

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE

COMBINED AGENDA - REGULAR MEETING

January 25, 2022 – 8:00 PM Public Open Session

The Municipal Building, 1 Collyer Lane, Basking Ridge, is open and is following the CDC's current guidelines. The meeting will be live streamed and can be found by clicking on the "Watch a Meeting Live" icon on the home page, www.bernards.org and can also be viewed live on Optimum/Cablevision TV - Channel 15 and Verizon FiOS TV - Channel 35.

Estimated
Times

A G E N D A

8:00 PM

1. CALL TO ORDER

2. FLAG SALUTE

3. MAYOR'S OPENING MEETING STATEMENT

4. ROLL CALL

5. EXECUTIVE SESSION (if required)

6. PUBLIC WORK SESSION (if required)

7. REPORTS

1) Resolution #2022-0082 - Acknowledgement of 12/16/2021 Utility Advisory Task Force Report

2) Resolution #2022-0087 - Acknowledgement of the Diversity and Inclusion Committee's Year End Recommendations – 12/23/2021

8:05 PM

8. CORRESPONDENCE

9. PUBLIC COMMENT

10. TOWNSHIP COMMITTEE BOARD / LIAISON REPORTS AND STAFF COMMENTS

11. FIRE & RESCUE APPOINTMENT

1) Resolution #2022-0097 - Appointment to Membership in Township of Bernards Volunteer Liberty Corner Fire Company David Rozzelle, Full Member

2) Resolution #2022-0098 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1 Ronald Salko, Full Member

12. UNFINISHED BUSINESS

A. Ordinance #2482 - Accepting a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Property Located at 20 Lurline Drive; Block 7801, Lot 20, from Therese L. Laird to the Township of Bernards - Map – Public Hearing

B. Ordinance #2483 - Accepting a Wetlands Conservation Easement on Property Located at 242 Liberty Corner Road; Block 7301, Lot 33, from Edmond J. Hardy and Suzanne L. Hardy to the Township of Bernards – Map – Public Hearing

C. Ordinance #2484 - An Ordinance of the Township of Bernards to set Calendar Year 2022 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14 – Public Hearing



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

- D. Ordinance #2485- Accepting a Wetlands Conservation Easement on Property Located at 22 High Meadow Lane; Block 9501, Lot 37, from Benjamin Weisfelner and Rebecca Jackson to the Township of Bernards – Map – Public Hearing
- E. Ordinance #2486- Accepting Various Easements on Property Presently Known as 3066 & 3074 Valley Road, Block 8201, Lots 22 & 23, to be Known After Lot Consolidation as 3066 Valley Road, Block 8201, Lot 22.01, from Rica Properties, LLC (as to Lot 22), and Rica Rental Realty, LLC (as to Lot 23) to the Township of Bernards – Map – Public Hearing
- F. Ordinance #2487 - Authorizing the Vacation of an Emergency Road Easement on Property Located at 181 Mountain Road (Block 11401, Lot 42; formerly Block 187, Lot 32.01) and 16 Harvest Way (Block 11401, Lot 37.01; formerly Block 187, Lot 32.03) relating to the Emerald Valley Estates Development in the Township of Bernards – Public Hearing
- G. Ordinance #2488 - Accepting a Wetlands Conservation Easement on Property Located at 177 Whitenack Road, Block 4601, Lot 12, from Eugene Cordano and Gina Cordano to the Township of Bernards – Map – Public Hearing
- H. Ordinance #2489 - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 4-2 “Sales of Goods and Services” Section 12.1(d) “Sale of Ice Cream” – Public Hearing

13. NEW BUSINESS

A. 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.

- 1) Resolution #2022-0095 - Approval of the Bill List Dated 01/25/2022
- 2) Resolution #2022-0096 - Unused Vacation Accrual Due Jorge Casacuberta Public Works Department
- 3) Resolution #2022-0099 - Commendation on the Occasion of Your Retirement Debra Merghart - Library
- 4) Resolution #2022-0100 – Release or Executive Session Minutes
- 5) Resolution #2022-0101 – Personnel Appointment Nicholas Brett – Patrol Officer – Police Department
- 6) Resolution #2022-0102 - Awarding Professional Services Contract for Storm Sewer Lining Design Services to Andrew S. Holt, P.E., P.P, C.M.E., Lic.#24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$34,108.00
- 7) Resolution #2022-0103- Awarding Professional Services Contract for 2022 Site Inspection Services to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$15,000.00
- 8) Resolution #2022-0104 - First Amendment to Contract #C2021-0346 and Award of Change Order #1 for the Newell Drive Reconstruction & Queen Anne Storm Sewer Reivax Contracting Corp., 68 Finderne Ave., Bridgewater, NJ 08807 Decrease of \$123,600.00 (21.15%)For a new not to exceed amount of \$460,720.00
- 9) Resolution #2022-0105 - Personnel Appointment Ronald Simpson – Part-Time Field Inspector– Tax Assessor
- 10) Resolution #2022-0106 - Personnel Appointment Lori Zrebiec – Library Assistant-Public Relations/Communications Bernards Township Library
- 11) Resolution #2022-0107 - Personnel Appointment Susan Sample-Duffy – Library Assistant-Children’s Services Bernards Township Library
- 12) Resolution #2022-0108 - Unused Vacation Accrual Due Debra Merghart – Library
- 13) Resolution #2022-0109 – Interlocal Services Agreement for the Provision of 2022 Somerset County Recycling Pickup to the Township of Bernards
- 14) Resolution #2022-0110- Personnel Appointment Brandon Williams – Staff Engineer – Engineering



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

15) Resolution #2022-0111- Personnel Appointment Ryan Wallace – Superintendent of Public Works – Public Works Department

B. Ordinance #2491 - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 14 "Fire Prevention," Section 14-3 "Permits, Additional Fees and Inspections", Subsection 14-3.2 "Additional Required Inspections and Fees", Subsection 14-3.3 "Mobile Food Vendors", Section 14-3B "Non-Life Hazard Use Inspection Fees," Subsection 14-3B.1 "Fees Established" – Introduction

C. Township Committee Appointment:
Municipal Alliance, Karen Gray, BOE Representative, 1 year term, filling the unexpired term of Jennifer Korn, expiring 12/31/2022

D. Approval of Minutes:
01/11/2022 Open Session Minutes

14. EXECUTIVE SESSION (if required)

15. ADJOURNMENT

Rhonda Pisano, Municipal Clerk

(Note: Copies of Resolutions and other supporting documents listed on this agenda can be found on the pages below)



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



Resolution of the Township of Bernards

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

Resolution #2022-0082

Acknowledgement of 12/16/2021
Utility Advisory Task Force Report

WHEREAS, Resolution #2020-0297 established a Utility Advisory Task Force to assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate; and

WHEREAS, pursuant to Resolution #2020-0297, the Utility Advisory Task Force will report their findings and recommendations to the Township Committee no later than 06/30/21; and

WHEREAS, the Utility Advisory Task Force provided a Progress Report dated 06/23/2021.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards hereby acknowledges receipt of the Utility Advisory Task Force 12/16/2021 report and expresses its appreciation for the work the committee members performed on behalf of the residents of Bernards Township.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

**REPORT TO THE BERNARDS TOWNSHIP COMMITTEE
BY THE UTILITY ADVISORY TASK FORCE**

Members:

Scott Guibord, Chair and Resident Member
Todd Edelstein, Resident Member
Michael Estrin, Resident Member
Corey Fischer, Resident Member
Donna Romano, Resident Member
Priti Shah, Resident Member
Janice Fields, Township Committee Liaison
Pat Monaco, Township Administrator
John Neiman, OEM Representative

Approved by the Resident Members: December 16, 2021

I. Introduction.

Pursuant to the Bernards Township Committee Resolution #2020-0297 (9/29/2020) - Establishment of a Utility Advisory Task Force (“Task Force”), the mission of the Task Force is to:

“assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate....The Utility Task Force will report their findings and recommendations to the Township Committee no later than 6 months from inception”.

On January 5, 2021 the Township Committee appointed the Members of the Task Force. The Task Force held eleven meetings in 2021. Between meetings, the Resident Members were in constant communication with one another, completing their assignments and the work of the Task Force. On June 23, 2021 the Task Force submitted its Progress Report to the Bernards Township Committee with the understanding that it would thereafter submit this report with its findings and recommendations.

II. Task Force Activity

As a result of known resident issues and concerns with Altice USA/Optimum (“Optimum”) internet service, the Task Force chose internet service as the first utility service to assess in Bernards Township (the “Township”). As its major initiative, to assist in the assessment, the Task Force conducted an internet survey (“Resident Internet Survey”) covering not only Optimum, but all internet service providers. The Resident Internet Survey also contained instructions on how to communicate internet service concerns to Optimum and Verizon and file complaints with the New Jersey Board of Public Utilities (“BPU”) and Federal Communications Commission. A copy of the Resident Internet Survey is attached as Exhibit 1. The Task Force thereafter did an extensive review and analysis of the survey results and developed programs and tools to present the results provided with this report. In order fulfill its mission regarding utility companies providing service in the Township and reporting its findings and recommendations to the Township Committee, the Task Force received in-person presentations by representatives from the New Jersey American Water Company (“NJAWC”), Public Service Electric & Gas Company (“PSE&G”), Jersey Central Power & Light Company (“JCP&L”), the Bernards Township Sewerage Authority, Verizon New Jersey, Inc. (“Verizon”) and Optimum.

III. Findings and Recommendations

JCP&L

Based on information provided during the JCP&L presentation, the Task Force recommends that the Township Committee:

- 1) notify residents (such as through RAVE) of the importance of every customer reporting an electrical outage, for as more customers report a particular outage, the higher the restoration priority becomes for JCP&L.

- 2) notify residents (such as through Rave) that, for the purpose of reporting concerns regarding the condition of or an event involving a utility pole, poles marked with a BT or VZ tag are owned by Verizon, and poles marked with a JC tag are owned by JCP&L; and that the customer service number for making such reports is 800-837-4966 for Verizon and 888-544-4877 for JCP&L.
- 3) notify residents (such as through Rave) that the website for reporting vegetation or tree issues is:

https://www.firstenergycorp.com/service_requests/report-lighting-problem.html

And that the website for reporting streetlight or outdoor area light issues is:

https://www.firstenergycorp.com/service_requests/report-lighting-problem.html

- 4) require street light outage notifications to be a part of the Bernards Township Police Department's ("BTPD") regular patrol duties during the night shift.

The Township pays JCP&L a fee for the street lights whether they are working or not. The BTPD is the only Township Department that works during the evening hours when nonoperational street lights can be observed, so it is appropriate for street light outage reporting to be part of evening patrol duties. The BTPD can decide how they want to collect and report street light outages, either by calling them into Central Dispatch during their shift or documenting them at the end of their shift and then reporting them to JCP&L by phone or through the JCP&L website.

All Utilities

Based on the information provided during the NJAWC, PSE&G, JCP&L, Verizon and Optimum presentations, the Task Force recommends that the Township Committee notify residents (such as through RAVE) of the importance of registering/signing up on the utility websites to, among other things, receive automated customer communications and alerts, report service issues and outages, access outage information and restoration updates and access other customer account information.

Based on the discussions during Verizon's presentation regarding the provision of internet service to new land development, the Task Force recommends that the Township Committee revise Section 21-26 entitled "Utilities" of the Land Development Ordinance to include internet service such that development applications demonstrate that the development will be served by internet service in compliance with that Section and that a written instrument from each servicing internet provider evidence full compliance or intended full compliance with the provisions of that Section.

The Internet - Altice USA/Optimum

As a result of the corona virus pandemic, the internet has become, and will forever remain, an essential and critical technology for teaching our children and college students, conducting our work and businesses, obtaining our goods and services and generally socializing and communicating. Consequently, the Task Force upon formation chose internet service as the first utility service to assess. The Task Force developed the Resident Internet Survey to obtain resident input on internet utility service. Residents were notified of and instructed on the survey through Patch, the Bernardsville News, Rave Alert, TAPinto Basking Ridge, What's App groups, the Township website, the Friday School Folder, and resident associations in The Cedars and the Hills. The automated survey remained available for residents to complete on the internet from May 20th through June 9th. Members of the Task Force also registered for and listened in on the five-hour New Jersey Board of Public Utilities public hearing on Altice/Optimum Internet service during which numerous residents and officials from municipalities expressed their concerns and complaints.

Specifically, on February 17, 2021, the BPU initiated an investigation into the adequacy of internet service provided by Altice USA, Inc/Optimum ("Optimum"). The BPU and the Office of Cable Television and Telecommunications ("OCTV&T") received numerous complaints and inquiries from at least ten (10) municipalities and several state legislators concerning various issues their residents and constituents are experiencing regarding the service provided by Optimum, including but not limited to frequent and lengthy service disruptions (across all services), inconsistent connections and fluctuating Internet speeds, long telephone wait times, poor customer service, and an inability to receive satisfactory responses to these complaints from the company both before and after the COVID-19 pandemic. Both the customers and municipal representatives collectively maintained that Optimum has failed in its duty to provide safe, adequate and proper service to their residents. The BPU and the OCTV&T also received complaints directly from Optimum customers concerning the same issues presented by the municipalities. See *In the Matter of Request for an Investigation into the Operations of Altice USA in New Jersey*, BPU Dkt. No. CX21020139, dated February 17, 2021. On March 16th the BPU held a five-hour public hearing in the matter during which over three hundred (300) participants were in attendance and approximately sixty (60) speakers expressed the varying experiences they have had regarding the services provided by Optimum. As a result of that hearing, on April 27, 2021 the BPU ordered Optimum to respond to twenty-four (24) Information Requests by May 27, 2021. A copy of that Order is attached as Exhibit 2. The BPU matter is still pending and nothing more appears on the BPU website at this time.

The Resident Internet Survey conducted by the Task Force revealed, among other things, the same complaints, issues and areas of concern with Optimum internet service in the Hills as those the municipalities and customers expressed during the BPU hearing. The Optimum pie charts and comment summary developed by the Task Force from the Resident Internet Survey are attached as Exhibit 3. Forty percent (40%) of all the Township survey responses came from residents of the Hills. The Task Force has provided Exhibit 3 to the Hills Home Owners Associations ("HOA's"), Optimum's Area Director, Government Affairs and posted it on its website.

It should be noted that while some Hills residents through the Resident Internet Survey expressed a desire for Verizon to install FIOS internet service in the Hills for better service,

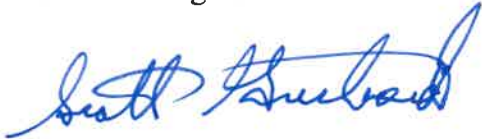
Verizon has made it clear that it has no plan to do so. It is important to note the remarkable difference in the level of resident satisfaction with Verizon internet service (Exhibit 3 - page 1) and Optimum internet service (Exhibit 3 - page 2). Of the 142 Verizon customers in the Township who responded, only 12% were either dissatisfied (9.9%) or very dissatisfied (2.1%) with their internet service. Of the 316 Optimum customers in the Township who responded, 57.2% were either dissatisfied (32.1%) or very dissatisfied (25.1%) with their internet service. Of the 181 Optimum customers in the Hills section of the Township who responded (Exhibit 3, page 3), 70.7% were either dissatisfied (34.8%) or very dissatisfied (35.9%) with their service.

On November 22 Optimum's Area Manager, Government Affairs, Sr. Director of Construction and Director of Field Operations made a presentation to the Task Force regarding Optimum's internet service in the Hills and Optimum's proposal to improve that service by installing fiber optic throughout the Hills. The representatives addressed a variety of project issues including the need to meet with the numerous HOA's and have them approve the project in order for Optimum to have the rights necessary to install the fiber in private roads and on private property. Optimum representatives intend to begin those meetings this month and, if all goes well, Optimum could begin the installations in the early spring of 2022 and complete the project in six to eight weeks.

Consequently, the Task Force recommends that the Township Committee:

- 1) monitor (or intervene in) the Optimum BPU proceeding on behalf of residents,
- 2) share the results of the Resident Internet Survey with the BPU,
- 3) appoint a township representative to work with Optimum's regional management, the Hills HOA's and the Hills Highlands Master Association regarding Optimum's installation of fiber internet service in the Hills,
- 4) begin discussions with Verizon about having FIOS internet service installed throughout the Hills, and
- 5) write a letter to the appropriate executives of Verizon and Optimum requesting the installation of fiber internet service throughout the rest of the Township.

The Task Force commends the Township Committee for its continuing effort to ensure safe, adequate and reliable utility service for all residents throughout the Township and presents these findings and recommendations to the Township Committee for appropriate action.



Scott Guibord, Chairman
Bernards Township Utility Advisory Task Force

Exhibit 1

Resident Internet Survey

Task Force Survey Opening Statement

*** Required**

Opening Statement

The Bernards Township Utility Advisory Task Force takes your submissions seriously as we seek to improve broadband speed and service throughout Bernards Township. Your submissions will remain confidential and no personal information will be shared with outside third parties. On behalf of the Utility Advisory Task Force, we sincerely thank you for your candid submissions and look forward to working on behalf of Bernards Township Residents.

To communicate concerns about your internet service, you may contact:

Verizon Fios / DSL

Phone: 1-800-837-4966

Internet: <https://www.verizon.com/support/residential/contact-us/contactuslanding.htm>

Optimum/Altice

Phone: 866-347-4784

Internet: <https://www.optimum.net/support/contact-us>

You may also file a regulatory complaint with the:

New Jersey Board of Public Utilities

<https://www.state.nj.us/bpu/assistance/complaints/inquiry.html>

Federal Communications Commission

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Bernards Township, NJ

Utility Advisory Task Force Survey

1. First Name *
2. Last Name *
3. Home Address Street Number *
ex. 123

4. Home Address Street Name *

ex. Main Street, Maple Avenue, etc.

5. Town *

6. Zip Code

7. Resident of Bernards Township Since (Year) *

8. Do you routinely lose internet during the week? If so, please describe how many times per week? *

Mark only one oval.

- ☐ 0 times a week
- ☐ 1 - 3 times a week
- ☐ 4-6 times a week
- ☐ 5-7 times a week
- ☐ More than 7 times a week

9. If you routinely lose internet during the week, please describe approximately for how long in minutes

10. How would you currently rate your internet service with your provider? *

Mark only one oval.

☐ Very Satisfied

☐ Satisfied

☐ OK

☐ Dissatisfied

☐ Very Dissatisfied

11. If you chose dissatisfied or very dissatisfied, please explain why.

12. How are you currently addressing grievances about your internet speeds and customer service, if applicable.

13. Who is your current internet service provider *

Mark only one oval.

- ☐ Optimum/Altice *Skip to question 14*
- ☐ Verizon Fios *Skip to question 15*
- ☐ Verizon DSL *Skip to question 16*
- ☐ Other:

Optimum/Altice

14. Please choose what broadband speed package purchased under your current plan: *

Mark only one oval.

- ☐ Optimum Internet 100 : 100 Mbps *Skip to question 18*
- ☐ Optimum Internet 300: 300 Mbps *Skip to question 18*
- ☐ Optimum Internet 500: 500 Mbps *Skip to question 18*
- ☐ Optimum Internet 1 Gig: 940 Mbps *Skip to question 18*
- ☐ Other:

Verizon Fios

15. Please choose what broadband speed package purchased under your current plan: *

Mark only one oval.

