Tracy Baldassare, Police Department Representative
- 3) Kaitlin Cartoccio, Health Department Representative
- 4) Madison Clowes, Student Representative
- 5) Cindy Fleischer, Civic Group Representative
- 6) Rabbi Robert Green, Clergy Representative
- 7) Ellen Houlihan, Civic Group Representative
- 8) Phil Jasina, Police Representative Alternate
- 9) Jennifer Korn, BOE Representative
- 10) Cathy Phillips, Sub Abuse Representative
- 11) Mary Jane Postal, Senior Citizen Representative
- 12) Catherine Santiati, Citizen Representative
- 13) Alexandra Timoney, Student Representative
- 14) Santosh Swapna Uradi, PTO Representative
- 15) *Joan Bannan, TC Voting Member, and Chairperson*
1 yr. terms expiring 12/31/21

Recreation, Parks and Pathways

- 1) Charles Cunio, RM
- 2) Nancy D'Andrea, RM
- 3) Victor Hatala, RM
- 4) James Milito, RM
- 5) Deborah Nungester, RM
- 6) Goutham Puppala, RM
- 7) Eric Price, RM
- 8) Daniel Salvante, RM
- 9) Anna Scanniello, RM
- 10) *James Baldassare, Jr., Non-Voting TC Liaison*
1 yr. terms expiring 12/31/21

Planning Board

- 1) *Joseph Esposito, Class III Member, 1 yr. term expiring 12/31/21*

Pool Commission

- 1) *James Baldassare, Jr., TC Voting Member, 1 yr. term expiring 12/31/21*

Sewerage Authority (effective 2/1/20)

- 1) John Crane, RM, 5 yr. term, expiring 1/31/26

Township Committee Liaisons

- 1) Basking Ridge Fire Co. No. 1 & First Aid Squad – Kathleen Grochala
- 2) Liberty Corner Fire Co. – Janice Fields
- 3) Liberty Corner First Aid – Janice Fields
- 4) Board of Education - Kathleen Grochala
- 5) Friends of the Kennedy-Martin-Stelle Farmstead – *Janice Fields*
1 yr. terms expiring 12/31/21

Utility Advisory Task Force

- 1) Michael Conley, RM
- 2) Todd Edelstein, RM
- 3) Scott Guibord, RM
- 4) Corey Fisher, RM
- 5) Michael Robina, RM
- 6) Donna Romano, RM
- 7) Priti Shah, RM
- 8) John Neiman, OEM Representative
- 9) Pat Monaco, Township Administrator
- 10) *Janice Fields, TC Liaison*
1 yr. terms expiring 12/31/21

Township Committee Recommendation to the Somerset County Community Development Committee

Kathleen Grochala, 1 yr. term expiring 12/31/21

Township Committee Recommendation to the Somerset County Cultural and Heritage Committee

Hillary Klimek, 1 yr. term expiring 12/31/21

Township Committee Recommendation to the Somerset County Solid Waste Advisory

James Baldassare, Jr., 1 yr. term expiring 12/31/21

Township Representatives to Somerset County Wastewater Management Advisory Committee

- 1) David Schley
- 2) Thomas Timko
- 3) *Kathleen Grochala*
1 yr. terms expiring 12/31/21

[Resolution #2021-0008](#) -Awarding a Professional Services Contract for Residential Field Inspection Services to Ernest F. Del Guercio, Jr., SCGRE, CTA, NJ Lic # 42RG00140500 of the firm Appraisal Systems, Inc., 264 South Street, Building 2, Suite 1B, Morristown, NJ 07960 For Interior Only Residential Services at \$10.00 per Inspection, Complete Residential Field Inspections at \$25.00 per Inspection and Commercial Inspection Services at \$50.00 per Inspection, in a Not to Exceed Amount of \$20,000.00

WHEREAS, the Township of Bernards requires services for residential field inspection services in accordance with our annual reassessment program; and

WHEREAS, Appraisal Systems Inc., has submitted a proposal dated November 10, 2020 outlining the field inspection services to be provided to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Tax Assessor Operating Budget in the Fees and Compensation line item appropriation account # 1-01-20-150-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a contract be awarded to Ernest F. Del Guercio, Jr., SCGRE, CTA, NJ Lic # 42RG00140500 of the firm Appraisal Systems, Inc., 264 South Street, Building 2 Suite 1B, Morristown, NJ 07960 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 10, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at a cost not to exceed \$20,000.00.
3. Billings must be rendered by the contractor within 45 days of service delivery.
4. Any modification to this contract shall be requested in writing, approved by the Township Committee, 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, agreed upon, and approved by the Township Committee 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 David Centrelli, CTA, Tax Assessor, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that a copy of this resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Ernest F. Del Guercio Jr., SCGRE, CTA, NJ Lic # 42RG00140500

CHIEF FINANCIAL OFFICERS CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are requested in the 2021 operating budget for the above referenced purchase in the amount not to exceed \$ 20,000.00. Monies will be made available in the 2021 Tax Assessor O.E.; Fees and Compensation line account # 1-01-20-150-204.

Date: December 10, 2020



Sean McCarthy, Chief Financial Officer

Resolution #2021-0012- Professional Services Contract for Alternate Special Counsel Stephen O. Davis, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. In the Not to Exceed Amount of \$10,000.00

WHEREAS, pursuant to N.J.S.A. 40A:9-139, in every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year; and

WHEREAS, John P. Belardo of the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP, was appointed Municipal Attorney for the Township of Bernards for a one-year term from January 1, 2021 to December 31, 2021; and

WHEREAS, the Bernards Township Committee adopted Resolution #2021-0080 on January 5, 2021 awarded a professional services contract to Jonathan E. Drill, Esq., as Special Counsel in the event the municipal attorney is unable to represent the municipality; 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 that funds will be made available in the 2021 Current Fund Budget – Legal Fees and Compensation, line account # 1-01-20-155-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Alternate Special Counsel Stephen O. Davis, Esq., of the firm DiFrancesco Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 51 Mountain Boulevard, Warren, NJ 07059-5686 as follows:

1. The contract term is from January 2, 2021 through December 31, 2021 at the hourly rate of \$180.00 at a not to exceed amount of \$10,000.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
3. 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.
4. 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 deliver.
5. 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.
6. 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.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards 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 following all terms of this award.

Stephen O. Davis, Esq., of the Firm
DiFrancesco Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$ 10,000.00. Monies will be made available in the 2021 Current Fund Budget – Legal Fees 1-01-20-155-204.

Date: December 10, 2020



Sean McCarthy
Chief Financial Officer

[Resolution #2021-0036](#) - Awarding Professional Services Contract for Performing Air Monitoring at the Pill Hill Landfill to Richard A. Moralle, P.E., P.L.S., P.P., C.M.E., NJ Lic #25863 Senior Vice President of the firm T & M Associates, 11 Tindall Road, Middletown, NJ 07748 In the Not to Exceed Amount of \$8,500.00

WHEREAS, the Township of Bernards requires services for professional air monitoring; and

WHEREAS, Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President of the firm T & M Associates, 11 Tindall Road, Middletown, NJ, 07748 has submitted a proposal dated November 9, 2020 outlining professional air monitoring 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 the Solid Waste Collection O.E. account #1-01-26-305-204-line item appropriation or ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President of the firm T & M Associates, 11 Tindall Road, Middletown, NJ, 07748, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 9, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 for professional air monitoring not to exceed an amount of \$8,500.00.
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 Michael C. Mulligan, Project Coordinator, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of this resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$8,500.00. Monies are available in the Solid Waste Collection O/E account: #1-01-26-305-204.
Date: December 10, 2020



Sean McCarthy, Chief Financial Officer

Resolution #2021-0039 - Awarding Professional Services Contract for 2021 Professional Land Surveying Services to William DiBartolo, Jr., PLS, Lic. No. 24GS04331200, of the firm Mott MacDonald LLC – In the Not to Exceed Amount of \$30,000.00 and Escrow and Capital Construction Charges, as Required, In the Not to Exceed Amount of \$20,000.00 For a Not to Exceed Amount of \$50,000.00

WHEREAS, the Township of Bernards requires services for Professional Land Surveying Services; and

WHEREAS, William DiBartolo, Jr., PLS, Lic. No. 24GS04331200 of the firm Mott MacDonald LLC, 412 Mount Kemble Avenue, Morristown, NJ 07960 has submitted a proposal dated December 9, 2020 outlining Professional Land Surveying Services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified funds are available in accounts: Engineering Fees & Compensation line account #1-01-20-165-204 and Inspection Fee Escrow line accounts #T-13-56-051-IFP or #T-13-56-050-IFO line item appropriation or ordinance.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to William DiBartolo, Jr., PLS, Lic. No. 24GS04331200 of the firm Mott MacDonald LLC, 412 Mount Kemble Avenue, Morristown, NJ 07960 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated December 9, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 for professional surveying services at the provided rate schedule with a not to exceed an amount of \$30,000 and escrow and capital construction charges as required in the amount of \$20,000 for a total not to exceed of \$50,000.00.
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 Jonathan C. Blank, P.E., C.M.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

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

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

William DiBartolo, Jr., PLS, Lic. No. 24GS04331200 of the firm Mott MacDonald LLC

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount of \$30,000 in line account: Engineering Fees/Compensation #1-01-20-165-204 and \$20,000 in escrow accounts #T-13-56-051-IFP or #T-13-56-050-IFO for plan review and construction surveying. The total not to exceed amount for all accounts combined is \$50,000.



