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April 27, 2021 – COMBINED AGENDA/REGULAR MEETING

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CALL TO ORDER

The mayor called the meeting to order at 8:01 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, Grochala, Fields

Absent:

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

EXECUTIVE SESSION (if required)

PUBLIC WORK SESSION (if required)

None.

REPORTS

None.

CORRESPONDENCE

None.

PUBLIC COMMENT

The mayor opened public comment and the following individuals commented:

Todd Edelstein, 172 Riverside Dr. – commented on proposed Ordinance #2471 regulating cannabis and the penalties; commented on publication of the Diversity and Inclusion Committee’s virtual meeting link.

Ken Warman, 125 Countryside Dr. – commented in support of a ban for cannabis uses and licenses in Bernards Township.

Hugh Giordano, 57 Argyle Dr. – representing UFCW, Local 152, comment in support of cannabis licenses.

The mayor closed public comment.

TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

Committee members reported on their appointed boards and activities.

FIRE & RESCUE APPOINTMENT

None.

UNFINISHED BUSINESS

[*Presentation - 2021 Municipal Budget & Golf Utility, \(State Budget Document\), \(User Friendly Budget\)*](#)

CFO Sean McCarthy gave a power point presentation of the 2021 municipal and golf utility budgets, noting that nothing had changed since the presentation done at introduction on 03/23/21. The 2021 budget has an increase of 1.96% over 2020 and an anticipated municipal services tax rate of \$0.312. McCarthy noted that the State had reviewed the budget and approved it to be put forth to the public.

[*Resolution #2021-0193 - Adoption of 2021 Municipal Budget and 2021 Golf Utility Budget – Public Hearing*](#)

The clerks read the Resolution #2021-0193 by title in accordance with N.J.S.A.40 A:4-8. The mayor opened the public hearing on the budget adoption.

Todd Edelstien, 172 Riverside Dr. – questioned CFO McCarthy about the Municipal Court costs and saving since it’s merger.

Cody Smith, 32 Royal Oak Dr. – posed several questions to CFO McCarthy related to the overall budget, reserves, and unspent funds.

There were no further comments, and the public hearing was closed.

Motion by Baldassare, second by Esposito, that Resolution #2021-0193 be approved.

Roll Call:

Aye: Baldassare, Bannan, Esposito, Grochala, Fields

Nay:

Abstain:

Motion carried.

WHEREAS, the Township Committee of the Township of Bernards declares that the statutory requirements found in NJSA 40A:4-8 subsection 1.a. and 1.b. for posting a complete copy of the approved budget have been met, permitting the budget to be read by title; and

WHEREAS, the budget was read by title and a public hearing was held on April 27, 2021 in accordance with the law.

BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

\$ 21,121,995.45 for Municipal Purposes, and

\$ 2,389,934.00 for Municipal Library

MUNICIPAL BUDGET

SUMMARY OF REVENUES

GENERAL REVENUES

Surplus Anticipated \$ 12,700,000.00

Miscellaneous Revenues Anticipated \$ 5,389,495.85

Receipts from Delinquent Taxes \$ 305,000.00

AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES \$ 21,121,995.45

AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL LIBRARY \$ 2,389,934.00

Total Revenues **\$ 41,906,425.30**

SUMMARY OF APPROPRIATIONS

GENERAL APPROPRIATIONS

Within "CAPS"

Operations Including Contingent \$ 25,195,383.54

Deferred Charges and Statutory Expenditures—Municipal \$ 3,143,772.83

Excluded from "CAPS"

Operations – Total Operation Excluded from "CAPS" \$ 4,040,914.80

Capital Improvements \$ 5,260,675.00

Reserve for Uncollected Taxes \$ 4,265,679.13

Total Appropriations **\$ 41,906,425.30**

SELF-LIQUIDATING GOLF UTILITY

GOLF GENERAL REVENUES \$ 376,492.26

GOLF GENERAL APPROPRIATIONS \$ 376,492.26

[Ordinance #2467](#) - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 12 "Building and Housing, "Section 12-2 "Construction Records Clearance Required" – 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 Esposito, that Ordinance #2467 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, 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 that Chapter 12, "Building and Housing," Section 12-2 "Construction Records Clearance Required" of the Revised General Ordinances of the Township of Bernards is hereby amended: (new text is in double underline; deletions are ~~stricken~~):

SECTION 12-2
Construction Records Clearance Required (CRC)

12-2.1. When Required.

- a. No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance (CRC). A CRC shall be required prior to the sale of any residential ~~or commercial~~ structure ~~and prior to the rental of any tenant space in a commercial structure~~ within the Township.
- b. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:
 1. Transfer of title to correct a previously recorded deed.
 2. Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
 3. Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
 4. Transfer of title relating to new construction for which a certificate of occupancy is required.
 5. Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or the interstate laws of the state.
 6. Transfer of title due to refinancing, home equity loans, second mortgages.
 7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.
 8. Residential rentals.

12-2.2. Responsibility.

No owner shall permit the sale of a residential ~~or commercial~~ premises ~~or rental of commercial premises~~ covered under this section unless the requisite CRC has been issued. No purchaser ~~or tenant~~ shall occupy any premises covered under this section until the requisite CRC has been issued. Owners, ~~tenants~~ and purchasers ~~occupants~~ shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership ~~and/or occupancy~~ on the form provided by the Township.

12-2.3. Preoccupancy records inspection.

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits or zoning permits on subject premises. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained, and appropriate Uniform Construction Code certificates or zoning certificates shall be issued prior to issuance of the CRC.

12-2.4. Fees.

The applicant shall submit with the application fees for the CRC as follows to cover the administrative cost:

- a. Requests more than 10 calendar days from change of occupancy or closing: \$40.
- b. Requests within 10 calendar days from change of occupancy or closing: \$75.
- c. Requests within four calendar days from change of occupancy or closing: \$125.

12-2.5. Violations and Penalties.

- a. Any person, firm or corporation violating any provisions of this section shall, upon conviction, be punishable by a fine not exceeding \$1,000, imprisonment for a period not

exceeding 90 days and/or a period of community service not exceeding 90 days.

- b. The issuance of a CRC shall not preclude the imposition of penalties upon subsequent discovery of violations.

[Ordinance #2468](#) - *An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 12 "Building and Housing," Section 1-3 "Construction Fee Schedule" – Public Hearing*

The clerk read the ordinance by title and the mayor opened the public hearing.

Todd Edelstein, 172 Riverside Dr. – commented on the late fee mechanism. No further comments were heard and the hearing was closed.

Motion by Baldassare, second by Esposito, that Ordinance #2468 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, 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 that Chapter 12, "Building and Housing," Section 1-3 "Construction Fee Schedule" of the Revised General Ordinances of the Township of Bernards is hereby amended: (new text is in double underline; deletions are ~~stricken~~):

§ 12-1.3. Construction Fee Schedule. [Ord. #413, § 3; Ord. #663; Ord. #725; Ord. #883; Ord. #851; Ord. #948; Ord. #1109, § 1; Ord. #1025, § 1; Ord. #1255, 6-10-1997, amended; Ord. #1302, 5-12-1998, amended; Ord. #1354, 4-13-1999, amended; Ord. #1390, 12-28-1999, amended; Ord. #1451, 3-13-2001, amended; Ord. #1568, 8-13-2002, amended; Ord. #1579, 9-10-2002, amended; Ord. #1631, 3-25-2003, amended; Ord. #1769, 12-28-2004, amended; Ord. #1896, 8-29-2006, amended]

- a. The fee for a construction permit shall be the sum of the subcode fees listed as follows, where applicable, and shall be paid before a permit is issued.