- ☐ Verizon FIOS 200 Mbps *Skip to question 18*
- ☐ Verizon FIOS 400 Mbps *Skip to question 18*
- ☐ Verizon FIOS 1000 Mbps *Skip to question 18*
- ☐ Other:

Verizon DSL

16. If you chose Verizon DSL in the question above, please specify your speed tier. (The range is typically from 0.50 Mbps to 15 Mbps). *

Skip to question 18

Other Service Providers

17. Do you receive internet services from a provider not specified above? If so, please explain below *

Internet Speed and Efficiency

An ethernet cable is a cord that connects from your computer directly to your wireless router and looks similar to a telephone cable.

18. Do you conduct regular speed-tests to determine the upload and download speeds of your internet service? If yes, select "yes," and use the information from your latest speed-test to answer the following questions. If no, select "no," and use the following link to complete a speed-test to answer the questions; <https://www.speedtest.net>. Please use an ethernet cable to connect your router to computer when completing the test. If performed using Wi-Fi, this test will not provide accurate results. We encourage you to submit this form multiple times to provide data throughout the week.

Mark only one oval.

☐ Yes

☐ No

Test Connection Method

19. Did you use Wi-Fi or Ethernet to conduct the speed test?

Mark only one oval.

☐ Ethernet

☐ Wi-Fi

Internet Speed

If possible, please provide the following information after your latest speed-test

20. Download Speed (Mbps)

21. Upload Speed (Mbps)

22. Time of Day Test Completed

Example: 8:30 AM

23. Day of Week Test Completed

Example: January 7, 2019

Follow
Up
Contact

Would you like to provide your contact information to the Utility Advisory Task Force in case we need additional information? If so, please complete the following fields.

24. Home Phone Number

ex. 123-456-7890

25. Cell Phone Number

ex. 123-456-7890

26. Email Address

This content is neither created nor endorsed by Google.

Exhibit 2

NJBPU April 27, 2021 Order



Agenda Date: 4/27/21

Agenda Item: 3A

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF REQUESTS FOR AN
INVESTIGATION INTO THE OPERATIONS OF
ALTICE USA IN NEW JERSEY

) ORDER
)
) DOCKET NO. CX21020139

Parties of Record:

Paul Jamieson, Esq., Altice USA, Inc.

Stephanie A. Brand, Director, New Jersey Division of Rate Counsel

Elissa Grodd Schragger, Esq., Director of Law and Township Attorney, Hamilton Township

Ronald A. Berutti, Esq., Weiner Law Group, LLP, on behalf of the Borough of Sayreville

Dawn M. Sullivan, Esq., Dorsey & Semrau, on behalf of the Township of West Milford

Anthony R. Francioso, Esq., Fornaro Francioso LLC, on behalf of the Township of
Robbinsville

Gerard Lederer, Esq., Best Best & Kriegler LLP, on behalf of the Township of Piscataway

Jean L. Cipriani, Esq., Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., on behalf of the
Boroughs of Seaside Heights and Seaside Park

Fred Semrau, Esq., Dorsey & Semrau, on behalf of the Township of Montville

Gregory P. McGuckin, Esq., Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, on
behalf of the Township of Toms River

Andrew Bayer, Esq., Pashman Stein Walder Hayden, PC, on behalf of the Township of Howell

BY THE BOARD:

On February 17, 2021, the Board of Public Utilities ("Board") initiated an investigation¹ into the adequacy of service provided by Altice USA, Inc. ("Altice" or "the Company"). The Board and the Office of Cable Television and Telecommunications ("OCTV&T") received numerous complaints and inquiries from at least ten (10) municipalities² and several state legislators concerning various issues their residents and constituents are experiencing regarding the service provided by Altice, including but not limited to frequent and lengthy service disruptions (across all services), inconsistent connections and fluctuating Internet speeds, long telephone wait times, poor customer service, and an inability to receive satisfactory responses to these

¹ See *In the Matter of Request for an Investigation into the Operations of Altice USA in New Jersey*, BPU Dkt. No. CX21020139, dated February 17, 2021.

² Boroughs of Dunellen and Sayreville, and the Townships of Green Brook, Hamilton, Howell, Jackson, Montville, North Brunswick, Piscataway, and Robbinsville.

complaints from the company both before and after the COVID-19 pandemic. Both the customers and municipal representatives collectively maintain that Altice has failed in its duty to provide safe, adequate and proper service to their residents. The Board and the OCTV&T have also received complaints directly from Altice customers concerning the same issues presented by the municipalities.

Upon review of the many complaints from municipal and government officials requesting an investigation and intervention in this matter, the Board found sufficient cause to convene a public hearing to afford both officials and Altice customers the opportunity to voice their concerns about the services received from Altice; as well as afford the company the opportunity to respond to these concerns before determining what corrective action may be warranted and should be taken in this matter.³

During the public hearing conducted on March 16, 2021, over three hundred (300) participants were in attendance and approximately sixty (60) speakers expressed the varying experiences they have had regarding the services provided by Altice. Detailed encounters were provided with regard to the lack of competition, untrained customer service staff, long hold times, persistent outages, service plan coverage, inadequate repairs, non-compliance with merger conditions resulting from Altice's acquisition of Cablevision and overall dissatisfaction with the services provided.

Following the public hearing, Staff reviewed over three hundred (300) comments and/or complaints submitted by Altice customers which outlined in detail the magnitude of the issues experienced which spanned the entire footprint of the service territory covered by Altice. Said complaints concerned issues in the following categories:

Number	Type
219	No competitive option
255	Slow internet speeds
222	Not receiving the internet speed contracted
118	Service inadequacies
78	Outages
146	Equipment failure
264	Dropped or spotty service
251	High service fees
13	Unauthorized charges
104	Inability to reach a live operator
157	Extended hold times
92	Multiple technician visits
312	Other

Regulatory Authority

The overarching issue before the Board is the question of whether the Company has fulfilled its obligations under the statutes governing cable operations within the state. As provided under

³ Pursuant to the Order issued by Presiding Commissioner Mary-Anna Holden in this matter dated March 15, 2021, the Townships of Robbinsville, Hamilton, Montville, and Howell, and the Boroughs of Seaside Heights and Seaside Park were granted Intervenor status; and the Townships of West Milford, Piscataway, and Toms River, and the Borough of Sayreville were granted Participant status in this proceeding.

N.J.S.A. 48:5A-36, it is the duty of all cable television companies to provide safe, adequate and proper service, equipment and facilities for the operation of its cable television system.

In the exercise of its authority, the Board, and the Director of the OCTV&T, pursuant to N.J.S.A. 48:5A-9, have authority and jurisdiction including but not limited to:

- a. Receive or initiate complaints of the alleged violation of any of the provisions of the Cable Television Act ("Act") N.J.S.A. 48:5A-1 *et seq.*, or any of the rules and regulations made pursuant to the Act or of the terms and conditions of any municipal consent granted pursuant to the Act; and for this purpose and all other purposes necessary to enable the Director to administer the duties of the office as prescribed by law may hold hearings and shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation at any such hearing. . . .
- d. Institute all proceedings and investigations, hear all complaints, issue all process and orders, and render all decisions necessary to enforce the provisions of the Act; of the rules and regulations adopted thereunder, or of any municipal consents issued pursuant to the Act.

In addition, as provided in N.J.A.C 14:18-3.3 each cable television company shall, upon request, furnish its customers with such information as is reasonable, in order that the customers may obtain safe, adequate, efficient and economical service. Also applicable are the rules promulgated by the Federal Communications Commission ("FCC") regarding customer service obligations, as outlined in 47 C.F.R. § 76.309, which set forth additional standards cable operators must meet in the provisioning of service.

Furthermore, the aforementioned State and Federal rules are supplemented by commitments and conditions set forth by Order of the Board wherein an entity seeks approval or relief from the agency. In this instance, the Board's Order *I/M/O the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation and Cablevision Cable Entities for Approval to Transfer Control of Cablevision Cable Entities*, Docket No CM15111255 dated May 26, 2016, and the terms and conditions outlined therein guide the matter herein.

Merger Conditions and Obligations

In its merger petition⁴ before the Board seeking approval and in responses to discovery, Altice asserted that the transaction will serve the public interest by promoting New Jersey customers' access to innovative, high-quality services at just and reasonable rates. Altice further contended that the merger would result in the Company: (a) investing heavily in and improving CCE NJ's network by pushing fiber deeper into the network, thereby eliminating active components in order to achieve lower failure rates; (b) introducing newer, more reliable, and more consumer-friendly customer premises equipment; and (c) investing in IT infrastructure and replacing legacy IT systems with more robust, easier-to-manage platforms, which will reduce

⁴ By verified Petition filed on November 5, 2015, Altice N.V. ("Altice"), Cablevision Systems Corporation ("Cablevision"), and the Cablevision Cable Entities ("CCE") ("Cable Petitioners"), initiated a proceeding before the Board of Public Utilities ("Board"), pursuant to N.J.S.A. 48:5A-38 (Docket No. CM15111255). Altice, Cablevision, Cablevision Lightpath-NJ, LLC, and 4Connections, LLC concurrently also filed a separate verified Petition, pursuant to N.J.S.A. 48:2-51.1 and N.J.A.C. 14:1-5.14 requesting approval of the transfer of control to Altice of Lightpath and 4Connections, both indirect wholly-owned subsidiaries of Cablevision, and approval for Lightpath to participate in the financing pursuant to N.J.S.A. 48:3-9, and N.J.A.C. 14:1-5.9. (Docket No. TM15111256).

operational complexity and enable the company to better serve customers through improved service provisioning, billing, and incident management. Over time, as network reliability and IT infrastructure improves, Altice promised to redeploy resources as needed to ensure continued reliable service. Altice further stated that by providing access to Altice's larger scale, operational expertise, and capital resources, the transaction would allow the Company to build on its position as an innovative and dynamic competitor in the broadband, video and telecommunications markets and provide New Jersey consumers in the territory with a more robust competitive option for these services. The "additional scale" of Altice, it asserted, placed the merged company in a better negotiating position with suppliers and also enabled Altice to eliminate duplicative costs, and spread the fixed cost of developing additional innovative and competitive service offerings across a larger subscriber base not previously available.

In addition, Altice described the transaction once consummated would enhance the ability of Company and its subsidiaries to compete in the telecommunications marketplace in New Jersey through network investment, consumer-focused products and services, and innovative pricing and packaging, thus promoting competition and customer choice. Altice emphasized its intent to focus on providing world-class broadband Internet connectivity, video and voice service and accordingly would be fully committed to investing in the Company's network and offering New Jersey consumers the best quality and value in broadband Internet connectivity and video programming choices. In addition, Altice argued during the merger review that the transaction would serve to reduce vertical integration in distribution and programming while posing no horizontal harms, and would cause no competitive harms since no overlap was created between competing cable providers. Finally, Altice highlighted throughout the review that the merger provided a positive benefit as the transaction would result in a combined company that enabled enhanced efforts to increase broadband connectivity and Wi-Fi service deployment and over-the-top video services.

The merger filing resulted in a Stipulation of Settlement which included several conditions and obligations adopted by the Board upon its approval. Specifically, the Stipulation at page 5 provided for a Most Favored Nations Clause which states:

"Within sixty (60) days following the Closing, the Joint Petitioners will provide Board Staff and Rate Counsel with a copy of the final Orders and Settlement Stipulations from any State or other jurisdiction under which conditions are imposed on the Joint Petitioners, along with an analysis indicating and explaining the valuation of the customer benefits awarded in that jurisdiction as compared to the valuation of the customer benefits awarded in New Jersey, in each case, calculated on a per customer basis.

In recognition of the risks to New Jersey of approving the Transaction before other jurisdictions, the Signatory Parties agree that in the event that the Joint Petitioners agree to and accept orders under which another state or jurisdiction obtains materially greater benefits in the aggregate than New Jersey pursuant to this Stipulation and order of approval, including but not limited to faster broadband speeds, more advantageous low-income broadband, low-cost broadband, network resiliency and improvement, employment commitments, or other per subscriber benefits, then New Jersey shall be protected because the Joint Petitioners shall provide equivalent benefits to New Jersey. The Joint Petitioners and Board Staff agree that the "most favored nation" provision ensures that the synergy savings associated with the Transaction are shared with New Jersey customers in a manner equivalent to that of other States or jurisdictions on a per subscriber basis and on the same time schedule as agreed or required in the State of New York."

As part of the merger conditions, the Company also provided assurances in the Stipulation of Settlement that it will abide by applicable customer service standards, performance standards, and service metrics as delineated under N.J.A.C. Title 14, including but not limited to Chapters 3, 10 and 18, and N.J.S.A. 48:5A, including, but not limited to, requirements related to billing practices and termination.

Many of the complaints received question Altice's compliance with applicable regulations and the merger commitments agreed to by the Company in the Stipulation of Settlement. Based upon a review of the complaints received, and the concerns raised by multiple municipal officials and Altice customers, Staff, in order to evaluate the appropriate next steps in this investigation seeks the following information from Altice:

INFORMATION REQUESTS

Resiliency

- 1) Please provide information evaluating the current condition of the Company's infrastructure and its ability to provide reliable service to its customers.
- 2) Provide a list of redeployed resources provided throughout the system to ensure continued reliable service for each of the years from 2016 through 2021.
- 3) Provide an outline of the expenditures made by the company for infrastructure improvements for each of the years from 2016 through 2021.

Network Expansion

- 1) Calculations of monetary expenditures related to network expansions in New Jersey for each of the years from 2016 through 2021.
- 2) How these expenditures compare to those provided in New York as part of the merger conditions.
- 3) Information evidencing how the company has pushed fiber deeper into the network from 2016 through 2021.
- 4) Provide a list of IT infrastructure improvements the Company initiated for each of the years from 2016 through 2021.

Customer Care

- 1) Provide the number of customer service representatives in New Jersey by location and total for each of the years from 2016 through 2021 broken down by in-house and contract employees.
- 2) Provide information concerning customer service satisfaction surveys undertaken by the company for each of the years from 2016 through 2021.
- 3) Data representing how often the company engages in customer service training and field office trainings, and provide a copy of all procedure documents, training materials and

evaluation criteria used to instruct and measure employee knowledge of company procedures and fitness to perform their assigned work

- 4) How often are internet speed tests performed, at what location(s) they are taken and what findings have been rendered.
- 5) Provide data regarding field operations throughout the service territory from 2016 through 2021, including, but not limited to, the number of service calls conducted by system and total by year, number of repeat or multiple service calls conducted to address the same or similar problem by system and total by year, the number of service calls handled by system and total by year broken down by in-house employees and contractors, the number of service calls by system and total by year that resulted in a referral for outside plant work, the frequency which all such work is inspected and evaluated by the company for appropriateness and proper completion of the work performed.
- 6) Provide data regarding the process used in vetting and evaluating the experience and ability of contractors to perform all field assignments including the minimum standards necessary for a contractor to be approved to perform the field work assigned.
- 7) Provide data concerning the training and evaluation of in-house and contract field staff, including a copy of any and all standards imposed, training materials, and methods of testing and evaluating the success of the training, as well as the fitness of the staff to perform assigned field work.

Low Cost Broadband

- 1) Provide a per subscriber calculation of the low cost broadband benefit prescribed for each New Jersey customer.
- 2) How do the New Jersey program expenditures compare to the low cost broadband program expenditures in New York?

Free Broadband to Anchor Institutions

- 1) The number of New Jersey organizations receiving free broadband since the merger.
- 2) How does the number of New Jersey organizations compare to the forty (40) locations added in New York as part of the merger agreement?

New Technology

- 1) What steps has the Company taken to avail its customers of the technological advances impacting the services offered?
- 2) What new technology upgrades and network investments have been made since 2016?
- 3) List enhanced efforts to increase broadband connectivity and Wi-Fi service deployment and over-the-top video services employed from 2016 through 2021.

Company Expenditures – Customer Service & Plant Maintenance

- 1) What was the total customer service expense by year, from 2016 through 2021?
- 2) What was the total Field Service expense by year, from 2016 through 2021?
- 3) What was the total plant maintenance expense by year, from 2016 through 2021?

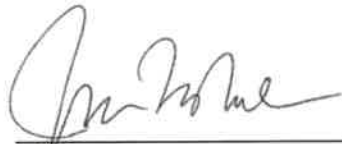
DISCUSSION

Careful consideration has been given to the complaints submitted and the comments and concerns of the Intervenor and Participants in this matter. Accordingly, the Board **HEREBY ORDERS** that Altice provide responses to the above cited requests within thirty (30) days of the date of this order. Upon receipt and analysis of the aforementioned data, the Board will evaluate the appropriate action with respect to enforcement of existing rules and regulations governing the services provided and what measures are necessary to ensure the continued provision of safe, adequate and proper services are rendered throughout the state.

The Order is effective on April 27, 2021.