Date: December 30, 2020

Sean McCarthy, Chief Financial Officer

Resolution #2021-0050 - Professional Services Contract for 2021 Municipal Auditor Awarded to Man Lee of the firm Nisivoccia LLP, Municipal Auditor, in the Not to Exceed Amount of \$23,600.00

WHEREAS, the Township of Bernards requires services for Municipal Auditor without public advertisement as defined in N.J.S.A. 19:44A 20.7 and pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Man C. Lee of the firm Nisivoccia LLP, has submitted a proposal dated November 17, 2020 outlining services to the township; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Budget line account: Pool OE, 1-01-28-376-204 (\$459.00), Golf Utility OE, 1-26-28-799-204 (\$1,083.00), Construction OE, 1-01-22-195-204 (\$690.00), Library OE, 1-01-29-390-404 (\$2,166.00), Annual Audit, 1-01-20-135-204 (\$19,202.00).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Man C. Lee of the firm Nisivoccia LLP as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 17, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at a not to exceed amount of \$ 23,600.00.
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 Sean McCarthy, Chief Financial Officer who will be the chief contact for the Township of Bernards on this project.

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Man C. Lee, CPA, RMA, Partner

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$ 23,600.00. Monies are requested in the 2021 Budget in: Pool OE, 1-01-28-376-204 (\$ 459.00), Golf Utility OE, 1-26-28-799-204 (\$1,083.00), Construction OE, 1-01-22-195-204 (\$ 690.00), Library OE, 1-01-29-390-404 (\$2,166.00), Annual Audit, 1-01-20-135-204 (\$ 19,202.00).



Date: November 23, 2020

Sean McCarthy, Chief Financial Officer

Resolution #2021-0054- Awarding Professional Services Contract for 2021 Site Inspection Services to Thomas J. Quinn, PE, CME, NJ Lic #24GE04107200 of the firm EKA Associates, P.A., 328 Park Avenue, PO Box 208, Scotch Plains, NJ 07076 In the Not to Exceed Amount of \$15,000.00

WHEREAS, the Township of Bernards requires Professional Site Inspection Services; and

WHEREAS, Thomas J. Quinn, P.E., C.M.E., NJ Lic. #24GE04107200 of EKA Associates, P.A., 328 Park Avenue, PO Box 208, Scotch Plains, NJ 07076 has submitted a proposal dated November 9, 2020 outlining Professional Site Inspection 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 the Bernards Township Trust Fund Inspection Fees-Escrow, accounts #T-13-56-051-IFP and #T-13-56-050-IFO line item appropriations or ordinances.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Thomas J. Quinn, P.E., C.M.E., NJ Lic. #24GE04107200 of the firm EKA Associates, P.A., 328 Park Avenue, PO Box 208, Scotch Plains, NJ 07076 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 9, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 for Professional Site Inspection Services at an hourly rate of \$85.00 at a not to exceed amount of \$15,000.00.
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 Jonathan C. Blank, P.E., C.M.E., Assistant Township Engineer who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Thomas J. Quinn, P.E., C.M.E., NJ Lic. #24GE04107200 of the firm EKA Associates, P.A.

CFO 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 \$15,000.00. Monies are collected from the developers and held in escrow accounts; Trust, Inspection Fees: T-13-56-051 IFP and T-13-56-050-IFO.



Date: December 10, 2020

Sean McCarthy, Chief Financial Officer

Resolution #2021-0056 - Professional Services Contract for 2021, Special Counsel Tax Appeals Awarded to Martin Allen, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. in the Not to Exceed Amount of \$36,000.00

WHEREAS, the Township of Bernards requires services for Special Counsel Tax Appeals; and

WHEREAS, Martin Allen, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has submitted a proposal dated November 5, 2020 outlining services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Budget in Legal Other Expenses line account # 1-01-20-155-20C.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Martin Allen, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 5, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at the hourly rate of \$180.00 at a not to exceed amount of \$ 36,000.00.
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 deliver.
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 Dave Centrelli, Tax Assessor who will be the chief contact for the Township of Bernards on this project.

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

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

Martin Allen, Esq., of the Firm
DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$36,000.00. Monies are available in the 2021 Budget in: Legal Other Expenses #1-01-20-155-20C.



Date: December 10, 2020

Sean McCarthy
Chief Financial Officer

Resolution #2021-0058 - Professional Services Contract for 2021, Labor Counsel Awarded to Richard Flaum, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. in the Not to Exceed Amount of \$25,000.00 (Excluding Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)

WHEREAS, the Township of Bernards requires services for Labor Counsel; and

WHEREAS, Richard Flaum, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has submitted a proposal dated November 3, 2020 outlining services to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Budget in Legal, Other Expenses line account # 1-01-20-155-20B.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Richard Flaum Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 3, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at the hourly rate of \$195.00, at a not to exceed amount of \$25,000.00.
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 deliver.
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 Emily Kesselmeier, Human Resources Manager who will be the chief contact for the Township of Bernards on this project.

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards, that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Richard Flaum, Esq.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$25,000.00. Monies are available in the 2021 Budget in: Legal Other Expenses 1-01-20-155-20B.



Sean McCarthy
Chief Financial Officer

Date: December 10, 2020

Resolution #2021-0069 - Professional Services Contract for 2021, Municipal Attorney Awarded to John P. Belardo, Esq., of the firm, McElroy, Deutsch, Mulvaney & Carpenter, LLP., in the Not to Exceed Amount of \$150,000.00 (Excluding Other Specified Legal Services, Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)

WHEREAS, the Township of Bernards requires services for Township Attorney; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Current Fund Budget – Legal Fees and Compensation, line account # 1-01-20-155-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to John P. Belardo Esq., of the firm, McElroy, Deutsch, Mulvaney & Carpenter, LLP., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 3, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at the hourly rate of \$ 210.00, not to exceed amount of \$150,000.00, (excluding other specified legal services, matters of litigation and unanticipated reimbursable disbursements as required).
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 Pat Monaco, Township Administrator, who will be the chief contact for the Township of Bernards on this project.

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

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

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

John P. Belardo, Esq.

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$150,000.00. Monies will be made available in the 2021 Current Fund Budget – Legal Fees and Compensation 1-01-20-155-204.

Date: December 10, 2020



Sean McCarthy
Chief Financial Officer

Resolution #2021-0080 – Professional Services Contract for Special Counsel Jonathan E. Drill, Esq. of the firm Stickel, Koenig, Sullivan & Drill, in the Not to Exceed Amount of \$ 10,000.00

WHEREAS, pursuant to N.J.S.A. 40a:9-139, in every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year; and

WHEREAS, John P. Belardo of the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP, was appointed Municipal Attorney for the Township of Bernards for a one-year term from January 1, 2021 to December 31, 2021; and

WHEREAS, a Special Counsel may be appointed by the governing body in the event the municipal attorney is unable to represent the municipality; 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 that funds will be made available in the 2021 Current Fund Budget – Legal Fees and Compensation, line account # 1-01-20-155-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Jonathan E. Drill, Esq. of the firm Stickel, Koenig, Sullivan & Drill, LLC., as follows:

1. The contract term is from January 1, 2021 through December 31, 2021 at the hourly rate of \$180.00, at a not to exceed amount of \$10,000.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
3. 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.
4. 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 deliver.
5. 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.
6. 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.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that a copy of the resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Jonathan E. Drill, Esq.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$ 10,000.00. Monies will be made available in the 2020 Current Fund Budget – Legal Fees 0-01-20-155-204.