1. Building subcode fees:

- (a) For new construction and additions: \$0.035 per cubic foot of building or structure volume. For commercial farm buildings as defined in N.J.S.A. 52:27D-121, the fee shall be \$0.008 per cubic foot for the first 100,000 cubic feet of construction and \$0.006 for each cubic foot in excess of 100,000 cubic feet of building or structure volume. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

- (b) For renovations, alterations, repairs, solar systems and communication towers: \$30 per \$1,000 for the first \$50,000, \$24 per \$1,000 from \$50,000 to \$100,000 and \$21 per \$1,000 over \$100,001 of the estimated cost of the work. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

- (c) For retaining walls:

- (1) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: \$125. **[Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (2) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: \$80. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

- (3) A retaining wall of any size at other than a Class 3 residential structure: the fee shall be calculated in accordance with Section 12-1.3a1(b) of this chapter.
- (d) For combination of renovations and additions: the sum of the fees computed separately as renovations and additions.
- (e) Swimming pools. **[Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (1) For aboveground pools: \$80.
 - (2) For in-ground pools: \$175.
 - (3) For in-ground hot tubs: \$125.
- (f) For the construction or placement of an unclassified structure, including but not limited to fences, tents, sheds and temporary trailers: \$80. For accessory structures over one story in height: \$200. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (g) The fee for a demolition permit shall be as follows: **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]**
 - (1) Commercial building or structure: \$200. **[Ord. #2412, 2-26-2019, amended]**
 - (2) Use Groups R-2, R-3, R-4 and R-5 building or structure: \$80.
 - (3) Unclassified structures, oil/fuel tank removal or abandonment or pools: \$80 each. **[Ord. #2412, 2-26-2019, amended]**
- (h) The fee for a permit to erect a sign: **[Ord. #2331, 2-9-2016, amended]**
 - (1) Permanent sign: \$3 per square foot of sign area. Fees for double-faced signs shall be based on the total square footage of one side only.
- (i) Radon systems: \$40. **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**
- (j) Roofing or siding: \$80. (Use Groups R-2, R-3 and R-4) including Use Group U that is an accessory to R-2, R-3 and R-4. All other Use Groups charged per Subsection 12-1.3. a.1.(b) of this chapter. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (k) Asbestos abatement in accordance with N.J.A.C. 5:23-8: \$70 and \$14 per certificate of occupancy.
- (l) Lead hazard abatement in accordance with N.J.A.C. 5:17: \$70 and \$14 per lead abatement certificate.
- 2. Certificates of occupancy fees, miscellaneous fees and waiver of fees: **[Ord. #1907, 12-26-2006, amended; Ord. #2055, 3-10-2009, amended]**
 - (a) The fee for a certificate of occupancy for Use Groups R-2, R-3, R-4 and R-5 shall be \$100. **[Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (b) The fee for a certificate of occupancy for other than Use Groups R-2, R-3, R-4 and R-5 shall be 10% of the total construction permit fee. **[Ord. #2316, 5-12-2015, amended]**

- (c) The fee for a certificate of continued occupancy: \$550. **[Ord. #2331, 2-9-2016, amended]**
- (d) The fee for a change of use: \$350. **[Ord. #2331, 2-9-2016, amended]**
- (e) Certificate of approval: no fee.
- (f) Temporary certificate of occupancy: \$30 for the issuance and/or renewal of any temporary certificate. **[Ord. #2331, 2-9-2016, amended]**
- (g) Public swimming pools, spas and hot tubs except for one- or two-family residential property, review of bonding and grounding certificate: \$100 for each pool, spa or hot tub renewable every five years. [Ord. #2152, 2-15-2011, amended] Late fee: Each week that renewal of a certificate is overdue: \$50 per week.
- (h) Public swimming pools, spas and hot tubs except for one- or two-family residential property, electrical inspection to include issuance of certificate of compliance: \$100 annually for each pool, spa or hot tub. **[Ord. #2152, 2-15-2011, amended]** Late fee: Each week that renewal of a certificate is overdue: \$50 per week.
- (i) The fee to reinstate a lapsed permit: 25% of the initial fee, provided that such application is made within one year from the date the initial permit lapsed. Thereafter, the fee to reinstate the permit shall be 100%.
- (j) The fee for an application to the Construction Board of Appeals shall be based on the fee currently adopted by the County of Somerset and payable to the County of Somerset. **[Ord. #2412, 2-26-2019, amended]**
- (k) The fee for an application for a variation:
 - 1) Commercial: \$100.
 - 2) Use Groups R-2, R-3, R-4 and R-5: \$50.
- (l) Annual permits issued in accordance with N.J.A.C. 5:23-2.14(c):
 - (1) One to 25 workers: \$500 per worker.
 - (2) Over 25 workers: \$200 per worker.
 - (3) Training fee in accordance with N.J.A.C. 5:23-4.18(a)5: \$140 per subcode.
- (m) The fee for plan review shall be 25% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. Plan review fees are not refundable.
- (n) The minimum permit fee for a basic construction permit covering any or all of building, electrical, plumbing or fire protection work: \$80. **[Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (o) New Jersey State permit surcharge fees: Fees shall be collected in accordance with N.J.A.C. 5:23-4.19.
- (p) Waiver of fees: All construction permit fees, including the State of New Jersey training surcharge fee, for any work requiring a construction permit shall be waived for the following buildings:
 - (1) Buildings owned and operated by Bernards Township, Somerset County, State of New Jersey, or the federal government.

- (2) Buildings owned and operated by the Bernards Township Board of Education. In accordance with N.J.A.C. 5:23-3.11A(b)2, buildings owned and operated by the Bernards Township Board of Education are subject to payment of the plan review fee as required in Paragraph (m) above. **[Ord.#2152,2-15-2011,amended]**
- (3) Designs solely to promote accessibility by the handicapped to an existing structure. **[Ord. #2412, 2-26-2019, amended]**
- (4) Rehabilitation of low- or moderate-income housing in accordance with N.J.S.A. 52:27D-126d.
- (5) Buildings owned by the Bernards Township Volunteer Emergency Services are exempt from Township construction permit fees only. **[Ord. #2426, 8-27-2019, added]**

(q) Annual review for commercial backflow prevention device certificate: \$50 each device. **[Ord. #2093, 12-15-2009, added; Ord. #2152, 2-15-2011, amended]** Late fee: Each week that renewal of a certificate is overdue: \$50 per week.

(r) Change of contractor: \$25 per subcode. **[Ord. #2152, 2-15-2011, added]**

(s) Change of ownership of a permit: \$100. **[Ord. #2152, 2-15-2011, added]**

(t) Change of ownership of a permit for a new dwelling: \$500

3. Electrical subcode fees:

(a) Fixtures and devices. For the purpose of computing this fee, receptacles, switches, fixtures, convenience receptacles or similar fixtures and motors and devices of one horsepower or one kilowatt or less shall be counted and totaled. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]**

(1) First 50 fixtures or devices: \$80. **[Ord. #2412, 2-26-2019, amended]**

(2) Each fixture or device over 50: \$2 each.

(b) Swimming pools, in-ground spas and hot tubs: \$200. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

(c) Storable pool or spa: \$80. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

Calculating. For the purpose of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

(d) Motors/electrical devices: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**

(1) One to 10 horsepower: \$40.

(2) To 50 horsepower: \$80.

(3) To 100 horsepower: \$125.

(4) Above 100 horsepower: \$200.