DATED: April 27, 2021

BOARD OF PUBLIC UTILITIES
BY:




JOSEPH L. FIORDALISO
PRESIDENT



MARY-ANNA HOLDEN
COMMISSIONER



DIANNE SOLOMON
COMMISSIONER




UPENDRA J. CHIVUKULA
COMMISSIONER



ROBERT M. GORDON
COMMISSIONER

ATTEST:



AIDA CAMACHO-WELCH
SECRETARY

**IN THE MATTER OF REQUESTS FOR AN INVESTIGATION INTO THE OPERATIONS OF
ALTICE USA IN NEW JERSEY - DOCKET NO. CX21020139**

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Exhibit 3

Resident Internet Survey Results

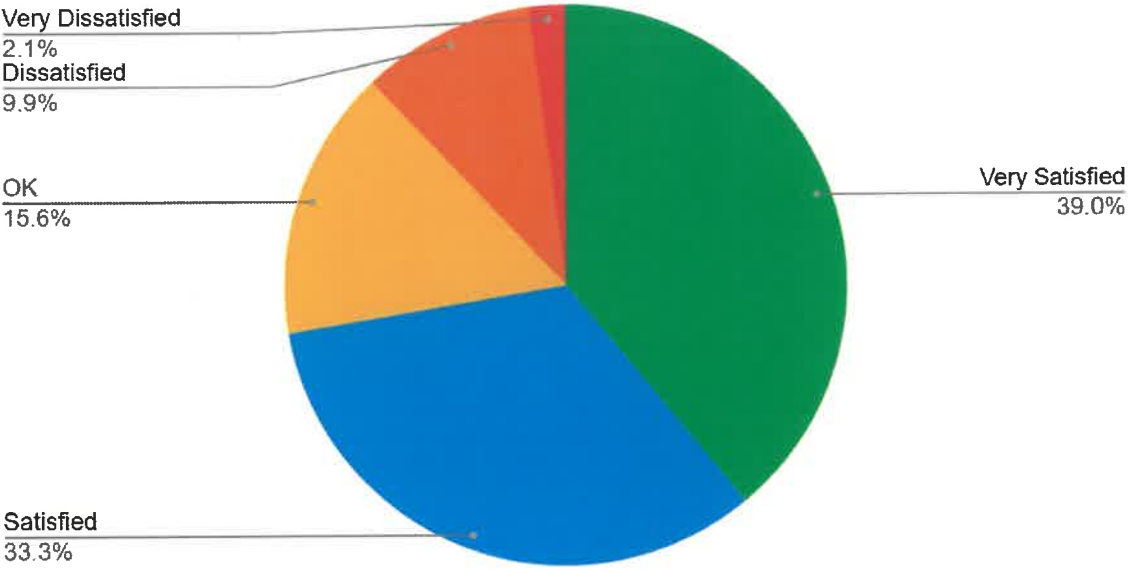
BERNARDS TOWNSHIP UTILITY ADVISORY TASK FORCE

2021 Resident Internet Survey Results



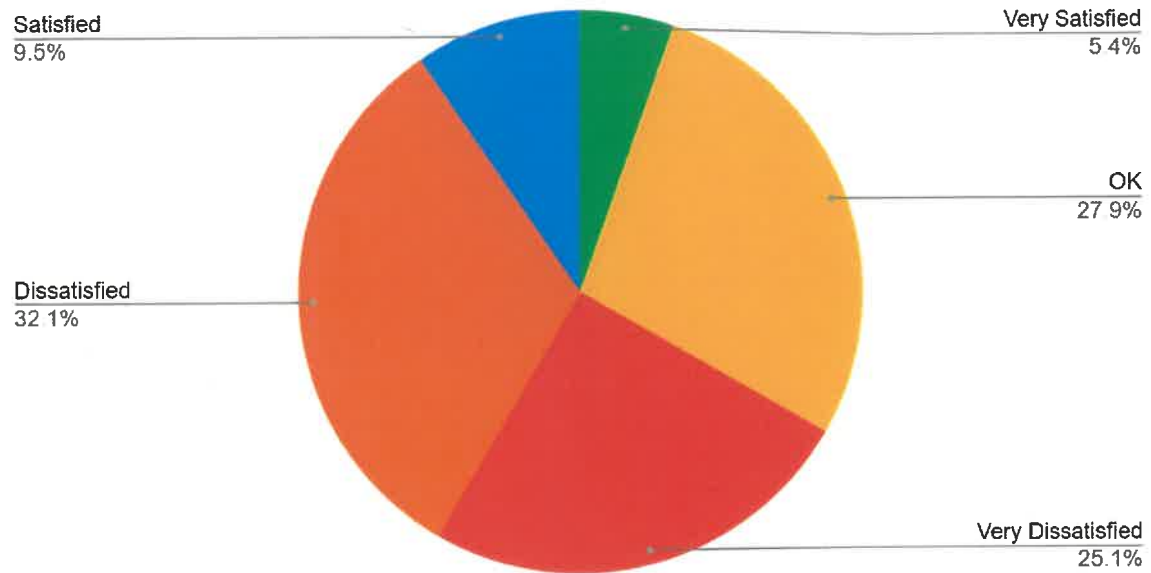
October 22, 2021

Bernards Township Verizon Fios Internet Satisfaction (142 Responses)



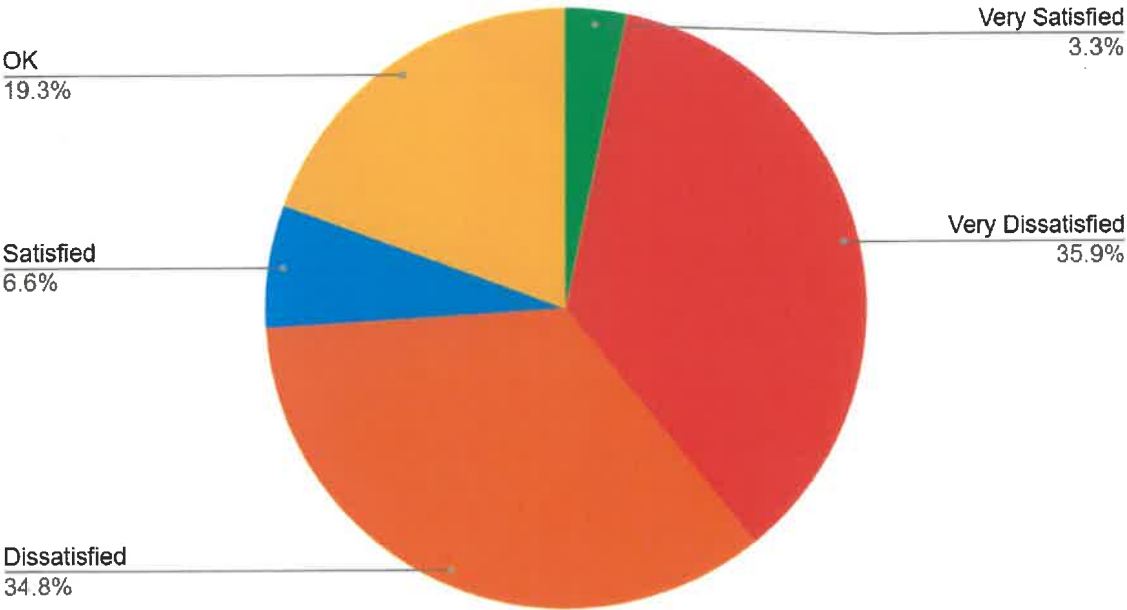
*Describes issues with internet service, such as slow speed and frequent disconnection

Bernards Township Optimum Internet Satisfaction (316 Responses)



*Describes issues with internet service, such as slow speed and frequent disconnections

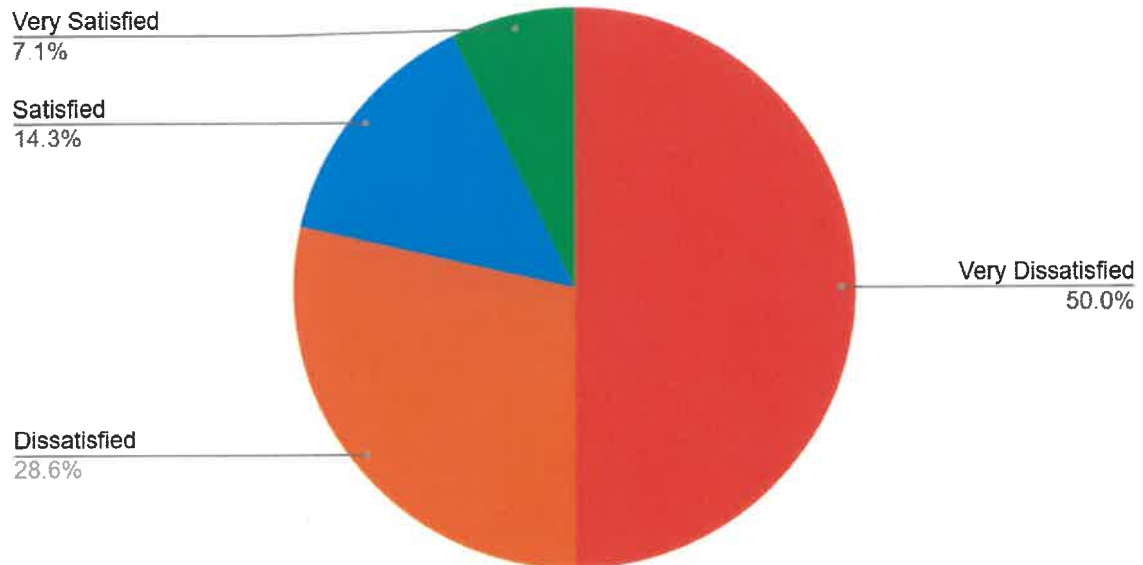
The Hills Optimum Internet Satisfaction (181 Responses)



Customer Service	27
Monopoly	18
Price	25
Quality*	99

*Describes issues with internet service, such as slow speed and frequent disconnections

Amherst Mews H.A. Optimum Internet Satisfaction (14 Responses)



Customer Service	5
Monopoly	1
Price	0
Quality*	5

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

Uploads speeds have been close to zero for over a year. Monthly charges are exorbitant.

Expensive but not good service

Extremely Poor latency, slow internet. I pay for upgraded speed, but wait time is so long

Service is very weak & slow and I am paying for higher speed

It's a monopoly. Too expensive. Prefers to have other choice like Verizon Fio.

Horrible customer service

Provider constantly denies the issue is at their end

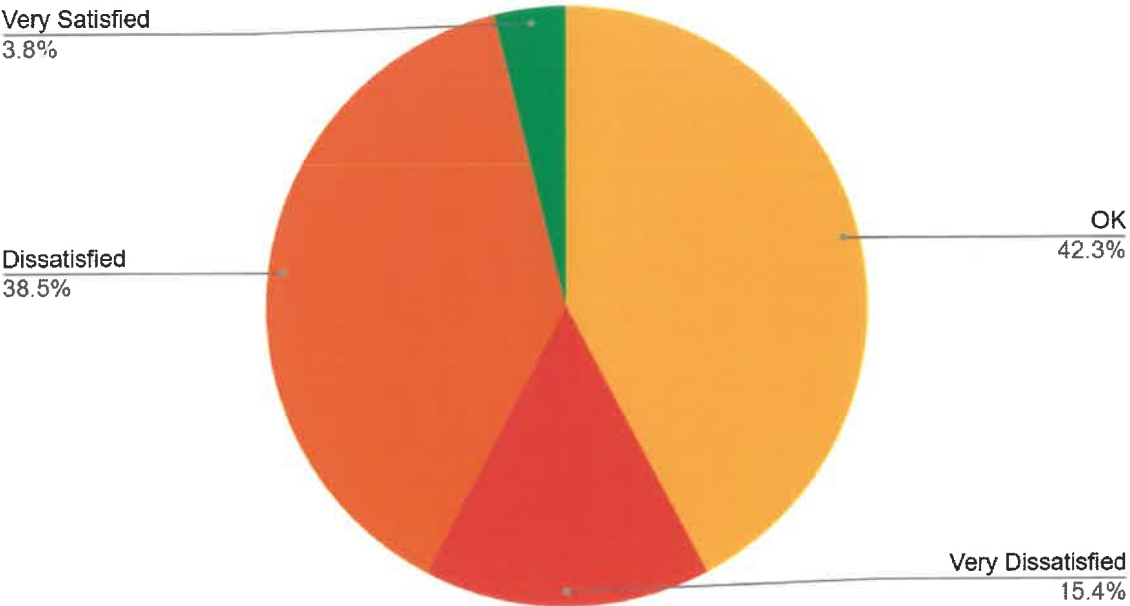
Frequent breaks in connection, band width issues and slow downs for no reason, and across different devices in the home at varying distances. This is not a wifi issue. I have used multiple wifi routers and direct Ethernet connection

Pay too much for slow speed

It's taken over a decade for Optimum to address their malignant infrastructure and service issues.

Extremely poor in reliable service. Company lies. Took about 1 year to address concerns. Spent weeks of personal time trying to correct with customer service. Spent over \$500 replacing equipment trying to resolve.

Carlisle Optimum Internet Satisfaction (26 Responses)



Customer Service	4
Monopoly	3
Price	2
Quality*	8

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

Routine dropped connection. The real speed that is received is nowhere close to the speed advertised and paid for.

Dropped connectivity, very poor TV quality on some channels, terrible Customer Service

They change rates without any notification, their customer service keeps you moving from one person to another.

Low speed intermittent outages

too expensive, no other choice

Too many problems with internet service interruptions and needing to re-boot equipment repeatedly each week.

Price is very high and customer service is very poor.

Speed, quality

They change rates without any notification, their customer service keeps you moving from one person to another.

Too expensive for seniors

Frequent outage/drop and low speed

Poor customer service. Little flexibility. Poor service.

Limited performance: they offer to sell 1Gbps then tell us we can get only 400Mbps; FIOS unavailable.

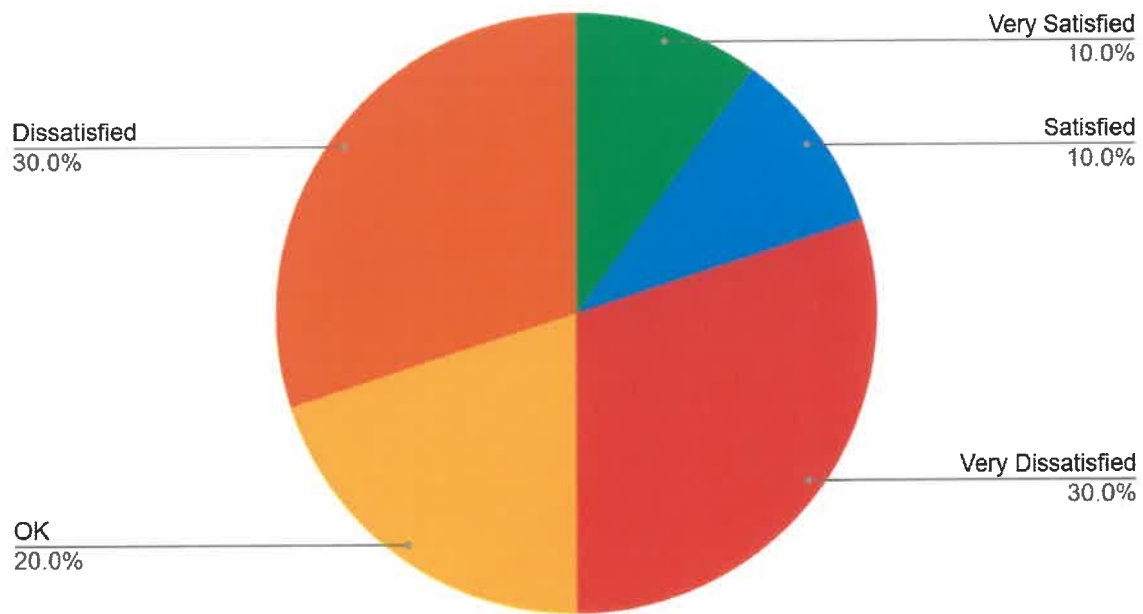
"Our Internet and Cable TV service are not stable/dependable. Internet goes in and out.

Optimums' prices keep going up and service going down. They are a monopoly and they know it, so not willing to do anything to improve service."

Optimum is a monopoly and we don't have a choice, so they care very little about improving their services.

Optimum is a monopoly and we don't have a choice, so they care very little about improving their services.

Hamilton Crest Optimum Internet Satisfaction (10 Responses)



Customer Service	3
Monopoly	1
Price	4
Quality*	7

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

Very Poor Customer Service from Altice. That is what we get from a MONOPOLY.

Unreliable and slow. I upgraded to a more expensive plan but speed did not improve. Lose connection multiple times each day. \$93 per month for internet service is ridiculous.

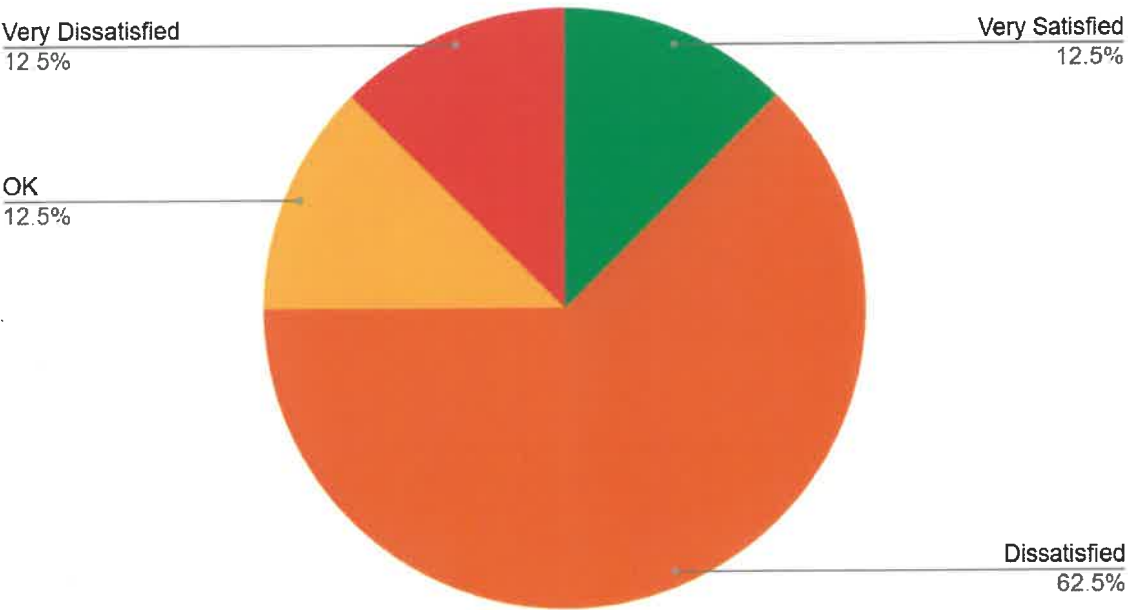
Too many issues with interrupted service

Every afternoon Internet has gone down. When I call Optimum, they send a refresh to my service and usually fixes it for some time. Customer service, tells me something different each time and try to schedule service tech which cost \$80

It's completely unreliable

Optimum/Altice provides poor customer assistance. My main gripes are that service is not only slow, but they have consistently expected me to set up/upgrade my own equipment, which I'm not really comfortable doing. Especially now that I am working at home for my full-time job, I do not want to have down time. Unsolicited, they sent me an "upgraded" router and told me to hook it up myself. Other people have tried to assist, and couldn't figure how to do it reliably -- this is my bread and butter they are asking me to risk. They told me they would charge me to come here and hook it up _ I told them that the water company doesn't send a meter and tell me, "Good luck, lady." My cable television equipment could use an upgrade, and is also not operating at optimal levels. It is also infuriating that as they supposedly managed to improve internet speed, you are supposed to pay a premium. They need to keep up to date on a service for which (bundled) I am paying well over \$200 a month.

Hamilton Ridge Optimum Internet Satisfaction (8 Responses)



Customer Service	0
Monopoly	0
Price	1
Quality*	6

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

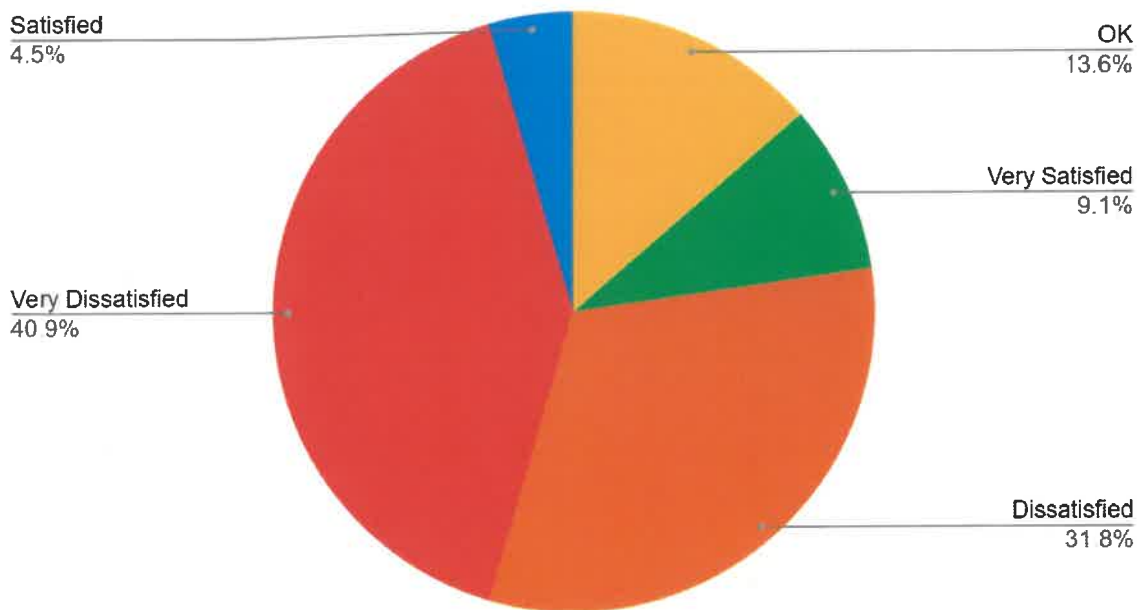
Speed of service is slow, quality is unreliable, and cost is too expensive.

