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BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE MINUTES

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CORRESPONDENCE
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ADJOURNMENT

CALL TO ORDER

The mayor called the meeting to order at 8:00 PM in the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ. Those assembled saluted the flag and the mayor read the open public meetings statement in accordance with the law.

ROLL CALL

Present:Baldassare, Jr., Bannan, Esposito (via telephone), Grochala, FieldsAbsent:Administrator Monaco, Attorney Belardo, Engineer Timko, and Municipal Clerk Pisano

EXECUTIVE SESSION

None.

PUBLIC WORK SESSION

None.

REPORTS

None.

CORRESPONDENCE

Community Development Block Grant Application – Community Hope, Inc.

Carolynn Perry, representing Community Hope, Inc., provided a summary of the employment training programs provide to veterans at the VA and their grant application would support these programs. Township Committee members thanked and supported Community Hope for their service. No comments were heard from the public regarding their proposal.

PUBLIC COMMENT

The mayor opened public comment.

Todd Edelstein, 172 Riverside Dr. – commented on Resolution #2021-0136 supporting a one-time exemption for KMS Farmstead.

The mayor closed public comment.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

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

FIRE & RESCUE APPOINTMENT

None.

UNFINISHED BUSINESS

<u>Resolution #2021-0136</u> - Granting The Friends of Kennedy Martin Stelle Farmstead, dba Farmstead Arts, Located at 450 King George Road., Block 8401, Lot 23, An Exemption from Ordinance §3-16.2 Prohibiting Alcoholic Beverages in Any Municipal Property to Allow for the Serving and Consumption of Alcohol at Fundraiser Events Sponsored by the Friends of the Farmstead

Township committee members discussed the draft resolution and the number of events covered by the draft resolution. Belardo also explained that Resolutions are only enforceable for a one-year period and that a new resolution would be needed in 2021. Consensus of the township committee members was to amend the draft resolution to reflect one (1) event in 2021 and they will re-visit the topic in 2022.

Motion by Baldassare, second by Bannan, that Resolution #2021-0136 be approved as amended. Roll Call:

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

TOWNSHIP COMMITTEE MINUTES 02/23/2021 Page 3 of 16 WHEREAS, the Township of Bernards ("Township") owns the real property identified as Block 8401, Lot 23, consisting of approximately 4.397± acres, and located along King George Road in the Township of Bernards, County of Somerset, State of New Jersey; and

WHEREAS, the Property contains an "English Barn," "Farm House," "Wagon House," "Cow Shed," and other ancillary structures, which are on the New Jersey Historic Register and the National Register of Historic Places; and

WHEREAS, the Township and the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. ("Friends") entered into Lease Agreement and subsequent First, Second and Third Amendments to the Lease; and

WHEREAS, the Friends are required to raise or provide all funds necessary for preservation, restoration, development, operation and maintenance of the Lease Premises; and

WHEREAS, the Friends submitted a request to the Township Committee on 02/01/2021 to allow alcohol to be serve and consumed at fundraising events held at the Farmstead; and

WHEREAS, Resolution #2020-0222, Resolution #2020-0306 and Resolution #2020-0430 permits relief of certain ordinances to assist local businesses due to the COVID-19 pandemic through 12/31/2021; and

WHEREAS, Ordinance §3-16.2 prohibits the possession, sale, buying, consuming or giving away alcoholic beverages in any municipal property within the Township except for residents obtaining a permit for consumption of alcoholic beverages within a Township park in conjunction with a special event or private event after obtaining a permit as described in §4-4.6 or in §10-1.3.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards approves the following:

- Bernards Township Committee hereby waives Ordinance §3-16.2 Possession, Sale, Buying, Consuming or Giving Away Alcoholic Beverages Prohibited for property located at 450 King George Rd., Block 8401, Lot 23, thereby allowing The Friends of Kennedy Martin Stelle Farmstead, dba Farmstead Arts to serve alcohol at fund raising events their Annual Fundraising Event for 2021, sponsored solely by KMS Farmstead, and shall expire 12/31/2021.
- 2. Farmstead Arts agrees that the serving of alcoholic beverages will be limited to wine, beer and/or signature cocktail(s) and will be only served only to those individuals 21 years of age or older.
- 3. Farmstead Arts will follow any NJ State Liquor License requirements and apply for and obtain any and all necessary Catering Permits, Social Affairs Permits, or the like, from the Division of Alcoholic Beverage Control as appropriate for each event.
- 4. Farmstead Arts will ensure that all alcohol permits are administered in a manner consistent with recommendations from the Township Risk Manager as follows:
 - a. There will be no individual charge for alcoholic beverages associated with a Social Affairs Permit.
 - b. Alcohol will be distributed solely by TIPS trained bartenders.
 - c. Each event shall require submittal to the Township a "Hold Harmless" form from The Friends of the Kennedy Martin Stelle Farmstead and accompanying Certificate of Insurance in keeping with the insurance requirements outlined therein (or as approved by the Township's Risk Management Consultant).
 - d. Electronic copies of all the above (endorsement, insurance certificate, HH) shall be provided to the Township a minimum of 10 days prior to event.
- 5. Events, as determined by municipal staff, that raises to a level necessitating a Special Event Permit, Farmstead Arts will submit a Special Event Permit application along with any applicable fees and/or additional permits as required for that event.

This wavier is subject to additional terms and conditions as needed and may be amended or withdrawn by the Township Committee of Bernards Township at any time.

<u>ORDINANCE #2461</u> - Accepting a Wetlands Conservation Easement on Property Located at 200 Mountain Road; Block 11501, Lot 5.01, from Giancarlo Gramaglia and Kelly Gramaglia to the Township of Bernards – Map – Public Hearing

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

Motion by Baldassare, second by Bannan, that Ordinance #2461 be adopted and advertised as required by law.