Date: December 10, 2020



Sean McCarthy
Chief Financial Officer

Resolution #2021-0081 - Awarding a Professional Services Contract for Commercial Tax Appraisal Services and Tax Appeal Consulting Services to Robert F. Heffernan, SRA, SCGRE, NJ Lic # RG303 of the firm Robert F. Heffernan Associates, P.O. Box 611, Oldwick, NJ 08858-0611 in the Not to Exceed Amount of \$35,000.00

WHEREAS, the Township of Bernards requires services for tax appraisal services and tax appeal consulting services; and

WHEREAS, Robert F. Heffernan, SRA, SCGRE, NJ Lic # RG303 of the firm Robert F. Heffernan Associates, has submitted a proposal dated November 20, 2020 outlining the tax assessment services to be provided to the Township; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Tax Assessor Operating Budget in the Fees and Compensation line item appropriation account # 1-01-20-150-204.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Robert F. Heffernan, SRA, SCGRE, NJ Lic # RG303 of the firm Robert F. Heffernan Associates, 148 Main Street, Bldg. C, Lebanon, NJ 08833 as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 20, 2020.
2. The contract term is from January 1, 2021 through December 31, 2021 at a cost not to exceed \$35,000.00.
3. Billings must be rendered by the contractor within 45 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 David Centrelli, CTA, Tax Assessor, who will be the chief contact for the Township of Bernards on this project.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that a copy of this resolution be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

Robert F. Heffernan, SRA, SCGRE, NJ Lic # RG303, President

CHIEF FINANCIAL OFFICERS CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are requested in the 2021 operating budget for the above referenced purchase in the amount not to exceed \$35,000. Monies will be made available in the 2020 Tax Assessor O.E.; Fees and Compensation line account # 1-01-20-150-204.

Date: December 11, 2020


Sean McCarthy
Chief Financial Officer

Resolution #2021-0001 - Employment Practices Personnel Officer

WHEREAS, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, pursuant to the Suburban Municipal Joint Insurance Fund's 2021 Municipal Excess Liability Employment Practices Liability Program, Check List, each member shall appoint an Employment Practices Personnel Officer.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby appoint Emily Kesselmeyer, Human Resources Manager, as the Bernards Township 2021 Employment Practices Personnel Officer.

Resolution #2021-0002 - Establishing 2021 Township Committee Meeting Dates

BE IT RESOLVED, by the Township Committee of the Township of Bernards that the 2021 meeting dates are scheduled as follows:

Meetings - 2nd and 4th Tuesday after the 1st Monday

Starting Time 8:00 PM unless otherwise noted; Preceded by Executive Session at 7:30 PM if Required

1 Collyer Lane, Basking Ridge, NJ 07920 – Warren Craft Meeting Room

Date	Type Meeting
01/05/21 *Tuesday	Reorganization (*Special 7 PM Start)
01/12/21	Combined Agenda/Regular
01/26/21	Combined Agenda/Regular
02/09/21	Combined Agenda/Regular

Date	Type Meeting
02/23/21	Combined Agenda/Regular
03/09/21	Combined Agenda/Regular
03/23/21	Combined Agenda/Regular
04/13/21	Combined Agenda/Regular
04/27/21	Combined Agenda/Regular
05/11/21	Combined Agenda/Regular
05/25/21	Combined Agenda/Regular
06/15/21	Combined Agenda/Regular
06/29/21	Combined Agenda/Regular
07/13/21	Combined Agenda/Regular
07/27/21	Combined Agenda/Regular
08/10/21	Combined Agenda/Regular
08/24/21	Combined Agenda/Regular
09/14/21	Combined Agenda/Regular
09/28/21	Combined Agenda/Regular
10/12/21	Combined Agenda/Regular
10/26/21	Combined Agenda/Regular
11/09/21	Combined Agenda/Regular
11/23/21	Combined Agenda/Regular
12/14/21	Combined Agenda/Regular
12/28/21	Combined Agenda/Regular
01/04/22 *Tuesday	Reorganization (*Special 7 PM Start)

Executive Sessions

Executive Sessions may precede each meeting. Executive Sessions will commence 30 minutes prior to the scheduled meeting time. Although each Executive Session will commence as an open public meeting, Executive Sessions will be used by the Township Committee solely for consideration of matters which will be discussed pursuant to N.J.S.A. 10:4-12B whereby the public is excluded. If Executive Session matters are not concluded in the 30 minutes prior to the scheduled meeting time, those discussions will resume after the open portion of the meeting concludes.

Notice of any revisions to the above schedule will be posted at the Municipal Clerk's Office, the township website www.bernards.org, e-mailed to the newspaper, and mailed to those who have so requested and paid the required fee.

BE IT FURTHER RESOLVED that the meeting key contained on page 2 of this resolution, and deadline date calendar, on page 3 is hereby adopted and made effective for 2021.

Resolution #2021-0003 – Municipal Housing Liaison

WHEREAS, pursuant to the Revised General Ordinances of the Township of Bernards, Chapter XXI, Section 76.4, the Township Committee shall appoint each year a township official as the Municipal Housing Liaison; and

WHEREAS, the responsibilities of the municipal housing liaison shall be (1) primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households; (2) monitoring the status of all restricted units in the Township of Bernards Fair Share Plan; (3) compiling, verifying and submitting annual reports as required by COAH; (4) coordinating meetings with affordable housing providers and Administrative Agents, as applicable; (5) attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint Susan Long as the 2021 Municipal Housing Liaison.

Resolution #2021-0004 - Certifying Officer PFRS and PERS

WHEREAS, pursuant to N.J.A.C. 17:2-1.5 and N.J.A.C. 17:4-1.5, the governing body of a municipality must appoint by resolution a certifying officer to certify the accuracy and validity of all documents and forms sent to the New Jersey Division of Pensions and Benefits; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Sean McCarthy is hereby appointed Certifying Officer for PFRS and PERS.

Resolution #2021-0006 – Appointment of Public Agency Compliance Officer

WHEREAS, pursuant to N.J.A.C. 17:27-3.5 the Township Committee shall appoint a public agency compliance officer; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Francis Decibus be appointed Public Agency Compliance Officer for a one-year term expiring 12/31/2021.

Resolution #2021-0007 - Personnel Appointment, Deputy Municipal Clerk

WHEREAS, N.J.S.A. 40A:9-135 provides for the appointment of a Deputy Municipal Clerk and pursuant to § 2-4.2 of the Revised General Ordinances of the Township of Bernards, appointment by the Township Committee for a term of one year from January 1 in the year in which the appointment is made; and

WHEREAS, Christine Andres is currently serving in the statutory position of Deputy Municipal Clerk; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment; and

WHEREAS, the Municipal Clerk, Township Administrator and Human Resources Manager recommend the appointment of Christine Andres to the position of full time Deputy Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Christine Andres be appointed to a one-year term in the position of Deputy Municipal Clerk to expire December 31, 2021.

Resolution #2021-0009 – Personnel Appointment, Fire Official

WHEREAS, Mark Sylvester is serving in the statutory position of Fire Official for a term to expire December 31, 2020; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment; and

WHEREAS, Mark Sylvester has retained his Fire Official/Fire Inspector certifications required by N.J.A.C. 5:71.; and

WHEREAS, the Township Engineer, Township Administrator, and Human Resources Manager recommend reappointment of Mark Sylvester to the position of Fire Official.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Mark Sylvester be reappointed for a one-year term to expire December 31, 2021.

Resolution #2021-0010 - Personnel Appointment, Deputy Tax Collector

WHEREAS, pursuant to §2-6.4.1 of the Revised General Ordinances of the Township of Bernards, there shall be a Department of Finance within the Township, and within that department there shall be a Deputy Tax Collector; and

WHEREAS, the full-time position of Deputy Tax Collector became available due to a retirement within the Tax Collector's Department; and

WHEREAS, the Tax Collector, Township Administrator, and Human Resources Manager recommend appointment of Kevin Sant'Angelo to the position of Deputy Tax Collector; and

WHEREAS, said appointment does not guarantee employment or salary for the term of the appointment.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Kevin Sant'Angelo be appointed for a one-year term in the position of Deputy Tax Collector to expire December 31, 2021.

Resolution #2021-0011 - Appointment of Local Historian

WHEREAS, pursuant N.J.S.A. 40:10A-7, and Chapter 2, Section 26 of the Revised General Ordinances of the Township, Bernards Township has created the position of Local Historian.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby appoint Brooks Betz as Local Historian for a one-year term to expire 12/31/2021.

Resolution #2021-0013- Waiver Payments for Eligible Employees that Opt-Out of the State of New Jersey, Division of Pensions and Benefits, State Health Benefits Plan

WHEREAS, Bernards Township participates in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.); and

WHEREAS, Bernards Township has elected to participate in the State Health Benefits Program (SHBP) as adopted by Resolution #050459, voted on 11/29/05; and

WHEREAS, the State Health Benefits Program, in accordance with Chapter 92, P.L. 2007 and Chapter 2, P.L. 2010 allows the Township to make waiver payments to eligible employees that opt-out of the State Health Benefits Program; and

WHEREAS, the Township Administrator and the Manager of Human Resources recommend the following waiver payments for Eligible Employees that provide proof of medical coverage that is not provided by the SHBP:

Single	\$1,000.00
Member/Spouse	\$2,400.00
Parent/Child	\$2,400.00
Family	\$3,600.00

These payments will be spread over 24 pays and disbursed through the regular payroll process.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the Township will offer to eligible employees the waiver payments for opting out of the State Health Benefit Program.