I loose internet service for no apparent reason, I have had to replace my router twice within one year (2020).

When the internet goes out I may be in the middle of a client call which causes a lot of issues

There are frequent losses of connectivity without explanation

Hamilton Woods Optimum Internet Satisfaction (22 Responses)



Customer Service	5
Monopoly	2
Price	4
Quality*	15

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

Problem losing internet especially when working at home

Losing internet connection doesn't take long and mostly instant, but it has a huge impact to daily work especially wfh - disconnect during meetings, during work on clouds, etc. I always need to have a backup hotspot in case of internet loss.

The speed is better than it was for a long time. However, the provider's services they provide to support the connection (e.g. help desk) is subpar. They are also aware that they are the only game in town so they are complacent and even arrogant at times.

In addition to frequent service loss, the speed often drops to a crawl. At the same time, Optimum "customer service" insists on pushing everyone to their higher speed service (for more money), claiming that they no longer offer slower service options, which is completely untrue.

Only provider. Extremely limited upload bandwidth. Cable TV low quality HD

Slow, expensive, not very reliable

I pay for 1 gb of service a month. I receive about 40 mbps on average. My speed is slow and constantly freezing while on calls. Streaming services also tend to freeze or drop due to lack of sufficient bandwidth despite paying for more than enough.

Internet keeps out!! See above.

The service is awful, customer service is no better and the price keeps going up as the service gets worse

Internet has gone out for extended periods of time compromising my ability to work; it often goes out on an almost daily basis for shorter periods of time and then reboots, disconnecting me from important meetings. Calling Optimum continuously and solutions tried have not fixed the problem

Too frequent disconnections whether during business hours or evenings

Price and reliability

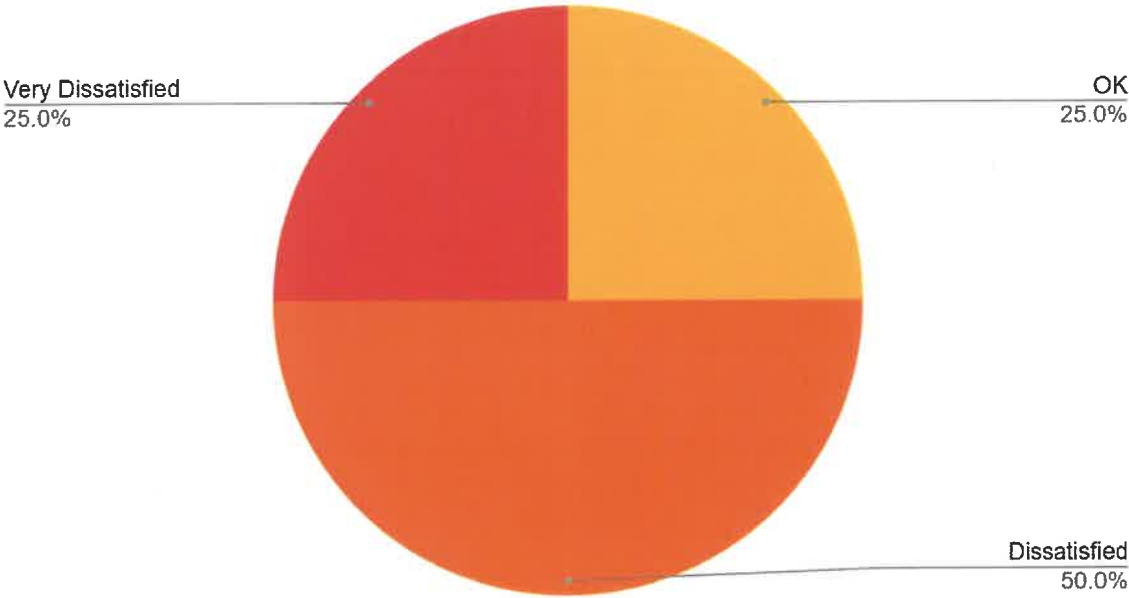
I have been working at home in our office and the internet always goes out and is very very slow. I keep upgrading and its costly and doesn't even help.

cable goes out during overnight period and cost is high

goes down constantly - no explanation provided by carrier - customer service never knows anything about what is happening - poor communications to customer - can't work effectively.

Too frequent disconnections whether during business hours or evenings

Independence Hill Optimum Internet Satisfaction (4 Responses)



Customer Service	0
Monopoly	0
Price	0
Quality*	3

*Describes issues with internet service, such as slow speed and frequent disconnections

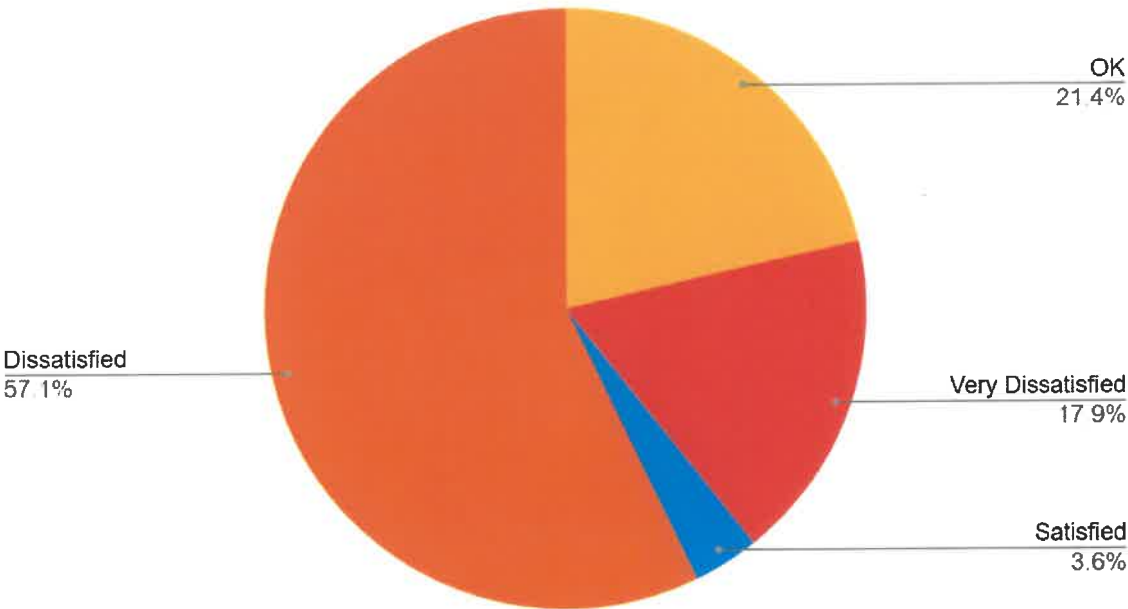
Comments

lose service, can't stream videos on Fridays or Saturday nights, has been getting worse over time

Internet is unreliable and impossible to work from home and Zooming just drops off in middle of a meeting! Embarrassing and unprofessional

We have two people working from home and the poor internet service routinely impacts work video calls even though we have upgraded to 400MB service and upgraded to a nest wifi router

Liberty Ridge Optimum Internet Satisfaction (28 Responses)



Customer Service	1
Monopoly	2
Price	5
Quality*	19

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

It is a monopoly for Optimum/Altice, since we have no choice of provider as a consumer.

Charge high (\$76 per month only for internet) and frequent net down in a day.

Slow internet speed.

Never reach the speed I subscript.

Huge impact on work meetings and with kids school zoom classes as kids are virtual.

Internet speed is fluctuates. Expensive. No reasonable price for gigabit speed

Speed, consistency and price. Would be great to have option for FIOS in our area. Its only limited to one service provider and this monopoly isn't helping residents!!

Internet service keeps dropping once or twice every-day now. The outage lasts for 5mins to more than 30 mins.

The internet is not stable

Huge impact on work meetings and with kids school zoom classes as kids are virtual.

Internet doesn't reach all areas of the house

slow and randomly loss connection

Too expensive. Unreliable

Slow speeds and frequent internet loss

It becomes very slow in between during the day many times.

The service is poor as we lost connection constantly

Slow, lose service

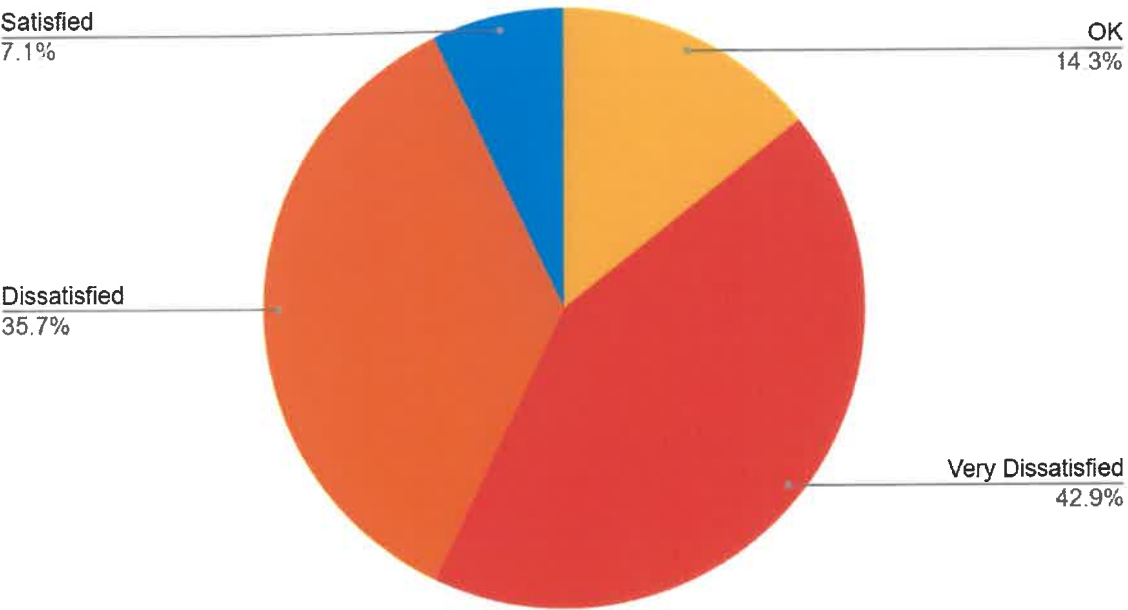
It's spotty and looks like a third world or developing country setup. Optimum needs to step up or town needs to provide alternatives

The speed is very low

price is not the issue for us, reliability is critical...

Expensive, Slow Internet, often loose channels on the cable TV, very bad customer service,.

Patriot Hill Optimum Internet Satisfaction (14 Responses)



Customer Service	3
Monopoly	2
Price	2
Quality*	8

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

Service interruption is constant.

Outages

The service is slow even though we are paying for 2nd highest speed and there has been no noticeable improvement since they added nodes and did the work in our community. We usually lose connection 1-2 times a month for various periods of time. It is impossible to get a person on the phone at Optimum to discuss any internet issues and who can do anything to assist. I have problems with optonline email and can only get a customer service center that is likely out of the country and all they do is tell me they will pass on my concern and no one ever responds. We are beyond frustrated and would like other providers to service our area. Verizon does not service the hills so we are stuck with Optimum and they keep raising rates on top of poor service.

Seems to slow down from 12-2 and then frequently throughout week at other times.

On a 1GB plan, provided speed is typically 200MB. Upload speeds are not good enough for video conferencing.

Optimum has failed to troubleshoot problems. Charges fees to come out and does fix problem. Expensive. Horrible customer service.

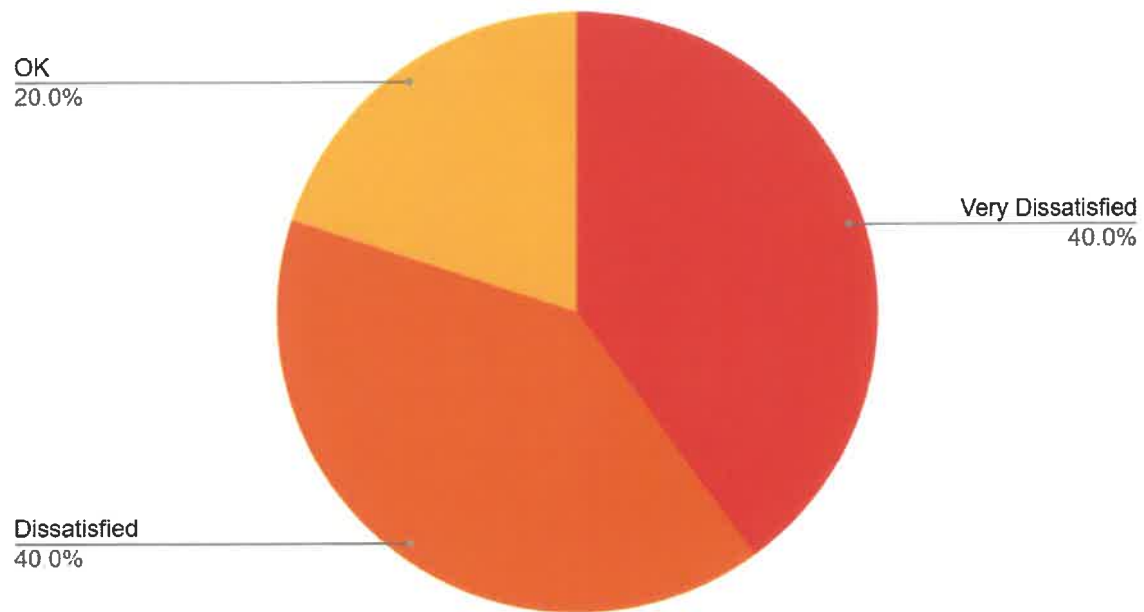
It is expensive and service is unsatisfactory losing internet service very often. This is due to the lack of competition since Optimum is the only internet provider company in my area.

Optimum has terrible service. Slow internet, random outages, high prices. I had failures in 2020 that took 3 months to resolve. Optimum reimbursed me for 2 weeks of outage. Phone Technicians often don't know how to resolve issues - they say "reboot" the router (which I do automatically since it happens so often)

Signal is weak and the meetings that I attend my voice breaks a lot when I talk, and I need to call from my cell phone to be able to talk clearly

Internet connection drops randomly. Upload speed is terrible. Download speed is not as advertised during peak hours

Patriot Mews Optimum Internet Satisfaction (5 Responses)



Customer Service	0
Monopoly	1
Price	1
Quality*	3

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

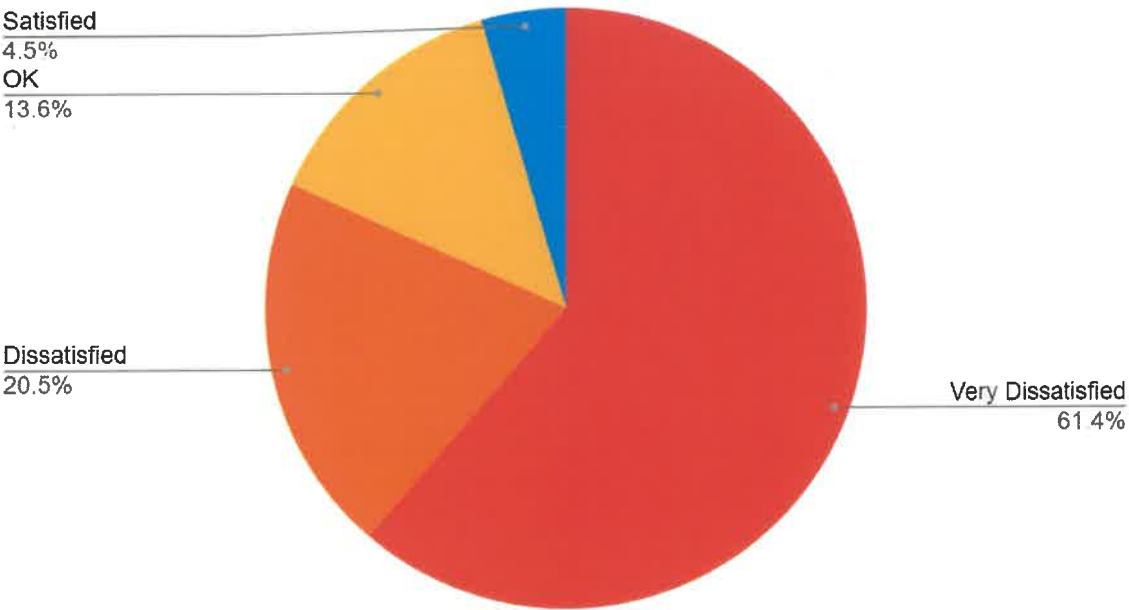
I pay a lot of money for the highest possible service that doesnt work

Quality of service is not good. We too often lose connectivity

Optimum is the ONLY high-speed internet option at my address and they know it too. We need to work from home due to the pandemic and Optimum's service in the area is extremely patchy. we always have to use a phone dial in on top of the regular Zoom or Google Meet connection to make sure that people get to hear us because the internet connection is so bad (even when paying for a 300 Mbps connection). Given an alternate choice like Verizon Fios or AT&T, we would switch in a heartbeat but we are stuck with Optimum.

Service interruptions, outages, NEVER any reimbursement for down time.

Patriot Ridge Optimum Internet Satisfaction (44 Responses)



Customer Service	6
Monopoly	6
Price	6
Quality*	25

*Describes issues with internet service, such as slow speed and frequent disconnections

Comments

We pay a lot for inadequate service

Service interruptions adversely impacts ability to work remotely

High cost, low reliability and horrible service. All because they have no competition in high speed internet

No support. Lost connection frequently. Price monopoly because Optimum is the only 1 provider (Verizon is not available)

Optimum has a monopoly in our area of town so that's why our monthly rates keep going up.

The disconnection happens when the meetings are going on and schools are in sessions. The speed is slow and the complaints have not been properly addressed. (Problems persists. The biggest problem is that we at Patriot Ridge does not have an alternative. I am paying close to \$200 per month for dismal internet service and don't have a choice.

Unreliable and slow speed, no one fixed the issue although I have called them many times

In addition to frequent outages, the download speeds are not consistent and can vary 10-90% of the subscribed service. It is so bad during those times that it is better off working with a mobile hotspot rather than using the subscribed optimum broadband!!!

I could not work efficiently from home. I had to catch up during the evening hours because during regular business hours the internet was so bad and I could not finish my work. My kids could not learn or participate during their virtual classes.

The internet connection stability has been an issue for a long time and not resolved.

Unreliable service and the company is extremely slow in taking accountability or action

very expensive, rates increase randomly without explanation, and service is not always reliable.

I am not getting the service which was advertised and I am paying for.