(e) Transformers/generators: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**

- (1) One to 10 kilowatt: \$40.
 - (2) To 45 kilowatt: \$75.
 - (3) To 112.5 kilowatt: \$125.
 - (4) Above 112.5 kilowatt: \$200.
- (f) Services/panels/subpanels/transfer switches: **[Ord.#2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (1) To 100 amperes: \$80.
 - (2) To 200 amperes: \$125.
 - (3) To 300 amperes: \$200.
 - (4) To 400 amperes: \$225.
 - (5) To 800 amperes: \$275.
 - (6) To 1,000 amperes: \$500.
 - (7) To 1,200 amperes: \$750.
 - (8) Above 1,200 amperes: \$1,000.
- (g) Radon systems: \$40. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (h) Rain sensors for irrigation systems: \$40. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (i) Future conduit run without connection: **[Ord. #2331, 2-9-2016, amended]**
- (1) Up to 300 feet: \$100.
 - (2) Over 300 feet: \$250.
- (j) Photovoltaic solar systems. **[Ord. #2093, 12-15-2009, added; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- 1) One to 50 kw: \$150.
 - 2) Fifty-one to 100 kw: \$300.
 - 3) Greater than 100 kw: \$1,000.
- (k) Bonding of CSST gas piping: \$40. **[Ord. #2185, 2-28-2012, added; Ord. #2412, 2-26-2019, amended]**
4. Plumbing subcode fees: **[Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]**
- (a) Fixtures, including devices and stacks: \$20.
 - (b) Water service connection: \$80.
 - (c) Sewer tie-in and septic: \$80.
 - (d) Gas connections: \$80. Each additional connection shall be: \$10.
 - (e) Boilers (including pool heaters): \$80.
 - (f) Water-cooled air-conditioning and refrigeration systems: \$250.
 - (g) Air-conditioning systems: \$40.
 - (h) Backflow preventers:
 - (1) Use Groups R-2, R-3, R-4 and R-5: \$40.
 - (2) Other use groups: \$150.
 - (i) Pumps: \$80.

- (j) Grease traps, interceptors and oil separators: \$80.
- (k) Solar heating devices: \$80.
- (l) Steam generator (shower): \$40.
- (m) LP gas tank and associated connections: \$80.
- (n) Fuel oil connections: \$40.
- (o) Radiant floor heat: \$80.
- (p) Water heater, fuel-fired: \$80.
- (q) Water heater, electric: \$40.
- (r) Swimming pool drains: \$80.
- (s) Furnace in Use Groups R-3 and R-5: \$80.
- (t) Gas logs in Use Groups R-3 and R-5: \$40.
- (u) Generators in Use Groups R-3 and R-5: \$40.
- (v) Gas fireplaces in Use Groups R-3 and R-5: \$80.

5. Fire protection fees:

- (a) Automatic fire alarm systems: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord.#2412, 2-26-2019, amended]

Number of Smoke/Heat Detectors and Mass Evacuation Speakers	Fee
1 to 20	\$80
21 to 100	\$150
101 to 200	\$250
201 to 400	\$600
401 to 1,000	\$825
Over 1,000	\$1,200

- (b) Automatic fire sprinkler systems:[Ord. #2316, 5-12-2015, amended]

Number of Sprinkler Heads	Fee
1 to 20	\$100
21 to 100	\$150
101 to 200	\$260
201 to 400	\$675
401 to 1,000	\$900
Over 1,000	\$1,350

- (c) Pre-engineered systems:

- (1) CO2 suppression: \$150.
- (2) FM-200: \$150.
- (3) Foam system: \$150.
- (4) Dry chemical: \$150.
- (5) Wet chemical: \$150.

- (d) Commercial kitchen hood: \$100.

- (e) Heat-producing devices and venting: [Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]

- (1) Factory-built wood fireplaces and solid fuel stoves: \$80.
- (2) Furnaces in all Use Groups except R-3 and R-5: \$80.
- (3) Gas logs in all Use Groups except R-3 and R-5: \$80.
- (4) Factory-built chimneys: \$80.
- (5) Chimney lining in all Use Groups except R-3 and R-5: \$80.
- (6) Generators in all Use Groups except R-3 and R-5: \$80.
- (7) Fuel-fired appliances in new construction, per appliance: \$80.

(f) Standpipe systems: \$200 each riser.

(g) Fire pumps: \$200.

(h) Preaction valve: \$200.

(i) Dry pipe valve: \$200.

(j) Drafting systems: \$200. [Ord. #2055, 3-10-2009, amended]

(k) Smoke control system: \$200.

(l) Supervisory and signaling devices: \$15 each. [Ord. #2331, 2-9-2016, amended]

(m) Fuel storage tank installation: [Ord. #2055, 3-10-2009, amended]

- (1) Use Groups R-2, R-3, R-4 and R-5: \$40. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (2) All other use groups: \$200.

(n) Roof mounted solar systems: \$80.

(o) Fire Hydrants: \$80 each.

6. Mechanical subcode fees: [Ord. #2398, 8-14-2018¹, added; Ord. #2412, 2-26-2019, amended]

- a) Water heater: \$80 each.
- b) Boiler: \$80 each.
- c) Furnace: \$80 each.
- d) Oil tank: \$40 each.
- e) LP tank: \$40 each.
- f) Kerosene tank: \$40 each.
- g) Air conditioning: \$40 each.
- h) Gas fireplace: \$80 each.
- i) Gas log set: \$40 each.
- j) Gas log lighter: \$40 each.
- k) Gas heater: \$80 each.
- l) Kerosene heater: \$80 each.
- m) Oil heater: \$80 each.
- n) Generator: \$40 each.
- o) Gas piping connection: \$80. Each additional connection shall be \$10.
- p) Oil piping connection: \$40.

q) Chimney liner: \$80 each.

7. Elevator subcode fees:

- (a) Elevator subcode fees shall be in accordance with the elevator subcode fee schedule as adopted in the New Jersey Uniform Construction Code.

[Ordinance #2469](#) - *An Ordinance Authorizing the Township of Bernards to Enter into a Fourth Amendment to Lease Agreement with The Friends of The Kennedy-Martin-Stelle Farmstead, Inc. – 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 Bannan, second by Grochala, that Ordinance #2469 be adopted and advertised as required by law.

Roll Call:

Aye: Baldassare, Bannan, Esposito, Grochala, Fields

Nay:

Abstain:

Motion carried.

WHEREAS, the Township of Bernards owns the real property identified as Block 8401, Lot 23 (formally known as Block 185, Lot 20.03), consisting of approximately 4.397± acres, and located at 450 King George Road in the Township of Bernards, County of Somerset, State of New Jersey (the “Property”); and

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

WHEREAS, the Township and the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. (“Friends”) entered into Lease Agreement C1775-1, dated March 29, 2005, for the Property (the “Lease Agreement”) and have now agreed to extend the Lease Agreement term until December 31, 2050; and

WHEREAS, the Township and Friends have agreed to the terms and conditions of the modification to the Lease Agreement, which is set forth in writing in the Fourth Amendment to the Lease Agreement; and

WHEREAS, the Township has reviewed this Fourth Amendment to Lease Agreement; and

WHEREAS, the Township is authorized to enter into the lease and corresponding amendments with Friends pursuant to N.J.S.A. 40A:12-14(c), and N.J.S.A. 40A:12-15(g) & (i); and

WHEREAS, the Township Committee of the Township of Bernards has determined that is the best interest of the citizens of the Township to modify the terms of the Fourth Amendment to Lease Agreement.

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

1. The Township of Bernards is hereby authorized to enter into the Fourth Amendment to Lease Agreement with Friends for the use of the Property pursuant to the terms and conditions of the Lease Agreement, as amended.
2. The Mayor and Township Clerk are hereby authorized to execute the Fourth Amendment to Lease Agreement.
3. The Township officials and professionals are hereby authorized to take any and all necessary actions required under the Fourth Amendment to Lease Agreement.
4. If any word, phrase, clause, sentence, paragraph or section of the Ordinance is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.
5. This Ordinance shall take effect immediately upon 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, are posted on the agenda on the website, are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by township committee action and placed on the regular agenda under new business.

Motion by Baldassare, second by Esposito, that the Consent Agenda be approved.

Roll Call:

Aye: Baldassare, Bannan, Esposito, Grochala, Fields

Nay:

Abstain:

Motion carried.

****Begin Consent Agenda****

Resolution #2021-0182 - Approval of the Bill List Dated 04/27/2021

BE IT RESOLVED, that the bill list dated 04/27/2021 be audited, and if found correct, be paid.

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===						
Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref	Num
128300	04/27/21	90342	BAHLMAN, RICH	332.50	1577	Direct Deposit
128301	04/27/21	90507	GANDER, JENNIFER	107.47	1577	Direct Deposit
128302	04/27/21	90563	CARTOCCIO, KAITLIN	119.99	1577	Direct Deposit
128303	04/27/21	90613	RIVERA, ANNMARIE	78.23	1577	Direct Deposit
128304	04/27/21	A0044	APPROVED FIRE PROTECTION SYS	216.96	1577	Direct Deposit
128305	04/27/21	A0398	STERLING TALENT SOLUTIONS	122.40	1577	Direct Deposit
128306	04/27/21	A0453	AMAZON.COM	921.93	1577	Direct Deposit
128307	04/27/21	B0581	BUY WISE AUTO PARTS	545.89	1577	Direct Deposit
128308	04/27/21	B0668	BEARING DEPOT & SUPPLY INC	89.37	1577	Direct Deposit
128309	04/27/21	C0083	CDW GOVERNMENT, INC.	553.41	1577	Direct Deposit
128310	04/27/21	D0339	DEER CARCASS REMOVAL SVC, LLC	2,559.07	1577	Direct Deposit
128311	04/27/21	F0384	FLEMINGTON CHEVROLET BUICK	1,612.27	1577	Direct Deposit
128312	04/27/21	F0427	FRANKLIN GRIFFITH	6,857.14	1577	Direct Deposit
128313	04/27/21	G0070	GREY HOUSE PUBLISHING	378.00	1577	Direct Deposit
128314	04/27/21	M0830	MOTT MACDONALD LLC	2,458.50	1577	Direct Deposit
128315	04/27/21	N0297	NORTHERN SAFETY CO., INC.	141.05	1577	Direct Deposit
128316	04/27/21	O0021	OFFICE DEPOT	368.59	1577	Direct Deposit
128317	04/27/21	S1161	SETTEMBRINO ARCHITECTS	1,000.00	1577	Direct Deposit
128318	04/27/21	T0003	ENVIROTEST LABORATORIES LLC	4,100.00	1577	Direct Deposit
128319	04/27/21	T0066	CENGAGE LEARNING CREDIT SVCS	105.21	1577	Direct Deposit
128320	04/27/21	T0378	THE GUARDIAN LIFE INS CO OF AM	87.48	1577	Direct Deposit
128321	04/27/21	U0001	UNITEMP INC.	8,486.00	1577	Direct Deposit
128322	04/27/21	V0020	VILLAGE OFFICE SUPPLY	68.71	1577	Direct Deposit
128323	04/27/21	W0339	W.B. MASON	384.03	1577	Direct Deposit
128324	04/27/21	A0123	AMERICAN PUBLIC HEALTH ASSN	205.00	1578	
128325	04/27/21	A0126	AFLAC NEW YORK	230.50	1578	
128326	04/27/21	A0168	ALLIED OIL COMPANY, LLC	10,282.57	1578	
128327	04/27/21	A0232	ARROW ELEVATOR, INC.	325.00	1578	
128328	04/27/21	A0338	AFLAC	573.41	1578	
128329	04/27/21	A0363	AIG VALIC	96,409.89	1578	
128330	04/27/21	A0672	ATLANTIC VISITNG NURSE	4,818.00	1578	
128331	04/27/21	A0711	AFRM TITLE & ABSTRACT LLC	6,762.00	1578	
128332	04/27/21	B0001	BAKER & TAYLOR, INC.	3,527.94	1578	
128333	04/27/21	B0026	BERNARDS TOWNSHIP CURRENT	13,988.05	1578	
128334	04/27/21	B0029	BERNARDS TWP BD OF EDUCATION	7,832,137.00	1578	
128335	04/27/21	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	527,488.08	1578	
128336	04/27/21	B0241	BANISCH ASSOCIATES, INC.	1,502.45	1578	
128337	04/27/21	B0690	BIBLIOTHECA LLC	244.29	1578	
128338	04/27/21	B0829	BOCCHINO, FELICE S	468.19	1578	
128339	04/27/21	B0831	BADGE COMPANY OF NJ LLC	159.00	1578	
128340	04/27/21	B0832	BRADY, GERARD	430.00	1578	
128341	04/27/21	C0522	CHATHAM LAWNMOWER SALES & SVC	450.35	1578	
128342	04/27/21	C0545	AHS HOSPITAL CORP	731.40	1578	
128343	04/27/21	C0798	C & L TOWING SERVICE	500.00	1578	
128344	04/27/21	C0919	CENTRAL JERSEY TRAILER & HITCH	184.84	1578	
128345	04/27/21	D0020	DELTA DENTAL OF NJ	12,328.35	1578	
128346	04/27/21	D0668	JOHN DOBASH CONSTR & TILE LLC	7,300.00	1578	
128347	04/27/21	E0224	EXCELLENT BUILDING SERVICES	9,744.00	1578	
128348	04/27/21	E0324	ERCANLI, PINAR	165.00	1578	
128349	04/27/21	F0003	FOLEY, INCORPORATED	1,503.70	1578	
128350	04/27/21	F0158	FLEMINGTON DEPARTMENT STORE	26.95	1578	
128351	04/27/21	F0326	FX AUTOMOTIVE LLC	261.40	1578	
128352	04/27/21	G0066	GRAINGER INC	135.10	1578	
128353	04/27/21	G0098	JCP&L	18,854.06	1578	
128354	04/27/21	G0509	GREEN ROCK RECYCLING	300.00	1578	
128355	04/27/21	G0672	GRISETO, VINCENT	440.00	1578	
128356	04/27/21	H0029	HUMPHREYS PEST CONTROL, INC.	1,088.80	1578	
128357	04/27/21	H0104	HANDI-LIFT INC.	325.00	1578	
128358	04/27/21	H0235	HOOVER TRUCK CENTERS	323.51	1578	
128359	04/27/21	H0246	HOME DEPOT CREDIT SERVICES	867.12	1578	
128360	04/27/21	I0155	IDEAL AUTO BODY	757.40	1578	
128361	04/27/21	I0158	INSPECT USA, INC	251.81	1578	
128362	04/27/21	I0165	INTERNATIONAL ASSN OF ARSON	145.00	1578	
128363	04/27/21	J0191	JONES, REBECCA	30.00	1578	
128364	04/27/21	K0074	KNOX COMPANY	913.00	1578	
128365	04/27/21	K0259	KONICA MINOLTA PREMIER FINANCE	123.54	1578	
128366	04/27/21	K0331	KONICA MINOLTA PREMIER FINANCE	110.74	1578	
128367	04/27/21	K0331	KONICA MINOLTA PREMIER FINANCE	133.42	1578	
128368	04/27/21	K0331	KONICA MINOLTA PREMIER FINANCE	148.97	1578	
128369	04/27/21	K0401	KOLLIPARA, PHANI	95.00	1578	

128370	04/27/21	K0404	KUMAR, JITENDRA	430.00	1578
128371	04/27/21	L0038	LIN-GATE EQUIPMENT SALES & SVC	939.40	1578
128372	04/27/21	L0389	LEVIN, CAROL SIMON	100.00	1578
128373	04/27/21	M0518	KONICA MINOLTA BUSINESS SOL.	88.02	1578
128374	04/27/21	M0518	KONICA MINOLTA BUSINESS SOL.	22.37	1578
128375	04/27/21	M0518	KONICA MINOLTA BUSINESS SOL.	26.00	1578
128376	04/27/21	M0627	MODERN HANDLING EQUIPMENT CO	90.00	1578
128377	04/27/21	M0820	MUSKY TROUT HATCHERIES,LLC	1,427.00	1578
128378	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	79.70	1578
128379	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	61.06	1578
128380	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	22.96	1578
128381	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	179.40	1578
128382	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	124.44	1578
128383	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	15.56	1578
128384	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	561.03	1578
128385	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	15.56	1578
128386	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	279.84	1578
128387	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	265.03	1578
128388	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	30.36	1578
128389	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	38.86	1578
128390	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	38.86	1578
128391	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	316.83	1578
128392	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	822.40	1578
128393	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	1,256.60	1578
128394	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	40,347.20	1578
128395	04/27/21	N0006	NEW JERSEY AMERICAN WATER CO.	319.00	1578
128396	04/27/21	N0023	TREASURER, STATE OF NEW JERSEY	12,779.00	1578
128397	04/27/21	N0029	NJ SOCIETY/MUNICIPAL ENGINEERS	49.00	1578
128398	04/27/21	N0030	NJ STATE ASSN.-CHIEFS/POLICE	299.00	1578
128399	04/27/21	N0244	NORTHERN TOOL & EQUIPMENT CO.	2,315.15	1578
128400	04/27/21	N0468	NORCIA CORPORATION	917.50	1578
128401	04/27/21	N0484	NEW JERSEY AMERICAN WATER	200.00	1578
128402	04/27/21	O0105	O.C.A. BENEFIT SERVICES, LLC	99.00	1578
128403	04/27/21	P0005	PITNEY BOWES, INC.	1,004.98	1578
128404	04/27/21	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	39.98	1578
128405	04/27/21	P0538	PROVIDENT LIFE & ACCIDENT	60.04	1578
128406	04/27/21	R0023	RICHIES TIRE SERVICE, INC.	3,116.12	1578
128407	04/27/21	R0043	REGISTRARS' ASSOCIATION OF NJ	75.00	1578
128408	04/27/21	R0045	RUTGERS - THE STATE UNIVERSITY	524.00	1578
128409	04/27/21	R0368	RPTC, LLC	2,833.00	1578
128410	04/27/21	R0393	RESEARCH&DESIGN LANDSCAPE LLC	19,295.00	1578
128411	04/27/21	R0440	RAHWAY BUSINESS MACHINES, INC.	195.99	1578
128412	04/27/21	R0758	RAPTURE TACTICAL	612.38	1578
128413	04/27/21	S0101	STICKEL,KOENIG,SULLIVAN&DRILL	1,795.50	1578
128414	04/27/21	S0185	SUBURBAN JOINT INSURANCE FUND	172,138.50	1578
128415	04/27/21	S0372	SOMERSET COUNTY PARK COMM - TR	4,740.00	1578
128416	04/27/21	S0378	STAVOLA ASPHALT	341.70	1578
128417	04/27/21	S0415	SPORTWORLD	389.50	1578
128418	04/27/21	S0524	STATE TOXICOLOGY LABORATORY	225.00	1578
128419	04/27/21	S0697	RE:SOURCE NEW JERSEY, INC.	1,525.00	1578
128420	04/27/21	S0822	SIGNS AND SAFETY DEVICES, LLC	2,023.80	1578
128421	04/27/21	S0847	SHI INTERNATIONAL	1,480.00	1578
128422	04/27/21	S0913	SHEDLOCK CAR CARE	125.00	1578
128423	04/27/21	S0977	STAVOLA CONSTRUCTION MATERIALS	340.60	1578
128424	04/27/21	S1007	SPRUCE INDUSTRIES	280.20	1578
128425	04/27/21	S1133	STARCREST KENNELS, LLC	1,581.75	1578
128426	04/27/21	S1163	SMITH TRUSTEES,	722.68	1578
128427	04/27/21	T0024	TRIUS OF NJ INC	382.74	1578
128428	04/27/21	T0025	TRUKMANN'S INC. C/O	1,019.42	1578
128429	04/27/21	T0074	TREASURER - STATE OF N.J.	375.00	1578
128430	04/27/21	T0227	T.R.M. TRANSMISSIONS INC.	553.60	1578
128431	04/27/21	T0240	TREASURER-STATE OF NEW JERSEY	796.00	1578
128432	04/27/21	T0308	TORO NSN	1,860.00	1578
128433	04/27/21	U0056	U.S. MUNICIPAL SUPPLY, INC.	127.03	1578
128434	04/27/21	V0037	VILLAGE SUPERMARKET, INC.	69.50	1578
128435	04/27/21	V0056	VERIZON WIRELESS	1,248.39	1578
128436	04/27/21	V0056	VERIZON WIRELESS	698.45	1578
128437	04/27/21	V0058	VERIZON	83.92	1578
128438	04/27/21	V0058	VERIZON	39.44	1578
128439	04/27/21	V0058	VERIZON	350.26	1578
128440	04/27/21	V0058	VERIZON	39.44	1578
128441	04/27/21	V0058	VERIZON	35.74	1578
128442	04/27/21	V0073	VAIL INDUSTRIAL SUPPLIES	15.56	1578
128443	04/27/21	V0084	VERIZON	178.99	1578
128444	04/27/21	V0084	VERIZON	189.99	1578
128445	04/27/21	V0084	VERIZON	289.99	1578
128446	04/27/21	V0084	VERIZON	151.84	1578
128447	04/27/21	V0084	VERIZON	17.62	1578
128448	04/27/21	V0124	VERIZON BUSINESS FIOS	204.84	1578
128449	04/27/21	V0185	VERIZON CONNECT	30.23	1578
128450	04/27/21	V0186	FISHER AND SON COMPANY, INC	7,994.40	1578
128451	04/27/21	W0016	WARRENVILLE TRUE VALUE	1,058.08	1578
128452	04/27/21	W0074	WELSH'S MOTOR SALES, INC.	93.50	1578
128453	04/27/21	W0085	WARREN TOWNSHIP	250.00	1578
128454	04/27/21	W0170	WELLS FARGO RE TAX SERVICE	1,272.95	1578
128455	04/27/21	W0259	VENTURA, MIESOWITZ, KEOUGH &	1,433.75	1578
128456	04/27/21	W0275	WINNING TEAMS BY NISSEL LLC	375.62	1578
128457	04/27/21	W0287	WOYCE, KEVIN	100.00	1578
128458	04/27/21	W0325	WERNER, ALBERT	250.00	1578
128459	04/27/21	W0347	EDWARD WACKS & ASSOCIATES, LLC	459.00	1578
128460	04/27/21	X0003	XEROX CORPORATION	229.25	1578
128461	04/27/21	X0005	XTel COMMUNICATION	103.84	1578
Report Totals					
		Paid	Void	Amount Paid	Amount Void
	Checks:	138	0	8,860,190.06	0.00
	Direct Deposit:	24	0	31,694.20	0.00
	Total:	162	0	8,891,884.26	0.00
Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	101,026.22	0.00	0.00	101,026.22
CURRENT FUND	1-01	8,718,438.58	0.00	0.00	8,718,438.58
DOG FUND	1-12	1,700.08	0.00	0.00	1,700.08
GOLF COURSE UTILITY	1-26	3,834.93	0.00	0.00	3,834.93

	Year Total:	8,723,973.59	0.00	0.00	8,723,973.59
CAPITAL FUND	C-04	12,020.43	0.00	0.00	12,020.43
TRUST FUNDS	T-13	49,698.77	0.00	0.00	49,698.77
PROJECT		5,165.25	0.00	0.00	5,165.25
		=====	=====	=====	=====
Total Of All Funds:		8,891,884.26	0.00	0.00	8,891,884.26

Resolution #2021-0183 - *Personnel Appointment Kevin Sant'Angelo – Tax Collector – Finance Department*
WHEREAS, the full time Tax Collector position became available due to a retirement; and

WHEREAS, the Township Administrator, Chief Financial Officer and Human Resources Manager have deemed it necessary to fill this position; and

WHEREAS, Kevin Sant'Angelo has applied for and is qualified to fill said position; and

WHEREAS, Kevin Sant'Angelo possesses his tax collector certificate which is required for this position pursuant to N.J.S.A. 40A:9-141 to fill this position; and

WHEREAS, the Township Administrator, Chief Financial Officer and Human Resources Manager recommend appointment of Kevin Sant'Angelo to full time Tax Collector.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that Kevin Sant'Angelo be appointed to serve in the full-time statutory position of Tax Collector effective May 1, 2021 for a four-year term to expire December 31, 2025 at an annualized rate of \$73,500 for a 40-hour workweek; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Township Committee of the Township of Bernards acknowledges that N.J.S.A. 40A:9-145.8 provides that any person who shall be reappointed as a Tax Collector having received a tax collector certificate and having served as Tax Collector or performed the duties of Tax Collector for not less than four consecutive years immediately prior to such reappointment shall have tenure in office and shall not be removed therefrom for political reasons but only for good cause shown and after a proper hearing before the director or designee.

Resolution #2021-0184 - *Authorizing Submission of a Grant Application to the Somerset County Board of Chosen Freeholders for a Grant Entitled: 2021-2022 Application for Funding Municipal Alliances - for the Purpose of Providing Funding for the Bernards Township Municipal Alliance*

WHEREAS, the Municipal Alliance Coordinator is recommending the Township Committee approve a grant application to the Somerset County Board of Chosen Freeholders for a grant entitled "2021-2022 Application for Funding Municipal Alliances", which would provide \$8,474.92 for the purpose of funding the township program, project, or facility known as the Bernards Township Municipal Alliance Against Substance Abuse; and

WHEREAS, the grant application requires a 75% match of \$6,356.19 in in-kind services and a 25% cash match of \$2,118.73 to be provided by Bernards Township with funds being available in Account: 2021 Municipal Alliance Trust Fund as certified below by the Chief Financial Officer.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize submission of a grant application to the Somerset County Board of Chosen Freeholders for a grant entitled "2021-2022 Application for Funding Municipal Alliances" for the purpose of funding the township program, project, or facility known as the Bernards Township Municipal Alliance Against Substance Abuse; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that Kaitlin Cartoccio of the Bernards Township Health Department will serve as the project manager for this grant application; and

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor, Project Manager, and Clerk are hereby authorized to sign the grant on behalf of the township.

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced grant match in the in-kind amount of \$6,356.19 and cash match amount of \$2,118.73. Monies will be made available in the 2021 Municipal Alliance Trust Fund Acct.

Date: 04/09/2021



Sean McCarthy, CFO

Resolution #2021-0185 - Authorizing Submission of a Grant Proposal by the Friends of the Kennedy-Martin-Stelle Farmstead to the Somerset County Cultural and Heritage Commission for a Historic Preservation Grant in the amount not to exceed (NTE) \$150,000 to improve the overall usability, accessibility and safety of the Farmstead

WHEREAS, the Township Committee of the Township of Bernards acquired the Kennedy-Martin-Stelle Farmstead as part of an open space acquisition; and

WHEREAS, the Township Committee of the Township of Bernards recognizes the historical significance of the Kennedy-Martin-Stelle Farmstead and believes it prudent to preserve; and

WHEREAS, the Kennedy-Martin-Stelle Farmstead is a community landmark that reflects the rich heritage of Bernards Township; and

WHEREAS, Bernards Township acquired the property with municipal open space funds in 1999; in 2001 appointed a task force to preserve the Farmstead; and undertook successful preservation grant requests totaling \$1,839,657; and

WHEREAS, the Township Committee has entrusted the Friends of the Kennedy-Martin-Stelle Farmstead to be stewards of the Farmstead Property; and

WHEREAS, it is the mission of the Friends of the Kennedy-Martin-Stelle Farmstead to preserve and operate the Farmstead, which is listed on the New Jersey and National Registers of Historic Places, as Farmstead Arts, a non-profit center for fine, performing and practical arts; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2010 grant for \$176,483 from the Garden State Historic Preservation Trust to prepare the interior of the English Barn for public use, including the elevation of two transverse beams that limited use of the west end of the barn, installation of a concrete slab and partial wood floor; and a weather-tight emergency-egress door on the south side of the barn; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2014 grant for \$140,424 from the Somerset County Historic Preservation Grant program to prepare the English Barn for three season, ADA compliant occupancy including installing a north entrance store front, basic lighting fixtures and exterior lights, a rat slab in the drop stalls, preservation of the drop stall flapper doors and drop stall and view panel lighting; to repair and stabilize the basement steps, finish off the plaster ceiling in the dining room and install fire resistant sheet rock in the closet under the second floor staircase in the farmhouse; to preserve and restore the Ice House roof; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2016 grant for \$188,433 from the Somerset County Historic Preservation Grant program to enhance utilization to and access of the English Barn by stabilizing the storage platform level above the dropped stalls at the east end of the barn and to stabilize and close the exterior envelope of the Cow Shed including demolition of the non-historic west aisle, new concrete footings for wood posts, repairs to and reinforcement of surviving heavy timber frame, new wood shingle roof and clapboard siding, including painting, and new doors and windows at the building perimeter; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead were awarded a 2018 grant for \$197,802 from the Somerset County Historic Preservation Grant program to improve the overall usability, accessibility and safety of the Farmstead by 1) Creating a usable space, such as a terrace, over the original Dairy Barn foundation; and 2) Improving safety and accessibility enhancements with 2 ADA compliant parking spaces; a walkway from the ADA compliant parking spaces and between the English Barn and Cow Shed; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead believe it is imperative to complete the requested work to improve the overall usability, accessibility and safety of the Farmstead; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead wishes to apply for the Somerset County Cultural and Heritage Commission for a Historic Preservation Grant in the amount not to exceed (NTE) \$150,000 to improve the overall usability, accessibility, and safety of the Farmstead; and

WHEREAS, this grant will enable the Friends of the Kennedy-Martin-Stelle Farmstead to improve overall usability, accessibility, and safety of the Farmstead by 1) painting the Farmhouse, repairing and/or replacing windows on the porch, and adding shutters, ; and 2) restoring the English Barn by painting or staining the exterior and installing a second ADA ramp on the South side; and 3) adding an electric panel, and rough interior plumbing to the cowshed and pouring a concrete slab with a view window on the floor to show the historic trough in the cowshed; and 4) hiring an historic preservation consultant(s) to do research to extend the period of historical significance of the Farmstead to included the period owned by Dr. Pearson.; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead believe the requested work to the Farmhouse, Barn, Cow Shed, ADA improvements, and historic period extension are necessary as these structures and areas contribute to the unique historic assemblage that makes the Farmstead such a valuable resource for historical education; and

WHEREAS, the requested funds will further enhance the Farmhouse, English Barn and Cow Shed for three season, day and evening, ADA compliant public use, and will contribute to the safety of the English Barn; and

WHEREAS, fine and performing artists and practical arts practitioners are already using the Farm House and English Barn for fine and performing arts programming; and

WHEREAS, the English Barn, Farmhouse, Cow Shed, Ice House and Well House at the Farmstead have been preserved and restored with generous assistance from Bernards Township, Somerset County, the Historical Society of the Somerset Hills, the New Jersey Historic Trust, the 1772 Foundation, the Bernardsville Rotary Club, the Bona Fides of Basking Ridge, Impact 100 Garden State, members of the Friends of the Kennedy-Martin-Stelle Farmstead, foundations, and over 140 local volunteers; and

WHEREAS, the Friends of the Kennedy-Martin-Stelle Farmstead undertook successful preservation grant requests including thirteen Somerset County Historic Preservation Grants totaling \$1,704,579, two Garden State Preservation Trust Grants totaling \$616,393, and a 1772 Foundation Grant for \$11,500, and successfully managed the use of these grants; and

WHEREAS, the Township Committee of the Township of Bernards believes this property is an excellent candidate for a grant from the Somerset County 2021 Historic Preservation Grant Program; and

WHEREAS, the grant from the Somerset County 2021 Historic Preservation Grant Program requires that, for an applicant that is not the property owner, the applicant must be able to prove the possession and significant control of the property through a valid lease and the unexpired term of the lease must be 25 years or more as of January 1, 2020, and

WHEREAS, there are no Township of Bernards matching funds required.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that it does hereby authorize the Friends of the Kennedy-Martin-Stelle Farmstead to submit a grant application for \$141,078 (or NTE \$150,000) to the Somerset County 2021 Historic Preservation Grant Program.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, that the lease be amended for notices to reflect the current mailing address of P.O. Box 155, 450 King George Road, Basking Ridge, NJ 07920.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards, that the Mayor and Clerk are hereby authorized to sign the grant on behalf of the Township.

[Resolution #2021-0186](#) - *Authorizing and Approving Purchase of Crack Sealing Services on Various Township Roads from MCCPM (Morris County Cooperative Pricing Council) Contract # 6 Road Resurfacing Category C: Crack Sealant to Micro Pave Systems, Inc. PO Box 207, Roseland, New Jersey 07068 In the Amount Not to Exceed \$24,000.00*

WHEREAS, the Township of Bernards Department of Public Works wishes to purchase Crack Sealing Services on Various Township Roads; and

QTY	DESCRIPTION	UNIT TOTAL
1	Provide labor, equipment and material needed to seal all existing cracks in the asphalt pavement at: 1. Ridgeview Drive 2. Woodman Lane 3. Pheasant Run Drive 4. St. Nicholas Way 5. Heritage Court Estimated quantities of 45,000-46,000 linear feet at a cost of \$0.51 linear foot not to exceed \$24,000.00	\$24,000.00
	TOTAL	\$24,000.00

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator, and Purchasing Agent to award this purchase to; Micro Pave Systems, Inc. PO Box 207, Roseland, New Jersey 07068 in the amount of \$24,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line-item appropriation to be charged is line account #1-01-26-290-266 (\$24,000.00); and

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a purchase order for Crack Sealing Services on Various Township Roads from MCCPM (Morris County Cooperative Pricing Council) Contract # 6 Road Resurfacing Category C: Crack Sealant to Micro Pave Systems, Inc. PO Box 207, Roseland New Jersey 07068 in the Amount Not to Exceed \$24,000.00.

[Resolution #2021-0187](#) - Award of Bid for Grass Cutting on Municipal Property to Research & Design Landscape, LLC, P.O. Box 465, 75 Bernards Avenue, Bernardsville, New Jersey, 07924 – In the Amount of \$52,110.00 (Year 2021)

WHEREAS, The Township received bids on Tuesday, March 30, 2021 at 10:30 AM for Grass Cutting on Municipal Property; and

The Bid Summary as follows:

	Year 2021			Year 2022			Year 2023		
	Base Bid	Alt # 1	Alt # 2	Base Bid	Alt # 1	Alt # 2	Base Bid	Alt # 1	Alt # 2
Research & Design Landscape & Snow LLC	\$36,690.00	\$6,750.00	\$8,670.00	\$36,690.00	\$6,750.00	\$8,670.00	\$36,690.00	\$6,750.00	\$8,670.00
DMK Lawn and Snow LLC	\$52,800.00	\$9,150.00	\$14,550.00	\$58,080.00	\$10,065.00	\$16,005.00	\$58,080.00	\$10,065.00	\$16,005.00

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator, and Purchasing Agent to award a contract to the low bidder, Research & Design Landscape, LLC, P.O. Box 465, 75 Bernards Avenue, Bernardsville, New Jersey, 07924; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line-item appropriations to be charged is 1-01-26-290-241. (2-01-26-290-241 and 3-01-26-290-241 pending Township Committee budget year approval); and

WHEREAS, this contract has been awarded to Research & Design Landscape, LLC through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq."; and

WHEREAS, as provided by Local Public Contract Law 40A:11-15, this contract is for one (1) year with an option for renewal for two (2) additional one year (1) year periods providing that funds are appropriated in the respective operating budgets for the expenditure and performance is satisfactory.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that in accordance with the bid specifications, the contract between Bernards Township ("Owner") and Research & Design Landscape, LLC, ("Contractor") shall contain:

1. The Contractor shall commence the work not later than 10 calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
2. This contract shall, for all-purpose be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
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. The cost of this contract is for a not to exceed the total bid amount of \$ 52,110.00 as specified unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days 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 resolution as Exhibit A.
7. The Township may terminate this contract if contractor does not fulfil its obligations as set forth in the Bid Specification, upon thirty days written notice via certified mail.
8. The work contemplated under the Contract shall begin May 3, 2021 through November 22, 2021. April 11, 2022 and continue weekly through the week beginning November 21, 2022. April 10, 2023 and continue weekly through the week beginning November 20, 2023. (pending Township Committee budget year approval).
9. To the extent the terms of the resolution are inconsistent with the contract, the terms of the contract shall govern.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a contract and purchase order to: Research & Design Landscape, LLC, P.O. Box 465, 75 Bernards Avenue, Bernardsville, New Jersey, 07924 in the amount of \$52,110.00.


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.

Raymond Desiderio, Owner

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced contract for Grass Cutting on Municipal Property. Monies are available in: 1-01-26-290-241. (2-01-26-290-241 and 3-01-26-290-241 pending Township Committee budget year approval).

Date: April 15, 2021


Sean McCarthy
Chief Financial Officer

Resolution #2021-0188 - Award of Purchase Orders for Identified Vendors – Advanced Furnace & Air Duct Cleaning

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
Advanced Furnace & Air Duct Cleaning	\$ 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.

Resolution #2021-0189 - Personnel Appointment Christopher Diacik - Per Diem Electrical Sub Code Official – Construction

WHEREAS, the position of Per Diem Electrical Sub Code Official became available; and

WHEREAS, the Construction Official, Township Administrator, Chief Financial Officer, and Human Resources Manager have deemed it necessary to fill this position; and

WHEREAS, Christopher Diacik has applied for and is qualified to fill said position; and

WHEREAS, the Construction Official, Township Administrator, Chief Financial Officer, and Human Resources Manager recommend appointment of Christopher Diacik to the position of Per Diem Electrical Sub Code Official.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Christopher Diacik be appointed Per Diem Electrical Sub Code Official effective Wednesday, April 28, 2021 at an hourly rate of \$45.00.

Resolution #2021-0190 - Personnel Appointment Brady Driscoll - Per Diem Plumbing Sub Code Official – Construction

WHEREAS, the Bernards Township Salary Ordinance was increased for the position of Per Diem Plumbing Sub Code Official; and

WHEREAS, Brady Driscoll is the Per Diem Plumbing Sub Code Official for Bernards Township; and

WHEREAS, the Construction Official, Township Administrator, Chief Financial Officer and Human Resources Manager have deemed it necessary to change Brady Driscoll's hourly salary.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the salary for Brady Driscoll, Bernards Township Per Diem Plumbing Sub Code Official, be changed to \$45.00 per hour effective April 28, 2021.

Resolution #2021-0191 - Approval of Independent Agreement with Central Jersey Housing Resource Center (CJHRC) at a cost not to exceed \$58,092.00

WHEREAS, Central Jersey Housing Resource Center (CJHRC) is a nonprofit collaboration of businesses, financial institutions, social service agencies, public officials, and housing advocates who work to increase the accessibility and availability of affordable housing in Central New Jersey; and

WHEREAS, CJHRC currently operates a centralized housing resource information center in Somerset County and is a HUD certified agency specialized in the state and federal housing regulations; and

WHEREAS, CJHRC proposes to enter into an agreement with Bernards Township to provide such services as an Affordable Housing Coordinating Agency for existing low and moderate income rental and purchase units pursuant to Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.18 -4i-viii; and

WHEREAS, should the State Legislature or Governor adopt legislation or executive orders that eliminate COAH or no longer require the Township to hire the services of CJHRC, Bernards Township may terminate this Agreement on sixty days written notice and pay CJHRC for the services rendered up to the termination date; 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 funds are available in line-item account # 1-01-20-155-204; and

NOW BE IT RESOLVED, by the Township Committee of the Township of Bernards that we do hereby approve an agreement at a cost not to exceed \$58,092.00 with the Central Jersey Housing Resource Center (CJHRC) effective May 1, 2021 through April 30, 2022; and

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize the Mayor and Clerk to execute the agreement with the Central Jersey Housing Resource Center (CJHRC) on behalf of the Township.