Resolution #2021-0014 - Designation of Official Newspapers

WHEREAS, pursuant to N.J.S.A. 40:53-1 the governing body of every municipality may designate an official newspaper or newspapers for the publication of all advertisements and notices required by law to be published by the municipality; and

WHEREAS, the Township Committee of the Township of Bernards finds and declares that the Bernardsville News of Whippany and the Courier News of Bridgewater are among the newspapers that have the greatest likelihood of reaching the residents of Bernards Township.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the Bernardsville News of Whippany and the Courier News of Bridgewater are designated as the official newspapers for 2021.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the Daily Record of Morristown and the Star Ledger of Newark are designated as newspapers which may be given notice by the clerk when the publication schedule of the Bernardsville News or Courier News does not enable it to publish advance notice of special, rescheduled, or emergency meetings.

Resolution #2021-0015 - Appointment of 2021 Human Resources and Finance Subcommittee

WHEREAS, the Township Committee deems it necessary to review and amend current Township policies, procedures and practices relating to human resources issues as well as the financial matters of the Township; and

WHEREAS, the Township Committee created the Human Resources and Finance Sub-Committee to review and make recommendations regarding Township Human Resources and Finance policies, procedures and practices; and

WHEREAS, said works with the Human Resources Manager, Chief Financial Officer and Township Administrator in their review of policies, procedures, practices and issues as deemed necessary.

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

1. The Human Resources and Finance Sub-Committee shall include the following members:
 - Two Members of the Township Committee
 - Township Administrator
 - Human Resources Manager
 - Chief Financial Officer
2. The Human Resources and Finance Sub-Committee shall bring all recommendations to the Township Committee for review and approval as deemed appropriate.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that Janice Fields and Kathleen Grochala be and are hereby appointed as the Township Committee representatives to the 2021 Human Resources and Finance Sub-Committee.

Resolution#2021-0016 - Emergency Management Promulgation Statement

WHEREAS, the Emergency Management Operations Basic Plan has been developed to maximize the resources and personnel available during times of emergencies. When the decision is made to activate the Emergency Operations Center as a result of a severe emergency, all resources and personnel will come under the direct control of the Emergency Management Coordinator; and

WHEREAS, Emergency Operation Center personnel will coordinate all emergency equipment and personnel, both from within the township and any external units required as a result of Mutual Aid agreements. The emergency forces will continue to operate under the control of the Emergency Management Coordinator until such time the emergency has been declared over; and

WHEREAS, cooperation between all responding units will be required to obtain the highest level of service possible, and at the same time minimizing the threat of danger to property and life once the emergency has occurred. Additionally, the Township Office of Emergency management will continue to be active during normal times to reduce the threat from technological hazards; and

WHEREAS, the Emergency Management Operations Basic Plan will be reviewed at least once each year. Call out rosters will be updated as changes occur in the field and are reported to the Emergency Operation Center.

NOW THEREFORE BE IT RESOLVED, the Township Committee of the Township of Bernards approves this Emergency Management Operations Basic Plan and hereby promulgates it as the authoritative document for emergency operations in this municipality.

Resolution #2021-0017 - Tax Grace Period & Interest on Delinquent Taxes

WHEREAS, N.J.S.A. 54:4-66 provides that taxes shall be payable in quarterly installments due on February 1st, May 1st, August 1st and November 1st, after which dates, if unpaid, shall become delinquent; and that a period of ten calendar days grace for the payment of taxes following said date be fixed and established; and

WHEREAS, if the tenth calendar day of the month on which the installment becomes payable falls on a weekend, the next business day will be deemed the last day to make payment without interest; and

WHEREAS, the tax collector, their office or the Township of Bernards cannot take responsibility on the method(s) or timing of the delivery of payments to the office of the Tax Collector. The tax collector shall follow all guidelines and statutes in the collection and delivery of said payments to the banking institution delegated by the Township within the specified time frame as stated in NJSA 40A:5-15.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards that if payment is not made by the tenth calendar day of the month on which the installment becomes payable, an interest charge of 8%

per annum will be assessed on the first \$1,500 of the delinquency and 18% per annum on any amount in excess of \$1,500 to be calculated from the date the tax was payable until the date of actual payment; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a taxpayer who has a delinquency in excess of \$10,000, who fails to pay that delinquency prior to the end of a calendar year will be charged a penalty of 6% of the amount of the delinquency plus interest calculated to December 31st.

Resolution #2021-0018 - Policy on Tax Refunds

WHEREAS, upon receipt of their property tax assessment notice required under N.J.S.A. 54:4-38.1, taxpayers have the responsibility to review their assessment records and assure their accuracy; and

WHEREAS, there are administrative remedies available to taxpayers for tax relief under Title 54:3-21, which provides for the filing of an appeal on or before April 1 of each year and May 1 of each year for districts having state approved reassessments or revaluations, or on or before such date as legislatively enacted, or 45 days from the bulk mailing of assessed values, pursuant to Chapter 75; and

WHEREAS, taxpayers are to pursue all channels available to them by statute, including such review of records, assessor corrections of data, and the filing of an appeal to the County Tax Board or to the State of New Jersey on or before April 1 of each year, or on or before May 1 of each year when there is a state approved reassessment, or on or before such date as legislatively enacted; and

WHEREAS, Statutes further provide for a Correction of Error Application to be filed with the State of New Jersey should a clerical error be identified following the appeal deadline; and

WHEREAS, based on the broad and extensive administrative remedies provided through the Statutes, including notification of values 45 days prior to an appeal, there is no need for additional consideration for a tax refund request outside the authorities of said administrative remedies.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Township of Bernards, County of Somerset and State of New Jersey, that the governing body and staff will hereby and heretofore adhere to administrative remedies for tax appeals within the authorities and guidelines of the State of New Jersey statutes.

Resolution #2021-0019 - Authorizing the Assessor to File Corrective Appeals and Counterclaims

WHEREAS, the Township Committee of the Township of Bernards, Somerset County, New Jersey, has been informed by the Tax Assessor of the Township of Bernards that from time to time errors are made in computing tax assessments; and

WHEREAS, the Tax Assessor of the Township of Bernards has requested the Township Committee to authorize him to request the Township Special Tax Counsel to file corrective appeals of such errors with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey; and

WHEREAS, the Tax Assessor of the Township of Bernards has requested the Township Committee to authorize Special Tax Counsel to file, in cases of increases, decreases, or counter-claims as he deems necessary, with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey; and

WHEREAS, the Tax Assessor of the Township of Bernards is called upon to defend tax appeals filed with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey and to agree to stipulations of appeals.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee that the Tax Assessor of the Township of Bernards is hereby authorized to request Special Tax Counsel to file corrective appeals with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey in defense of appeals filed with said Board and Court and for the Tax Assessor and Special Counsel to sign stipulations of settlement on behalf of the Township of Bernards which the Assessor feels are proper and in the best interest of the municipality; and

BE IT FURTHER RESOLVED by the Township Committee that the Tax Assessor of the Township of Bernards be and is hereby authorized to file counter claims through the Special Tax Counsel in cases of increase with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey, as he deems necessary.

Resolution #2021-0022 - Police – Street Crossing Guard

WHEREAS, Pursuant to N.J.S.A. 40A:9-154.1, the governing body of any municipality may appoint adult school crossing guards for terms not exceeding one year; and

WHEREAS, the Chief of Police, Township Administrator, and Human Resources Manager recommend appointment of the following individuals to the position of part-time Crossing Guard:

Todd	Edelstein	Doris	Moore
Justin	Farnham	Patrick	Noce
Rita	Franceschetti	Sandra	Pennino-Farnham
George	Habina	Ann	Smith
Robert	Houlihan	Joyce	Sobel
Carolyn	Masaitis	Mark	Solomon
George	Masaitis	Margaret	Struzienski
Louis	Matty	Vandana	Thaman

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the above individuals be appointed part-time Crossing Guards for a one-year term to expire on December 31, 2021.

Resolution #2021-0023 - Police – Matrons

WHEREAS, Pursuant to N.J.S.A. 40A:14-140 the governing body of any municipality may appoint other personnel for said department or force, which includes “matrons”; and

WHEREAS, the Chief of Police, Township Administrator, and Human Resources Manager recommend appointment of the following individuals to the position of part-time Police Matron:

Michelle D’Autorio
Vivian Fentress
Kate Ferratti

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals be appointed part-time Police Matrons for a one-year term to expire on December 31, 2021.