Roll Call:

Aye: Nay:

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

BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey as follows:

- 1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from Giancarlo Gramaglia and Kelly Gramaglia, with a mailing address at 200 Mountain Road, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 11501, Lot 5.01, in Bernards Township.
- 2. The easement is on file with the office of the Township Clerk.
- 3. This Ordinance shall take effect upon its final passage and publication according to law.

ORDINANCE #2462 - Accepting a Wetlands Conservation Easement on Property Located at 15 Tamarisk Court; Block 3901, Lot 70, from John B. Malcolm, III and Brynanne Malcolm to the Township of Bernards – Map – Public Hearing

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

Motion by Baldassare, second by Bannan, that Ordinance #2462 be adopted and advertised as required by law.

Roll Call:

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

BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset and State of New Jersey as follows:

- 1. Pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., Bernards Township hereby accepts from John B. Malcolm, III and Brynanne Malcolm, with a mailing address at 15 Tamarisk Court, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 3901, Lot 70, in Bernards Township.
- 2. The easement is on file with the office of the Township Clerk.
- 3. This Ordinance shall take effect upon its final passage and publication according to law.

NEW BUSINESS

Consent Agenda

The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study, linked to the posted agenda on the website, are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by township committee action and placed on the regular agenda under new business. Motion by Baldassare, second by Bannan, that Resolution #2021-0131 be removed from the Consent Agenda and that the remaining items be approved.

Roll Call:

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

> TOWNSHIP COMMITTEE MINUTES 02/23/2021 Page 5 of 16

Begin Consent Agenda

<u>Resolution #2021-0127</u> - Approval of the Bill List Dated 02/23/2021

	23, 2021	, uit	t the bill list dated 02/23	TOWNSHIP OF BERNARDS eck Register By Check D			Page No:
			BAHLMAN, RICH SWEENEY, MICHAEL CARTOCCIO, KAITLIN ARCO STEEL COMPANY AMAZON.COM DIFRANCESCO BATEMAN, PC BUY WISE AUTO PARTS BCI TRUCK, INC CENTRAL JERSEY CONSTRUCTION DIVERS TIRE & SERVICE CEN DOMINICK'S LIBERTY CONNER EAM SECURITY HEFFERAN, ROBERT F MOTT MACDONALD LLC NICOLETTI SNOW REMOVAL LLG OFFICE DEPOT PETROCHOICE LLC STAPLES ADVANTAGE TURN OUT UNIFORMS INC THE GUARDIAN LIFE INS CO O UNITEMP INC. VILLAGE OFFICE SUPPLY W.B. MASON CO INC. AMERICAN LIBERAY ASSOCIAT: AFLAC NEW YORK ALLIED OIL COMPANY, LLC ARROW ELEVATOR, INC. AFLAC ATLANTIC TACTICAL AZMO MECHANICAL, INC ASCH, NOLAN BAKER & TAYLOR, INC. BENNARDS TWP. SEWERAGE AU: BENNARDS TWP. SEWERAGE AU: BENNARDS TWP. SEWERAGE AU: BENNARDS TWP. SEWERAGE AU: BENNARDS TWP BD OF EDUCAT: BENNARDS TWP BD OF EDUCAT: BENNARDS TWP. SEWERAGE AU: BENNARDS TWP. SEWERAGE AU: CAST PERFORMANCE EXHAUST BIBLIOTHECA LLC GANNETI NEW JERSEY NEWSPAI CY DRAKE LOCKSMITHS, INC. OPTIMUM CLIFFSIDE BODY CORPORATION CLIFFSIDE BODY CORPORATION CICNA GROUP INSURANCE CAMPBELL FREIGHTLINER, LLC COASTAL METAL RECYCLING CC CALICO COUNTRY FLOWERS CENTRAL JERSEY TRAILER & F DEMCO, INC DONOHOR, JENNIFER EDWINDS GOVTECH				
.27656	02/23/21	90342	BAHLMAN, RICH	40.00	1565	Direct Deposit	t
L27657	02/23/21	90520	SWEENEY, MICHAEL	117.97	1565	Direct Deposit	t
27659	02/23/21	90563 A0419	ARCO STEEL COMPANY	270.00	1565	Direct Deposit	E E
27660	02/23/21	A0453	AMAZON.COM	138.90	1565	Direct Deposit	t
27661	02/23/21	B0203	DIFRANCESCO BATEMAN, PC	3,978.00	1565	Direct Deposit	t
27663	02/23/21	B0581 B0758	BUY WISE AUTO PARTS BCI TRUCK, INC	753.41 38.20	1565	Direct Deposit	E E
27664	02/23/21	C0434	CENTRAL JERSEY CONSTRUCTIO	DN 51,851.42	1565	Direct Deposit	t
27665	02/23/21	D0380	DRIVERS TIRE & SERVICE CEN	NTER 362.96	1565	Direct Deposit	t
27666	02/23/21	D0848	DOMINICK'S LIBERTY CORNER	LLC 1,953.00	1565	Direct Deposit	t
27668	02/23/21	H0312	HEFFERNAN, ROBERT F	5,833.34	1565	Direct Deposit	t
27669	02/23/21	M0830	MOTT MACDONALD LLC	290.00	1565	Direct Deposit	t
27670	02/23/21	N0482	NICOLETTI SNOW REMOVAL LLO	19,564.58	1565	Direct Deposit	t
27672	02/23/21	D0021 P0687	PETROCHOICE LLC	954.73	1565	Direct Deposit	с +
27673	02/23/21	S0443	STAPLES ADVANTAGE	77.24	1565	Direct Deposit	t
L27674	02/23/21	T0192	TURN OUT UNIFORMS INC	71.00	1565	Direct Deposit	t
27675	02/23/21	T0378	THE GUARDIAN LIFE INS CO (DF AM 89.91	1565	Direct Deposit	t -
.27677	02/23/21	V0020	VILLAGE OFFICE SUPPLY	289.46	1565	Direct Deposit	t
L27678	02/23/21	W0241	W.B. MASON CO INC.	449.55	1565	Direct Deposit	t
.27679	02/23/21	A0011	AMERICAN LIBRARY ASSOCIAT:	ION 650.00	1566		
27681	02/23/21	AU126 A0168	AFLAC NEW YORK ALLIED OIL COMPANY LLC	230.50	1566		
27682	02/23/21	A0232	ARROW ELEVATOR, INC.	325.00	1566		
27683	02/23/21	A0338	AFLAC	573.41	1566		
27684	02/23/21	A0425	ATLANTIC TACTICAL	205.94	1566		
.27686	02/23/21	A0607 A0619	AZMO MECHANICAL, INC ASCH, NOLAN	125.00	1566		
27687	02/23/21	B0001	BAKER & TAYLOR, INC.	689.39	1566		
27688	02/23/21	B0026	BERNARDS TOWNSHIP CURRENT	5,687.44	1566		
L27689	02/23/21	B0028	BERNARDS TWP. SEWERAGE AU	TH. 250.00	1566		
L27691	02/23/21	B0025 B0034	BERNARDS TWP BD OF EDOCAT BERNARDS TOWNSHIP PAYROLL	ACCT 574,759.80	1566		
L27692	02/23/21	B0145	BASKING RIDGE GARDEN CLUB	500.00	1566		
L27693	02/23/21	B0388	BLACKSTONE AUDIO BOOKS	34.95	1566		
27695	02/23/21	B0413 B0679	EAST PERFORMANCE EXHAUST	258.26	1566		
127696	02/23/21	B0690	BIBLIOTHECA LLC	2,350.60	1566		
127697	02/23/21	C0024	GANNETT NEW JERSEY NEWSPAI	PERS 119.54	1566		
127698	02/23/21	C0028	CY DRAKE LOCKSMITHS, INC.	141.00	1566		
L27099	02/23/21	C0482 C0597	CLIFFSIDE BODY CORPORATION	N 169.52	1566		
27701	02/23/21	C0613	CIGNA GROUP INSURANCE	1,564.82	1566		
L27702	02/23/21	C0641	CAMPBELL FREIGHTLINER, LLC	143.60	1566		
27703	02/23/21	C0811	COASTAL METAL RECYCLING CO	ORP 476.00	1566		
.27705	02/23/21	C0918	CENTRAL JERSEY SEC CAMERAS	S LLC 11,650.00	1566		
27706	02/23/21	C0919	CENTRAL JERSEY TRAILER & H	HITCH 627.87	1566		
27707	02/23/21	D0033	DEMCO, INC	22.68	1566 1566		
.27709	02/23/21	E0002	EDMUNDS GOVTECH	20,665.26	1566		
27710	02/23/21	E0098	EMBLEM ENTERPRISES, INC	309.00	1566		
27711	02/23/21	E0224	EXCELLENT BUILDING SERVICE	ES 6,949.00	1566		
27713	02/23/21	E0322 F0003	EMT SOMERSET LLC FOLEY INCORPORATED	240.00	1566 1566		
27714	02/23/21	F0047	FULLERTON FORD	86.56	1566		
27715	02/23/21	F0148	FAIRFIELD MAINTENANCE INC	373.00	1566		
27716	02/23/21	F0158	FLEMINGTON DEPARTMENT STOP	RE 181.10	1566 1566		
27718	02/23/21	G0066	GRAINGER INC	737.81	1566		
27719	02/23/21	G0098	JCP&L	22,953.70	1566		
27720	02/23/21	G0333	BEDMINSTER CAR WASH	150.00	1566		
.27722	02/23/21 02/23/21	G0401 G0500	GREEN BROOK ELECTRONICS	J 43.50 65.23	1566 1566		
27723	02/23/21	G0509	GREEN ROCK RECYCLING	410.00	1566		
27724	02/23/21	G0618	GRACIE GLOBAL LLC	995.00	1566		
127725	02/23/21	H0029	HUMPHREYS PEST CONTROL, IN	NC. 115.00	1566		
L27727	02/23/21	по29/ I0137	INTERSTATE WASTE SERVICES	085.44 NJ 1,586.00	1566 1566		
L27728	02/23/21	I0159	IMPERIAL DADE	1,515.15	1566		
27729	02/23/21	I0168	ISLAMIC SOCIETY -BASKING H	RIDGE 525.00	1566		
127730	U2/23/21 02/23/21	K0039 K0331	KONICA MINOLTA PREMIER PT	499.00 VANCE 244.16	1566 1566		
L27732	02/23/21	L0372	CENTRAL JERSEY SEC CAMERAS CENTRAL JERSEY TRAILER & F DEMCO, INC DONOHOE, JENNIFER EDMUNDS GOVTECH EMBLEM ENTERPRISES, INC EXCELLENT BUILDING SERVICH ENT SOMERSET LLC FOLEY, INCORPORATED FULLERTON FORD FAIRFIELD MAINTENANCE INC FLEMINGTON DEPARTMENT STOM FX AUTOMOTIVE LLC GRAINGER INC JCP&L BEDMINSTER CAR WASH G & L TRANSCRIPTIONS OF N. GREEN BROOK ELECTRONICS GREEN ROCK RECYCLING GRACIE GLOBAL LLC HUMPHREYS PEST CONTROL, IN DIRECT ENERGY BUSINESS INTERSTATE WASTE SERVICES IMPERIAL DADE ISLAMIC SOCIETY -BASKING IN KOBESKY, GREGG S. KONICA MINOLTA PREMIER FIN LIFESAVERS, INC MCKESSON MEDICAL SURGICAL CAVENDISH SQUARE PUBLISHIN	1,611.00	1566		
127733	02/23/21	M0015	MCKESSON MEDICAL SURGICAL	150.17	1566		
00004	02/23/21	M0062	CAVENDISH SOUARE PUBLISHI	NG 195.54	1566		