TREASURY 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 \$58,092.00. Monies are available in line-item account # 1-01-20-155-204



Sean McCarthy
Chief Financial Officer

Date: April 20, 2021

[Resolution #2021-0192](#) - Bernards Township is Authorizing a Down Payment Affordability Assistance Grant Pursuant to the Township Ordinance #2420 to Junior J. & Carla N. Mendoza, 371 Penns Way, Block 9203, Lot 35.14 in the Amount of Six Thousand Seven Hundred and Sixty-Two (\$6,762.00) Dollars

WHEREAS, Junior J. & Carla N. Mendoza, married (the "Homeowners") are the contract purchasers of property designated as Lot 35.14 in Block 9203 (*formerly identified as Lot 35.371 in Block 178.01*) on the Tax Map of the Township of Bernards in the County of Somerset, State of New Jersey, commonly known as 371 Penns Way (the "Property"); and

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

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

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

WHEREAS, based on the requirements of Ordinance #2420, the Homeowner has met the obligations for and is entitled to a Six Thousand Seven Hundred and Sixty-Two (\$6,762.00) grant (the "Grant").

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

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced expenditure in the amount not to exceed \$6,762.00. Monies are available in the 2021 Affordable Housing Trust Fund line acct # T-13-56-055-COA.

Date: April 20, 2021



Sean McCarthy, Chief Financial Officer

[Resolution #2021-0194](#) - Correction to Transfer Resolution # 2020-0187 dated 03/24/2020

WHEREAS, there appears to be have been a typographical error on the original Reso #2020-0187 dated 03/24/2020. This Resolution corrects the accounts listed for Transfer from and Transfer to; and

WHEREAS, there appears to be insufficient funds in the following account(s) (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands for the balance of the Current Year; and

Current Fund – 2019 Appropriation Reserves
Public Safety – LOSAP Other Expenses

WHEREAS, there appears to be a surplus in the following accounts(s) (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund, or Interest and Debt Redemption Charges) over and above the demand deemed necessary for the balance of the Current Year; and

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A:4-58, part of the surplus in the account heretofore mentioned be and the same is hereby transferred to the account (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands, and

BE IT FURTHER RESOLVED that the Chief Financial Officer be hereby authorized and directed to make the following transfers:

FROM: Appropriation Reserves: Utilities & Bulk Exp. OE

AMOUNT: \$6,877.00

TO: Appropriation Reserves: Public Safety – LOSAP O.E

[Resolution #2021-0195](#) - *Correction to Canceling Current Fund 2020 Budget Appropriation Balances Reso # 2020-0439 dated 12/29/2020*

WHEREAS, this resolution corrects Reso # 2020-0439 dated 12/29/2020. There was an adjustment during the 2020 budget year which was not reflected on the resolution. The total cancellation amount has not changed. The cancellation amounts listed below reflect the correct amounts canceled to fund balance at year end.

WHEREAS, the following Current Fund 2020 Budget appropriation balances remain unexpended:

BUDGET LINE ITEM

General Administration OE	\$ 2,995.00
Human Resources OE	\$ 5,812.60
Township Committee OE	\$ 7,255.00
Municipal Clerk OE	\$ 6,386.00
Financial Administration OE	\$ 4,719.21
Purchasing Administration OE	\$ 3,531.40
Revenue Administration OE	\$ 7,185.40
Tax Assessment Administration OE	\$ 17,182.58
Legal Services	\$ 100,600.00
Engineering Services OE	\$ 14,102.00
Planning Board OE	\$ 13,632.00
Bd. of Adjustment OE	\$ 15,140.00
Environmental Commission OE	\$ 145.00
Code Enforcement OE	\$ 63,993.24
Police OE	\$ 46,561.00
Crossing Guards OE	\$ 2,450.00
Office of Emergency Mgt. OE	\$ 4,000.00
Fire Official / Fire Hydrants OE	\$ 43,051.59
Streets and Road Maintenance OE	\$ 104,774.00
Streets and Road Maint. - Snow OE	\$ 111,804.00
Vehicle Maintenance OE	\$ 72,375.00
Solid Waste Collection OE	\$ 5,110.00
Public Buildings OE	\$ 31,970.00
Other Public Works Functions - Shade Tree OE	\$ 756.00
Other Public Works Functions - St.Lt.Maint. OE	\$ 6,800.00
Public Health Services OE	\$ 16,860.00
Recreation Svcs. & Programs OE	\$ 55,677.40
Grounds OE	\$ 27,880.00
Pool Commission OE	\$ 54,093.06
Community Service OE	\$ 1,640.00
Deer Task Force OE	\$ 6,275.00
Charter Day OE	\$ 8,000.00

Labor Day Bike Races OE	\$ 103.00
Utilities	\$ 98,788.11
Solid Waste Disposal OE	\$ 23,470.00
Municipal Court OE	\$ 14,882.41
 Total Cancellations	 \$ 1,000,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balance may be credited to Fund Balance.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bernards, that the above listed unexpended balances totaling \$1,000,000.00 of the Current Fund's 2020 Budget Appropriations be cancelled.

[Resolution #2021-0196](#) - *Authorization for Tax Refund*

WHEREAS, an overpayment exists due to an erroneous payment from the requestor; and

WHEREAS, the tax collector has suggested that a refund be issued per the homeowner's representative.

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
6201/10	2Q2021	\$2,659.91	CoreLogic ATTN: Refunds Department 3001 Hackberry Rd Irving, TX 75063

****End Consent Agenda****

[Ordinance #2470](#) - *An Ordinance of the Township of Bernards Appropriating \$4,535,675.00 for Various Capital Improvements – Introduction*

The clerk read the ordinance by title. Motion by Baldassare, second by Esposito that Ordinance #2470 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 05/11/2021.

Roll Call:

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

[Ordinance #2471](#) - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the General Revised Ordinances of the Township of Bernards, To Address Cannabis Uses – Introduction*

The clerk read the ordinance by title. Motion by Baldassare, second by Esposito that Ordinance #2471 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 05/25/2021. Bannan asked for clarification on penalties.

Roll Call:

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

[Ordinance #2472](#) - *An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Code of the Township of Bernards, Chapter 21, "Revised Land Use Ordinances", To Add Licensed Cannabis Businesses as Prohibited Uses in All Zones Within the Township – Introduction*

The clerk read the ordinance by title. Motion by Baldassare, second by Esposito that Ordinance #2472 be introduced on first reading, advertised as required by law and scheduled for a public hearing on 05/25/2021. Bannan asked for clarification of medical dispensaries.

Roll Call:

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

Approval of Minutes:

04/13/2021 Open Session Minutes

Motion by Esposito, second by Bannan, that the 04/13/2021 Open Session minutes be approved for content and release.

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

PUBLIC COMMENT

The mayor opened public comment.

Andrew McNally, 195 W. Oak St. – commented in support of Ordinances #2471 and 2472.

Leslie Workman, 27 Wellington Dr. – thanked the township committee for their support of the Farmstead Arts; commented in support of the cannabis ban.

The mayor closed public comment.

EXECUTIVE SESSION (if required)

Not required.

ADJOURNMENT

Motion by Baldassare, second by Bannan, and unanimously agreed to adjourn the meeting at 9:01 PM.

Rhonda Pisano
Municipal Clerk

Janice M. Fields,
Mayor

Approved: 05/11/2021