Resolution #2021-0025 - Developer’s Escrow Funds

BE IT RESOLVED by the Township Committee of the Township of Bernards that the fees permitted to be charged to a developer's escrow account for the services of professionals, who are Township employees, shall be charged the following rates for Calendar Year 2021:

Township Engineer	\$ 150.00/hour
Assistant Township Engineer	\$ 90.00/hour
Township Planner	\$ 120.00/hour
Fire Official	\$ 70.00/hour
Senior Staff Engineer	\$ 75.00/hour
Staff Engineer	\$ 60.00/hour
Zoning Officer	\$ 65.00/hour
Civil Engineering Technician	\$ 50.00/hour

Resolution #2021-0026 - Approval of Bill List 01/05/21

BE IT RESOLVED, that the bill list dated 01/05/2021 be audited, and if found correct, be paid.

January 5, 2021

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 01/05/21 to 01/05/21
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
127306 01/05/21 B0029 BERNARDS TWP BD OF EDUCATION 7,832,140.00 1558

127307	01/05/21	C0037	CLERK'S PETTY CASH	100.00	1558
127308	01/05/21	E0007	ENGINEERING PETTY CASH	100.00	1558
127309	01/05/21	H0004	HEALTH DEPARTMENT PETTY CASH	100.00	1558
127310	01/05/21	L0005	LIBRARY PETTY CASH	300.00	1558
127311	01/05/21	P0006	POLICE PETTY CASH	400.00	1558
127312	01/05/21	R0006	RECREATION PETTY CASH	100.00	1558
127313	01/05/21	R0281	RECREATION PETTY CASH CHECKING	500.00	1558

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	7,833,740.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	7,833,740.00	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	7,833,740.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	7,833,740.00	0.00

CURRENT FUND	1-01	7,833,740.00	0.00	0.00	7,833,740.00
Total Of All Funds:		7,833,740.00	0.00	0.00	7,833,740.00

Resolution #2021-0028 - Temporary Appropriations for Operating Purposes

WHEREAS, 40A:4-19 Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the final adoption of the 2021 budget, temporary appropriations be made for the purposes and amounts required in the manner and time herein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2021; and

WHEREAS, the total appropriations in the 2020 budget less appropriations for capital improvement fund, debt service, emergencies and relief of the poor (public assistance) are as follows:

General.....\$ 35,562,663.61

WHEREAS, 26.25% of the total appropriations in the 2020 budget less appropriations for capital improvement fund, debt service, emergencies and relief of the poor (public assistance) in said 2020 budget are as follows:

General.....\$ 9,335,199.20

NOW, THEREFORE, BE IT RESOLVED by the Township of Bernards in the County of Somerset, that temporary operating appropriations totaling \$ 9,335,199.20 be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Resolution #2021-0029 - Emergency Temporary Appropriations, Capital Improvement Fund

WHEREAS, an emergent condition has arisen with respect to inadequate funds provided in the temporary budget for the funding of the Capital Improvement Fund, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions for Capital Purposes adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,500,000.00.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for Capital Improvement Fund in the amount of \$1,500,000.00.
2. That said emergency temporary appropriation will be provided for in the 2021 budget.
3. That one certified copy of this resolution be filed with Director of the Division of Local Government Services.

Resolution #2021-0030 - Appointment of Bernards Township Municipal 9-1-1 Coordinator

WHEREAS, pursuant to N.J.S.A. 17:24-5.1, the governing body of each municipality shall appoint a municipal 9-1-1 coordinator who shall coordinate the 9-1-1 implementation and the operation of 9-1-1 activities within the municipality in accordance with N.J.S.A. 52:17C-1 to 52:17C-16 and the rules incorporated in this chapter; and

WHEREAS, the municipal 9-1-1 coordinator, after consultation with representatives of local public safety agencies shall:

1. Maintain a municipal plan for 9-1-1 enhanced service throughout the municipality. The plan shall specify:
 - i. The number and locations of all PSAPs and PSDPs serving the municipality;
 - ii. The procedure each PSAP will employ for continuing essential services during the loss of commercial power;
 - iii. The membership and organizational characteristics of each PSAP and PSDP;
 - iv. The number of lines and call-taker positions that each PSAP will utilize; and
 - v. Alternate communications as required by section 17:24-2.1(g).

WHEREAS, the Bernards Township Chief of Police, Manager of Human Resources and Township Administrator are recommending that Township of Bernards formalize the appointment of their Municipal 9-1-1- Coordinator.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint Christopher Hurst as the Bernards Township Municipal 9-1-1 Coordinator.

Resolution #2021-0031 - Temporary Appropriations, Golf Utility Operating Fund

WHEREAS, N.J.S.A. 40A:4-19 Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the final adoption of the 2021 budget, temporary appropriations be made for the purposes and amounts required in the manner and time herein provided; and

WHEREAS, the date of this resolution is within the first thirty days of 2021; and

WHEREAS, the total appropriations in the 2020 golf utility budget less appropriations for capital improvement fund and debt are as follows:

General.....\$ 367,980.62

WHEREAS, 26.25% of the total appropriations in the 2020 budget less appropriations for capital improvement fund and debt service in said 2020budget are as follows:

General.....\$ 96,594.91

NOW, THEREFORE, BE IT RESOLVED by the Township of Bernards in the County of Somerset, that temporary operating appropriations totaling \$ 96,594.91 be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Resolution #2021-0032 - Authorized Signatures on Township Checks

BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following Township officials are hereby authorized to sign checks or withdrawal slips where a combination of two principal signatures is required. One signature must either be the Mayor, Deputy Mayor, or Finance Chairman. The other signature must be either the Chief Financial Officer, Treasurer or the Administrator, and that the Chief Financial Officer, Treasurer or Administrator are authorized to sign checks or withdrawal slips where one principal signature is required; and

BE IT FURTHER RESOLVED that the Chief Financial Officer, Treasurer or Administrator be authorized to sign checks to transfer monies between Township accounts.

Resolution #2021-0033 - Acceptance of Cash Management Plan

BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, that for the year 2021, the plan here following shall serve as the Cash Management Plan and Policy for the Township of Bernards; and

BE IT FURTHER RESOLVED that the Chief Financial Officer and the Administrator are directed to use this cash management plan as a guide in depositing and investing the Township's funds.

Cash Management Plan of the Township of Bernards in the County of Somerset, New Jersey

I. Statement of Purposes.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Bernards, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Cash Management Policy

Objectives: The priority of investing policies shall be, in order of descending importance: security, liquidity and yield.

- A. Security: The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.
 - 1. Credit Risk: Credit Risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
 - a. Limiting investments to the safest types of securities
 - b. Pre-qualifying the financial institutions, broker/dealers, intermediaries and advisors with which an entity will do business.
 - c. Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- B. Interest Rate Risk: Interest Rate Risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest Rate Risk may be mitigated by:
 - 1. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - 2. By investing operating funds primarily in shorter-term securities.
- C. Liquidity: The investment portfolio must remain sufficiently liquid to meet all cash requirements of the Township. The portfolio should be structured so that the securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
- D. Yield: The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.
2. A security swap would improve the quality, yield, or target duration in the portfolio.
3. Liquidity needs of the local unit require that the security be sold.

III. Identification of Funds and Accounts to be Covered by the Plan.

The Plan is intended to cover the deposit and/or investment of all Bernards Township funds and accounts.

IV. Designation of Officials of the Township Authorized to Make Deposits and Investments under the Plan.

The Chief Financial Officer, Treasurer, and the Administrator of the Township (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of the Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

V. Designation of Depositories.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- A. All eligible and qualified banks and trust companies in the State of New Jersey and the State of New Jersey Cash Management Fund and the New Jersey Asset & Rebate Management Program be and are hereby designated as depositories for the Township of Bernards for the year 2021.
- B. Prior to the deposit of any municipal funds in the depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Governmental Unit Deposit Protection Act (R.S. 17:9-41).

VI. Authorized Investments.

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- A. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- B. Government money market mutual funds;
- C. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - a. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- D. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment of Local Units;
- E. Local government investment pools;
- F. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (c. 52:18A-90.4); or
- G. Agreements for the repurchase of fully collateralized securities if:
 1. The underlying securities are permitted investments pursuant to paragraphs (A) and (C) of this subsection a;
 2. The custody of collateral is transferred to a third party;
 3. The maturity of the agreement is not more than 30 days;
 4. The underlying securities are purchased through a public depository as defined in section 1 of p.l. 1970, c.236 (c.17:9-41); and
 5. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An Investment company or investment trust:

1. Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.T. sec. 270.2a-7.
2. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
3. Which has:
 - a. Attained the highest ranking of the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - b. Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

1. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
2. Which is rated in the highest category by a nationally recognized statistical rating organization;
3. Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
4. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
5. Which does not permit investments to instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
6. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c. 9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

Any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of P.L. 1977, c.396 (c.40A:5-15.1), or any combination of the preceding or the selection of an entity seeking to sell an investment to the local unit who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the local unit and to the Local Finance Board or a county or municipal ethics board as appropriate.