TOWNSHIP COMMITTEE MINUTES 02/23/2021 Page 6 of 16

127735 02/23/21	M0518	KONICA MINOLTA	BUSINESS SOL.	16	.40		1566	
127736 02/23/21	M0996	MCGREAL, GERAR	D	1,050	.00		1566	
127737 02/23/21	M0997	MOBILE LIFTS,	LLC	3,022	.50		1566	
127738 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 79	.70		1566	
127739 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 68	.46		1566	
127740 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 22	.96		1566	
127741 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 179	.40		1566	
127742 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 124	.44		1566	
12//43 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 15	.56		1566	
12//44 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 450	.03		1566	
127745 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 10	.56		1500	
127740 02/23/21	NOOOG	NEW JERSEI AME	RICAN WATER CO	103	.64		1566	
127748 02/23/21	N0006	NEW JERGET AME	RICAN WAIER CO DICAN WATER CO	. 131	. 50		1566	
127749 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 101	36		1566	
127750 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 38	.50		1566	
127751 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 38	.86		1566	
127752 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 257	. 63		1566	
127753 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 785	.40		1566	
127754 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 198	.43		1566	
127755 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 40,250	.56		1566	
127756 02/23/21	N0006	NEW JERSEY AME	RICAN WATER CO	. 319	.00		1566	
127757 02/23/21	N0017	NJ STATE LEAGU	E OF MUNICIPAL	. 230	.00		1566	
127758 02/23/21	N0042	NJ LIBRARY TRU	STEE ASSOCIATI	ON 180	.00		1566	
127759 02/23/21	N0069	NATIONAL BUSIN	ESS FURNITURE	433	.00		1566	
127760 02/23/21	N0187	NJ ENVIRONMENT	AL HEALTH ASSO	C 100	.00		1566	
127761 02/23/21	N0317	NEW YORK TIMES	- SUBSCRIPTIO	NS 988	.00		1566	
127762 02/23/21	N0415	NATIONAL FUEL	OIL INC	7,955	.55		1566	
127763 02/23/21	N0462	N M PREMIUM FO	ODS, INC	1,629	.45		1566	
127764 02/23/21	NU470	NATIONWIDE		99	.22		1566	
127765 02/23/21	00105	U.C.A. BENEFIT	SERVICES, LLC	59	.40		1566	
127766 02/23/21	PU525	POWER PLACE, I	NC.	18	. /0		1500	
127767 02/23/21	P0534	PLUG 'N PAI TE	CHNOLOGIES, IN	L. 20	.00		1500	
127760 02/22/21	P0538	PROVIDENT LIFE	& ACCIDENT	107	10		1566	
127770 02/23/21	00028	OUNLITY NUTO C	LASS INC	107	.19		1566	
127771 02/23/21	20025 R0005	RECORDER PUBLT	SHING CO INC	158	05		1566	
127772 02/23/21	R0023	RICHIES TIRE S	ERVICE. INC	2.543	55		1566	
127773 02/23/21	R0025	RIDGE RESTAURA	NT	267	.84		1566	
127774 02/23/21	R0308	ROUTE 23 AUTO	MALL	282	.67		1566	
127775 02/23/21	R0309	NORTHEAST COMM	UNICATIONS, IN	c. 1,730	.00		1566	
127776 02/23/21	R0393	RESEARCH&DESIG	N LANDSCAPE LL	C 22,640	.00		1566	
127777 02/23/21	R0493	RIDGE BAGEL &	CAFE	3,826	.46		1566	
127778 02/23/21	S0524	STATE TOXICOLO	GY LABORATORY	225	.00		1566	
127779 02/23/21	S0719	SOMERSET HILLS	TOWING	875	.00		1566	
127780 02/23/21	S0961	STEERED STRAIG	HT, INC.	19	.99		1566	
127781 02/23/21	S0997	STREET COP TRA	INING LLC	1,495	.00		1566	
127782 02/23/21	S1007	SPRUCE INDUSTR	IES	1,018	.00		1566	
127783 02/23/21	S1057	SOMERSET VALLE	Y URGENT CARE	140	.00		1566	
127784 02/23/21	S1160	SOMERVILLE ALU	MINUM INC	3,100	.00		1566	
127785 02/23/21	T0066	CENGAGE LEARNI	NG CREDIT SVCS	107	.21		1566	
127786 02/23/21	T0458	TLOA OF NJ LLC		4,035	.44		1566	
127787 02/23/21	00127	US BANK CUST A	CTLIEN HOLDING	3,370	. 77		1566	
127788 02/23/21	VUU3/	VILLAGE SUPERM	ARKET, INC.	1 500	.3/		1500	
127700 02/22/21	V0056	VERIZON WIRELE	55	1,000	.04		1566	
127701 02/23/21	10020	VERIZON		2,302	.05		1566	
127792 02/23/21	V0004 V0177	VERIZON		295	.00		1566	
127793 02/23/21	W0016	WARRENVILLE TR	UE VALUE	4.867	.20		1566	
127794 02/23/21	W0347	EDWARD WACKS &	ASSOCIATES. T.	LC 1.020	.00		1566	
127795 02/23/21	W0402	WATER SUPPLY T	NNOVATIONS, LL	C 5,740	.00		1566	
127796 02/23/21	W0404	WOODS MACHINER	Y	315	.00		1566	
127797 02/23/21	X0003	XEROX CORPORAT	ION	205	.22		1566	
127798 02/23/21	X0005	XTEL COMMUNICA	TION	488	.10		1566	
127735 02/23/21 127736 02/23/21 127737 02/23/21 127738 02/23/21 127740 02/23/21 127740 02/23/21 127741 02/23/21 127743 02/23/21 127746 02/23/21 127746 02/23/21 127747 02/23/21 127749 02/23/21 127750 02/23/21 127750 02/23/21 127750 02/23/21 127755 02/23/21 127756 02/23/21 127756 02/23/21 127756 02/23/21 127756 02/23/21 127758 02/23/21 127760 02/23/21 127760 02/23/21 127760 02/23/21 127760 02/23/21 127761 02/23/21 127763 02/23/21 127763 02/23/21 127760 02/23/21 127760 02/23/21 127761 02/23/21 127763 02/23/21 127764 02/23/21 127766 02/23/21 127769 02/23/21 127769 02/23/21 127769 02/23/21 127769 02/23/21 127769 02/23/21 127769 02/23/21 127770 02/23/21 127770 02/23/21 127770 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127778 02/23/21 127780 02/23/21 127790 02/23/21 127790 02/23/21 127790 02/23/21 127790 02/23/21 127790 02/23/21 127797 02/23/21 127797 02/23/21 127798 02/23/21 127798 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127799 02/23/21 127790 02/23/21 127791 02/23/21 127791 02/23/21 127794 02/23/21 127795								
CASH - CHECKING CU	RRENT CHE	CKING	Continued					
Report Totals				mount Paid	Amoun	t Void		
	<i>.</i>							
5.		s: 120		630,732.81		0.00		
Dire	ct Deposi	t: 23		91,599.52		0.00		
	Tota		 0 8,	722,332.33		0.00		
	TOLA	1: 143	۰ <i>۰</i> ,	122,332.33		0.00		
Totals by Year-Fund								
Fund Description		Fund	Budget	Total Reven	ue Total	G/L Total	Total	
CURRENT FUND		0-01		27.42	0.00	0.00		
CURRENT FUND		1-01	8,670,9		0.00		8,670,909.11	
DOG FUND		1-12		61.08	0.00	0.00		
GOLF COURSE UTILITY		1-26		56.68	0.00	0.00	56.68	
		oar Total.	9 671 5		0 00	0.00	9 671 526 97	

	Year Total:	8,671,526.87	0.00	0.00	8,671,526.87	
CAPITAL FUND PUBLIC GRANTS	C-04 G-02	20,020.00 19.99	0.00	0.00	20,020.00 19.99	
TRUST FUNDS PROJECT	T-13	19,007.50 6,030.55	0.00	0.00	19,007.50 6,030.55	
	Total Of All Funds:	8,722,332.33	0.00	0.00	8,722,332.33	

<u>Resolution #2021-0119</u> - Acceptance of Liberty Corner First Aid Squad 2020 Annual Report, Adoption of the By-Laws, and Acknowledgement of 2021 Membership Roster

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

WHEREAS, the First Aid Squad shall furnish annual reports, in writing to the Township Committee; and

WHEREAS, the First Aid Squad shall be governed by the rules and regulations adopted by resolution of the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following is acknowledged and accepted as submitted regarding the LCFAS:

- 1. The LCFAS 2020 annual report
- 2. The LCFAS By-Laws, updated 03/18/2020
- 3. The LCFAS 2021 Roster of members

<u>Resolution #2021-0128</u> - Acceptance of Liberty Corner Fire Company (LCFC) 2020 Annual Report, Adoption of the By-Laws, and Acknowledgement of the 2021 Membership Roster

WHEREAS, pursuant to §2-14 of the Revised General Ordinances of the Township of Bernards the volunteer Fire Department of the Township of Bernards shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, Inc.; and

WHEREAS, the Fire Department shall furnish annual reports, in writing to the Township Committee; and

WHEREAS, the Fire Department shall be governed by the rules and regulations adopted by resolution of the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following is acknowledged and accepted as submitted regarding the LCFC:

- 1. The LCFC 2020 annual report
- 2. The LCFC By-Laws, dated 2018
- 3. The LCFC 2021 Roster of members

<u>Resolution #2021-0129</u> - Acceptance of Bernards Township Shade Tree Commission Annual Report, NJUCF Annual Accomplishment Report, and Application for Tree City USA Recertification

WHEREAS, pursuant to § 2-17.4b. of the Revised General Ordinances of the Township of Bernards, the Shade Tree Commission shall make an annual report to the Township Committee; and.

WHEREAS, the Shade Tree Commission submits their annual report pursuant to this requirement and is attached below; and

WHEREAS, the Shade Tree Commission submits the NJUCF Annual Accomplishment Report and Application for Tree City USA Recertification and is on file in the office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the following reports and application be accepted.