Slow speed & outages

"We pay for 300 mbps, but we hardly get 25 Mbps during the day"

Charge is very high and no other option

Choppy coverage. Low speeds

We have lost hours of internet service in the past. The internet is slow for no reason some times. There are days we get by with hotspots and last month we ran out of hotspot data, so we were really in a bind. When we call, the service is sub-optimal and the tech's don't really explain a lot when they show up.

Unreliable service, internet speed often is not near what we were promised or pay for, unreliable (dishonest) technicians who come to diagnose the problems, lengthy wait times on the phone to reach someone to speak with, despite numerous complaints it took too long to implement a solution, unavailability of Fiber etc. - all the hallmarks of a monopoly taking full advantage of their power.

not getting the service for which we are being charged

<https://www.speedtest.net/result/11467995378> I pay for higher level of upload speeds (30 Mbps to 50 Mbps. I don't get what I am paying for.

We pay for 1G download speed and 30-50 Mbps upload speed, we are not getting what we pay for. <https://www.speedtest.net/result/11470517965>

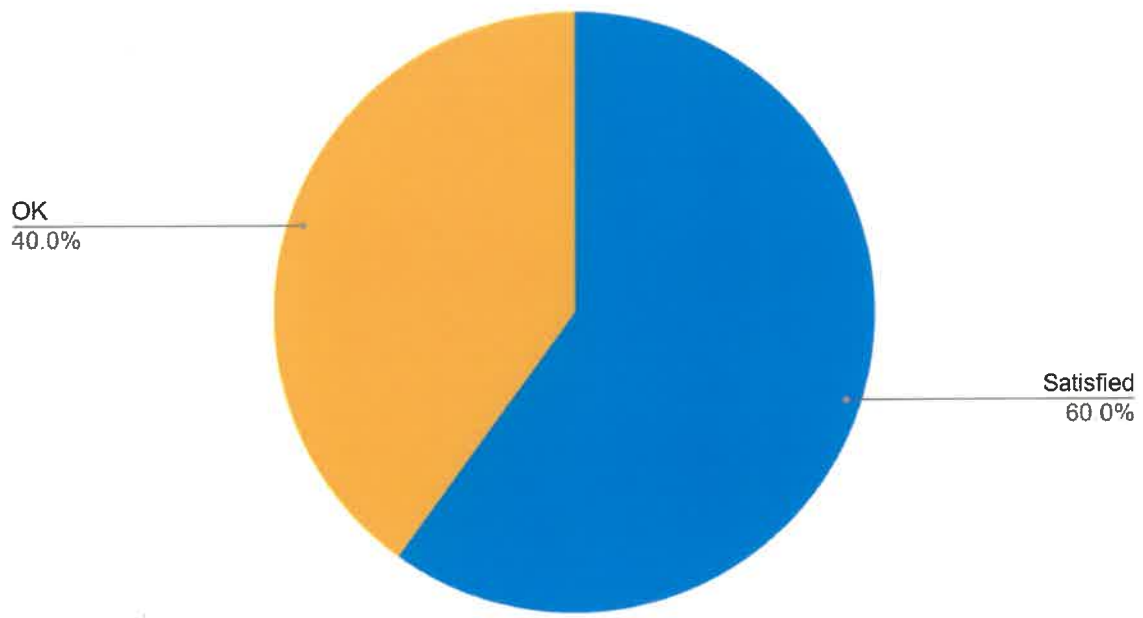
Not getting the WiFi service speed we are paying for

Not getting internet speeds which was marketed to us and for which we are paying

Wifi goes out during peak office hours and often at off peak hours also

Impossible to deal with. If you have a service outage they are vague about cause and duration. We had repeated outages over the spring. They claim due to upgrades but the fact is you should be able to perform an upgrade without repeated multi hour service shut downs. Additionally they play games with your rates and you can assume every few months they will figure a creative way to increase your bill. It is basically like negotiating for a used car. In our neighborhood there is only one high speed option optimum so there is not much choice. When t mobile verizon or tesla get their wireless internet services operational i will immediately leave optimum. Worst utility i have ever worked with and ridiculously expensive.

Revere Hill Optimum Internet Satisfaction (5 Responses)



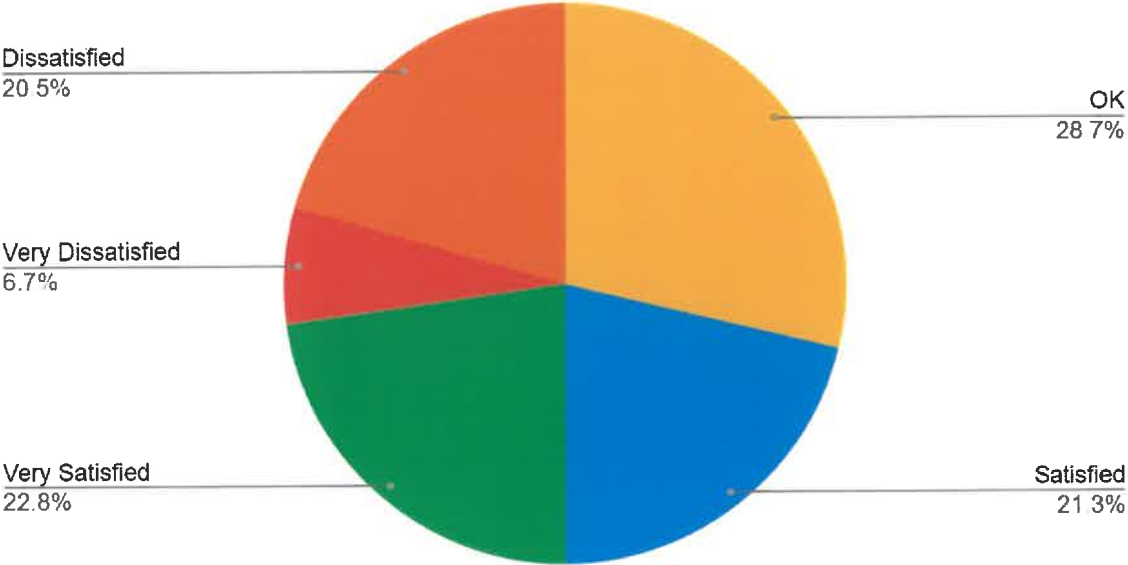
No comments, all participants indicated Ok or Satisfied

Notes

Lafayette Watch had only one response – Satisfied – and therefore there was no comment and no need for a chart.

If an association is not listed in this document, no responses were received from that association.

Outside The Hills Residents Internet Satisfaction - All ISPs -
(268 Responses)





Resolution of the Township of Bernards

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

Resolution #2022-0087

Acknowledgement of the Diversity and Inclusion Committee's
Year End Recommendations – 12/23/2021

WHEREAS, Resolution #2020-0234 created a Diversity and Inclusion Committee dedicated to fostering an atmosphere of understanding and acceptance of each individual to further strengthen Bernards Township as a welcoming exceptional place to live, work and grow; and

WHEREAS, the duties of the Diversity and Inclusion Committee were as follows:

- (a) To advise the Township Committee, at least twice annually, on opportunities to continue to promote and build on harmony among all Township residents;
- (b) To further advise on ways to encourage goodwill, cooperation, and unity among the diverse residents of the Township;
- (c) To recommend educational and cultural programs to foster unity and develop a sense of community; and
- (d) Such other duties as shall be suggested and approved by the Township Committee.

WHEREAS, the Diversity and Inclusion Committee provided mid-year recommendations to the Township Committee on 06/01/2021.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Bernards hereby acknowledges receipt of the Diversity and Inclusion Committee's 12/23/2021 recommendations and expresses its appreciation for the work the committee members performed on behalf of the residents of Bernards Township.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

From: [John Coelho](#)
To: [Township Committee](#)
Cc: [Rhonda Pisano](#); [sophia chadda](#); [Sofia Fernndez](#); [Goutham Puppala](#); [Ana Duarte-McCarthy](#); [Joan Bannan](#); [Deborah Ablorde-Boampong](#); [Patrice Whitehouse](#); fifacat@yahoo.com; [Stacey Irvine](#); nancyfcook@gmail.com; [Christine Andres](#)
Subject: Year-end Recommendations from Diversity and Inclusion Advisory Committee
Date: Thursday, December 23, 2021 9:18:08 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor Fields and Township Committee

We concluded an eventful inaugural first year on a positive note aligned with the **2020 Resolution** to *encourage goodwill, cooperation and unity* among the diverse residents of the Township.

<https://www.bernards.org/boards/inclusion-committee>

We adopted a listening environment and respectful practice of exchange and modeled these behaviors with the public who attended and reviewed our progress.

After early discussion in different work streams, we specifically defined a clear **Purpose, Goals** and **Objectives**, *significantly expanding* the current Township listing of groups and organizations (**One Community Database**) with key contacts that did not exist previously, and proposed a **Survey** to assess the sentiment of the community for what is working well and opportunities to improve.

While some and not all the recommendations were approved, we proceeded in our role as a facilitator "catalyst " to gather data on needs from residents and provide recommendations to the Township opening a dialogue with the community. This was exemplified by ideas for well-attended events both within and outside our township which were embraced and sponsored by the Municipality.

Notably, we were the only Township to exhibit at the Somerset County Diversity Festival in Somerville.

Our three recommendations to the Township Committee from our final meeting on Dec 8th include the following:

- 1) We recommend renewal of this Committee to continue to advise the

new Township Committee in 2022.

We received input from our **Meet-The-Diversity Forum** in October that we could serve as a dynamic platform to connect individual residents and their needs to groups and support deeper engagement making Bernards an even more welcoming place to live and raise a family.

2) We recommend informal **Community Exchange Forums** be hosted biannually or as needed (pandemic conditions permitting) in Township facilities to foster networking, supporting both groups and isolated individuals building on encouraging early progress that we have made. We detected early connections between the Parents for Exceptional Children, Parks and Recreations Dept, YMCA and the Basking Ridge Business Alliance

3) We recommend that the Township Committee provide sponsorship and make resources available for the above so as to build on the sense of community spirit and be receptive to future recommendations.

We wish you a healthy holiday season!

Respectfully submitted on behalf of the Committee,

John F Coelho
Chairman



Resolution of the Township of Bernards

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

Resolution #2022-0097

Appointment to Membership in Township of Bernards Volunteer
Liberty Corner Fire Company
David Rozzelle, Full Member

WHEREAS, pursuant to §2-14.1 and §2-16 .1 of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and the Bernards Township First Aid and Emergency Department shall consist of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad; and

WHEREAS, the Liberty Corner Fire Company is recommending David Rozzelle, residing at 9 Bridalwood Court, Basking Ridge, NJ, for appointment as a Full Member.

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

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made by the applicant to the above referenced organization who has vetted said person and recommends appointment. In addition, a police background check has been performed.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0098

Appointment to Membership in Township of Bernards Volunteer
Basking Ridge Fire Company #1
Ronald Salko, Full Member

WHEREAS, pursuant to §2-14.1 and §2-16 .1 of the Revised General Ordinances of the Township of Bernards, the Bernards Township Fire Department shall consist of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company; and the Bernards Township First Aid and Emergency Department shall consist of the First Aid Squad of the Basking Ridge Fire Company No. #1 and the Liberty Corner First Aid Squad; and

WHEREAS, the Basking Ridge Fire Company #1 is recommending Ronald Salko, residing at 104 Spencer Road, Basking Ridge, NJ, for appointment as a Full Member.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individual is hereby appointed as a Full Member of the Basking Ridge Fire Company #1 effective this date.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

Application has been made by the applicant to the above referenced organization who has vetted said person and recommends appointment. In addition, a police background check has been performed.

Rhonda Pisano, Municipal Clerk



Ordinance of the Township of Bernards

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

ORDINANCE #2482

Accepting a Wetlands Conservation Easement and a
Stream Buffer Conservation Easement on
Property Located at 20 Lurline Drive; Block 7801, Lot 20, from
Therese L. Laird to the Township of Bernards

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 Therese L. Laird, having an address at 20 Lurline Drive, Basking Ridge, New Jersey, 07920, a Wetlands Conservation Easement and a Stream Buffer Conservation Easement on Block 7801, Lot 20, in Bernards Township.
2. The easements are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

EXPLANATORY STATEMENT

These easements are provided in conjunction with a variance approval granted by the Board of Adjustment on August 4, 2021 (Application #ZB21-017). The approval allows the grantor to replace an existing dwelling with a new dwelling. The purpose of the easements is to protect the wetlands, wetlands transition area and stream buffer conservation area located on the property. The grantor maintains an escrow account with the Board of Adjustment to reimburse the Township for costs incurred in processing the easement.

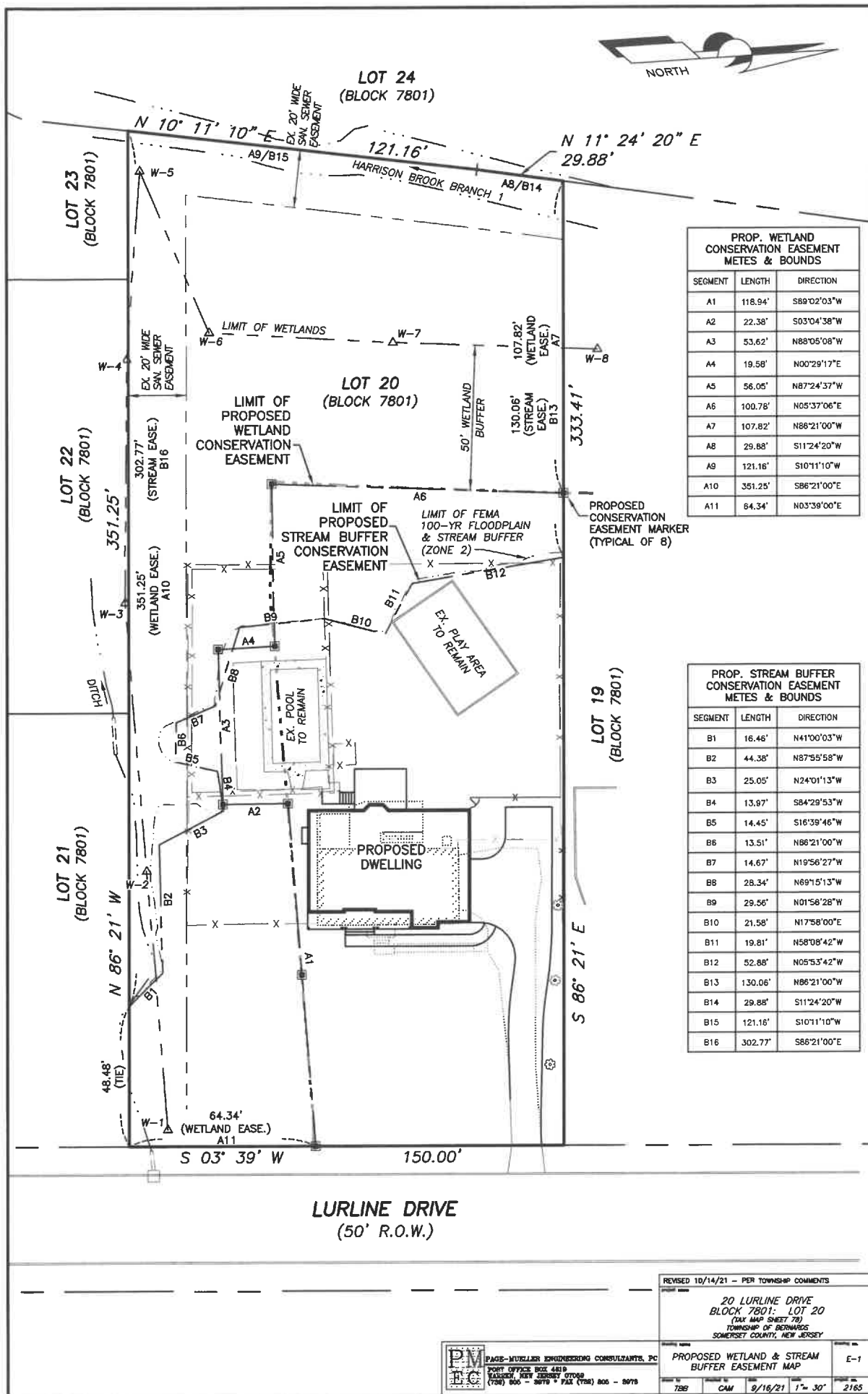
Date: 12/06/2021

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2482 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk





Ordinance of the Township of Bernards

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

ORDINANCE #2483

Accepting a Wetlands Conservation Easement on
Property Located at 242 Liberty Corner Road; Block 7301, Lot 33, from
Edmond J. Hardy and Suzanne L. Hardy to the Township of Bernards

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 Edmond J. Hardy and Suzanne L. Hardy, having a mailing address at 242 Liberty Corner Road, Far Hills, NJ, 07931, a Wetlands Conservation Easement on Block 7301, Lot 33, 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.

EXPLANATORY STATEMENT

This easement is provided in conjunction with a variance approval granted by the Board of Adjustment on March 4, 2020 (Application #ZB19-023). The approval allows the grantors to install a swimming pool on their property. The purpose of the easement is to protect the wetlands and wetlands transition area located on the property. The grantors maintain an escrow account with the Board of Adjustment to reimburse the Township for costs incurred in processing the easement.

Date: 12/17/2021

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2483 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk



Ordinance of the Township of Bernards

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

ORDINANCE #2484

An Ordinance of the Township of Bernards to set Calendar Year 2022 Appropriation Limits and to Establish a Cap Bank per N.J.S.A. 40A: 4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its Calendar Year 2022 Budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Bernards in the County of Somerset finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$283,391.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and may be necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bernards, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Bernards shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, may be increased up to 3.5 %, amounting to no more than \$991,870.47, and that the CY 2022 municipal budget for the Township of Bernards be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

EXPLANATORY STATEMENT

This ordinance is an annual housekeeping item that will allow for 2022 "inside the cap" budget appropriations to be increased by more than the 2.5% that the state allows for the current year. This does not mean that the 2022 budget will be increased by this amount but will allow us to "bank" any unused cap money for use in either of the next two succeeding years. This does not affect the calculation of the 2% Levy Cap.

Sean McCarthy, CFO
01/03/2022

TOWNSHIP OF BERNARDS
PUBLIC NOTICE

Ordinance #2484 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk



Ordinance of the Township of Bernards

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

ORDINANCE #2485

Accepting a Wetlands Conservation Easement on
Property Located at 22 High Meadow Lane; Block 9501, Lot 37, from
Benjamin Weisfelner and Rebecca Jackson to the Township of Bernards

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 Benjamin Weisfelner and Rebecca Jackson, having an address at 22 High Meadow Lane, Basking Ridge, NJ, 07920, a Wetlands Conservation Easement on Block 9501, Lot 37, 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.

EXPLANATORY STATEMENT

This easement is provided in conjunction with a variance approval granted by the Board of Adjustment on September 8, 2021 (Application #ZB21-019). The approval allows the grantors to construct a swimming pool on their property. The purpose of the easement is to protect the wetlands and wetlands transition area located on the property. The grantors maintain an escrow account with the Board of Adjustment to reimburse the Township for costs incurred in processing the easement.

Date: 12/28/2021

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2485 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk



REVISED 10/01/21 CMB: PROPOSED CONSERVATION EASEMENT					I declare that this plan is based on actual field survey performed by Lakeland Surveying, Inc., under my direct supervision, in accordance with N.J.A.C. 17:28-5.1 and is the best of my professional knowledge, information and belief, correctly represents the conditions shown on the date of the field survey, except such assumptions, if any, below the surface of the lands not visible. This declaration is given solely to the above named parties for the Transaction only and is not Transferable. Survey is valid only if print has original revised seal of the undersigned professional.				
REVISED 09/09/21 DKH: WETLANDS FLAGS									
TOPOGRAPHICAL SURVEY OF PROPERTY Tax Lot 37 - Block 9501 22 High Meadow Lane, Township of Bernards Somerset County, New Jersey					 <div style="display: flex; justify-content: space-between; align-items: center;"> <div> Certificate of Authorization #A041899000 </div> <div style="text-align: right;"> Marc J. Cifone PROFESSIONAL LAND SURVEYOR </div> <div style="text-align: right;"> Jeffrey S. Grunn PROFESSIONAL LAND SURVEYOR </div> </div>				
<div style="display: flex; justify-content: space-between;"> <div> PROJECT NUMBER 203490 </div> </div>					4 West Main Street Rockaway NJ Ph: (973) 625 5670 Fx: (973) 625-4121 www.LakelandSurveying.com				
FIELD: DKH.	DWN BY: DKH.	CHECKED: MJC.	DATE: 12/02/20	SCALE: 1"=40'	<div style="display: flex; justify-content: space-between;"> <div> Marc J. Cifone Jeffrey O. Males </div> <div> N.J. P.L.S. N.J. P.L.S. </div> <div> U.C. No. 24GS04132900 </div> <div> U.C. No. 24GS04133900 </div> </div>				



Ordinance of the Township of Bernards

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

ORDINANCE #2486

Accepting Various Easements on Property Presently Known as
3066 & 3074 Valley Road, Block 8201, Lots 22 & 23,
to be Known After Lot Consolidation as 3066 Valley Road, Block 8201, Lot 22.01,
from Rica Properties, LLC (as to Lot 22), and Rica Rental Realty, LLC (as to Lot 23)
to the Township of Bernards

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 Rica Properties, LLC (as to Block 8201, Lot 22), and Rica Rental Realty, LLC (as to Block 8201, Lot 23), both of which have offices at 151 Mount Bethel Road, Warren, New Jersey, 07059, the following:
 - A. Wetlands Conservation Easement.
 - B. Greenway/Public Access Easement.
 - C. Stormwater Management Easement.
2. The easements are on file with the office of the Township Clerk.
3. This Ordinance shall take effect upon its final passage and publication according to law.

EXPLANATORY STATEMENT

These easements are provided in conjunction with a site plan approval granted by the Board of Adjustment to Braemar Partners on June 9, 2021 (Application #ZB20-027). The approval allows demolition of two existing dwellings and construction of an assisted living/memory care facility. The purpose of these easements is to regulate the use of the property in accordance with the Board of Adjustment approval. An escrow account is maintained with the Board of Adjustment to reimburse the Township for costs incurred in the processing of these easements.

Date: January 3, 2022

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2486 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk

DRESDNER
ROBIN

DRESDNER ROBIN CONSULTING & MANAGEMENT, INC.
55 LANE ROAD, SUITE 200, FARMINGTON, NJ 07034
TEL: 973.896.2600 FAX: 973.896.1382
NORTH PLAZA & ALBANY PARK • CHERRY HILL

PROJECT: ARBOR TERRACE BASKING RIDGE

DATE: 12/15/2021
DESCRIPTION: REVISIONS:

PROJECT: ARBOR TERRACE BASKING RIDGE

LOCATION: 3068-3074 VALLEY ROAD
LOTS 22 & 23, BLOCK 8201
TOWNSHIP OF BERNARDS
SOMERSET COUNTY,
NEW JERSEY

OWNER (LOT 22):
RICA PROPERTIES, LLC
151 MOUNT BETHEL ROAD
WARREN, NEW JERSEY 07059

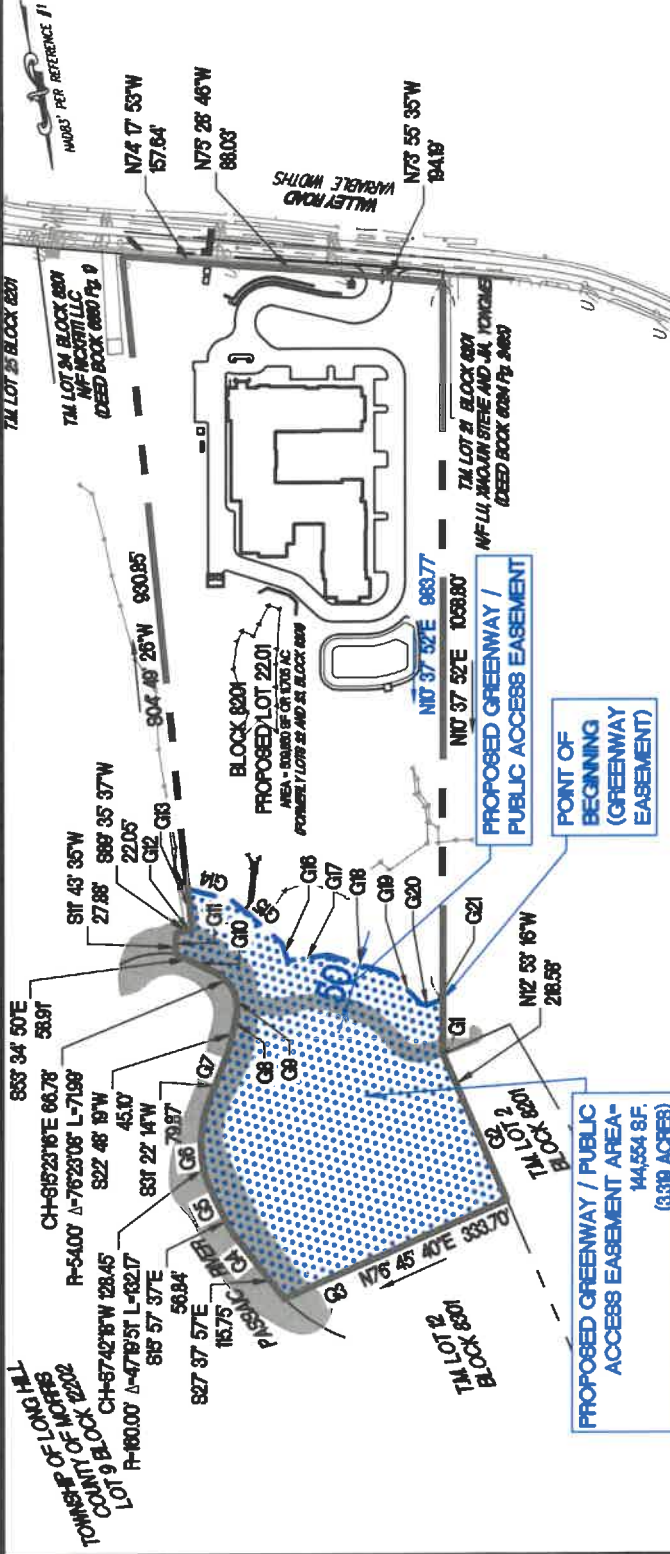
OWNER (LOT 23):
RICA RENTAL REALTY, LLC
151 MOUNT BETHEL ROAD
WARREN, NEW JERSEY 07059

APPLICANT:
BRAEMAR PARTNERS
13140 FREEMANVILLE ROAD
MILTON, GA 30004

DRAWING NAME:
GREENWAY EASEMENT
EXHIBIT

DRAWN BY:
GREG S. GLOOR
DATE:
12/15/2021
SCALE:
1"=200'

SHEET 01 OF 01
11380-001



PROPOSED GREENWAY / PUBLIC ACCESS CURVE TABLE					
CURVE #	RADIUS	DISTANCE	DELTA	CHORD	CHORD DISTANCE
G6	160.00'	132.17'	047° 19' 51"	S07° 42' 18"W	128.45'
G9	54.00'	71.99'	076° 23' 08"	S15° 23' 16"E	66.78'

PROPOSED GREENWAY / PUBLIC ACCESS LINE TABLE		
LINE #	DISTANCE	BEARING
G13	56.94'	S04° 49' 26"W
G14	63.19'	N64° 37' 48"W
G15	90.08'	N38° 29' 37"W
G16	25.16'	N07° 46' 12"W
G17	54.13'	N87° 40' 10"W
G18	94.35'	N62° 36' 24"W
G19	57.15'	N33° 03' 41"W
G20	12.06'	N81° 01' 46"W
G21	18.36'	S79° 32' 13"W

PROPOSED GREENWAY / PUBLIC ACCESS LINE TABLE		
LINE #	DISTANCE	BEARING
G1	75.03'	N10° 37' 52"E
G2	218.58'	N12° 53' 16"W
G3	333.70'	N76° 45' 40"E
G4	115.75'	S27° 37' 57"E
G5	56.84'	S15° 57' 37"E
G7	79.87'	S31° 22' 14"W
G8	45.10'	S22° 48' 19"W
G10	58.91'	S53° 34' 50"E
G11	27.88'	S11° 43' 35"W
G12	22.05'	S89° 35' 37"W

REFERENCE:
1. EXISTING CONDITIONS SHOWN BASED ON DRAWING
ENTITLED "TOPOGRAPHIC SURVEY OF TAX LOTS 22 &
23 - BLOCK 8201, LOCATED IN THE TOWNSHIP OF
BERNARDS, SOMERSET COUNTY, NEW JERSEY"
CERTIFIED TO BRAEMAR PARTNERS, PREPARED BY
JAMES P. DEARY SURVEYOR, LLC, DATED 10/06/2020
AND LAST REVISED ON 12/01/2020.



\\Pantura-IC\DR\PRJ\11380-001\3074 Valley Rd\EG\CAD\Exhibits\11380-001 Greenway Easement Exhibit.dwg T-A2LAN (R.S.x14) 12/15/2021 9:53 AM MBeGonja

**ARBOR TERRACE
BASKING RIDGE**

APPLICANT: **BRAEMAR PARTNERS**
13140 FREEMANVILLE ROAD
MILITON, GA 30004

DRAWING NAME: STORMWATER

EASEMENT EXHIBIT

DRAWN BY: MSB	CHECK BY: GSG	DRWG NO:
SCALE: 1"=200'	DATE: 12.15.2021	
JOB NO: 11380-001		SHEET 01 OF 01

SHEET 01 OF 01



\\Panzura-JC\DR\PRJ\11380-001 3074 Valley Rd\EG\CAD\Exhibits\11380-001 Stormwater Management Exhibit.dwg T-A2LAN (8.5x14) 12/15/2021 9:54 AM MBegonia

DUE TO INHERENT ERRORS IN REPRODUCTION METHODS, ERRORS MAY OCCUR WHEN SCALING THIS DRAWING

1. EXISTING CONDITIONS SHOWN BASED ON DRAWING TITLED "TOPOGRAPHIC SURVEY OF TAX LOTS 22 & 23 - BLOCK 8201, LOCATED IN THE TOWNSHIP OF BERNARDS, SOMERSET COUNTY, NEW JERSEY" CERTIFIED TO BREAHER PARTNERS, PREPARED BY JAMES P. DEADY SURVEYOR, LLC DATED 10/08/2020 AND LAST REVISED ON 12/01/2020.



Ordinance of the Township of Bernards

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

ORDINANCE #2487

Authorizing the Vacation of an Emergency Road Easement on Property Located at 181 Mountain Road (Block 11401, Lot 42; formerly Block 187, Lot 32.01) and 16 Harvest Way (Block 11401, Lot 37.01; formerly Block 187, Lot 32.03) relating to the Emerald Valley Estates Development in the Township of Bernards

WHEREAS, the existing residential development known as Emerald Valley Estates was developed in accordance with subdivision approvals granted by the Bernards Township Planning Board as set forth in resolutions adopted on February 8, 2000, May 16, 2000, October 16, 2001 and August 28, 2002; and

WHEREAS, in accordance with the above Planning Board approvals, there exists an emergency access road within an easement on private property located at 181 Mountain Road (Block 11401, Lot 42; formerly Block 187, Lot 32.01) and 16 Harvest Way (Block 11401, Lot 37.01; formerly Block 187, Lot 32.03), as shown on Exhibit A attached hereto; and

WHEREAS, pursuant to an Emergency Road Easement Agreement recorded in the office of the Somerset County Clerk on March 8, 2001 (Deed Book 2343, Pages 154-165) and accepted by the Township, as grantee, on April 24, 2001 (Ordinance #1446), Emerald Valley Homeowners Association, Inc. is responsible for maintenance of the emergency road; and

WHEREAS, Emerald Valley Homeowners Association, Inc. filed an application with the Bernards Township Planning Board seeking amended subdivision approval to relieve Emerald Valley Homeowners Association, Inc. of the requirement to maintain the emergency road; and

WHEREAS, the Planning Board approved the application of Emerald Valley Homeowners Association, Inc., subject to various conditions, as set forth in a resolution adopted on August 18, 2020; and

WHEREAS, condition 3 of the Planning Board's August 18, 2020 resolution states "(a)ny amendment to and/or vacation of the emergency access easement shall be subject to the consent of the Township Committee;" and

WHEREAS, in paragraphs A.5 and B.2 of the Planning Board's August 18, 2020 resolution, the Board recommends that the Township Committee consent to the vacation of the easement; and

WHEREAS, Emerald Valley Homeowners Association, Inc., has satisfied all conditions of the Planning Board's August 18, 2020 resolution with the exception of aforesaid condition 3, which is the subject of this Ordinance.

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 vacate, release, terminate and forever discharge the Township's rights under the aforesaid Emergency Road Easement Agreement.
2. The Mayor and Municipal Clerk are hereby authorized to sign and execute an appropriate instrument in order to effect the vacation of the aforesaid Emergency Road Easement Agreement.
3. This Ordinance shall take effect upon its final passage and publication according to law.

EXPLANATORY STATEMENT

This ordinance provides for the vacation of an existing emergency access easement maintained by the Emerald Valley Homeowners Association, which is comprised of 22 single-family homeowners residing on Emerald Valley Lane and Harvest Way. The vacation is consistent with an amended subdivision approval granted by the Planning Board on August 18, 2020 (Application #PB20-001). The existing easement was established in 2001 in accordance with earlier Planning Board approvals. As set forth in their 2020 resolution granting amended subdivision approval, the Planning Board has found that the emergency access road is no longer warranted, and the Board has recommended that the Township Committee consent to the vacation of the easement. An escrow account is maintained by the Planning Board to reimburse the Township for costs incurred in vacating the easement.

Date: January 4, 2022

David Schley, PP, AICP, Township Planner

**TOWNSHIP OF BERNARDS
PUBLIC NOTICE**

Ordinance #2487 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk

EXHIBIT A





Ordinance of the Township of Bernards

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

ORDINANCE #2488

Accepting a Wetlands Conservation Easement on
Property Located at 177 Whitenack Road, Block 4601, Lot 12, from
Eugene Cordano and Gina Cordano to the Township of Bernards

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 Eugene Cordano and Gina Cordano, having an address at 177 Whitenack Road, Far Hills, NJ, 07931, a Wetlands Conservation Easement on Block 4601, Lot 12, 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.

EXPLANATORY STATEMENT

This easement is provided in conjunction with the property owners' request for a permit to construct an addition to their dwelling. The purpose of the easement is to protect the wetlands and wetlands transition area located on the property. The property owners have submitted fees to reimburse the Township for costs incurred in the processing of the easement.

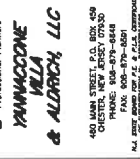
Date: January 4, 2022

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2488 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee
Rhonda Pisano, Municipal Clerk



480 MAIN STREET, P.O. BOX 458
CHESTER, NEW JERSEY 07830
PHONE: 908-878-6848
FAX: 908-878-8591

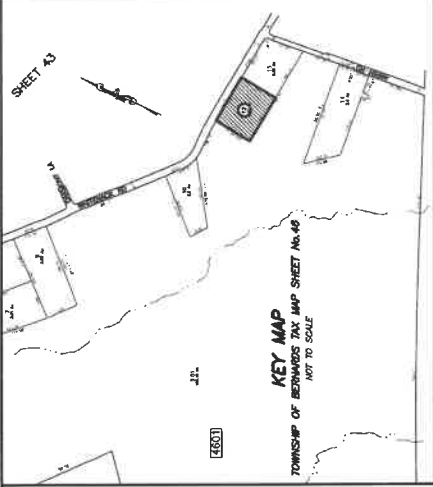
Ryan L. Smith DATE: 11/17/21
NEW JERSEY LICENSED PROFESSIONAL ENGINEER

**CORDANO
PROPERTY**
177 WHITENACK ROAD
LOT 12 ~ BLOCK 480
TOWNSHIP OF BERNARD
SOMERSET COUNTY, NJ

**LOT
GRADING
PLAN**

DRAWN BY: C.A.	DATE: JANUARY 17, 2017
CHECKED BY:	SCALE: 1" = 30'
NO. 218116.2	
P.L. N/A - SURVEY BY JOHN J. MORALES	
FILE:	
CADD FILE: \\s30062-0718116.20171-001.dwg	

SHEET 1 of 2



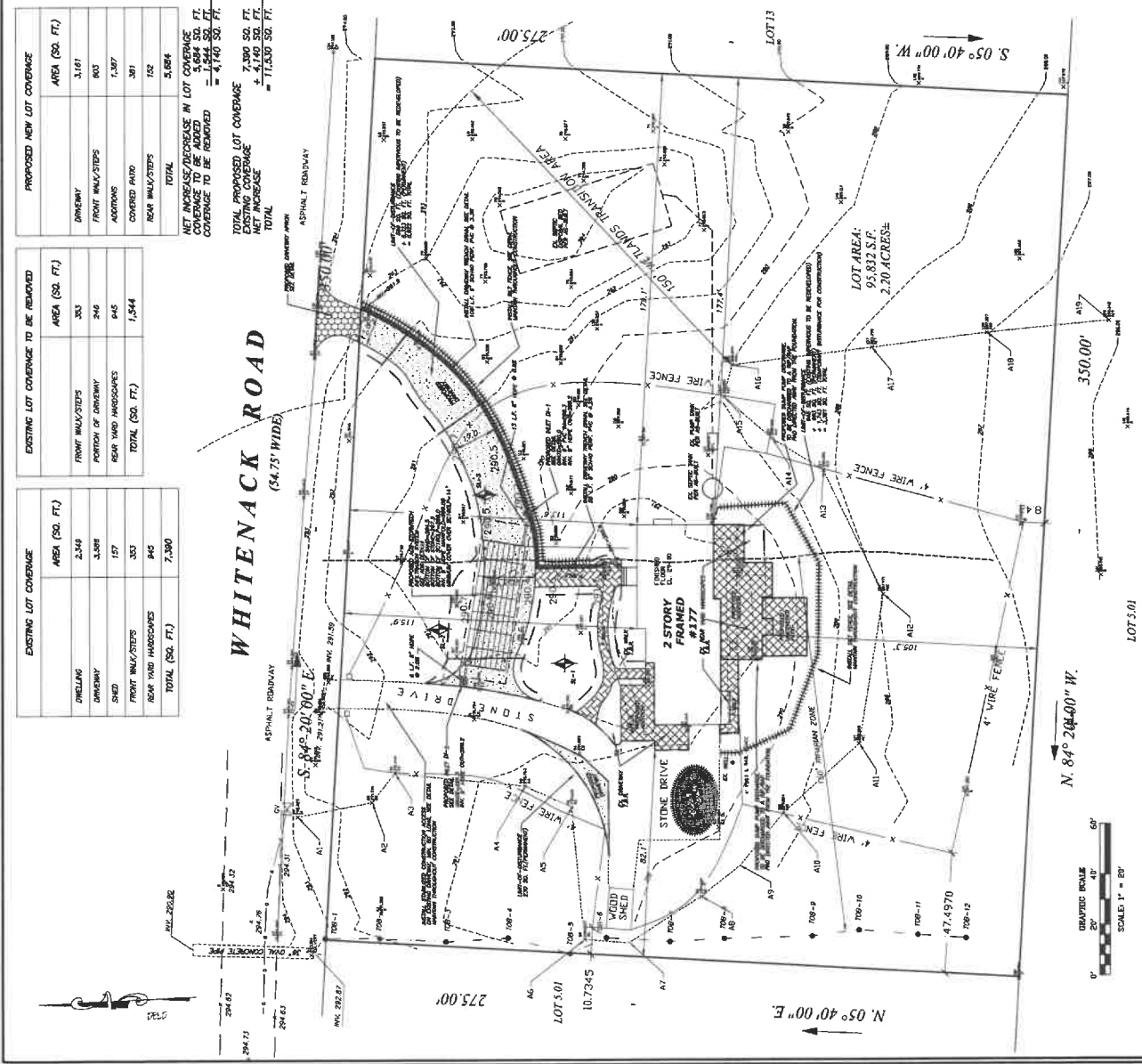
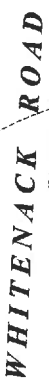
GENERAL NOTES:

- [illegible]

PROPOSED NEW LOT COVERAGE	
DRIVEWAY	AREA (SQ. FT.)
FRONT WALK/STEPS	3,161
ADDITIONS	603
ADDITIONS	1,307
COVERED PATIO	381
REAR WALK/STEPS	152
TOTAL	5,604
NET INCREASE/DECREASE IN LOT COVERAGE TO BE ADDED = 5,604 SQ. FT. - 1,140 SQ. FT. = 4,464 SQ. FT.	
TOTAL PROPOSED LOT COVERAGE = 7,900 SQ. FT. - 3,436 SQ. FT. = 4,464 SQ. FT.	
TOTAL = 4,464 SQ. FT.	

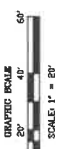
EXISTING LOT COVERAGE TO BE REMOVED	AREA (SQ. FT.)
FRONT WALK/STEPS	383
PORTION OF DRIVEWAY	246
REAR YARD HARDSCAPES	845
TOTAL (SQ. FT.)	1,544

EXISTING LOT COVERAGE	
	AREA (SQ. FT.)
DWELLING	2,548
DRIVEWAY	3,508
SHED	157
FRONT WALK/STEPS	303
REAR YARD HARDSCAPES	845
TOTAL (SQ. FT.)	7,361



N. 84° 20' 00" W.

LOT 5.01





Ordinance of the Township of Bernards

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

ORDINANCE #2489

An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 4-2 “Sales of Goods and Services” Section 12.1(d) “Sale of Ice Cream”

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 4-2 “Sales of Goods and Services” Section 12.1(d) “Sale of Ice Cream” read in its entirety as follows:

d. Ice cream may be sold or offered for sale not only in sealed containers but also by filling of individual containers with ice cream in or from any vehicle from the street, highway or any other public place in accordance with any state regulations governing the health of such sales.

TOWNSHIP OF BERNARDS PUBLIC NOTICE

Ordinance #2489 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 01/11/2022 and then ordered to be published according to law. It will be further considered for final passage and adoption at a public hearing held at a meeting of the Township Committee at the Municipal Building, 1 Collyer Lane, Basking Ridge, NJ in said township on 01/25/2022, at 8 P.M., when and where, or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance. A complete text of this ordinance is available in the Office of the Municipal Clerk, 1 Collyer Lane, Basking Ridge, NJ, from 8:30 A.M. to 4:30 P.M., Monday through Friday. Copies are also available via e-mail from rpisano@bernards.org.

By Order of the Township Committee

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0095

Approval of the Bill List Dated 01/25/2022

BE IT RESOLVED, that the bill list dated 01/25/2022 be audited, and if found correct, be paid.

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
131314	01/25/22	90395 NERI, MARK	81.74	1625 Direct Deposit
131315	01/25/22	90400 ALBANESE, CHRISTOPHER	246.58	1625 Direct Deposit
131316	01/25/22	90504 COWELL, TRICIA	230.00	1625 Direct Deposit
131317	01/25/22	90664 POLIZZI, TIMOTHY	86.20	1625 Direct Deposit
131318	01/25/22	A0398 STERLING TALENT SOLUTIONS	172.50	1625 Direct Deposit
131319	01/25/22	A0453 AMAZON.COM	141.94	1625 Direct Deposit
131320	01/25/22	C0083 CDW GOVERNMENT, INC.	12,207.35	1625 Direct Deposit
131321	01/25/22	C0442 CONTINENTAL FIRE & SAFETY, INC	3,936.80	1625 Direct Deposit
131322	01/25/22	D0020 DELTA DENTAL OF NJ	12,573.30	1625 Direct Deposit
131323	01/25/22	D0033 DEMCO, INC	28.99	1625 Direct Deposit
131324	01/25/22	D0380 DRIVERS TIRE & SERVICE CENTER	416.94	1625 Direct Deposit
131325	01/25/22	D0754 DC EXPRESS	797.74	1625 Direct Deposit
131326	01/25/22	E0224 EXCELLENT BUILDING SERVICES	2,795.00	1625 Direct Deposit
131327	01/25/22	G0201 GENERAL CODE LLC	1,195.00	1625 Direct Deposit
131328	01/25/22	G0305 GREAT AMERICAN SIGN COMPANY	240.00	1625 Direct Deposit
131329	01/25/22	K0354 KANOPY INC	430.00	1625 Direct Deposit
131330	01/25/22	M0261 M.A.I.N., INC.	1,312.50	1625 Direct Deposit
131331	01/25/22	M0342 MORTON'S MARKETING RESOURCES	467.50	1625 Direct Deposit
131332	01/25/22	N0189 NEW JERSEY FIRE EQUIPMENT CO.	17,712.00	1625 Direct Deposit
131333	01/25/22	N0482 NICOLETTI SNOW REMOVAL LLC	45,630.00	1625 Direct Deposit
131334	01/25/22	P0687 PETROCHOICE LLC	780.84	1625 Direct Deposit
131335	01/25/22	R0393 RESEARCH&DESIGN LANDSCAPE LLC	16,570.00	1625 Direct Deposit
131336	01/25/22	R0425 ROBINSON AERIAL SURVEYS, INC	4,838.64	1625 Direct Deposit
131337	01/25/22	R0824 REPUBLIC SERVICES OF NJ LLC	1,175.00	1625 Direct Deposit
131338	01/25/22	S0443 STAPLES ADVANTAGE	1,634.15	1625 Direct Deposit
131339	01/25/22	S1161 SETTEMBRINO ARCHITECTS	25,000.00	1625 Direct Deposit
131340	01/25/22	S1177 SAL ELECTRIC CO., INC.	7,423.12	1625 Direct Deposit
131341	01/25/22	T0378 THE GUARDIAN LIFE INS CO OF AM	93.61	1625 Direct Deposit
131342	01/25/22	V0020 VILLAGE OFFICE SUPPLY	144.53	1625 Direct Deposit
131343	01/25/22	W0241 W.B. MASON CO INC.	449.55	1625 Direct Deposit
131344	01/25/22	77049 195 MORRISTOWN ROAD LLC	20.27	1626
131345	01/25/22	A0041 STEWART & STEVENSON POWER/ADDA	1,335.14	1626
131346	01/25/22	A0126 AFLAC NEW YORK	137.94	1626
131347	01/25/22	A0237 ACCUCUT SYSTEMS	63.00	1626
131348	01/25/22	A0338 AFLAC	516.61	1626
131349	01/25/22	A0694 ALVAREX, MAX	250.00	1626
131350	01/25/22	A0716 ACB SERVICES INC	2,660.00	1626
131351	01/25/22	A0717 AAA FACILITY SOLUTIONS LLC	3,700.83	1626
131352	01/25/22	B0001 BAKER & TAYLOR, INC.	464.56	1626
131353	01/25/22	B0017 BRIDGEWATER RESOURCES, INC.	466.59	1626
131354	01/25/22	B0026 BERNARDS TOWNSHIP CURRENT	3,934.43	1626
131355	01/25/22	B0029 BERNARDS TWP BD OF EDUCATION	7,980,080.00	1626
131356	01/25/22	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	549,136.54	1626
131357	01/25/22	B0044 BASKING RIDGE ANIMAL HOSPITAL	497.00	1626
131358	01/25/22	B0154 ASSA ABLOY/BESAM	429.45	1626
131359	01/25/22	B0690 BIBLIOTHECA LLC	6,588.71	1626
131360	01/25/22	C0482 OPTIMUM	33.32	1626
131361	01/25/22	C0482 OPTIMUM	11.45	1626
131362	01/25/22	C0482 OPTIMUM	44.95	1626
131363	01/25/22	C0522 CHATHAM LAWNMOWER SALES & SVC	83.12	1626
131364	01/25/22	D0074 DIAMOND M LUMBER CO	793.56	1626
131365	01/25/22	D0740 DOVER BRAKE & CLUTCH	194.34	1626
131366	01/25/22	E0002 EDMUNDS GOVTECH	26,099.99	1626
131367	01/25/22	E0297 EMR POWER SYSTEMS LLC	420.00	1626
131368	01/25/22	F0052 FIT-RITE UNIFORM CO.INC	239.97	1626
131369	01/25/22	F0148 FAIRFIELD MAINTENANCE INC	535.00	1626
131370	01/25/22	F0171 FIRST CHOICE AUTO PARTS &	624.06	1626
131371	01/25/22	G0066 GRAINGER INC	378.96	1626
131372	01/25/22	G0098 JCP&L	20,111.54	1626
131373	01/25/22	G0300 GOLD TYPE BUSINESS MACHINES	376.00	1626
131374	01/25/22	H0178 HOSE SHOP, INC.	868.73	1626
131375	01/25/22	H0428 HEALTHIER SOMERSET - RWJUH	100.00	1626
131376	01/25/22	I0110 LIBRARY LINK NJ	193.28	1626
131377	01/25/22	I0159 IMPERIAL DADE	1,131.19	1626
131378	01/25/22	J0025 MEEKER SHARKEY & HURLEY	600.00	1626
131379	01/25/22	K0259 KONICA MINOLTA PREMIER FINANCE	123.54	1626
131380	01/25/22	K0259 KONICA MINOLTA PREMIER FINANCE	108.92	1626
131381	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	110.74	1626
131382	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	82.60	1626
131383	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	133.02	1626
131384	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	148.97	1626
131385	01/25/22	K0331 KONICA MINOLTA PREMIER FINANCE	133.42	1626
131386	01/25/22	L0331 LEVITT'S LLC	2,530.00	1626
131387	01/25/22	M0015 MCKESSON MEDICAL SURGICAL	2,280.05	1626
131388	01/25/22	M0292 MUNCO OF NJ	75.00	1626
131389	01/25/22	M0498 MP OVERHEAD DOORS	507.50	1626
131390	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	31.85	1626
131391	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	18.25	1626
131392	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	199.14	1626
131393	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	34.51	1626
131394	01/25/22	M0518 KONICA MINOLTA BUSINESS SOL.	26.00	1626
131395	01/25/22	M0899 MR JOHN	130.00	1626

131396	01/25/22	M1007	MALLICK, MALAYA	3,716.29	1626
131397	01/25/22	N0006	NEW JERSEY AMERICAN WATER CO.	89,750.31	1626
131398	01/25/22	N0023	TREASURER, STATE OF NEW JERSEY	19,130.00	1626
131399	01/25/22	N0035	NEW JERSEY PLANNING OFFICIALS	123.00	1626
131400	01/25/22	N0333	NJ PUBLIC SAFETY ACCRED COAL	300.00	1626
131401	01/25/22	N0419	NIXON, PAMELA	175.00	1626
131402	01/25/22	N0462	N M PREMIUM FOODS, INC	302.85	1626
131403	01/25/22	N0470	NATIONWIDE	146.70	1626
131404	01/25/22	O0100	OVERDRIVE, INC.	2,967.50	1626
131405	01/25/22	O0105	O.C.A. BENEFIT SERVICES, LLC	89.10	1626
131406	01/25/22	O0135	OUTHOUSE LLC	480.00	1626
131407	01/25/22	P0005	PITNEY BOWES, INC.	1,004.98	1626
131408	01/25/22	P0525	POWER PLACE, INC.	95.56	1626
131409	01/25/22	P0534	PLUG 'N PAY TECHNOLOGIES, INC.	20.00	1626
131410	01/25/22	P0538	PROVIDENT LIFE & ACCIDENT	60.04	1626
131411	01/25/22	P0592	PERMITTECHNATION	50.00	1626
131412	01/25/22	P0602	LINDE GAS & EQUIPMENT INC	385.87	1626
131413	01/25/22	R0005	RECORDER PUBLISHING CO., INC	60.02	1626
131414	01/25/22	R0010	REIDER ASSOCIATES, INC.	1,133.90	1626
131415	01/25/22	R0023	RICHIES TIRE SERVICE, INC.	390.00	1626
131416	01/25/22	R0025	RIDGE RESTAURANT	97.44	1626
131417	01/25/22	R0043	REGISTRARS' ASSOCIATION OF NJ	75.00	1626
131418	01/25/22	R0050	ROTO-ROOTER	1,192.00	1626
131419	01/25/22	R0368	RPTC, LLC	12,932.50	1626
131420	01/25/22	R0493	RIDGE BAGEL & CAFE	407.92	1626
131421	01/25/22	S0875	SUNLIGHT GENERAL CAPITAL	91.62	1626
131422	01/25/22	S0950	THE SILVERMAN GROUP	48.02	1626
131423	01/25/22	S1007	SPRUCE INDUSTRIES	420.00	1626
131424	01/25/22	S1133	STARCREST KENNELS, LLC	1,913.75	1626
131425	01/25/22	T0029	TCTA OF NJ	100.00	1626
131426	01/25/22	T0286	TOWNSHIP OF RANDOLPH	1,100.00	1626
131427	01/25/22	T0498	TRINI AUTO GROUP LLC	810.00	1626
131428	01/25/22	V0058	VERIZON	760.91	1626
131429	01/25/22	V0084	VERIZON	639.27	1626
131430	01/25/22	V0124	VERIZON BUSINESS FIOS	364.99	1626
131431	01/25/22	V0185	VERIZON CONNECT	534.27	1626
131432	01/25/22	W0014	BEYER-WARNOCK FLEET	446.57	1626
131433	01/25/22	W0016	WARRENVILLE TRUE VALUE	22.14	1626
131434	01/25/22	W0056	WELDON CONCRETE CO.	140.48	1626
131435	01/25/22	W0347	EDWARD WACKS & ASSOCIATES, LLC	255.00	1626
131436	01/25/22	W0355	WARD, SUSAN S.	45.26	1626
131437	01/25/22	X0003	XEROX CORPORATION	263.27	1626
131438	01/25/22	X0005	XTel COMMUNICATION	477.55	1626
<hr/>					
Report Totals		Paid	Void	Amount Paid	Amount Void
		----	----	-----	-----
	Checks:	95	0	8,753,313.12	0.00
	Direct Deposit:	30	0	158,811.52	0.00
		=====	=====	=====	=====
	Total:	125	0	8,912,124.64	0.00
<hr/>					
Totals by Year-Fund					
Fund Description		Fund	Budget Total	Revenue Total	G/L Total
<hr/>					
CURRENT FUND		1-01	118,348.60	0.00	0.00
<hr/>					
GOLF COURSE UTILITY		1-26	139.07	0.00	0.00
<hr/>					
Year Total:			118,487.67	0.00	0.00
<hr/>					
CURRENT FUND		2-01	8,696,734.95	0.00	0.00
<hr/>					
DOG FUND		2-12	2,768.91	0.00	0.00
<hr/>					
GOLF COURSE UTILITY		2-26	38.21	0.00	0.00
<hr/>					
Year Total:			8,699,542.07	0.00	0.00
<hr/>					
CAPITAL FUND		C-04	68,084.43	0.00	0.00
<hr/>					
PUBLIC GRANTS		G-02	4,190.72	0.00	0.00
<hr/>					
TRUST FUNDS		T-13	21,706.20	0.00	0.00
<hr/>					
PROJECT			113.55	0.00	0.00
<hr/>					
Total Of All Funds:			8,912,124.64	0.00	0.00

Agenda and Date Voted: 01/25/2022

CERTIFICATION
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0096

Unused Vacation Accrual Due

Jorge Casacuberta

Public Works Department

WHEREAS, the Township Committee adopted Resolution No. 2022-0066 at their regularly scheduled meeting of January 4, 2022, accepting the Personnel Policies and Procedures that outline guidelines for pay-outs when employees leave the Township's payroll; and

WHEREAS, Jorge Casacuberta's employment terminated on January 5, 2022; and

WHEREAS, per the requirements of the Township's Personnel Policy, Jorge Casacuberta is entitled to a Vacation Time Accrual payment for vacation time as calculated below based on an hourly rate of \$66.11.

	Total Hours Available	Amount Due
Vacation Accrual	72	\$4,759.92

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.

Agenda and Date Voted: 01/25/2022

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 Streets & Roads S&W, Line Account #2-01-26-290-101 for an amount not to exceed \$4,759.92

Sean McCarthy, CFO

Date: January 6, 2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0099

Commendation on the Occasion of Your Retirement
Debra Merghart - Library

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 18+ years; and

WHEREAS, you have given generously of your time and efforts in a dignified, faithful and professional manner; 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 18+ 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 25th Day of January, Two Thousand and Twenty-Two.

Agenda and Date Voted: 01/25/2022

James Baldassare, Jr., Mayor

Andrew McNally, Deputy Mayor

Jennifer Asay

Janice M. Fields

Kathleen M. Grochala

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0100 Release of Executive Session Minutes

WHEREAS, the topics discussed in the minutes below no longer need to be kept private.

NOW THEREFORE BE IT RESVOLED, by the Township Committee of the Township of Bernards that the following minutes, previously approved for content, now be approved for release.

<i>DATE</i>	<i>TOPIC</i>
06/15/2021	Personnel - Performance Evaluation - Township Administrator
11/09/2021	Personnel 2022 Board Appointments
11/23/2021	Personnel 2022 Board Appointments and Professional Appointments

Agenda Date and Vote: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0101

Personnel Appointment

Nicholas Brett – Patrol Officer – Police Department

WHEREAS, the full time position of Patrol Officer became vacant due to a resignation; and

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

WHEREAS, Nicholas Brett has applied for and is qualified to fill said position; and

WHEREAS, the Chief of Police, Township Administrator and Human Resources Officer recommend appointment of Nicholas Brett to full time Patrol Officer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Nicholas Brett be appointed full time Patrol Officer effective Wednesday, March 16, 2022, at an annual salary of \$49,992.00 which is in accordance with the Policemen's Benevolent Association, Local No. 357 Contract.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

A Patrol Officer position became available due to a resignation. The position was approved and advertised as per Township policy. Nicholas Brett applied for the position and is qualified to fill said position. Mr. Brett comes to Bernards Township with experience as a Police Dispatcher and experience in Corrections. Mr. Brett is a member of the United States Army National Guard and will graduate from the Essex County Police Academy in March of 2022.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2022-0102

Awarding Professional Services Contract for Storm Sewer Lining Design Services
to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm
Suburban Consulting Engineers, Inc.,
96 U.S. Highway 206, Suite 101, Flanders, NJ 07836
In the Not to Exceed Amount of \$34,108.00

WHEREAS, the Township of Bernards requires services for Storm Sewer Lining Design for the Newell Drive Reconstruction and Queen Anne Storm Sewer Project; and

WHEREAS, Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, has submitted a proposal dated January 12, 2022 outlining Professional Design 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 the budget; the line-item appropriations or Capital Ordinance #2446 line account C-04-55-446-A08.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 12, 2022.
2. The contract term is from January 25, 2022, through July 24, 2022, for professional design services at the provided rate schedule with a not to exceed amount of \$34,108.00. Bid documents must be provided within 30 days.
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 Katelyn E. Dmitruck, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Bernards that 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.

Andrew S. Holt, P.E., P.P., C.M.E., NJ Lic. #24GE03855400 of the firm
Suburban Consulting Engineers, Inc.

Agenda and Date Voted: 01/25/2022

EXPLANATORY STATEMENT

Award of contract to Andrew S. Holt, PE, PP, CME of Suburban Consulting Engineers, Inc. is recommended for storm sewer lining design services for the Newell Drive Reconstruction and Queen Anne Storm Sewer Project due to their extensive experience in pipe lining design and applications.

Date: November 12, 2021

Katelyn E. Dmitruck, P.E., Assistant Township Engineer

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 not to exceed amount of \$34,108.00 in the line-item appropriations or Capital Ordinance #2446 line account: C-04-55-446-A08.

Date: January 19, 2022



Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

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



Francis J. Decibus, QPA, Purchasing Agent

Date: January 14, 2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0103

Awarding Professional Services Contract for 2022 Site Inspection Services
to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm
Suburban Consulting Engineers, Inc.,
96 U.S. Highway 206, Suite 101, Flanders, NJ 07836
In the Not to Exceed Amount of \$15,000.00

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

WHEREAS, Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, has submitted a proposal dated January 3, 2022 outlining Professional Site Inspection Services to the Township; and

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

WHEREAS, this professional services contract is not subject to the requirements of N.J.S.A. 19:44A-20.4, *et seq* and Section 2-34 of the "Township Ordinances" as the Contract is under the threshold for the ordinance as well; and

WHEREAS, the Chief Financial Officer has certified funds are available in the Bernards Township Trust Fund Inspection Fees-Escrow, accounts #T-13-56-051-IFP and #T-13-56-050-IFO line-item appropriations or ordinances.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated January 3, 2022.
2. The contract term is from January 1, 2022, through December 31, 2022, for Professional Site Inspection Services not to exceed an amount of \$15,000.00
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the "not to exceed" contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Katelyn E. Dmitruck, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

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

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

Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc.

Agenda and Date Voted: 01/25/2022

EXPLANATORY STATEMENT

Award of contract to Andrew S. Holt, PE, PP, CME of Suburban Consulting Engineers, Inc. is recommended for, on an as needed consulting basis, engineering site inspections for site development projects in the Township. Suburban Consulting Engineers, Inc. will report to the Engineering Department. As these inspections relate to developer site work, not buildings, all expenditures are paid for by developer's site inspection escrow accounts.

Date: January 4, 2022

Katelyn E. Dmitruck, P.E., Assistant Township Engineer

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$15,000.00. Monies are collected from the developers and held in escrow accounts; Trust, Inspection Fees: T-13-56-051 IFP and T-13-56-050-IFO.

Date: January 19, 2022



Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

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



Date: January 14, 2022

Francis J. Decibus, QPA, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0104

First Amendment to Contract #C2021-0346 and Award of Change Order #1 for the
Newell Drive Reconstruction & Queen Anne Storm Sewer
Reivax Contracting Corp., 68 Finderne Ave., Bridgewater, NJ 08807
Decrease of \$123,600.00 (21.15%)
For a new not to exceed amount of \$460,720.00

WHEREAS, Bernards Township approved resolution #2021-0346 on September 14, 2021, awarding the Newell Drive Reconstruction and Queen Anne Storm Sewer project to Reivax Contracting Corp. in the amount of \$584,320.00; and

WHEREAS, the project specifications includes the repair of corrugated metal pipes on Newell Drive and Queen Anne Drive via the method of Centrifugally Cast Concrete; and

WHEREAS, the contractor contends that the Centrifugally Cast Concrete pipe repair method on Newell Drive and Queen Anne Drive would not be a viable option due to the height of the arch shaped pipe; and

WHEREAS, the Engineering Department and Reivax Contracting were unable to agree on a change order for an alternative repair method; and

WHEREAS, it is the recommendation of the Township Engineer to Amend the Contract with Reivax Contracting Corp. to remove bid item #27, 22"x 36" Centrifugally Cast Concrete Pipe, and bid item #28, 30" Centrifugally Cast Concrete Pipe, from the Contract and pursue the necessary repairs with a separate bid from a contractor who specializes in pipe lining; and

WHEREAS, in this First Amendment the Contractor agrees to complete all remaining Contract items on or before an extended completion date of May 31, 2022; and,

WHEREAS, as a result of this First Amendment; the original Contract Sum will decrease by 21.15%; with a new Contract Sum of \$460,720.00 subject to any future additions and deductions as provided in the Contract Documents; and

WHEREAS, it is the recommendation of the Township Engineer and Purchasing Agent to award Change Order #1 to Reivax Contracting Corp; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey, that the mayor is hereby authorized to execute the First Amendment to Contract #C2021-0346 and the Purchasing Agent is hereby authorized to issue Change Order #1 to Reivax Contracting Corp., 68 Finderne Ave., Bridgewater, NJ 08807.

Date Voted and Agenda: 01/25/2022

EXPLANATORY STATEMENT

This change order represents the net contract change as a result of the removal of Centrifugally Cast Concrete Pipe; bid items #27 & #28 from the project scope of work as agreed upon in the First Amendment to Contract #C2021-0346. These items will be bid and constructed by a different contractor prior to the road paving.

Date: January 6, 2022

Katelyn E. Dmitruck, P.E.
Assistant Township Engineer

PURCHASING CERTIFICATION

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



Francis J. Decibus, QPA
Purchasing Agent

Date: January 14, 2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0105

Personnel Appointment

Ronald Simpson – Part-Time Field Inspector– Tax Assessor

WHEREAS, the tax Assessor's Office requires a part-time Field Inspector; and

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

WHEREAS, Ronald Simpson has applied for and is qualified to fill said position; and

WHEREAS, the Tax Assessor, Township Administrator, Chief Financial Officer and Human Resources Officer recommend appointment of Ronald Simpson to part-time Field Inspector.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Ronald Simpson be appointed part-time Field Inspector with a hire date of Monday, January 31, 2022, at an hourly rate of \$18.50 for a 20-hour work week.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

The part-time Field Inspector position became available within the Tax Assessor's Office. The position was posted and advertised according to township policy. Ronald Simpson applied for the position and is qualified to fill said position. Mr. Simpson comes to Bernards Township with 25 years of experience as a Corrections Officer and experience as a Field Inspector for a private real estate company.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2022-0106

Personnel Appointment

Lori Zrebiec – Library Assistant-Public Relations/Communications
Bernards Township Library

WHEREAS, the Library Assistant-Public Relations/Communications position became available due to a vacancy; and

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

WHEREAS, Lori Zrebiec has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Human Resources Officer recommend appointment of Lori Zrebiec to the position of Library Assistant-Public Relations/Communications.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Lori Zrebiec be appointed Library Assistant-Public Relations/Communications with a start date of February 7, 2022, at an hourly rate of \$18.00 for a 12-hour work week.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

An opening occurred for the Library Assistant-Public Relations/Communications position due to a vacancy. The position was approved and advertised per Township policy. Lori Zrebiec applied for the position and is qualified to fill said position. Ms. Zrebiec comes to Bernards Township with experience in marketing and educational consulting.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2022-0107

Personnel Appointment

Susan Sample-Duffy – Library Assistant-Children's Services
Bernards Township Library

WHEREAS, the Library Assistant-Children's Services position became available due to a vacancy; and

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

WHEREAS, Susan Sample-Duffy has applied for and is qualified to fill said position; and

WHEREAS, the Library Director, Library Board and Human Resources Officer recommend appointment of Susan Sample-Duffy to the position of Library Assistant-Children's Services.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Susan Sample-Duffy be appointed Library Assistant-Children's Services with a start date of January 31, 2022, at an hourly rate of \$14.50 for a 12-hour work week.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

An opening occurred for the Library Assistant-Children's Services position due to a vacancy. The position was approved and advertised per Township policy. Susan Sample-Duffy applied for the position and is qualified to fill said position. Ms. Sample-Duffy comes to Bernards Township with 27 years of teaching experience.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2022-0108

Unused Vacation Accrual Due
Debra Merghart – Library

WHEREAS, the Township Committee adopted Resolution No. 2022-0066 at their regularly scheduled meeting of January 4, 2022, accepting the Personnel Policies and Procedures that outline pay-outs due at the time of retirement; and

WHEREAS, Debra Merghart, will retire from Bernards Township effective February 1, 2022; and

WHEREAS, per the requirements of the Township's Personnel Policy, Debra Merghart is entitled to a Vacation Time Accrual payment for unused vacation time as calculated below based on an hourly rate of \$26.80. 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	192.75	\$5,165.70

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 following her separation.

Agenda and Date Voted: 01/25/2022

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 Library S&W, Line Account #1-01-29-390-101 for an amount not to exceed \$5,165.70

Sean McCarthy, CFO

Date: January 19, 2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0109

Interlocal Services Agreement for the Provision of
2022 Somerset County Recycling Pickup to the Township of Bernards

WHEREAS, the Township of Bernards requires recycling pickup; and

WHEREAS, the County of Somerset has indicated a willingness to provide recycling pickup pursuant to and on the terms set forth herein and, in a contract, dated January 25, 2022; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for the provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1, et. seq. the Interlocal Services Act, provides the mechanism for making such contract between public agencies; and

WHEREAS, the County of Somerset already has in place a recycling pickup program.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the following agreement shall be entered into between the Township of Bernards and the County of Somerset, to implement recycling pickup, subject to the terms and provisions set forth below and, in a contract, dated January 25, 2022.

THIS AGREEMENT sets forth the specific provision for the Interlocal Services Agreement between the Township of Bernards and the County of Somerset for recycling pickup for the calendar year 2022 in accordance with N.J.S.A. 40:48-2, N.J.S.A. 40:8A-1 et. seq., the Interlocal Services Act, as follows:

The rate is \$26.70 per household. The number of households will be adjusted on a quarterly basis, when and if appropriate.

Agenda and Date Voted: 01/25/2022

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount of \$26.70 per household. Monies will be made available after Budget Adoption, and subsequently transferred to Trust Fund – Reserve for Recycling. Note: Amount budgeted for curbside recycling is annually transferred to the Bernards Township Trust Fund after budget adoption. These funds are earmarked exclusively for Recycling Expenditures.

Sean McCarthy,
Chief Financial Officer

Date: January 19, 2022

EXPLANATORY STATEMENT:

This resolution authorizes the interlocal agreement with Somerset County for Recycling. The rate is \$26.70 per household.

Pat Monaco
Township Administrator

Date: 1/19/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022

Rhonda Pisano, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2022-0110

Personnel Appointment

Brandon Williams – Staff Engineer – Engineering

WHEREAS, the Staff Engineer position became available due to a vacancy; and

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

WHEREAS, Brandon Williams has applied for and is qualified to fill said position; and

WHEREAS, the Township Engineer, Township Administrator, Chief Financial Officer and Human Resources Officer recommend appointment of Brandon Williams to the position of Staff Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Brandon Williams be appointed Staff Engineer with a start date of January 31, 2022, at an hourly rate of \$30.00 for a 40-hour work week.

Agenda and Date Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

An opening occurred for the Staff Engineer position due to a vacancy. The position was approved and advertised per Township policy. Brandon Williams applied for the position and is qualified to fill said position. Mr. Williams with a Civil Engineering degree from NJIT.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2022-0111

Personnel Appointment

Ryan Wallace – Superintendent of Public Works – Public Works Department

WHEREAS, the full time position of Superintendent of Public Works become vacant due to a resignation, and

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

WHEREAS, Ryan Wallace has applied for and is qualified to fill said position; and

WHEREAS, the Township Administrator and Human Resources Officer recommend appointment of Ryan Wallace to full time Superintendent of Public Works.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Ryan Wallace be appointed full time Superintendent of Public Works with a hire date of Monday, February 14, 2022 at an annual rate of \$120,000.00 for a 40 hour work week.

Agenda and Dated Voted: 01/25/2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/25/2022.

Rhonda Pisano, Municipal Clerk

EXPLANATORY STATEMENT

The Superintendent of Public Works position became available due to a resignation in the Public Works Department. The position was approved and advertised as per Township policy. Ryan Wallace has applied for the position and is qualified to fill said position. Mr. Wallace has previously worked for Bernards Township as a Senior Staff Engineer, Public Works Supervisor & Assistant Superintendent of Public Works. Mr. Wallace possesses certifications in the following areas: Certified Public Works Manager Certificate from Rutgers (CPWM), Certified Recycling Professional (CRP) and Professional Engineer (PE).

Emily Kesselmeier, HR Officer



Ordinance of the Township of Bernards

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

ORDINANCE #2491

An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 14 “Fire Prevention,” Section 14-3 “Permits, Additional Fees and Inspections”, Subsection 14-3.2 “Additional Required Inspections and Fees”, Subsection 14-3.3 “Mobile Food Vendors”, Section 14-3B “Non-Life Hazard Use Inspection Fees,” Subsection 14-3B.1 “Fees Established”

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 14 “Fire Prevention,” Section 14-3 “Permits, Additional Fees and Inspections”, Subsection 14-3.2 “Additional Required Inspections and Fees”, Subsection 14-3.3 “Mobile Food Vendors”, Section 14-3B “Non-Life Hazard Use Inspection Fees,” Subsection 14-3B.1 “Fees Established” of the Revised General Ordinances of the Township of Bernards is amended. (new text is in double underline; deletions are ~~stricken~~):

§ 14-3.2. Additional Required Inspections and Fees.

In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections shall be required:

- a. All public buildings and premises into which the public is invited, including multifamily dwellings as well as commercial and industrial establishments, and all public and private schools.
- b. Such fees as may be determined by the Fire Prevention Bureau may be adopted by resolution of the Township Committee.
[Ord. #1379, 3-27-2001, adopted]
- c. Whenever the Fire Official or his~~his~~their representative is required to attend an event or perform an inspection ~~being held~~ within the Township during non-normal business hours of the Fire ~~Official~~ Prevention Bureau, a fee of \$75 per hour shall be paid by the ~~organizer of such event~~ responsible party to the Township, based upon the number of hours the Fire Official or his their representative is required to attend such event, with a minimum of two hours to be charged for each such event. Events sponsored by the Township of Bernards, the Bernards Township Board of Education; and the Fire and Rescue Services of the Township of Bernards shall be exempt from this charge.
[Ord. #2137, 12-14-2010, added]

§ 14-3.3. Mobile Food Vendors.

a. Permits.

1. Mobile food vendors that utilize an open flame, fuel-burning appliances, or that produce grease-laden vapors shall submit a permit application each time they operate. All permit applications shall be submitted a minimum of two weeks prior to the date of operation. Individual permits shall be issued to a specific mobile unit and shall not approve operation of multiple mobile units. All permit applications shall include identifying information for the mobile unit corresponding to each individual permit application.

~~2. A daily/single event permit for a mobile food vendor can be acquired as per §§ 14-3.1 and 14-3.2.~~

~~3.2. All Mobile Food Vendor permits Vendors operating throughout a calendar year are legible for an annual mobile food vendor permit. An annual mobile food vendor permit shall expire on December 31 of the same year of the permit application. The fee for an annual the mobile food vendor permit is \$500 \$54.00.~~

- b. Inspections. No mobile food vendor shall operate within the borders of Bernards Township without first having applied for a permit and passed a fire inspection by the Bernards Township Bureau of Fire Prevention. Inspection shall be required every day of operation, prior to a mobile food vendor ~~prior to~~ beginning the operation. Annual mobile food vendor permits require daily inspection prior to operation. Every day of operation shall be considered a separate operation and requires a distinct inspection. Inspection violations of the New Jersey Uniform Fire Code shall constitute an order to close the mobile food vendor and immediately remove the operation from Bernards Township. Should an inspection reveal violations of the New Jersey Uniform Fire Code following the initial issuance of an annual mobile food vendor permit the Fire Official may ~~to~~ revoke any such permit.

SECTION 14-3B. Non-Life Hazard Use ~~Inspection~~Registration Fees

§ 14-3B.1. Fees Established.

[Ord. #1707, 3-9-2004, adopted; Ord. #2196, 6-12-2012, amended]

- a. Whenever the Fire Official shall have cause to believe that a building or business would require an annual fire prevention inspection, and the building or business is not a life hazard use, the owner of the building or business, if not already registered, shall fill out, and return within 15 days, the a registration form provided by the Fire Prevention Bureau. Any

~~building or business registered as a Non-Life Hazard Use. Upon inspection of the building or business, the owner shall pay to the Fire Prevention Bureau, the annual Fire Prevention Registration fee, within 30 days of receiving the annual invoice. Annual invoices will be sent electronically in the first quarter of each year or in the case of newly registered building or businesses, within 30 days of the building or business being registered. written notice of violation and order to correct accompanied by a written statement of fees due, the required amount.~~ The fees shall be based upon the square footage of the use and are as follows: ~~The fees are as follows:~~

Building Size in Square Feet	Annual Inspection Fee
0 to 500	\$50.00
501 to 1,000	\$75.00
1,001 to 3,500	\$150.00
3,501 to 10,000	\$300.00
10,001 to 30,000	\$500.00
30,001 and over	\$800.00

- b. Portions of churches and religious facilities used as sanctuaries and fire departments and first aid squads are exempt from fees.

Each section of this ordinance and every subsection hereof shall be deemed independent, separate, and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

All ordinances, codes, or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

The ordinance is effective upon passage. It will be published in accordance with NJSA 40:49-2d.

EXPLANATORY STATEMENT

Proposed revisions reflect changes to the permitting procedure for food vendors applying to operate within the township. Changes also reflect an update in the invoicing procedure for all inspectable occupancies in order to streamline the invoicing process.

Frank N. D’Amore Jr., Fire Official