VII. Safekeeping Custody Payment and Acknowledgment of Receipt of Plan.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any

Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to ensure that such Permitted Investments are either received by the Township or by a third-party custodian prior to or upon the release of the Township’s funds.

To assure that all parties with whom the Township deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

VIII. Reporting Requirements.

On the twentieth day of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the governing body of the Township a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased, or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Township.

IX. Term of Plan.

This Plan shall be in effect from January 1, 2021 to December 31, 2021. Attached to this Plan is a resolution of the governing body of the Township approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Official(s) is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Resolution #2021-0034 - Authorization for Payroll Cash Advance

BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the Chief Financial Officer be empowered to place up to a \$550,000 advance in the Payroll Account.

Resolution #2021-0035 - Authorizing Returned Funds Fee and Certified Funds for Returned Funds

WHEREAS, there have been instances where the Township has been in receipt of payments which have been returned from the bank as unpaid; and

WHEREAS, N.J.S.A. 40:5-18 provides for a \$20.00 maximum service charge on funds returned for any reason; and

WHEREAS, to ensure replacement funds are redeemable for payment, the Tax Collector and Chief Financial Officer recommend that funds returned from the bank be replaced with a certified check, cash or money order; and

WHEREAS, as a one-time courtesy annually, and at the discretion of the Tax Collector and Chief Financial Officer, the service charge may be waived in the event of a typographical error or omission causing funds to be returned due to the inability to locate an account.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards establish a service charge of \$20.00 per item returned for any reason and to provide that any funds that are returned from the bank be replaced with certified check, cash or money order.

Resolution #2021-0037 - Township Special Event Coordinators

WHEREAS, the Township of Bernards hosts special events throughout the year.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby appoint the following township coordinators:

Jennifer Gander
Mike Barth (LCFC)
Michael Shimsky
Janice Fields
Jim Felter

Charter Day and Field of Honor
Memorial Day Parade
National Night Out
911 Memorial
Community Holiday Sing

Resolution #2021-0038 - Township Crier

WHEREAS, pursuant to Resolution #040202 adopted by the Township Committee on 5/11/04, the volunteer position of town crier was created, and Hank Barre was appointed to the position; and

WHEREAS, Hank Barre has served as the Town Crier since the creation of the position.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby reappoint Hank Barre as the town crier for a one-year term to expire 12/31/2021.

Resolution #2021-0042 - Suburban Municipal JIF Fund Commissioner

WHEREAS, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, pursuant to Article III.1.a. of the By-Laws of the Suburban Municipal Joint Insurance Fund, each member shall appoint one commissioner to the fund and each member shall select either a member of its governing body or one of its employees to serve in this capacity.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that we do hereby appoint Sean McCarthy as the JIF Fund Commissioner, and Pat Monaco to act as the Alternate Commissioner for one-year terms to expire 12/31/2021.

Resolution #2021-0043 - Establishing Rules and Procedures for the Conduct of Business at Township Committee Meetings

WHEREAS, pursuant to N.J.S.A. 40A:63-6 the Township Committee is the legislative body of the municipality and may adopt any resolution for any purpose required for the government of the municipality and possesses all the executive responsibilities of the municipality; and

WHEREAS, pursuant to § 2-1.5. of the Revised General Ordinances of the Township of Bernards the rules of procedure to be followed for the conduct of business of the Township Committee shall be provided by resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following rules shall govern the rules of procedures at all Township Committee Meetings for the year 2021:

1. AGENDAS

- A. Matters to be listed on a Township Committee agenda, must be submitted to the Municipal Clerk in electronic and hardcopy format by the deadlines established by the Municipal Clerk and affixed to the annual meeting date Resolution adopted by the Township Committee.
- B. The Municipal Clerk may request but not require that agenda items include a "Recommendation for Township Committee Action" form to be submitted with the agenda item.
- C. The proposed agenda for each meeting shall be completed by the Municipal Clerk who shall consult with the Administrator, and with the Mayor as the presiding officer of the Township Committee. To the extent feasible or practical, the Municipal Clerk shall make the proposed agenda available to the public at least 48 hours in advance of the meeting and the agenda will posted to the Township website.

- D. The Committee may amend the agenda as the first item of business at the meeting upon the determination that a need to amend the agenda exists. A majority of committee members present, by formal vote, must agree that a need exists in order to add or remove an item for discussion.
- E. Under "Township Committee/Board Reports and Staff Comments" any member of the Committee, the Administrator, Municipal Clerk or Attorney may request additional matters be listed on an upcoming meeting agenda. If a majority of members of the committee, by formal vote, do not agree the items should be included in the agenda, the items shall not be listed.
- F. Executive Sessions may precede each meeting as required. Executive Sessions will commence one-half hour prior to the scheduled meeting time pursuant to Resolution #2021-0002. Although each Executive Session will commence as an open public meeting, Executive Sessions will be used by the Township Committee solely for consideration of matters which will be discussed pursuant to N.J.S.A. 10:4-12B. The public will be excluded from these Executive Session discussions. If the need exists, the Executive Session may continue after the regular order of business is concluded.
- G. Public Work Sessions may be listed as an order of business during each meeting as determined by the Municipal Clerk after consultation with the Mayor. Public Work Sessions will be limited to discussion of public business. Formal action on the matter(s) discussed may be added to the same or subsequent agendas by majority vote of the committee.
- H. The agenda for all meetings shall be as follows:
 - 1. Call to Order
 - 2. Pledge of Allegiance
 - 3. Reading of the Open Public Meetings Statement
 - 4. Roll Call
 - 5. Executive Session (if required)
 - 6. Public Work Session (if required)
 - 7. Reports
 - 8. Correspondence
 - 9. Public Comment
 - 10. Township Committee/Liaison & Board Reports and Staff Comments
 - 11. Fire & Rescue Appointments
 - 12. Unfinished Business
 - 13. Consent Agenda (to include approval of minutes and payment of bills)
 - 14. New Business
 - 15. Public Comment
 - 16. Executive Session (if required)
 - 17. Adjournment

2. CONDUCT AT MEETINGS

- A. The Mayor when present shall conduct all meetings.
- B. The Deputy Mayor shall conduct the meeting when the Mayor is absent.
- C. If the Mayor and Deputy Mayor are both absent, the Municipal Clerk shall call the meeting to order and conduct the nomination and election of a Temporary Chairperson. The Temporary Chairperson shall conduct the meeting but shall have no powers beyond those necessary to conduct the meeting.
- D. A majority of the whole number of members of the Township Committee shall constitute a quorum, and no ordinance shall be adopted by the Township Committee without the affirmative vote of a majority of all the members of the Township Committee.
- E. If a Township Committee member fails to attend a meeting or attends but leaves prior to the conclusion of the meeting, the member can ask the Township Committee to excuse the absence at that meeting or at the immediate next meeting following. The Township Committee shall excuse the member if a majority of the members at the meeting determine that the absence was caused by legitimate illness, and may in its discretion excuse the member if the reason for the absences is for disqualification, or any other legitimate reason.
- F. If a quorum is not present 1/2 hour after the appointed time for any meeting, the presiding officer or the Municipal Clerk may declare the meeting adjourned.
- G. While the Township Committee is in session, the members thereof shall preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Township Committee nor disturb any member while speaking, or refuse to obey the order of the Township Committee or its presiding officer.