<u>Resolution #2021-0130</u> - Unused Vacation Accrual Due Cheryl Komline – Health Department

WHEREAS, the Township Committee adopted Resolution No. 2021-0066 at their regularly scheduled meeting of January 5, 2021, accepting the Personnel Policies and Procedures that outline pay-outs due at the time of retirement; and

WHEREAS, Cheryl Komline, will retire from Bernards Township effective March 1, 2021; and

WHEREAS, per the requirements of the Township's Personnel Policy, Cheryl Komline is entitled to a Vacation Time Accrual payment for unused vacation time as calculated below based on an hourly rate of \$31.63. If the employee uses vacation time prior to her retirement date, the calculation below could be less but not more:

	Total Hours Available	Amount Due
Vacation Accrual	15	\$474.45

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the unused accrued vacation payment be approved and distributed in the next available pay cycle.

CFO CERTIFIC	ATION
I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, do	hereby certify that there are adequate funds for this expenditure.
Funds are available in the Board of Health S&W, Line Account #0-01-27-33	0-101 for an amount not to exceed \$474.45
Part 0.1	
and the second s	2
Date: February 12, 2021	Sean McCarthy, CFO

<u>Resolution #2021-0132</u> - Approval of Special Event Permit Community Hope, Inc. – 20th Annual Veterans Flag Day 5K and 1 Mile Walk – June 17, 2021 (Rain-date June 24, 2021)

WHEREAS, Vanessa Bazydlo, representing Community Hope, Inc., 959 Route 46 East, Suite 402, Parsippany, NJ, 07054, "the applicant," has requested a special event permit for their 20th Annual Veterans Flag Day 5K and 1 Mile Walk on June 17, 2021, Rain-date June 24, 2021, from 5:00pm to 9:30pm for the purpose of fundraising; and

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

WHEREAS, the applicant agrees that all participants will adhere to any applicable COVID-19 Executive Order(s) or Emergency Health Declaration(s) in effect at the time; and

WHEREAS, the applicant will hire one off-duty police officer to control traffic; and

WHEREAS, the Municipal Clerk, Police Chief, Recreation Director and Superintendent of Public Works have reviewed the application and find it complete.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the request be approved as submitted.

<u>Resolution #2021-0133</u> - Award of Purchase Orders for Identified Vendors – Atlantic Visiting Nurse, Edmunds GovTech Inc., Main Line Commercial Pools, Inc., Drivers Tire, Service, Storr Tractor Company and US Sports Institute

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

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

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

Vendor	Not to Exceed	Vendor	Not to Exceed
Atlantic Visiting Nurse	\$ 44,000	Main Line Commercial Pools, Inc.	\$ 44,000
Drivers Tire & Service	\$ 44,000	Storr Tractor Company	\$ 44,000
Edmunds GovTech Inc.	\$ 44,000	US Sports Institute	\$ 44,000

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2021.

<u>Resolution #2021-0134</u> - Authorizing Use of the Three-Year Average Method in Computing the 2021 Golf Utility Budget Anticipated Revenue Affected by COVID-19

WHEREAS, the State of New Jersey, Division of Local Government Services requires a resolution by Municipalities that desire to compute their 2021 Anticipated Budget Revenue affected by COVID-19 under the alternative three-year average method as provided under LFN 2020-24 and

WHEREAS, it is beneficial to the Township to compute the 2021 Golf Utility Budget Anticipated Revenue under the three-year average method; and

WHEREAS, the actual Golf Utility revenue realized for the three prior years was as follows:

Year	Membership Revenue	Misc.	Irrigation Assessment
		Revenue	Revenue
2020	\$282,060.00	\$38,776.63	\$17,350
2019	\$308,337.50	\$46,293.12	\$13,350
2018	\$330,737.50	\$62,142.90	\$11,550
Average	\$307,045.00	\$49,070.88	\$14,083.33

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that it approves the utilization of the three year average method in computing the maximum amount for golf utility revenue to be anticipated in the 2021 budget;

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution is to be forwarded to the Director of the Division of Local Government Services.

<u>Resolution #2021-0135</u> - Awarding Professional Services Contract for Wastewater Management Plan-Septic Capacity Constraints to Cathleen F. Marcelli, PE, CME, Lic. No. 24GE03856900 of the firm Mott MacDonald LLC –In the Not to Exceed Amount of \$5,000.00

WHEREAS, the Township of Bernards requires professional engineering services for the review of the Bernards Township data in the Somerset County Septic Management Plan component of the County Wastewater Management Plan (WMP); and

WHEREAS, Mott MacDonald LLC, 3 Paragon Way, Freehold NJ, 07728 has submitted a proposal dated February 12, 2021 outlining the scope of 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.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Cathleen F. Marcelli, PE, CME, Lic. No. 24GE03856900 of the firm Mott MacDonald LLC, 3 Paragon Way, Freehold NJ, 07728 as follows:

- 1. The contract will encompass services as outlined in the submitted proposal dated February 12, 2021.
- 2. The contract term is for thirty days from the date of the resolution for professional engineering services at the provided rate schedule with a not to exceed an amount of \$5,000.00
- 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 Thomas Timko, P.E., C.M.E., 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.

Cathleen F. Marcelli, PE, CME, Lic. No. 24GE03856900 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 \$5,000 in line account: Engineering Fees/Compensation #1-01-20-165-204.
Date: February 16, 2021 Sean McCarthy, Chief Financial Officer

<u>Resolution #2021-0137</u> - Agreement with the Veteran Administration (VA) New Jersey Health Care System, Lyons NJ for the Maintenance and Operation of the Golf Complex March 30, 2021 to March 29, 2031 WHEREAS, the Township of Bernards and the VA-owned Coakley Russo Golf Course have entered into Agreement V10N3-S-04 which is set to expire on March 29, 2021; and

WHEREAS, in accordance with Section I. of the agreement, the term cannot exceed twenty years and at that time parties concerned can agree to establish a new agreement with a ten (10) year base period and one-ten (10) year option under the same terms and conditions outlined in that agreement; and

WHEREAS, the VA New Jersey Health Care System, Lyons Campus is the owner of a Golf Complex which includes a 9-hole golf course, driving range and café building; and

WHEREAS, VA has determined that the best interests of the VA mission are not served by the allocation of VA resources for maintenance and operation of the golf complex; and

WHEREAS, Bernards Township has shown interest in utilizing this golf facility for the benefit of its residents and is willing to continue to undertake the management of the golf course and expand operation to include the driving range and café building subject to certain terms and conditions; and

WHEREAS, the VA and Bernards Township have reached an accord that allows for the maintenance and repair of the facilities at the golf complex while, at the same time, allowing them to be utilized by Bernards Township residents, non-residents and individuals, including patients qualified by the VA; and

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bernards agrees to the Use of Space Sharing Agreement 36C242-21-S-0006; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that the Mayor be authorized to sign Use of Space Sharing Agreement 36C242-21-S-0006;

<u>Resolution #2021-0138</u> - Commendation on the Occasion of Your Retirement Cheryl Komline – Health Department

WHEREAS, the Township Committee of the Township of Bernards desires to convey to you an expression of its appreciation and grateful acknowledgment for the valued services rendered by you as an employee of the Township of Bernards for the past 12+ years; and

TOWNSHIP COMMITTEE MINUTES 02/23/2021 Page 11 of 16 WHEREAS, you have given generously of your time and efforts in a dignified, faithful, and professional manner; and

WHEREAS, you have developed and conducted hundreds of nutrition education programs and clinics reaching residents in 6 municipalities always being mindful and diligent in reaching the most vulnerable populations; and

WHEREAS, during the H1N1 pandemic was instrumental in organizing massive vaccination clinics in 3 locations reaching over 9,000 people and during COVID-19 pandemic developed nursing training and clinic protocols for vaccination: and

WHEREAS, you designed systems for Standard Operating Procedures and created a shared drive for health department team members while setting standards for optimal efficiency and consistency for quality assurance; and

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

WHEREAS, on the occasion of your 12+ years of service you are retiring to start the next challenging and exciting chapter of your life.

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

Signed and sealed on behalf of the Township Committee on this 23rd Day of February, Two Thousand and Twenty-One.

Resolution #2021-0139 – Authorization for Tax Refund

WHEREAS, an erroneous tax payment exists because an owner referenced the wrong account number on their payment; and

WHEREAS, the tax collector has suggested that a refund be issued to the correct account with the sewerage authority in order to clear the account.

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

Block & Lot	Quarter & Year	Amount	Issue Refund To
10301/4	1Q2021	\$250.00	Bernards Twp Sewer Authority for acct 538-0 1 Collyer Lane Basking Ridge NJ 07920

<u>Resolution #2021-0140</u> - Authorizing Purchasing from NJ State Contract T-0083 (19-Fleet-00978) for Unleaded Gasoline Awarded to Griffith-Allied Trucking, LLC In the Amount Not to Exceed \$150,000.00 WHEREAS, the Township of Bernards wishes to continue to purchase petroleum products from the lowest responsible bidder under the New Jersey State Cooperative Agreements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are requested in the 2021 budget for \$150,000.00 and the line item appropriation to be charged is #1-01-31-430-G01. Additional purchases may be required for a total not to exceed amount of \$300,000 to be reimbursed by organizations participating in our Interlocal Agreements; and

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

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to Griffith-Allied Trucking, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 through December 31, 2021.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$300,000.00 Monies will be made available pending final adoption of the 2021 budget in the Utilities O/E account line item #1-01-31-430-G01 for \$150,000.00 and through reimbursements received from the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Liberty Corner First Aid, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

Date: February 17, 2021

Sean McCarthy, CFO

<u>Resolution #2021-0141</u> - Authorizing Purchasing from Somerset County Co-Op Pricing System Contract #CC-0037-19 for Red Dyed #2 Diesel Fuel, (Ultra Low Sulfur Diesel), Red Dyed Winter Blend Diesel and Fuel Oil Awarded to National Fuel Oil and (Secondary Allied Oil LLC) In the Amount Not to Exceed \$150,000.00

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

WHEREAS, the New Jersey State Cooperative Agreements and Somerset County Co-Op Pricing System awarded a contract to National Fuel Oil, 175 Orange Street, Newark, NJ 07103 and (Secondary Allied Oil LLC, 25 Old Camplain Road, Hillsborough, NJ 08844) for petroleum products; and

WHEREAS, the Chief Financial Officer has certified that funds are requested in the 2021 budget for \$150,000.00 and the line item appropriation to be charged is #1-01-31-430-G01. Additional purchases may be required for a total not to exceed amount of \$210,000.00 to be reimbursed by organizations participating in our Interlocal Agreements; and

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

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that the Purchasing Agent be authorized to issue purchase orders to National Fuel Oil, 175 Orange Street, Newark, NJ 07103 and (Secondary Allied Oil LLC, 25 Old Camplain Road, Hillsborough, NJ 08844) through December 31, 2021.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available pending final adoption of the 2021 budget for the above referenced purchase in the amount not to exceed \$210,000.00 Monies will be made available in the Utilities O/E account line item #1-01-31-430-G01 for \$150,000.00 and through reimbursements received from the following Interlocal agreement partners: Basking Ridge Fire Company, Bernards Township Board of Education, Liberty Corner Fire Company, Liberty Corner First Aid, Somerset County Educational Services Commission, Long Hill Public Works, Long Hill Police, Long Hill Emergency Services, and Long Hill Board of Education.

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Date: February 17, 2021

Sean McCarthy, Chief Financial Officer

Resolution #2021-0142 - Authorization for Tax Refund

WHEREAS, an erroneous tax payment exists because the property owner's representative and refinance made payment; and

TOWNSHIP COMMITTEE MINUTES 02/23/2021 Page 13 of 16 WHEREAS, the tax collector has suggested that a refund be issued in order to clear the account.

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

Block & Lot	Quarter & Year	Amount	Issue Refund To
5801/13	1Q2021	\$6,239.60	Atlantic Title & Settlement LLC
			130 Clinton Rd Suite 201
			Fairfield NJ 07004

<u>Resolution #2021-0143</u> - Establishing a Partnership Agreement with the New Jersey Golf Foundation for the Operation of the Golf Driving Range

WHEREAS, the Township Committee of the Township of Bernards is entering into agreement 36C242-21-S-0006 with the Veterans Administration for the operation of the Golf Complex, which includes the driving range facility and café building adjacent to the Coakley-Russo Memorial Golf Course; and

WHEREAS, the Department of Parks and Recreation and the Golf Advisory Committee recognize that the re-opening of the golf driving range is an important step towards increasing membership of the Coakley-Russo Memorial Golf Course in order to remain financially self-sustaining; and

WHEREAS, the New Jersey Golf Foundation is the charitable arm of the New Jersey Section, PGA of America which is committed to positively impacting lives and communities through the game of golf with a focus on youth, military and special needs and have expressed interest in managing the day to day operation of the golf driving range and café building at their own expense; and

WHEREAS, the desire is to establish a partnership with the New Jersey Golf Foundation to operate the golf driving range on the Township's behalf, with no financial liability on the part of the Township; and

WHEREAS, the term of this partnership is for the duration of the agreement with the Veterans Administration for the operation of the Golf Complex and shall expire on March 29, 2031.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards that we do hereby establish the following partnership agreement with the New Jersey Golf Foundation for the operation of the golf driving range and café building:

- 1. The New Jersey Golf Foundation is to provide Commercial or Comprehensive General Liability insurance naming the Township as an additional insured with limits of not less than the following:
 - a. Combined Single Limits of Bodily Injury and Property Damage for
 - i. \$1,000,000.00 each occurrence (Bodily Injury & Property Damage)
 - ii. Umbrella Liability Insurance for a limit of liability of not less than \$2,000,000.00 each occurrence.
- 2. The New Jersey Golf Foundation is to sign a Hold Harmless waiver which shall indemnify and hold the Township harmless against any and all claims that should arise out of their operation of the golf driving range and café building.
- 3. The New Jersey Golf Foundation is to adhere to all terms and conditions as outlined in the VA Space Sharing Agreement 36C242-21-S-0006 as it pertains to the driving range and café building.
- 4. All expenses associated with the operation of the golf driving range and the café building are the sole responsibility of the New Jersey Golf Foundation. In turn, the New Jersey Golf Foundation is the sole recipient of all revenues associated with the operation of the golf driving range and café building.
- 5. The New Jersey Golf Foundation shall be responsible for the payment of an annual usage fee direct to the Veterans Administration of 25% of the net revenues of the golf driving range and café building or \$1,000.00, whichever is greater.
- 6. The term of this partnership agreement shall commence on March 30, 2021 and expire on March 29, 2031.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Township Committee of the Township of Bernards that the Mayor be authorized to sign this agreement.

End Consent Agenda

Baldassare recused himself and left the dais.

<u>Resolution #2021-0131</u> - Unused Vacation Accrual Due David Martin Police Department Motion by Bannan, second by Esposito, that Resolution #2021-0131 be approved.

Roll Call:

Bannan, Esposito, Grochala, Fields

Abstain:

Aye: Nay:

Motion carried.

WHEREAS, the Township Committee adopted Resolution No. 2021-0066 at their regularly scheduled meeting of January 5, 2021, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

WHEREAS, David Martin's employment terminated on January 31, 2021; and

WHEREAS, per the requirements of the Township's Personnel Policy, David Martin is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$59.70.

	Total Hours Available	Amount Due
Vacation Accrual	149.50	\$8,925.15

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the unused accrued vacation payment be approved and distributed in the next available pay cycle.

CFO CERTIFICATION I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, do hereby certify that there are adequate funds for this expenditure. Funds are available in the Police S&W, Line Account #0-01-25-240-101 for an amount not to exceed \$8,925.15	
la 2	
Date: February 12, 2021	Sean McCarthy, CFO

Baldassare returned to the dais.

<u>ORDINANCE #2465 –</u> An Ordinance of the Township of Bernards Appropriating \$1,325,000.00 for Various Capital Improvements

The clerk read the ordinance by title. Motion by Bannan, second by Baldassare that Ordinance #2565 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 03/09/2021.

Roll Call:

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

Approval of Minutes:

02/09/2021 Open Session & Executive Session

Motion by Baldassare, second by Bannan, and unanimously agreed that the 02/09/2021 Open Session minutes be approved for content and release and the 02/09/2021 Executive Session Minutes be approved for content.

PUBLIC COMMENT

The mayor opened public comment.

Leslie Workman, 27 Wellington Dr. - Thanked the township committee for their support of KMS Farmstead.

The mayor closed public comment.

ADJOURNMENT

Motion by Baldassare, second by Bannan, and unanimously agreed, that the meeting be adjourned at 8:30 PM.

Respectfully submitted,

Rhonda Pisano Municipal Clerk

Janice M. Fields, Mayor

Approved: 03/09/2021

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