- H. The Chief of Police or such member of the Police Department as he may designate, may be designated as the Sergeant-at-Arms of Township Committee meetings. He shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Township Committee Meetings.
- I. The Township Attorney shall be the Parliamentarian.
- J. Meetings shall be conducted in accordance with these Regulations and Robert's Rules of Order for items not covered in these Regulations.
- K. The Municipal Clerk shall read all Ordinances, by title only, before introduction and adoption.
- L. The items listed within the consent agenda portion of the meeting will have been previously referred to the Township Committee for reading and study, and a copy placed on the bulletin board on the township website. These items 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 under New Business.
- M. No New Business shall be entertained after 10:30 P.M. without an affirmative vote of a majority of the members present, for all meetings.
- N. No meeting shall continue beyond 11:30 P.M. without the affirmative vote of the majority of members present.
- O. Any member of the public desiring to address the Committee shall first seek recognition by the Mayor or presiding officer and upon recognition, shall proceed to the floor and give his or her name and address. Statements shall be limited to five minutes. This rule may be waived by the mayor. Persons making public comment may not yield their time to another speaker, and each individual is limited to speaking once during a particular public comment period.
- P. Remarks shall be confined to the order of business prescribed by this section:
 - 1) Ordinances. Pursuant to NJSA 40:49-2b, any Township resident and all persons interested shall be given an opportunity to be heard concerning the ordinance during that public hearing. The opportunity to be heard shall include the right to ask pertinent questions concerning the ordinance by any resident of the municipality or any other person directly affected by the ordinance.
 - 2) Under the heading of "Public Comment" only a resident may address the Committee on any matter over which the Committee has jurisdiction. Non-residents may only address the Committee on any matter directly impacting that non-resident.
- Q. Any person(s) making personal, defamatory or profane remarks or who willfully utters loud, threatening or abusive language or engages in any disorderly conduct which disturbs or disrupts the orderly conduct of any meeting shall be called to order by the presiding officer. If such conduct continues, the presiding officer of the Township Committee, at his discretion, may order such person removed from that meeting and/or arrested.

3. VOTING

- A. Once a quorum of the Township Committee is present (which is at least three members), an affirmative vote of the majority of members present is required to approve all actions, except for approval of minutes which shall require a majority of the eligible members present, ordinances as further defined in 2.D above, or where otherwise provided by law.
- B. Given that a governing body member has a public duty to vote unless there exists a conflict of interest or other disqualifying event, a governing body member who abstains without providing a reason for the abstention, shall have his vote counted with the majority. If a township committee member is not qualified to vote because of a conflict of interest or other disqualifying event, that committee member shall not abstain from the vote, but, rather, that committee member shall not be eligible to vote, shall leave the meeting room during the discussion of the matter and his vote shall not count with the majority vote.
- C. If the committee is evenly split in a decision, no majority exists with whom an abstaining member can be said to vote and accordingly, abstentions shall not be assigned to either voting block. A tie vote shall be deemed a defeated motion.
- D. All motions shall require a second. In the absence of a second, the motion shall be deemed defeated.

4. MINUTES

- A. The minutes of each meeting shall be taken by the Municipal Clerk.
- B. The Municipal Clerk shall preserve approved minutes as a permanent record and the official authoritative record of the committee proceedings. Approved open session minutes will also be posted on the Township Website.
- C. The Municipal Clerk shall have available a draft copy of the executive and open session minutes, three days after the meeting.

- D. Open Session minutes shall be listed for approval and released by the Township Committee at the next subsequent meeting
- E. Executive Session minutes shall be approved in open session; provided, however, that any discussion concerning the contents of the minutes, prior to approval, shall be conducted in executive session.
 - 1) The Municipal Clerk shall forward copies of all executive session minutes still held in confidentiality to the Township Attorney during the months of June and December of each year. The Township Attorney shall review these minutes, determining which, if any can be released to the public in whole or in part without jeopardizing the need for confidentiality, and advise the Municipal Clerk. The Municipal Clerk shall present a resolution to the Township Committee for adoption releasing the executive session minutes, in whole or in part, as approved for release by the Township Attorney. Those executive session minutes to be released shall be designated by subject matter. Upon adoption of the resolution, those minutes or portions of minutes approved for release shall be placed in the minute books of the Township Committee and available for public inspection.
 - 2) If a member of the public requests from the Municipal Clerk access to executive session minutes not yet released to the public as set forth above, the requestor shall submit an Open Public Records Request (OPRA) to the Municipal Clerk. The Municipal Clerk shall consult with the Township Attorney on the subject matter as requested. The Township Attorney shall advise the Municipal Clerk if the minutes, or portion of the minutes, can be released. If approved for release by the Township Attorney, a resolution memorializing the release of said minutes, or portion of minutes, shall be presented to the Township Committee for adoption at their next regularly scheduled meeting.

5. VIDEO STREAMING AND PUBLIC BROADCASTING

- A. All meetings, other than executive session, shall be recorded and video-streamed live on the township website and broadcasted on local PEG Channels. The Municipal Clerk, Director of Technology, and the person conducting the meeting shall authenticate recordings to the extent possible. Failure to do so does not invalidate any actions by the governing body.
- B. Archived video-streaming of the meetings will be available approximately 48 hours after the meeting over the township website.
- C. Recordings of the meeting will be maintained in accordance with the State of NJ Department of the Treasury Records Manual and associated retention schedules.

6. VIDEOTAPING OF MEETINGS

The Township Committee recognizes the right of persons to videotape meetings provided that the persons videotaping the meetings do so in a manner that is respectful, unobtrusive and not disruptive to the meeting and those attending the meeting. The Township Clerk will thus designate a fixed and defined area that is suitable to persons that desire to videotape meetings.

Resolution #2021-0044 - Renewing Authorization to New Jersey American Water Company to Provide Public Fire Protection Service to the Township of Bernards through Private Fire Hydrants for 2021

WHEREAS, the New Jersey American Water Company, Inc. is a regulated public utility corporation of the State of New Jersey presently in possession of municipal consent as required by N.J.S.A. 48:19-17 and 48:19-20, as amended, to provide water service within the Township of Bernards; and

WHEREAS, the Township of Bernards desires that New Jersey American Water Company, Inc. own, operate and maintain fire hydrants on and along such roads, streets and places within the Township of Bernards at locations to be designated by the Township of Bernards; and

WHEREAS, it is deemed to be in the best interest of the citizens of the Township of Bernards that New Jersey American Water Company be authorized to add to the number of public fire protection hydrants within the Township; and

WHEREAS, N.J.S.A. 40A:11-5(1)(f) permits a municipality to contract with a public utility, without bidding, for products or services in accordance with tariffs and schedules of charges filed with the Board of Public Utilities.

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

1. The governing body of the Township of Bernards hereby authorizes New Jersey American Water Company to provide public fire protection service to the Township through the private fire hydrants listed on Schedule A hereto and located in the Township.
2. The Township of Bernards hereby agrees to pay to New Jersey-American Water Company, the appropriate public fire protection service charge for the private fire hydrants described on Schedule A hereto. The Township recognizes that public fire protection service charges will be rendered by New Jersey American Water Company pursuant to the terms and provisions of its tariff on file with the New Jersey Board of Regulatory Commissioners, which tariff may be amended from time to time.
3. The term of the contract shall begin on the date that this resolution is adopted and continue until an extension is granted or for twelve (12) months, whichever is sooner. The municipality may, by resolution, extend the contract for successive terms, each having a duration of twelve (12) months.
4. The clerk shall send a copy of this resolution, upon adoption, to the New Jersey American Water Company.
5. To the extent that any part or parts of this resolution are repealed or otherwise modified or voided by statute or case law, the remaining sections of this resolution shall remain in full force and effect.

SCHEDULE A

Association/Development	Number of Hydrants
Amherst Mews	9
Countryside	3
Crown Court	3
Hamilton Crest	5
Hamilton Ridge	6
Hamilton Woods	12
Lord Stirling Village	3
Lyons Estates	2
Maple Run	6
Patriot Hill	12
Patriot Mews	5
Society Hill I	11
Society Hill II	8
Spring Ridge Madison Village	11
Spring Ridge Master Association	4
St. Andrews	2
The Barons	10
The Ridge	2
The Cedars	22
Whispering Woods	1

Resolution #2021-0046 - Establishing Protocol and Structure for the Year 2021 for Relationship between Township Administrator and Township Committee

WHEREAS, pursuant to N.J.S.A. 40A:63-7 the Township Committee is a legislative body of the municipality and may adopt any resolution for any purpose required for the government of the municipality and possesses all the executive responsibilities of the municipality; and

WHEREAS, pursuant to N.J.S.A. 40A:63-7, the Township Committee may, by ordinance, delegate all or a portion of the executive responsibility of the municipality to an administrator who shall be appointed pursuant to N.J.S.A. 40A:9-136; and

WHEREAS, the Township of Bernards pursuant to Section 2-3 of the Revised General Ordinances of the Township of Bernards has created the position of Township Administrator and delegated the day-to-day demands of the administrative and governmental affairs of the Township to the Township Administrator since the affairs upon the time of the Township Committee had grown to the extent that it had become increasingly difficult to devote adequate time to the proper discharge of such duties; and

WHEREAS, pursuant to Section 2-3.1 proper regard for the public interest and economical and efficient administration of the Township business required the creation of the position of Township Administrator to furnish to the Township Committee necessary assistance in the prompt, day-to-day, management of the administrative affairs of

the Township Committee, coordination of the activities of the various departments within the municipality, and assistance in planning and supervising the execution of the Township Committee work in those areas where a continuous and sustained effort is required; and

WHEREAS, Section 2-3.8 sets forth the duties and responsibilities of the Township Administrator which, include among other things, but are not limited to: (a) coordination of operations, activities and administration of the departments, divisions, offices, and agencies of the Township Government; (b) exchanging and disseminating information and generally advising and consulting with the Township Committee; (c) the responsibility to execute ordinances and resolutions of the Township, subject to the direction of the Township Committee, and to delegate to any department head such of his powers as he may deem necessary for efficient administration; (d) establishing and maintaining effective personnel practices and maintaining appropriate records of all employees, and carrying out all policies established by the Township Committee; (e) performing such other duties as may be required by ordinance, resolution or direction of the Township Committee; and (f) carrying out all policies established by the Township Committee; and

WHEREAS, the Township Committee desires for the calendar year 2021 to establish a protocol and structure to the relationship between the Township Administrator and Township Committee to ensure that the purposes, goals and duties aforementioned that are the responsibility of the Township Administrator are properly and efficiently implemented to maximize the resources of the Township administrative staff and to the benefit of the citizenry of Bernards Township.

NOW, THEREFORE, BE IT RESOLVED, that the following rules shall govern the relationship for 2021 between the Township Administrator and Township Committee:

1. After the Township Committee has by majority vote adopted or denied an ordinance, resolution, project or policy, all analysis, questions, memoranda, and inquiry by individual Township Committee members to Township employees and staff concerning the action by the Township Committee with respect to the aforesaid ordinance, resolution, policy, or project will be prohibited. All further inquiries or requests for information concerning the decisions will be directed to the Township Administrator who will decide whether to allocate employee and staff resources to respond to the request or inquiry. Alternatively, in his discretion, the Township Administrator will decide whether the individual inquiry or request should be brought to the attention of the Township Committee for further review and direction.
2. As Section 2-3.8 mandates that the Township Administrator is under the supervision and control of the Township Committee and not individual Township Committee members, all written communications directed to the Township Administrator by individual Township Committee members will be circulated to all Township Committee members for review and input. All verbal orders or directives received by the Township Administrator which he deems of a policy nature or project focus will, in the discretion of the Township Administrator, be brought to the attention of the Township Committee for further discussion.
3. As the Township Administrator is responsible, pursuant to Section 2-3.8, to effectuate all ordinances, resolutions and policies established by the Township Committee, and is also responsible for the determination of the manner and method by which such ordinances, policies are to be implemented, individual Township Committee members will not contact or otherwise interfere with the ability of Township employees and staff in performance of the directives of the Township Administrator in implementing ordinances, resolutions policies established by the Township Committee.
4. It is the intention of this Resolution that the individual members of the Township Committee shall deal exclusively with the employees and staff through the Township Administrator and shall not give orders to any subordinate of the Township Administrator either publicly or privately.

Resolution #2021-0065- Acknowledgement of Fire Police Appointments by the Basking Ridge Fire Company #1 & Liberty Corner Fire Company

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

WHEREAS, pursuant to N.J.S.A. 15:8-4, any duly organized volunteer fire company may provide for the appointment of certain members to perform certain police duties at fire and fire drills, for a term of office not to exceed five years from the date of appointment; and

WHEREAS, the Basking Ridge Fire Company #1 & Liberty Corner Fire Company have appointed the following individuals as Fire-Police for 1-year terms to expire 12/31/2021.

Basking Ridge Fire Company #1	Liberty Corner Fire Company
John Bentley	Mike Barth
Robert Houlihan	Mike Conley
	Douglas Gazzele
	Fred Miller

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby acknowledge the Fire-Police appointments of the Basking Ridge Fire Company #1 & Liberty Corner Fire Company.

Resolution #2021-0066 - Bernards Township Personnel Policies and Procedures Updated and Adopted for 2021 (Appointed Officials and Volunteers Handbook; Employee Handbook)

WHEREAS, it is the policy of the Township of Bernards to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the ADA Amendments Act of 2008, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers' Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), the New Jersey Security and Financial Empowerment Act and the Open Public Meetings Act; and

WHEREAS, the Bernards Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees, prospective employees, officials, volunteers and vendors and contractors are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that the following Handbooks of Personnel Policies and Procedures attached hereto are hereby updated and adopted for 2021: 1) Employee Handbook, and 2) Elected Officials, Appointed Officials and Volunteers Handbook; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bernard that these personnel policies and procedures shall apply to all municipality officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective negotiations agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bernards that the Employee and Officials and Volunteers handbooks are intended to provide guidelines covering public service by municipality workers and does not serve as a contract. The provisions of these handbooks may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bernards that, to the maximum extent permitted by law, employment practices for the municipality shall operate under the legal doctrine known as "employment at will"; and

BE IT FINALLY RESOLVED by the Township Committee of the Township of Bernards that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Human Resources Manager shall assist the Township Administrator in the implementation of the policies and procedures in this manual, as directed by Township Committee action.

Resolution #2021-0078 - Giving the CFO Authority to Approve Payment of Bills Due to Township Committee Meeting Cancellation or Lack of Quorum

WHEREAS, the annual meeting schedule of the Township Committee adopted pursuant to Resolution #2021-0002, sets meetings for the 2nd and 4th Tuesdays after the 1st Monday of each month (twice a month); and

WHEREAS, at each scheduled meeting, the Township Committee is presented with a resolution authorizing payment of bills; and

WHEREAS, occasionally a meeting must be cancelled due to scheduling conflicts or lack of quorum of the Township Committee; and

WHEREAS, the CFO advises that failure to pay certain bills will result in delinquencies on township accounts; and

WHEREAS, the CFO recommends that the township committee give him the authority to approve payment of bills to avoid delinquencies on township accounts.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize Sean McCarthy, CFO, or his designee, to audit the bills scheduled for payment when there is a cancellation of a township committee meeting, and give him the authority to approve payment; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that the payment of bills authorized by Sean McCarthy be memorialized in a resolution to be adopted by the Township Committee at the next regularly scheduled meeting.

Resolution #2021-0079 – Engineering and Public Works Sub-Committee

WHEREAS, the Township Committee deems it necessary to review policies and projects relating to Township Engineering and Public Works; and

WHEREAS, the Township Committee hereby authorizes the creation of an Engineering and Public Works Sub-Committee to review and make recommendations regarding Township Engineering and Public Works Policies and Projects; and

WHEREAS, said sub-committee shall work with the Township Engineer, Director of Public Works and Township Administrator in their review of Engineering and Public Works issues, policies and projects as deemed necessary.

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

1. Engineering and Public Works Sub-Committee shall include the following members:
 - Two Members of the Township Committee
 - Township Administrator
 - Township Engineer
 - Director of Public Works
2. Engineering and Public Works Sub-Committee shall bring all recommendations to the Township Committee for review and approval as deemed appropriate.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that Janice Fields and Joan Bannan be and are hereby appointed as the Township Committee representatives to the 2021 Engineering and Public Works Sub-Committee.

Resolution #2021-0089 - Appointment of Insurance Risk Manager - Meeker Sharkey & Hurley

WHEREAS, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

WHEREAS, pursuant to the terms of membership, the Township must enter into an agreement with, and appoint an Insurance Risk Manager.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that Meeker Sharkey & Hurley, 645 Martinsville Road, Suite 310, Basking Ridge, NJ 07920 be and is hereby appointed Risk Manager for a three-year term expiring 12/31/23; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize execution of a contract with the Meeker Sharkey & Hurley in accordance with this appointment.

End Consent Agenda

Baldassare removed himself for this discussion.

Resolution #2021-0024 - Police – Special Officer

Motion by Bannan, second by Esposito, and unanimously agreed that Resolution #2021-024 be approved.

WHEREAS, Pursuant to N.J.S.A. 40A:14-146.10 any local unit may, as it deems necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities permitted by local ordinances authorized by N.J.S.A. 40A:14-118 and within the conditions and limitations as may be established pursuant to the act; and

WHEREAS, the Chief of Police, Township Administrator, and Human Resources Manager recommend appointment of the following individuals to the position of Special Officer:

**James Hall, Class II
David Malina, Class III
Daniel Snyder, Class III**

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals be appointed as Special Officers for a one-year term to expire on December 31, 2021.

Baldassare resumed participating in the meeting.

PUBLIC COMMENT

The Mayor opened public comment. No comments were heard.

TOWNSHIP COMMITTEE/STAFF COMMENTS

The township committee members wished the public a happy New Year and congratulated their colleagues on their appointments.

NEW BUSINESS

None.

ADJOURNMENT

By unanimous consent the meeting adjourned at 7:33 PM.

Respectfully submitted,

Rhonda Pisano
Municipal Clerk

Janice M. Fields
Mayor

Approved: