

**BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE  
COMBINED AGENDA - REGULAR MEETING**

**March 7, 2023 – 7:30 PM Executive Closed Session; 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](http://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**

Video

7:30 PM

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. MAYOR’S OPENING MEETING STATEMENT**
- 4. ROLL CALL**
- 5. EXECUTIVE SESSION (if required)**
  - A. Resolution #2023-0159 - Authorizing an Executive Session Meeting of the Bernards Township Committee

8:00 PM

- 6. PRESENTATION**
  - A. Resolution #2023-0158 - In Honor of the Basking Ridge Garden Club’s 100th Anniversary
  - B. Resolution #2023-0177 - In Recognition of Girl Scouts Week March 12th to 18th
  - C. Girl Scout Awards – Resolution #2023-0178 - Commendation on Attaining Bronze, Silver and Gold Awards, Girl Scouts of the USA
- 7. PUBLIC WORK SESSION (if required)**
- 8. REPORTS**
- 9. CORRESPONDENCE**
  - A. Community Development Block Grant Application – Community Hope, Inc.
- 10. PUBLIC COMMENT**
- 11. STAFF COMMENTS, TOWNSHIP COMMITTEE COMMENTS AND BOARD / LIAISON REPORTS**
- 12. FIRE & RESCUE APPOINTMENT**
  - A. Resolution #2023-0168 - Appointment to Membership in Township of Bernards Volunteer Basking Ridge Fire Company #1, Megan Bisaccia, Full Member
- 13. UNFINISHED BUSINESS**
  - A. Ordinance #2520 - Accepting a Stream Buffer Conservation Easement on Property Located at 44 Old Farm Road; Block 302, Lot 5, from Ursula Khoshaba to the Township of Bernards - Map – Public Hearing
- 14. 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*



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

*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 #2023-0157 - Approval of the Bill List Dated 03/07/2023
- 2) Resolution #2023-0156 - Resolution Authorizing the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to Lease, License, Rent or Otherwise Permit the Use of the Farmstead Property for Classes, Programs, Events and Meetings Consistent with the Purpose of a Lease Agreement with Katherine Borra to Use Space Solely as an artist (writer's) studio
- 3) Resolution #2023-0160 - Refund of Development Fee Residential Development Block 3302 Lot 915 Hill Top Road
- 4) Resolution #2023-0161 - Personnel Appointment Vincent Al Pearce – Truck Driver – Public Works Department
- 5) Resolution #2023-0162 - Personnel Appointment Travis Miller Untamo – Truck Driver – Public Works Department
- 6) Resolution #2023-0163 - Personnel Appointment Christopher Wollny – Truck Driver – Public Works Department
- 7) Resolution #2023-0167 - Personnel Appointment Steven Waters – Fire Prevention Inspector (Part Time)
- 8) Resolution #2023-0169 - Authorization for Tax Refund
- 9) Resolution #2023-0170 - Tax Collector's Report
- 10) Resolution #2023-0175 - Award of Bid for Re-Bid 2022 Road Improvements to Meco, Inc., PO Box 536, Clarksburg, NJ 08510 In the Amount of \$974,775.50

B. Resolution #2023-0164 - Personnel Appointment Tyler Widitz – Patrol Officer – Police Department

C. Resolution #2023-0165 - Personnel Appointment Kyle McCartney – Patrol Officer – Police Department

D. Resolution #2023-0166 - Personnel Appointment Olivia Strama – Patrol Officer – Police Department Personnel Appointment

E. Resolution #2023-0171 - Eric Geleta – Deputy Chief of Police – Police Department

F. Resolution #2023-0172 - Authorization to Sell One New Plenary Retail Consumption Liquor License at Public Auction

G. Resolution #2023-0176 - Awarding Professional Services Contract for Bernards Township Police Headquarters HVAC Upgrade – Design and Construction Administration to James A. Trynosky, PE, NJ Lic #24GE04949400 of the firm Falcon Engineering Co. LLC, 95 Mount Bethel Road, Warren, NJ 07059 In the Not to Exceed Amount of \$39,390.00 - (To Include Reimbursable Expenses as Required)

H. Ordinance #2521 - An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey, Amending, Revising and Supplementing the Revised General Ordinances of the Township of Bernards, Chapter 21, "Land Development," Regarding Protection of Stream Corridors / Riparian Zones – Introduction

I. Approval of Minutes:  
02/14/2023 Open Session Minutes  
02/14/2023 Closed Session Minutes

J. Designation by Mayor with Township Committee Advice  
Environmental Committee - 2023 Chairperson, Alice Smyk and Vice Chairperson, Nancy Cook

## 15. EXECUTIVE SESSION (if required)

## 16. ADJOURNMENT

Christine V. Kieffer, 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](http://www.bernards.org)

---

## Resolution #2023-0159

Authorizing an Executive Session Meeting of the Bernards Township Committee

**WHEREAS**, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

**WHEREAS**, the Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

**WHEREAS**, the regular meeting of the Township Committee will reconvene.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee will go into closed session for the following reason(s) as outlined in NJSA 10:4-12; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Township Committee hereby declares that the discussion of subject(s) may be made public at a time when the Township Attorney advises the Township Committee that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

**NOW THEREFORE BE IT FINALLY RESOLVED** that the Township Committee, hereby declares that the public is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Municipal Clerk to take the appropriate action to effectuate the terms of this resolution.

<u>Reason for Closed Session</u>	<u>Estimated Time of Disclosure or Upon Occurrence Of</u>
<input type="checkbox"/> Any matter which by express provisions of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public Provision relied upon	
<input type="checkbox"/> Any matter in which the release of information would impair a right to receive funds from the federal government.	
<input type="checkbox"/> Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy.	
<input type="checkbox"/> Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.	
<input type="checkbox"/> Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.	

- Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection.
- Any investigations of violations or possible violations of the law.
- Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. *Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded, or the circumstances no longer present a potential impact.*  
**Attorney Client Privilege – Litigation; Liberty Corner Rescue Squad.**
- Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 NJ 478.  
The employee(s) and nature of discussion is.
- Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**  
**I hereby certify this is a true and exact copy of a resolution adopted  
by the Bernards Township Committee on 03/07/2023.**

---

**Christine V. Kieffer, Municipal Clerk**



# Resolution of the Township of Bernards

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

---

## **Resolution #2023-0158**

In Honor of the Basking Ridge Garden Club's 100<sup>th</sup> Anniversary

**WHEREAS**, on March 25, 2023, the Basking Ridge Garden Club is celebrating their 100<sup>th</sup> Anniversary; and

**WHEREAS**, the Basking Ridge Garden Club encourages the spirit of gardening, promotes preservation of trees, birds and wildflowers, and contributes to the beautification of our community; and

**WHEREAS**, the Basking Ridge Garden Club maintains seasonal plantings throughout Bernards Township; and

**WHEREAS**, the Basking Ridge Garden Club provides Christmas wreaths for community buildings; and

**WHEREAS**, the Basking Ridge Garden Club maintains and plants hundreds of spring bulbs and plantings in the Wandering Garden at the Visiting Nurses Association of Somerset Hills and the Blue Star Memorial, and provides garden tours and parties for the seniors at Ridge Oak; and

**WHEREAS**, the Basking Ridge Garden Club has dedicated trees in memory of the 9/11 victims and deceased members; and

**WHEREAS**, the Basking Ridge Garden Club contributes to the quality of life we enjoy in Bernards Township.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby express our sincere gratitude to the Basking Ridge Garden Club for their dedication to our community; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby direct that this resolution be spread in full in the minutes of the Township Committee as a tribute to Basking Ridge Garden Club; and

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby congratulate the Basking Ridge Garden Club on the occasion of their 100<sup>th</sup> Anniversary.

Agenda and Dated: 03/07/2023

### **CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.**

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**



# Resolution of the Township of Bernards

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

---

**Resolution #2023-0177**  
In Recognition of Girl Scouts Week  
March 12<sup>th</sup> to 18<sup>th</sup>

**WHEREAS**, March 12<sup>th</sup> - 18<sup>th</sup> 2023 marks the 111th anniversary of Girl Scout Week as designated by Girl Scouts of the USA founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

**WHEREAS**, the mission of the Girl Scouts of the USA is to “build girls of courage, confidence and character, who make the world a better place” through honesty, fairness, compassion, and sisterhood; and

**WHEREAS**, throughout its long and distinguished history, Girl Scouting has inspired millions of girls and women to strive for the highest ideals of character, conduct and patriotism; and

**WHEREAS**, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and

**WHEREAS**, more than 2.5 million current Girl Scout members nationwide will be celebrating 110 years of this American tradition, with nearly 50 million women who are former girl scouts and living proof of the impact of this amazing movement.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Bernards hereby recognizes March 12<sup>th</sup> to 18<sup>th</sup> as Girl Scouts Week; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that a copy of this resolution be spread in full in the official minutes of the Township Committee for March 7, 2023.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk



**Resolution of the Township of Bernards**  
1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; www.bernards.org

**Resolution 2023-0178**

Commendation on Attaining Bronze, Silver and Gold Awards  
Girl Scouts of the USA

**WHEREAS**, the mission of Girl Scouts of the USA is to “build girls of courage, confidence and character, who make the world a better place” through honesty, fairness, compassion, and sisterhood going above and beyond to make a difference in her community; and

**WHEREAS**, the Bronze Award, Silver Award, and Gold Award are the most prestigious awards that Girl Scouts can earn; and

**WHEREAS**, the Township Committee of the Township of Bernards wishes to recognize the following girls for their achievements:

**2022 Silver Award:**

Troop 60248 – Elizabeth Mannino, Troop Leader

**Alexandra Bonura**  
**Lily Mannino**  
**Sriya Bhamidipaty**

**2022 Gold Award:**

Troop 61124 – Dorothy Dobbie, Troop Advisor & Elizabeth Cirri Troop Co-Leader

**Nethra Raju**

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Bernards congratulates each girl for their personal achievement which will serve as a reminder of the importance of the pursuit of excellence throughout their life.

Agenda Date and Vote: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

## Christine Kieffer

---

**From:** Christine Kieffer  
**Sent:** Thursday, March 2, 2023 3:26 PM  
**To:** Christine Kieffer  
**Subject:** RE: Somerset County CDBG Municipal Meeting

**A summary of the Community Development Block Grant Application to Somerset County to be submitted by Community Hope can be found below.**

**A full copy of the application is on file, and can be viewed at, the Municipal Clerk's Office, 1 Collyer Lane, Basking Ridge, NJ, M – F, 8:30Am – 4:30 PM.**

---

**From:** Muddasra Munir <MMunir@communityhope-nj.org>  
**Sent:** Wednesday, February 15, 2023 1:50 PM  
**To:** rpisano@bernards.org  
**Cc:** Christine Kieffer <ckieffer@bernards.org>; Peggy Banko <MBanko@communityhope-nj.org>  
**Subject:** Somerset County CDBG Municipal Meeting

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

Hi Rhonda:

I hope you are doing well. My name is Muddasra Munir and I am the new Grants Officer at Community Hope.

In the past, Sharon has been reaching out to you in regards to our Somerset CBDG application. She has now moved from Community Hope after being here for 20 years.

I am reaching out because it is that time of the year again where we are preparing our CDBG application to Somerset County for 2023/24 and will be submitting the full application by the deadline of March 22, 2023. The application is the same as last year, wherein Community Hope, Inc. seeks an estimate of \$ 75,000 from Somerset County to maintain the Employment Training Program within the Hope for Veterans® Program. The County has supported this program for 18 years with a CDBG grant which helps to fund the position of a Job Coach who works with formerly homeless veterans in our 95-bed Veterans Program providing: Employment skills assessments and work readiness skills training, Financial Literacy, Technology training; Identification of each veteran's skill set and area of expertise; Counseling veterans on pursuing job prospects and Establishing connections to employment opportunities.

By helping homeless veterans who are unemployed/underemployed, to become gainfully employed and acclimated into the workforce before they graduate from the Program, we are



enabling veterans to graduate on to permanent housing and live independently which are two important goals of the Program.

As in the past, we will need to get municipal certification for the full CDBG application. **To that end, we are requesting that our application be included on the Bernard's Township agenda. It looks like the meeting is being held on March 14, 2023, Is that correct? Please let me know the details and if we can be included on the agenda.**

I will send you the form which needs to be executed by the Mayor, once we have your approval to be added to the agenda. Please let me know if we can be added to the agenda and if you require any additional information. I look forward to hearing from you.

Best,

**Muddasra Munir**

Grants Officer

Community Hope, Inc.

959 Route 46 East

Parsippany, NJ 07054

O: 973-463-9600 x311

[www.communityhope-nj.org](http://www.communityhope-nj.org)

*Community Hope, a NJ non-profit organization, provides housing and support services to hundreds of veterans, veteran families, and people living with mental illness each year. Since 1985, our team of over 150 employees has provided clinical case management, housing (emergency, transitional, and affordable), and homeless prevention services enabling thousands to recover from mental illness, homelessness, substance use, and poverty.*





# Resolution of the Township of Bernards

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

## **Resolution #2023-0168**

Appointment to Membership in Township of Bernards Volunteer  
Basking Ridge Fire Company #1  
Megan Bisaccia, 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

**WHEREAS**, the Basking Ridge Fire Company #1 is recommending Megan Bisaccia, residing at 27 Allen Street, 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: 03/07/2023.

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, 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.

Christine Kieffer, Municipal Clerk



# Ordinance of the Township of Bernards

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

## **ORDINANCE #2520**

Accepting a Stream Buffer Conservation Easement on  
Property Located at 44 Old Farm Road; Block 302, Lot 5, from  
Ursula Khoshaba 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 Ursula Khoshaba, with a mailing address at 44 Old Farm Road, Basking Ridge, New Jersey, 07920, a Stream Buffer Conservation Easement on Block 302, Lot 5, 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 February 3, 2021 (Application #ZB20-025). The approval allows the grantor to construct a swimming pool and related improvements. The purpose of the easement is to protect the 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: January 30, 2023

David Schley, PP, AICP, Township Planner

### **TOWNSHIP OF BERNARDS PUBLIC NOTICE**

Ordinance #2520 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 02/14/2023 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 03/07/2023, 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 [ckieffer@bernards.org](mailto:ckieffer@bernards.org).

By Order of the Township Committee  
Christine V. Kieffer, Municipal Clerk

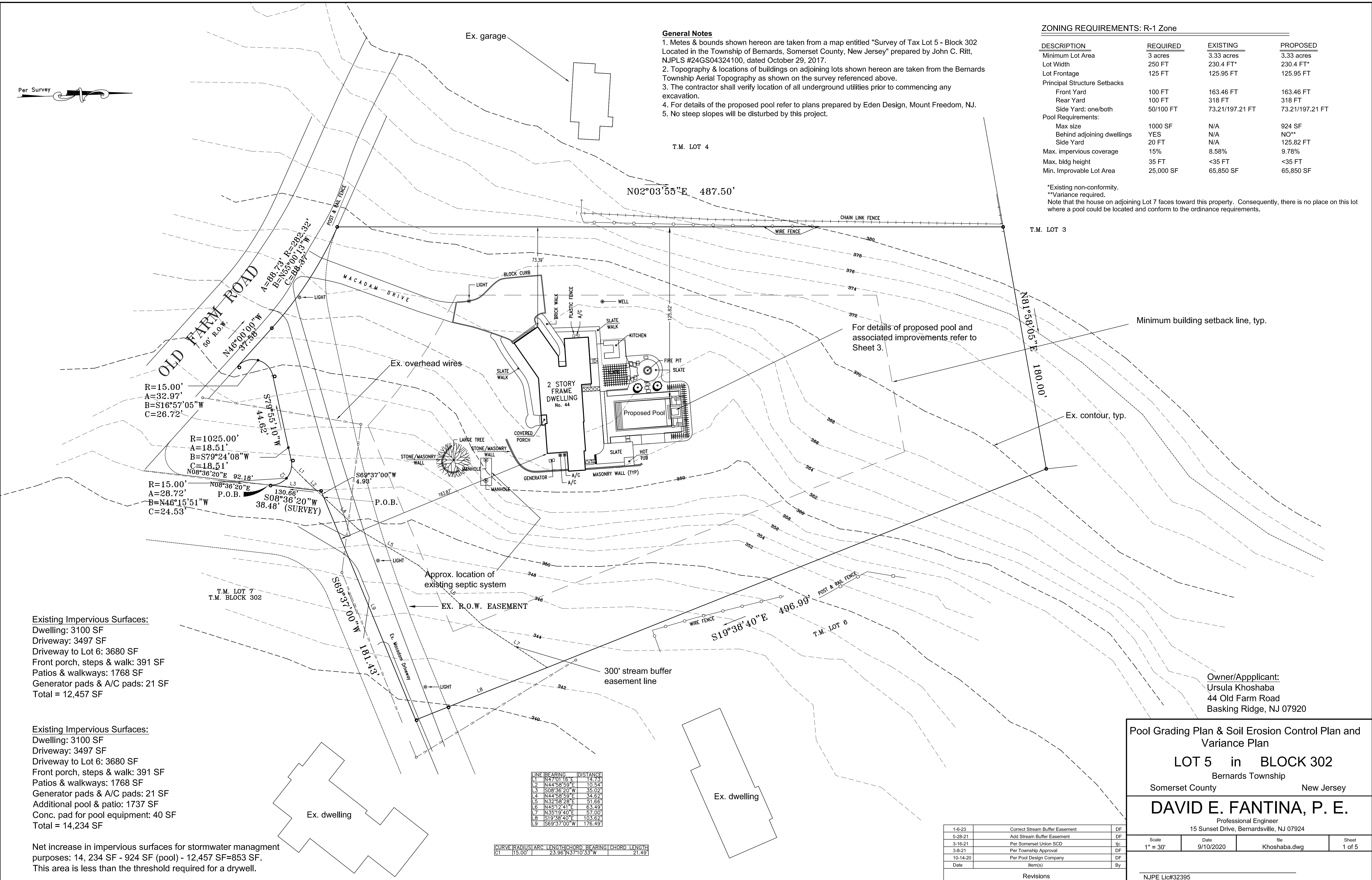
**General Notes**

1. Metes & bounds shown hereon are taken from a map entitled "Survey of Tax Lot 5 - Block 302 Located in the Township of Bernards, Somerset County, New Jersey" prepared by John C. Ritt, NJPLS #24GS04324100, dated October 29, 2017.
2. Topography & locations of buildings on adjoining lots shown hereon are taken from the Bernards Township Aerial Topography as shown on the survey referenced above.
3. The contractor shall verify location of all underground utilities prior to commencing any excavation.
4. For details of the proposed pool refer to plans prepared by Eden Design, Mount Freedom, NJ.
5. No steep slopes will be disturbed by this project.

**ZONING REQUIREMENTS: R-1 Zone**

DESCRIPTION	REQUIRED	EXISTING	PROPOSED
Minimum Lot Area	3 acres	3.33 acres	3.33 acres
Lot Width	250 FT	230.4 FT*	230.4 FT*
Lot Frontage	125 FT	125.95 FT	125.95 FT
Principal Structure Setbacks			
Front Yard	100 FT	163.46 FT	163.46 FT
Rear Yard	100 FT	318 FT	318 FT
Side Yard: one/both	50/100 FT	73.21/197.21 FT	73.21/197.21 FT
Pool Requirements:			
Max size	1000 SF	N/A	924 SF
Behind adjoining dwellings	YES	N/A	NO**
Side Yard	20 FT	N/A	125.82 FT
Max. impervious coverage	15%	8.58%	9.78%
Max. bldg height	35 FT	<35 FT	<35 FT
Min. Improvable Lot Area	25,000 SF	65,850 SF	65,850 SF

\*Existing non-conformity.  
 \*\*Variance required.  
 Note that the house on adjoining Lot 7 faces toward this property. Consequently, there is no place on this lot where a pool could be located and conform to the ordinance requirements.



**Existing Impervious Surfaces:**  
 Dwelling: 3100 SF  
 Driveway: 3497 SF  
 Driveway to Lot 6: 3680 SF  
 Front porch, steps & walk: 391 SF  
 Patios & walkways: 1768 SF  
 Generator pads & A/C pads: 21 SF  
 Total = 12,457 SF

**Existing Impervious Surfaces:**  
 Dwelling: 3100 SF  
 Driveway: 3497 SF  
 Driveway to Lot 6: 3680 SF  
 Front porch, steps & walk: 391 SF  
 Patios & walkways: 1768 SF  
 Generator pads & A/C pads: 21 SF  
 Additional pool & patio: 1737 SF  
 Conc. pad for pool equipment: 40 SF  
 Total = 14,234 SF

Net increase in impervious surfaces for stormwater management purposes: 14, 234 SF - 924 SF (pool) - 12,457 SF=853 SF.  
 This area is less than the threshold required for a drywell.

LINE	BEARING	DISTANCE
L1	N47°01'16"E	14.23
L2	N44°58'59"E	10.54
L3	S08°36'20"W	35.02
L4	N44°58'59"E	34.62
L5	N32°58'28"E	51.66
L6	N45°12'41"E	63.49
L7	N35°19'40"E	57.00
L8	S19°38'40"E	103.82
L9	S69°37'00"W	176.49

CURVE	RADIUS	ARC LENGTH	CHORD	BEARING	CHORD LENGTH
C1	15.00'	23.96'	N37°10'33" W	21.49'	

Owner/Applicant:  
 Ursula Khoshaba  
 44 Old Farm Road  
 Basking Ridge, NJ 07920

**Pool Grading Plan & Soil Erosion Control Plan and Variance Plan**

**LOT 5 in BLOCK 302**  
 Bernards Township

Somerset County New Jersey

**DAVID E. FANTINA, P. E.**

Professional Engineer  
 15 Sunset Drive, Bernardsville, NJ 07924

Date	Revisions	By
1-6-23	Correct Stream Buffer Easement	DF
5-28-21	Add Stream Buffer Easement	DF
3-16-21	Per Somerset Union SCD	DF
3-5-21	Per Township Approval	DF
10-14-20	Per Pool Design Company	DF

Scale	Date	file	Sheet
1" = 30'	9/10/2020	Khoshaba.dwg	1 of 5

NJPE Lic#32395



# Resolution of the Township of Bernards

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

## Resolution #2023-0157

Approval of the Bill List Dated 03/07/2023

**BE IT RESOLVED**, that the bill list dated 03/07/2023 be audited, and if found correct, be paid.

March 7, 2023  
02:32 PM

TOWNSHIP OF BERNARDS  
Check Register By Check Date

Page No: 1

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
CASH - CHECKING CURRENT CHECKING				
135275	02/28/23	90327 MCKNIGHT, ALEX	130.90	1690 Direct Deposit
135276	02/28/23	90507 GANDER, JENNIFER	378.00	1690 Direct Deposit
135277	02/28/23	90666 MCCREA, ALEC	221.38	1690 Direct Deposit
135278	02/28/23	B0203 DIFRANCESCO BATEMAN, PC	1,975.70	1690 Direct Deposit
135279	02/28/23	D0020 DELTA DENTAL OF NJ	12,363.76	1690 Direct Deposit
135280	02/28/23	M0261 M.A.I.N., INC.	70,942.67	1690 Direct Deposit
135281	02/28/23	S0069 SAL'S AUTO BODY INC.	26,457.74	1690 Direct Deposit
135282	02/28/23	T0378 THE GUARDIAN LIFE INS CO OF AM	88.55	1690 Direct Deposit
135283	02/28/23	A0126 AFLAC NEW YORK	137.94	1691
135284	02/28/23	A0338 AFLAC	1,160.93	1691
135285	02/28/23	A0740 ART KIDS RULE LLC	500.00	1691
135286	02/28/23	B0026 BERNARDS TOWNSHIP CURRENT	7,768.33	1691
135287	02/28/23	B0029 BERNARDS TWP BD OF EDUCATION	8,035,822.00	1691
135288	02/28/23	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	583,736.43	1691
135289	02/28/23	B0859 BAHETI, ADITI M.	160.00	1691
135290	02/28/23	C0024 GANNETT NEW JERSEY NEWSPAPERS	19.50	1691
135291	02/28/23	C0024 GANNETT NEW JERSEY NEWSPAPERS	38.22	1691
135292	02/28/23	C0024 GANNETT NEW JERSEY NEWSPAPERS	30.42	1691
135293	02/28/23	D0866 DARAS, MONICA	4,269.15	1691
135294	02/28/23	G0005 GANN LAW BOOKS	179.00	1691
135295	02/28/23	G0098 JCP&L	24,941.96	1691
135296	02/28/23	H0004 HEALTH DEPARTMENT PETTY CASH	28.75	1691
135297	02/28/23	J0256 JAFARY, AHMAR	265.00	1691
135298	02/28/23	L0005 LIBRARY PETTY CASH	2.70	1691
135299	02/28/23	M0997 MOBILE LIFTS, LLC	6,557.51	1691
135300	02/28/23	N0006 NEW JERSEY AMERICAN WATER CO.	49,275.71	1691
135301	02/28/23	N0032 NJ STATE DEPT HEALTH/SR SVCS	1,135.20	1691
135302	02/28/23	N0053 NJ UNEMPLOYMENT COMP. FUND	5,346.83	1691
135303	02/28/23	N0082 NJAPZA TREASURER	100.00	1691
135304	02/28/23	N0311 NEW JERSEY EMERG PREP ASSN	400.00	1691
135305	02/28/23	N0451 NJ ADVANCE MEDIA	154.80	1691
135306	02/28/23	O0046 ALLEGRA MARKETING, PRINT&MAIL	780.00	1691
135307	02/28/23	P0014 PUBLIC SERVICE ELEC. & GAS CO	14,143.14	1691
135308	02/28/23	P0125 PWANJ	100.00	1691
135309	02/28/23	P0538 PROVIDENT LIFE & ACCIDENT	60.04	1691
135310	02/28/23	R0005 RECORDER PUBLISHING CO., INC	72.42	1691
135311	02/28/23	R0005 RECORDER PUBLISHING CO., INC	75.48	1691
135312	02/28/23	R0023 RICHIES TIRE SERVICE, INC.	1,485.00	1691
135313	02/28/23	R0043 REGISTRARS' ASSOCIATION OF NJ	75.00	1691
135314	02/28/23	S0101 STICKEL, KOENIG, SULLIVAN&DRILL	307.50	1691
135315	02/28/23	S0370 SOMERSET CTY FIRE SAFETY ASSOC	100.00	1691
135316	02/28/23	S0524 STATE TOXICOLOGY LABORATORY	45.00	1691
135317	02/28/23	S0536 SOMERSET COUNTY BUSINESS	2,125.00	1691
135318	02/28/23	S0691 SUPERIOR DISTRIBUTORS	70.27	1691
135319	02/28/23	S1180 SOMERSET CO. BAR ASSOCIATION	45.00	1691
135320	02/28/23	S1191 SAVO, SCHALK, CORSINI, GILLESPIE,	758.50	1691
135321	02/28/23	V0058 VERIZON	112.37	1691
135322	02/28/23	V0058 VERIZON	33.40	1691
135323	02/28/23	V0058 VERIZON	54.65	1691
135324	02/28/23	V0084 VERIZON	188.99	1691
135325	02/28/23	V0084 VERIZON	189.99	1691
135326	02/28/23	V0084 VERIZON	289.99	1691
135327	02/28/23	W0056 WELDON CONCRETE CO.	1,821.03	1691
135328	02/28/23	W0410 WARSHAUER ELECTRIC SUPPLY CO.	4,983.33	1691
135330	03/07/23	90026 DEPOORTERE, PAT	16.00	1692 Direct Deposit
135331	03/07/23	90071 KRUKOWSKI, RICHARD	16.00	1692 Direct Deposit
135332	03/07/23	90537 KRUKOWSKI, JEFFREY	16.00	1692 Direct Deposit
135333	03/07/23	90676 WOLLNY, CHRISTOPHER	16.00	1692 Direct Deposit
135334	03/07/23	90709 OSTRANDER, TYLER	16.00	1692 Direct Deposit
135335	03/07/23	A0419 ARCO STEEL COMPANY	90.00	1692 Direct Deposit
135336	03/07/23	A0425 ATLANTIC TACTICAL	570.97	1692 Direct Deposit
135337	03/07/23	A0453 AMAZON.COM	3,901.03	1692 Direct Deposit
135338	03/07/23	A0611 AMERICAN WEAR, INC	897.12	1692 Direct Deposit
135339	03/07/23	A0716 ACB SERVICES INC	2,660.00	1692 Direct Deposit
135340	03/07/23	B0128 INTERNATIONAL CODE COUNCIL	44.00	1692 Direct Deposit
135341	03/07/23	B0203 DIFRANCESCO BATEMAN, PC	80.00	1692 Direct Deposit
135342	03/07/23	B0581 BUY WISE AUTO PARTS	1,037.02	1692 Direct Deposit
135343	03/07/23	D0033 DEMCO, INC	793.09	1692 Direct Deposit
135344	03/07/23	E0224 EXCELLENT BUILDING SERVICES	2,745.00	1692 Direct Deposit
135345	03/07/23	G0066 GRAINGER INC	503.87	1692 Direct Deposit
135346	03/07/23	G0305 GREAT AMERICAN SIGN COMPANY	280.00	1692 Direct Deposit
135347	03/07/23	H0029 HUMPHREYS PEST CONTROL, INC.	95.00	1692 Direct Deposit
135348	03/07/23	K0354 KANOPY INC	480.00	1692 Direct Deposit
135349	03/07/23	M0015 MCKESSON MEDICAL SURGICAL	263.29	1692 Direct Deposit
135350	03/07/23	M0353 MIDWEST TAPE LLC	2,039.06	1692 Direct Deposit

135351	03/07/23	M0428	MIKE'S TOWING & RECOVERY, INC.	455.00	1692	Direct Deposit
135352	03/07/23	M0856	MCGRATH MUNICIPAL	395.00	1692	Direct Deposit
135353	03/07/23	O0135	OUTHUSE LLC	400.00	1692	Direct Deposit
135354	03/07/23	P0706	PARTS AUTHORITY LLC	290.23	1692	Direct Deposit
135355	03/07/23	R0050	ROTO-ROOTER	556.00	1692	Direct Deposit
135356	03/07/23	R0824	REPUBLIC SERVICES OF NJ LLC	1,290.00	1692	Direct Deposit
135357	03/07/23	S0741	SUBURBAN CONSULTING ENGINEERS	1,498.50	1692	Direct Deposit
135358	03/07/23	S1161	SETTEMBRINO ARCHITECTS	80.24	1692	Direct Deposit
135359	03/07/23	S1177	SAL ELECTRIC CO., INC.	771.00	1692	Direct Deposit
135360	03/07/23	T0066	CENGAGE LEARNING CREDIT SVCS	110.02	1692	Direct Deposit
135361	03/07/23	T0192	TURN OUT UNIFORMS INC	1,813.89	1692	Direct Deposit
135362	03/07/23	U0001	UNITEMP MECHANICAL DEGREES LLC	2,418.88	1692	Direct Deposit
135363	03/07/23	U0056	U.S. MUNICIPAL SUPPLY, INC.	826.70	1692	Direct Deposit
135364	03/07/23	W0275	WINNING TEAMS BY NISSEL LLC	725.50	1692	Direct Deposit
135365	03/07/23	A0232	ARROW ELEVATOR, INC.	340.00	1693	
135366	03/07/23	A0717	AAA FACILITY SOLUTIONS LLC	7,401.66	1693	
135367	03/07/23	A0740	ART KIDS RULE LLC	250.00	1693	
135368	03/07/23	A0742	ALLEGIANCE TRUCKS LLC	447.82	1693	
135369	03/07/23	B0001	BAKER & TAYLOR, INC.	4,898.76	1693	
135370	03/07/23	B0017	BRIDGEWATER RESOURCES, INC.	1,003.71	1693	
135371	03/07/23	B0026	BERNARDS TOWNSHIP CURRENT	135,076.19	1693	
135372	03/07/23	B0031	BERNARDSVILLE PRINT CENTER	394.98	1693	
135373	03/07/23	B0034	BERNARDS TOWNSHIP PAYROLL ACCT	505,894.13	1693	
135374	03/07/23	B0037	BERNARDSVILLE CAR WASH	144.00	1693	
135375	03/07/23	B0044	BASKING RIDGE ANIMAL HOSPITAL	1,157.68	1693	
135376	03/07/23	B0094	BUILDING SAFETY CONFERENCE/NJ	498.00	1693	
135377	03/07/23	B0098	BERNARDS TOWNSHIP (RECREATION)	5,053.91	1693	
135378	03/07/23	B0518	BERNARDSVILLE HARDWARE	11.48	1693	
135379	03/07/23	B0831	BADGE COMPANY OF NJ LLC	892.80	1693	
135380	03/07/23	C0024	GANNETT NEW JERSEY NEWSPAPERS	42.90	1693	
135381	03/07/23	C0136	RUTGERS, THE STATE UNIVERSITY	400.00	1693	
135382	03/07/23	C0482	OPTIMUM	138.44	1693	
135383	03/07/23	C0482	OPTIMUM	11.46	1693	
135384	03/07/23	C0482	OPTIMUM	33.34	1693	
135385	03/07/23	C0522	CHATHAM LAWNMOWER SALES & SVC	393.17	1693	
135386	03/07/23	C0613	CIGNA GROUP INSURANCE	1,552.89	1693	
135387	03/07/23	C0681	CAST TECHNOLOGY, INC	560.00	1693	
135388	03/07/23	C0697	BB&T/CPS	43.23	1693	
135389	03/07/23	C0774	COLONIAL LIFE & ACC INSURANCE	620.26	1693	
135390	03/07/23	C0945	CORNEJO-KROHN, LOURDES	50.00	1693	
135391	03/07/23	E0231	EKA ASSOCIATES, P.A.	315.00	1693	
135392	03/07/23	E0295	ELECTRO BATTERY SYSTEMS INC	246.82	1693	
135393	03/07/23	F0047	FULLERTON FORD	335.24	1693	
135394	03/07/23	F0148	FAIRFIELD MAINTENANCE INC	730.16	1693	
135395	03/07/23	F0324	FLAGSHIP DENTAL PLANS	252.69	1693	
135396	03/07/23	F0395	FAMULA, JIM OR KIM	280.00	1693	
135397	03/07/23	G0005	GANN LAW BOOKS	359.00	1693	
135398	03/07/23	G0025	GARDEN STATE HIGHWAY PRODUCTS	801.78	1693	
135399	03/07/23	G0098	JCP&L	264.53	1693	
135400	03/07/23	H0104	HANDI-LIFT INC.	1,049.00	1693	
135401	03/07/23	H0178	HOSE SHOP, INC.	205.69	1693	
135402	03/07/23	H0246	HOME DEPOT CREDIT SERVICES	663.00	1693	
135403	03/07/23	J0015	JESCO, INC.	49.07	1693	
135404	03/07/23	K0039	KOBESKY, GREGG S.	437.99	1693	
135405	03/07/23	K0259	KONICA MINOLTA PREMIER FINANCE	108.92	1693	
135406	03/07/23	K0259	KONICA MINOLTA PREMIER FINANCE	123.54	1693	
135407	03/07/23	K0325	KANOFSKY, ARIE OR TARA	80.00	1693	
135408	03/07/23	K0331	KONICA MINOLTA PREMIER FINANCE	148.97	1693	
135409	03/07/23	K0331	KONICA MINOLTA PREMIER FINANCE	192.89	1693	
135410	03/07/23	K0331	KONICA MINOLTA PREMIER FINANCE	110.74	1693	
135411	03/07/23	K0341	KONICA MINOLTA PREMIER FINANCE	133.42	1693	
135412	03/07/23	K0366	KENDIS, EVAN OR LORI	150.00	1693	
135413	03/07/23	L0116	LAWMEN SUPPLY	1,353.46	1693	
135414	03/07/23	L0372	LIFESAVERS, INC	358.00	1693	
135415	03/07/23	M0498	MP OVERHEAD DOORS	380.00	1693	
135416	03/07/23	M0518	KONICA MINOLTA BUSINESS SOL.	105.28	1693	
135417	03/07/23	M0899	MR JOHN	65.00	1693	
135418	03/07/23	M1026	MARIO MEDICI LECTURES LLC	125.00	1693	
135419	03/07/23	N0006	NEW JERSEY AMERICAN WATER CO.	52,489.37	1693	
135420	03/07/23	N0017	NJ STATE LEAGUE OF MUNICIPAL.	2,100.00	1693	
135421	03/07/23	N0032	NJ STATE DEPT HEALTH/SR SVCS	616.20	1693	
135422	03/07/23	N0462	N M PREMIUM FOODS, INC	544.60	1693	
135423	03/07/23	N0470	NATIONWIDE	148.19	1693	
135424	03/07/23	O0068	O'BAGEL BAGELRY & DELI	198.00	1693	
135425	03/07/23	O0100	OVERDRIVE, INC.	2,841.84	1693	
135426	03/07/23	P0014	PUBLIC SERVICE ELEC. & GAS CO	10,604.07	1693	
135427	03/07/23	P0046	RESERVE ACCOUNT	1,014.73	1693	
135428	03/07/23	P0724	PACE ANALYTICAL SERVICES LLC	2,225.00	1693	
135429	03/07/23	Q0002	CINTAS CORP. - #062	351.00	1693	
135430	03/07/23	Q0032	QUINN, THOMAS J.	375.00	1693	
135431	03/07/23	R0005	RECORDER PUBLISHING CO., INC	28.05	1693	
135432	03/07/23	R0025	RIDGE RESTAURANT	325.09	1693	
135433	03/07/23	R0043	REGISTRARS' ASSOCIATION OF NJ	150.00	1693	
135434	03/07/23	R0440	RAHWAY BUSINESS MACHINES, INC.	299.00	1693	
135435	03/07/23	R0493	RIDGE BAGEL & CAFE	649.25	1693	
135436	03/07/23	S0604	SMITH TRACTOR & EQUIPMENT, INC	118.79	1693	
135437	03/07/23	S0628	STATE OF NEW JERSEY-HB	240,710.26	1693	
135438	03/07/23	S0659	SANTORO, RANDY	40.00	1693	
135439	03/07/23	S1191	SAVO,SCHALK,CORSINI,GILLESPIE,	4,309.50	1693	
135440	03/07/23	T0024	TRUIS OF NJ INC	1,554.66	1693	
135441	03/07/23	T0327	TRI-STATE MATERIALS, LLC	1,198.89	1693	
135442	03/07/23	T0516	TNM CONSTRUCTION & SOLUTIONS	1,300.00	1693	
135443	03/07/23	V0056	VERIZON WIRELESS	1,814.29	1693	
135444	03/07/23	V0058	VERIZON	39.53	1693	
135445	03/07/23	V0058	VERIZON	83.88	1693	
135446	03/07/23	V0058	VERIZON	83.88	1693	
135447	03/07/23	V0177	VERIZON	362.64	1693	
135448	03/07/23	W0016	WARRENVILLE TRUE VALUE	469.76	1693	
135449	03/07/23	W0019	WEST CHESTER MACHINERY & SUPPLY	82.08	1693	
135450	03/07/23	W0074	WELSH'S MOTOR SALES, INC.	267.63	1693	
135451	03/07/23	W0143	WARREN AUTO WRECKERS	75.00	1693	
135452	03/07/23	X0005	XTL COMMUNICATION	1,727.44	1693	
135453	03/07/23	Z0059	ZUFALL HEALTH CENTER, INC	1,007.00	1693	

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	135	0	9,756,887.10	0.00
Direct Deposit:	43	0	140,749.11	0.00
Total:	178	0	9,897,636.21	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	56,132.66	0.00	0.00	56,132.66
CURRENT FUND	3-01	9,546,396.83	0.00	0.00	9,546,396.83
DOG FUND	3-12	3,305.37	0.00	0.00	3,305.37
GOLF COURSE UTILITY	3-26	2,966.81	0.00	0.00	2,966.81
Year Total:		9,552,669.01	0.00	0.00	9,552,669.01
CAPITAL FUND	C-04	2,329.18	0.00	0.00	2,329.18
PUBLIC GRANTS	G-02	138,032.48	0.00	0.00	138,032.48
TRUST FUNDS	T-13	139,908.75	0.00	0.00	139,908.75
PROJECT		8,564.13	0.00	0.00	8,564.13
Total Of All Funds:		9,897,636.21	0.00	0.00	9,897,636.21

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**  
**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.**

\_\_\_\_\_  
**Christine V. Kieffer , Municipal Clerk**



# Resolution of the Township of Bernards

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

## Resolution #2023-0156

Resolution Authorizing the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. to Lease, License, Rent or Otherwise Permit the Use of the Farmstead Property for Classes, Programs, Events and Meetings Consistent with the Purpose of a Lease Agreement with Katherine Borra to Use Space Solely as an artist (writer's) studio

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

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

**WHEREAS**, the Township and the Friends of the Kennedy-Martin-Stelle Farmstead, Inc. ("Friends") entered into Lease Agreement C1775-1, dated March 29, 2005, for the Property (the "Lease"), which was thereafter amended to increase the term of the Lease; and

**WHEREAS**, Sections 2 and 3 of the Lease provide that Friends may provide access to Township residents for meetings and other appropriate events, provide alternate uses, and sublet or assign any interests in the Lease, subject to the prior written approval of the Township; and

**WHEREAS**, by email dated February 9, 2023 the Friends requested approval to permit a lease agreement with Katherine Borra for use of space solely as an artist studio; and

**WHEREAS**, the Township Committee has reviewed the proposed non-exclusive license agreement and finds it consistent with public purposes of the Lease and Mission and Vision of the Friends.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bernards, in the County of Somerset and State of NJ, that the Township of Bernards hereby grants authorization to the Friends of the Kennedy-Martin-Stelle Farmstead, Inc., to enter into a non-exclusive lease agreement with Katherine Borra, 125 Ashland Road, Summit, NJ 07901-3240 from February 1, 2023 – January 31, 2024.

**BE IT FURTHER RESOLVED** that the Township hereby explicitly reserves the right to revoke the authorization herein granted to Friends at its sole discretion.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**  
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.  
  
\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

### EXPLANATORY STATEMENT

12-month License for Katherine Borra at KMS Farmstead.  
Dated: 02/09/2023

Thank you, Leslie Workman, President





# Resolution of the Township of Bernards

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

**Resolution# 2023-0160**  
Refund of Development Fee  
Residential Development Block 3302 Lot 9  
15 Hill Top Road

**WHEREAS**, Section 21-86.1 of the Revised Land Use Ordinance of the Township of Bernards provides for a collection of a Development Fee; and

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

**WHEREAS**, as a condition of the issuance of a Building Permit and a Certificate of Occupancy, payment of one and one half percent of the estimated equalized assessed value of \$1,225,000 was required; and

**WHEREAS**, \$11,163.00 was paid by Victoria A Costa & Erin J Weber; and

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

**WHEREAS**, payment of one and one half percent of the FINAL equalized assessed value of the property is \$11,032.50; and

**WHEREAS**, a refund of \$130.50 is due to Victoria A Costa & Erin J Weber.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Township Committee of the Township of Bernards hereby authorizes the refund of \$130.50.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

**Explanatory Statement:**

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

Jennifer Martins, Administrative Assistant

Date: 02/08/23



# Resolution of the Township of Bernards

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

**Resolution #2023-0161**  
Personnel Appointment  
Vincent Al Pearce – Truck Driver – Public Works Department

**WHEREAS**, the Township Committee of the Township of Bernards approved a Side letter of Agreement between Township of Bernards and International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America Local 469 at their regularly scheduled meeting on February 14, 2023; and

**WHEREAS**, the aforementioned agreement amends Article Eight of the current Teamsters contract, entitled Work Assignments to include – F. Any Township employee who is in the title of Laborer on March 1, 2023, and possesses a Commercial Driver’s License will be promoted to Truck Driver; and

**WHEREAS**, Vincent Al Pearce possesses his Commercial Driver’s License and is qualified to fill said position; and

**WHEREAS**, the Township Administrator/COO and Human Resources Officer recommend appointment of Vincent Al Pearce to full time Truck Driver.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that Vincent Al Pearce be appointed full-time Truck Driver with a promotion date of Wednesday, March 1, 2023, at an hourly rate of \$17.44 for a 40 hour work week.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**  
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

**EXPLANATORY STATEMENT**  
The side letter of Agreement passed at the 2/14/23 Township Committee meeting amended the Teamsters Union contract to include the upgrade of any employee in the position of Laborer who possesses a Commercial Driver’s License on March 1, 2023. Vincent Al Pearce is qualified to fill said position. Mr. Pearce has worked for the Bernards Township Department of Public Works since 2020.  
Emily Kesselmeyer, HRO



# Resolution of the Township of Bernards

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

---

## **Resolution #2023-0162**

### **Personnel Appointment**

Travis Miller Untamo – Truck Driver – Public Works Department

**WHEREAS**, the Township Committee of the Township of Bernards approved a Side letter of Agreement between Township of Bernards and International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America Local 469 at their regularly scheduled meeting on February 14, 2023; and

**WHEREAS**, the aforementioned agreement amends Article Eight of the current Teamsters contract, entitled Work Assignments to include – F. Any Township employee who is in the title of Laborer on March 1, 2023, and possesses a Commercial Driver’s License will be promoted to Truck Driver; and

**WHEREAS**, Travis Miller Untamo possesses his Commercial Driver’s License and is qualified to fill said position; and

**WHEREAS**, the Township Administrator/COO and Human Resources Officer recommend appointment of Travis Miller Untamo to full time Truck Driver.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that Travis Miller Untamo be appointed full-time Truck Driver with a promotion date of Wednesday, March 1, 2023, at an hourly rate of \$22.44 for a 40 hour work week.

Agenda and Date Voted: 03/07/2023

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

#### **EXPLANATORY STATEMENT**

The side letter of Agreement passed at the 2/14/23 Township Committee meeting amended the Teamsters Union contract to include the upgrade of any employee in the position of Laborer who possesses a Commercial Driver’s License on March 1, 2023. Travis Miller Untamo is qualified to fill said position. Mr. Untamo has worked for the Bernards Township Department of Public Works since 2016.

Emily Kesselmeyer, HRO



# Resolution of the Township of Bernards

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

---

**Resolution #2023-0163**  
Personnel Appointment  
Christopher Wollny – Truck Driver – Public Works Department

**WHEREAS**, the Township Committee of the Township of Bernards approved a Side letter of Agreement between Township of Bernards and International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America Local 469 at their regularly scheduled meeting on February 14, 2023; and

**WHEREAS**, the aforementioned agreement amends Article Eight of the current Teamsters contract, entitled Work Assignments to include – F. Any Township employee who is in the title of Laborer on March 1, 2023, and possesses a Commercial Driver’s License will be promoted to Truck Driver; and

**WHEREAS**, Christopher Wollny possesses his Commercial Driver’s License and is qualified to fill said position; and

**WHEREAS**, the Township Administrator/COO and Human Resources Officer recommend appointment of Christopher Wollny to full time Truck Driver.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards that Christopher Wollny be appointed full-time Truck Driver with a promotion date of Wednesday, March 1, 2023, at an hourly rate of \$18.58 for a 40 hour work week.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**  
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.  
  
\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

**EXPLANATORY STATEMENT**  
The side letter of Agreement passed at the 2/14/23 Township Committee meeting amended the Teamsters Union contract to include the upgrade of any employee in the position of Laborer who possesses a Commercial Driver’s License on March 1, 2023. Christopher Wollny is qualified to fill said position. Mr. Wollny has worked for the Bernards Township Department of Public Works since 2019.  
Emily Kesselmeier, HRO



# Resolution of the Township of Bernards

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

---

## **Resolution #2023-0167**

### **Personnel Appointment**

**Steven Waters – Fire Prevention Inspector (Part Time)**

**WHEREAS** a part-time Fire Prevention Inspector position became available due to a vacancy; and

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

**WHEREAS** Steven Waters has applied for and is qualified to fill said position; and

**WHEREAS** the Fire Official, Township Administrator, Chief Financial Officer and Human Resources Officer recommend the appointment of Steven Waters to the position of part-time Fire Prevention Inspector.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Steven Waters be appointed part-time Fire Prevention Inspector effective March 20, 2023, at an hourly rate of \$23.00 for a 20-hour work week. This appointment remains contingent on the annual renewal of the Shared Fire Prevention Services Agreement with Bernardsville.

Agenda and Date Voted: 03/07/2023

#### **CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.**

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

#### **EXPLANATORY STATEMENT**

A part-time Fire Prevention Inspector position became available due to a vacancy. The position was posted and advertised according to township policy. Steven Waters applied for the position and is qualified to fill said position. Mr. Waters has 23 years of experience as a fire fighter and has the necessary knowledge, certifications and experience in fire prevention.

Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

Kevin Sant'Angelo, Tax Collector  
1 Collyer Lane, Basking Ridge, NJ 07920  
908-766-2510; www.bernards.org

## Resolution #2023-0169 Authorization for Tax Refund

**WHEREAS**, an erroneous tax payment exists because a former resident made an electronic property tax payment for a property they no longer own;

**WHEREAS**, the Tax Collector has suggested that a refund be issued and made payable to the former resident.

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

Block & Lot	Quarter & Year	Amount	Issue Refund To
10701/29	2Q2023	\$3,874.67	Sanyogita Shamsunder 4839 Rogers Ave Fremont, CA 94536

Agenda and Date Voted: 03/07/2023

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

*Interpretive Statement: This property has an overpayment due to a former resident paying taxes on a property they no longer own. I recommend a refund be issued to clear the account.*

*Kevin Sant'Angelo, Tax Collector*



# Resolution of the Township of Bernards

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

## Resolution #2023-0170 Tax Collector's Report

**WHEREAS**, N.J.S.A.54:4-91 requires that the Tax Collector shall submit an annual statement of receipts to the governing body.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2022, be hereby acknowledged and accepted as submitted.

### TAX COLLECTION OFFICE FOR THE YEAR ENDING DECEMBER 31, 2022

Ridge Oak – In Lieu of Taxes	\$	416,529.58
Return Check Fees		460.00
Interest		165,035.72
2023 Taxes Prepaid		791,015.81
2022 Taxes		142,896,145.18
2021 Taxes		523,358.38
Duplicate Bills/Copies		85.00
Cost of Advertising		732.49
Outside Liens Redeemed		53,758.62
Municipal Liens Redeemed		0.00
Premium Collected from Tax Sale		5,200.00
6% Penalty		<u>17,776.20</u>
Total	\$	144,870,096.98

Agenda and Date Voted: 03/07/2023

#### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
908-204-2510; www.bernards.org

## Resolution #2023-0175

Award of Bid for Re-Bid 2022 Road Improvements to  
Meco, Inc., PO Box 536, Clarksburg, NJ 08510  
In the Amount of \$974,775.50

**WHEREAS**, the Township of Bernards received bids on Wednesday, February 22, 2023, at 11:00 AM for Re-Bid 2022 Road Improvements:

BIDDERS NAME	TOTAL BID AMOUNT
Meco, Inc.	\$974,775.50
KM Construction Corp.	\$1,015,327.25*
Black Rock Enterprise, LLC	\$1,019,874.77*
Top Line	\$1,077,312.11
Reivax Contracting Corp.	\$1,077,771.80*
South State Inc.	\$1,169,000.00
AJM Contractors, Inc.	\$1,219,419.00
DIS Contracting, Inc.	\$1,322,788.75
Tilcon, New York, Inc.	\$1,387,000.00

*\*represents corrected amount due to arithmetic error in bid proposal*

**WHEREAS**, it is the combined recommendation of the Township Engineer, Administrator and Purchasing Agent to award the contract to the lowest responsible bidder, Meco, Inc., PO Box 536, Clarksburg, NJ 08510 in the amount of \$974,775.50; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations or Capital Ordinance #2499 line account C-04-55-499-A01 (\$974,775.50); and

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

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the bid be awarded to Meco, Inc., PO Box 536, Clarksburg, NJ 08510 in the amount of \$974,775.50.

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

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the Re-Bid 2022 Road Improvements.
2. This contract shall, for all purposes, be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.



3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is not to exceed the total bid amount unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days of service delivery.
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit B.
7. The Township may terminate this contract if contractor does not fulfill the services as outlined in the Bid Specification, upon five (5) days written notice via certified mail.
8. The Contractor shall commence the work not later than ten (10) calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
9. The completion time period shall include, but not be limited to, the time necessary to prepare shop drawings, to order, process, and deliver all equipment and materials, to obtain necessary permits and approvals, to perform the proper installation contemplated under this Contract and all else necessary and incidental in connection with the performance of this Contract.
10. If the Contractor fails to complete the work within the specified time plus extensions, the Contractor shall be responsible to the Township for liquidated damages in the sum of \$1,000.00 per day for every day after the 90 day deadline and \$1,000.00 per day for every day after the deadline until the completion and acceptance of the work. Such liquidated damages shall not be considered as a penalty. The Township shall deduct and retain out of any money due or to become due herein to Contract the amount of the liquidated damages.
11. In accordance with bid specifications, if the Contractor, upon notification by the Township of Bernards, fails to execute the contract prepared by the Township attorney within ten (10) days of such notification with the Township of Bernards, the Township may rescind the award of the bid to the Contractor and award the contract to another bidder, and shall have the right to proceed against the guaranty accompanying the bid.

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

---

Nanci Marta, President

Agenda and Date Voted: March 7, 2023

Explanatory Statement

The scope of work for the Re-Bid 2022 Road Improvements project includes milling, paving, and reconstruction of various roads throughout the Township. The scope of work also includes repairs to various curb, sidewalk, and stormwater infrastructure. This resolution awards the contract to the lowest responsible bidder as part of the Township's capital improvement program.

Date: February 27, 2023

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

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$974,775.50. Monies are available in the Capital Ordinance #2499 line account C-04-55-499-A01 (\$974,775.50).

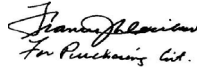
Date: March 2, 2023



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: February 27, 2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

---

Christine V. Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

---

## **Resolution #2023-0164**

Personnel Appointment

Tyler Widitz – 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** Tyler Widitz 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 Tyler Widitz to full time Patrol Officer.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Tyler Widitz be appointed full-time Patrol Officer effective Wednesday, March 15, 2023 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: 03/07/2023

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

### **EXPLANATORY STATEMENT**

A Patrol Officer position became available due to a resignation. The position was approved and advertised as per Township policy. Tyler Widitz applied for the position and is qualified to fill said position. Mr. Widitz comes to Bernards Township with a bachelor’s degree in criminal justice and 2 years of experience as a police officer.

Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

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

---

**Resolution #2023-0165**  
Personnel Appointment  
Kyle McCartney – 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** Kyle McCartney 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 Kyle McCartney to full-time Patrol Officer.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Kyle McCartney be appointed full-time Patrol Officer effective Wednesday, March 15, 2023 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: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

**EXPLANATORY STATEMENT**

A Patrol Officer position became available due to a resignation. The position was approved and advertised as per Township policy. Kyle McCartney applied for the position and is qualified to fill said position. Mr. McCartney comes to Bernards Township with a bachelor's degree in Public Relations and experience as a Police Officer, Special Police Officer and Dispatcher.

Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

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

---

**Resolution #2023-0166**  
Personnel Appointment  
Olivia Strama – Patrol Officer – Police Department

**WHEREAS** the full-time position of Patrol Officer became vacant due to an interim restructuring; and

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

**WHEREAS** Olivia Strama 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 Olivia Strama to full-time Patrol Officer.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Olivia Strama be appointed full-time Patrol Officer effective Wednesday, March 15, 2023 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: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

**EXPLANATORY STATEMENT**

A Patrol Officer position became available due to an interim restructuring of the police department. This restructuring is in an effort to keep the department fully staffed and to attract/obtain qualified candidates while the department handles the potential for retirements ahead. This addition does not authorize a permanent increase to the department’s headcount. The position was approved and advertised as per Township policy. Olivia Strama applied for the position and is qualified to fill said position. Ms. Strama comes to Bernards Township with a bachelors degree in Homeland Security and experience as a Special Police Officer and Dispatcher.  
Carol Ackerman, HR Generalist



# Resolution of the Township of Bernards

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

## **Resolution #2023-0171**

Personnel Appointment

Eric Geleta – Deputy Chief of Police – Police Department

**WHEREAS** the full time position of Deputy Chief of Police was created as a component of succession planning to effectively assist in leading the Township’s law enforcement staff for the Police Department; and,

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

**WHEREAS** Lieutenant Eric Geleta has applied for, has demonstrated highly effective performance in his role as Lieutenant, and is qualified to fill said position; and

**WHEREAS** the Chief of Police, Township Administrator/COO and Human Resources Officer recommend appointment of Lieutenant Geleta to full time Deputy Chief of Police; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that Eric Geleta be appointed full-time Deputy Chief of Police effective Wednesday, March 8, 2023, at an annual salary of \$168,714.58 for a 40 hour work week.

Agenda and Date Voted: 03/07/2023

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/23.

\_\_\_\_\_  
Christine V. Kieffer, Municipal Clerk

### **Explanatory Statement**

The position of Deputy Chief of Police was created as a key component of succession planning for the Police Department and provides access to training and mentoring opportunities not afforded to the rank of Captain. Lieutenant Eric Geleta was selected as the Deputy Chief of Police and the role of Captain will not be filled. Lieutenant Geleta was hired in 1998 and has worked his way through the ranks starting as a Patrol Officer, progressing to Sergeant, Lieutenant in both the Patrol and Traffic Divisions, currently serving as Detective Lieutenant. Lieutenant Geleta possesses a BA from Thomas Edison State College and a Master of Arts degree from Seton Hall University. His experience and knowledge of the department and Township will be an asset to this position.

Emily Kesselmeier, HR Officer



# Resolution of the Township of Bernards

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

---

## **Resolution #2023-0172**

Authorization to Sell One New Plenary Retail  
Consumption Liquor License at Public Auction

**WHEREAS**, the 2020 Federal Census determined that the population of Bernards Township (the “Township”) exceeds 27,000 persons; and

**WHEREAS**, pursuant to N.J.S.A.33:1-1 *et seq.*, N.J.S.A. 33:1-19.3 *et seq.*, and Chapter VI of the Bernards Township Revised General Ordinances, the Township is authorized to issue one new plenary retail consumption license; and

**WHEREAS**, it has been determined to be in the best interest of the Township at this time to permit the issuance of one such additional license.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Bernards as follows:

1. The Township Committee authorizes the taking of bids for one new plenary retail consumption license and shall consider applications of interested parties for such license.
2. The one plenary retail consumption license shall be issued to the highest qualified bidder.
3. Pursuant to the “Public Sale Option”, the Township shall conduct a public sale for the purpose of issuance of the one license.
4. Notice of this Resolution, the public sale, and an invitation to bid shall be published by the Township Clerk in an official newspaper of the Township circulating in the municipality by not less than two insertions, to be published not less than one week apart, and none to be published less than 30 days prior to the date of sale. The Public Notice shall also specify that all prospective bidders shall be preliminarily qualified on a date at least five business days prior to the opening of the bids.
5. The Notice shall specify the conditions, special requirements and qualifications of the proposed bidders, including that all bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the N.J. Statutes and Administrative Code including the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, any Township Ordinances, all requirements and conditions contained in the Notice, and all applicable laws. The said Notice is attached hereto and the terms,

conditions, special requirements and qualifications set forth therein are hereby adopted as part of this authorizing Resolution.

6. The minimum acceptable bid for the one license shall be **\$400,000.00**. The bid must include a deposit paid by certified check, bank check or cashier's check for 20% of the bid amount and upon acceptance of the highest qualified bid by formal Resolution, the successful applicant shall pay the balance of the bid amount by certified check within five business days of the adoption of such Resolution. Bids shall be submitted upon the Bid Package Proposal Forms available in the Office of the Township Clerk and at [www.bernards.org](http://www.bernards.org), with the name, address and contact information of the bidder printed on the outside of the envelope.
7. In the event of the failure of a successful bidder to pay the balance of the bid amount within the five-business day period following adoption of the award Resolution, the 20% deposit submitted with the bid shall be forfeited by the bidder to the Township, and all other rights of the defaulting bidder shall likewise be forfeited.
8. The Township reserves the right to reject all bids where the highest bid is not accepted, or where the highest bidder defaults in the payment of the balance due on the bid amount.
9. As a condition of the award of a license, the licensee shall operate the licensed premises in an existing restaurant or other suitable location, or on a site, or in a structure where such use is a permitted use, or on a site which has or may receive preliminary and final site plan approval (within the time period hereinafter set forth) from the Township Planning Board or Zoning Board of Adjustment, but in any event, the consumption license operation must be capable of beginning, and actually begin such license use within twenty-four (24) months of the date of the Resolution granting the license and establishing the effective date unless such period is extended by governing law. Should the successful bidder's application be completed without specifying the premises to be licensed, the license issued hereunder shall be a Pocket License and a Place-to-Place transfer shall be required when the location of the premises to be licensed has been determined.
10. The license shall be sited at the place of business and location indicated in the application or such other site initially approved by the Township Committee and shall not be moved from such site for a minimum period of two years without the prior consent of the Township.
11. The sale may be postponed or canceled at any time prior to the opening of the sealed bids.
12. Each bidder shall submit its bid package to Christine Kieffer, Clerk of the Township of Bernards, at her office located at the Township Municipal Building, One Collyer Lane in the Township of Bernards, Somerset County, New Jersey no later than 11:00 a.m. on April 20, 2023.
13. The Township Clerk on April 28, 2023, at 11:00 a.m. shall publicly announce those applicants who have met and satisfied the pre-qualification standards for bidding as fixed



by the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, Township Ordinances, the conditions set forth in this Notice, and applicable law.

14. The time and place at which qualified bids shall be opened shall be at 11:00 a.m. on May 4, 2023, at the office of the Township Clerk of Bernards Township at One Collyer Lane, Township of Bernards, Somerset County, New Jersey. The Clerk shall publicly announce all bid amounts and the highest bid amount will be declared. The Township reserves the right to reject one or all of the bids if the highest bid is not accepted. No bid will be opened from or on behalf of any bidder who does not qualify or has not submitted a Certificate of Proof of Compliance, Source of Funding Affidavit and completed the Alcoholic Beverage Control License Application.
15. The deposit of any bidder deemed to be unqualified shall be returned within seventy-two (72) hours of the determination of lack of qualification. The deposit of any unsuccessful bidder deemed to be qualified shall be returned within seventy-two (72) hours of the award of the license or rejection of all bids as the case may be.
16. Award of the bid will be by action of the Township Committee by formal Resolution to the highest, qualified bidder at the regular Township meeting on May 9, 2023, except that the Township reserves the right to reject one or all bids when the highest bid is not accepted.

Agenda and Date Voted: 03/07/2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.

\_\_\_\_\_  
**Christine V. Kieffer, Municipal Clerk**

**EXPLANATORY STATEMENT**

This resolution authorizes the auction of a retail consumption liquor license at a minimum bid amount of **\$400,000.00**.

Date: 03/07/2023

Christine V. Kieffer  
Municipal Clerk

**PUBLIC NOTICE/INVITATION TO BID**

**TOWNSHIP OF BERNARDS**

**SALE OF A PLENARY RETAIL**

**CONSUMPTION LIQUOR LICENSE**

**TAKE NOTICE** that the Township of Bernards is accepting applications and sealed bids on Thursday, April 20, 2023, at 11:00 A.M., in the Clerk's Office of the Bernards Township Municipal Building, located at One Collyer Lane, Basking Ridge, New Jersey 07920.

**PLEASE TAKE FURTHER NOTICE** that bid packages with proposal forms can be picked up, during normal business hours at the Township Clerk's Office, or are available on the Township website at [www.bernards.org](http://www.bernards.org).

**PLEASE TAKE FURTHER NOTICE** that the Township Committee of the Township of Bernards authorized this sale by adoption of a Resolution on March 7, 2023, for the receipt of bids for the sale of a Plenary Retail Consumption Liquor License.

**CONDITIONS OF SALE**

1. All prospective bidders for the license shall apply by submitting to the Clerk of the Township of Bernards at One Collyer Lane, Basking Ridge, New Jersey 07920, in a separately sealed envelope a full and complete twelve (12) page Alcoholic Beverage Control license application form; a Certification of Proof of Compliance by the bidder, including that the bidder knows of no reason why the bidder would be disqualified from having an interest in a Plenary Retail Consumption Liquor License in the state of New Jersey no later than Thursday, April 20, 2023, at 11:00 A.M. The outside of the sealed envelope shall state "Plenary Retail Consumption Liquor License Application."

2. The bid package to be submitted by an applicant shall also contain:

A. A complete Disclosure Statement listing each name, residence address, And social security number of each individual person, Member, Managing Partner, Operating, or General Partner, director and Officer of the Corporation, and of each Stockholder owning more than ten percent (10%) of the stock of the said Corporation or any other individual owning or controlling more than 10% interest or ownership in the entity.

- B. Audited financial statements for the last three years (2019, 2020, 2021, and 2022 if filed); for the applicant and also any businesses of the applicant. These statements will be reviewed by and must be determined to be satisfactory by the Township Auditor and Chief Financial Officer or other financial reviewing agency as may be determined by the Township, and thereafter, in which event the condition shall be deemed satisfied. Otherwise, if the financial statements are deemed to be unsatisfactory in the sole discretion of the Township representatives, the award of the bid shall be void for failure to satisfy the condition of award.
- C. Application processing fee of \$2,000.00. The fees of unqualified or unsuccessful bidders will be returned after the award of the license, less an administrative processing and investigative fee of 50%.
- D. Copies of I.R.S. tax returns for the past three years (2019, 2020, 2021, and 2022 if filed), for each individual or entity as set forth in 2-A above.
- E. Specific, detailed data on all sources of funding for the purpose of acquiring the license, including all written commitment letters of financing. The Township Committee as a condition of award of the license may request additional, detailed data as set forth herein.

3. All prospective bidders for the license shall submit in a separate sealed envelope bids with minimum bid of **\$400,000.00** no later than Thursday, April 20, 2023, at 11:00 A.M. All bids are to be accompanied by a twenty (20%) percent deposit in the form of a certified, bank or cashier's check. The outside of the sealed envelope shall state "Plenary Retail Consumption Liquor License Bid."

4. The Township reserves the right to reject all bids if the highest bid is not accepted, and the sale may be postponed or cancelled at any time prior to the opening of the bids.

5. The Township Clerk shall publicly announce those bidders who presumptively meet the qualifications for bidding as fixed by law, rules and regulations, the enabling Resolution and this Public Notice. The public announcement shall occur no less than five (5) business days prior to the date of opening the sealed bids, and is scheduled for Friday, April 28, 2023.

6. The sealed bids will be opened by the Clerk on Thursday, May 4, 2023, at 11:00 A.M., at the Bernards Township Municipal Building, One Collyer Lane, Basking Ridge, New Jersey 07920. No bids will be opened from or on behalf of any bidder who does not qualify or has not submitted proof of qualification (a full and complete twelve (12) page Alcoholic Beverage Control license application form and Certification of Proof of Compliance).

7. The sealed bids will be opened and all bid amounts and the highest bid amount will be declared. If the Township determines to reject all bids, the Township shall do so by Resolution. If the Township determines to accept the highest qualified bid, the Township shall do so by Resolution subject to the issuance of a license, including payment of the balance of the bid price, payment of all applicable state and Township application fees and annual Township fee; satisfactory outcome of background checks to investigate the source of funds used to purchase the license; the receipt of favorable State or Federal criminal background checks; and the compliance with the publication, hearing and Resolution requirement under N.J.A.C. 13:2-2.1 et seq.

Township of Bernards

By: *Christine V. Kieffer*  
Christine V. Kieffer, RMC  
Bernards Township Clerk

Date: March 3, 2023



# Resolution of the Township of Bernards

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

---

## Resolution # 2023-0176

Awarding Professional Services Contract for Bernards Township Police Headquarters HVAC Upgrade – Design and Construction Administration  
to James A. Trynosky, PE, NJ Lic #24GE04949400 of the firm  
Falcon Engineering Co. LLC, 95 Mount Bethel Road, Warren, NJ 07059  
In the Not to Exceed Amount of \$39,390.00 - (To Include Reimbursable Expenses as Required)

**WHEREAS**, the Township of Bernards requires services for Professional Mechanical Engineering Services for the resolution of HVAC issues and to design upgrades to the Bernards Township Police Headquarters; and

**WHEREAS**, James A. Trynosky, PE, NJ Lic #24GE04949400 of the firm Falcon Engineering Co. LLC, 95 Mount Bethel Road, Warren, NJ 07059 has submitted a proposal dated January 23, 2023 outlining professional engineering services to the Township; and

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

**WHEREAS**, this 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 Capital Ordinance #2499 line account #C-04-55-499-B04 line item appropriation or ordinance.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to James A. Trynosky, PE, NJ Lic #24GE04949400 of the firm Falcon Engineering Co. LLC, 95 Mount Bethel Road, Warren, NJ 07059, as follows:

1. The contract will encompass services as outline, in the submitted proposal dated January 23, 2023.
2. The contract term is from March 8, 2023 through March 7, 2024 for professional engineering services not to exceed an amount of \$39,390.00.
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 Ryan Wallace, Director of Public Works, 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.

\_\_\_\_\_  
James A. Trynosky, PE, NJ Lic #24GE04949400  
Executive Vice-President, MEP Services

Agenda and Date Voted: March 7, 2023

<b>Explanatory Statement</b>	
Falcon Engineering Co. LLC was solicited to evaluate the existing HVAC system at the Police Headquarters building and recommend solutions for a needed upgrade that is energy efficient and more effective for heating and colling to maintain temperature and comfort in the building. The scope of this project will be to develop design documents to implement the selected option. This will involve conducting load calculations as necessary to finalize capacity and selection of replacement HVAC equipment, preparation of mechanical and electrical drawings and specifications showing new work, submission of construction documents for bid and providing construction administration services.	
It is my recommendation to award a professional services contract to James A. Trynosky, PE, NJ Lic #24GE04949400 to complete this design and provide construction administration services.	
Date: 01/24/2023	Ryan Wallace Director of Public Works

<b>CHIEF FINANCIAL OFFICER CERTIFICATION</b>	
I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$39,390.00. Monies are available in Capital Ordinance #2499, line account #C-04-55-499-B04.	
Date: March 2, 2023	 Sean McCarthy, Chief Financial Officer

<b>PURCHASING CERTIFICATION</b>	
I hereby certify that I have prepared this resolution and reviewed it for accuracy.	
	 Francis J. Decibus, QPA, RPPO Purchasing Agent
Date: February 14, 2023	

<b>CERTIFICATION</b>	
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/07/2023.	
_____ Christine V. Kieffer, Municipal Clerk	



# Ordinance of the Township of Bernards

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

---

## ORDINANCE #2521

An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey,  
Amending, Revising and Supplementing the  
Revised General Ordinances of the Township of Bernards,  
Chapter 21, “Land Development,” Regarding  
Protection of Stream Corridors / Riparian Zones

**BE IT ORDAINED** by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 21, “Land Development,” of the Revised General Ordinances of the Township of Bernards shall be amended, revised and supplemented as follows:

**Part I.** Article IV, “Zoning,” Section 21-14, “Critical Area Regulations,” is amended by deleting in its entirety § 21-14.4, “Stream Buffer Conservation,” and replacing this Subsection with the following new § 21-14.4, “Riparian Zone Protection” (new text is double underlined):

### § 21-14.4. Riparian Zone Protection.

- a. Purpose and Intent. Vegetation adjacent to surface waters is essential for maintaining bank stability and water quality. The indiscriminate disturbance of such vegetation destabilizes the channels and banks of surface waters, which leads to increased erosion and sedimentation that exacerbates the intensity and frequency of flooding. The loss of vegetation adjacent to surface waters also reduces filtration of stormwater runoff and subjects surface waters to increased sun exposure, which causes water temperatures to rise and dissolved oxygen content to fall. Such impacts adversely affect the health and habitat of fish and wildlife that depend upon clean surface waters and therefore disrupt the ecological balance that is necessary for life. Humans are ultimately affected by this imbalance, since clean water is essential for all life. The purpose of this Subsection is to preserve the quality of surface waters, and to protect the wildlife and vegetation that exist within and depend upon such areas for sustenance and habitat, and specifically to:
1. Reduce the amount of nutrients, sediment, organic matter, pesticides and other harmful substances that reach watercourses, wetlands and subsurface and surface water bodies by using scientifically proven processes, including filtration, deposition, absorption, adsorption, plant uptake, biodegradation and denitrification and by improving infiltration, encouraging sheet flow and stabilizing concentrated flows.
  2. Improve and maintain the safety, reliability and adequacy of the water supply for domestic, agricultural, commercial, industrial and recreational uses while sustaining diverse populations of aquatic flora and fauna.

3. Regulate the land use, siting and engineering of all development to be consistent with the intent and objectives of this section and accepted conservation practices, and to work within the carrying capacity of existing natural resources.
  4. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices.
  5. Conserve the natural features important to land and water resources (e.g., headwater areas, groundwater recharge zones, floodways, floodplains, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.
  6. Work with floodplain, steep slope and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property and stream features.
  7. Conserve natural, scenic and recreation areas within and adjacent to stream areas for the community's benefit.
- b. This Subsection hereby adopts by reference the provisions relating to riparian zones as set forth in the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), as they exist at the time of adoption of this Subsection and as they may change from time to time.
  - c. Definitions. The terms used in this Subsection shall have meanings as defined in § 21-3 and, if not defined in § 21-3, as defined in the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13), the Stormwater Management Rules (N.J.A.C. 7:8), the Water Quality Management Planning Rules (N.J.A.C. 7:15) and the Surface Water Quality Standards (N.J.A.C. 7:9B), as they exist at the time of adoption of this Subsection and as they may change from time to time.
  - d. Determining the Riparian Zone. Generally speaking, a riparian zone is the land and vegetation within and adjacent to both sides of a regulated watercourse. It may extend 50 feet, 150 feet, or 300 feet from the top of bank of the watercourse, depending on the environmental sensitivity of the watercourse and its surrounding area. With a few exceptions, every watercourse having a drainage area of 50 acres or greater possesses a riparian zone. Also, any naturally occurring watercourse having a discernible channel possesses a riparian zone, no matter how small the drainage area.

The width of a riparian zone shall be as indicated below, and as set forth in N.J.A.C. 7:13:

1. The width of the riparian zone along any regulated water designated as a Category One water, and all upstream tributaries situated within the same HUC-14 watershed, is 300 feet;
2. Except for the regulated waters listed at § 21-14.4.d.1 above, the width of the riparian zone along the following regulated waters is 150 feet:



- (a) Any trout production water and all upstream waters (including tributaries);
  - (b) Any trout maintenance water and all upstream waters (including tributaries) located within one mile of a trout maintenance water (measured along the length of the regulated water); and
  - (c) Any segment of a water flowing through an area that contains a threatened or endangered species, and/or present or documented habitat for those species, which is critically dependent on the regulated water for survival, and all upstream waters (including tributaries) located within one mile of such habitat (measured along the length of the regulated water). A list of critically dependent species is available from the New Jersey Department of Environmental Protection at the website set forth at N.J.A.C. 7:13-1.3; and
3. For all other regulated waters not identified in § 21-14.4.d.1 or 2 above, the width of the riparian zone is 50 feet.
- e. Responsibility for Riparian Zone Determination. The applicant or his or her designated representative shall be responsible for the initial width determination of a riparian zone and for identifying the riparian zone on any plan submitted to the Township in conjunction with an application for a construction permit or development plan approval or whenever the width determination is deemed necessary by the Zoning Enforcement Officer in order to determine compliance with this Subsection. The initial determination shall be subject to approval by the Township Engineer and, when required pursuant to N.J.A.C. 7:13, subject to verification by the New Jersey Department of Environmental Protection.
  - f. Development Within a Riparian Zone. No development, disturbance of land or vegetation, use or activity is permitted within a riparian zone unless the applicant has obtained from the New Jersey Department of Environmental Protection an individual permit or a general permit, or has complied with the requirements of a permit-by-rule or a general permit-by-certification, as set forth in N.J.A.C. 7:13.
  - g. Establishing a Riparian Zone Conservation Easement. When an applicant submits any of the following applications, the applicant shall establish a Riparian Zone Conservation Easement containing the riparian zone on the subject property.
    - 1. An application to the Construction Code Office for a construction permit for work within a riparian zone, excluding an application involving only a fence.
    - 2. An application to the Planning Board or Board of Adjustment for approval of a development plan, excluding an application involving only a fence.

The Riparian Zone Conservation Easement shall be in a form acceptable to the Township and shall be recorded in the Office of the Somerset County Clerk prior to the Township issuing any permit and prior to the applicant commencing any use relating to the

application. In the event the subject property contains a Stream Buffer Conservation Easement established under a prior version of this Subsection, the Stream Buffer Conservation Easement shall be extinguished in favor of the Riparian Zone Conservation Easement.

**Part II.** Article VII, “Development Application Review Procedures,” Section 21-52, “Submission of Applications for Final Approval of Minor Subdivisions,” § 21-52.3, “Details Required for Final Approval of Minor Subdivisions,” is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

**§ 21-52.3. Details Required for Final Approval of Minor Subdivisions**  
**[Ord. #585, § 706C; Ord. #1429, 5-29-2001, amended]**

- a. The submission shall include the following (A checklist is attached as Appendix A, Article III, at the end of this chapter.):
  37. ~~Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Subsection 21-14.4b.~~ Delineation of riparian zones in accordance with Subsection 21-14.4.

**Part III.** Article VII, “Development Application Review Procedures,” Section 21-54, “Submission of Preliminary Plats and Preliminary Plans,” § 21-54.4, “Details Required for Preliminary Development Plans,” is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

- a. The submission shall include the following (A checklist is attached as Appendix B, Article III, at the end of this chapter.) The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. However, the need for such additional information shall not affect the determination of the completeness of the submission of the application for development.
  47. ~~Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Subsection 21-14.4b.~~ [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.

**Part IV.** Figure 204, “Yard Requirements For Lots Containing Stream Buffer Conservation Areas,” is deleted in its entirety.

**Part V.** Figure 205, “Stream Buffer Conservation Area Cross Sections,” is deleted in its entirety.

**Part VI.** Appendix A, Article III, “Checklist, Application for Final Approval of a Minor Subdivision,” item number 37, is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

~~37. Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21-14.4b. [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.~~

**Part VII.** Appendix B, Article III, “Checklist, Application for Preliminary Approval of a Major Subdivision or Site Plan,” item number 50, is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

~~50. Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21-14.4b. [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.~~

**Part VIII.** Appendix D, Article III, “Checklist, Application for Approval of a Variance Pursuant to NJSA 40:55D-70(c),” item number 12, is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

~~12. Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21.14.4b. [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.~~

**Part IX.** Appendix E, Article III, “Checklist, Application for Approval of a Variance Pursuant to NJSA 40:55D-70(d) Where Site Plan Approval is Not Required,” item number 13, is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

~~13. Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21.14.4b. [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.~~

**Part X.** Appendix F, Article III, “Checklist, Application for Approval of a Variance Pursuant to NJSA 40:55D-70(d) Where Site Plan Application is Bifurcated to a Later Hearing,” item number 31, is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

~~31. Delineations of existing and proposed stream buffer conservation areas and stream buffer management plans, if required pursuant to Section 21.14.4b. [Ord. #1504, 11-8-2001, added] Delineation of riparian zones in accordance with Subsection 21-14.4.~~

**Part XI.** Table 401-A, “MAXIMUM PERMITTED LOT YIELD AND MINIMUM IMPROVABLE LOT AREA STANDARDS, RESIDENTIAL DEVELOPMENT, R-1 THROUGH R-7 ZONES,” is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

**TABLE 401-A  
MAXIMUM PERMITTED LOT YIELD AND**

**MINIMUM IMPROVABLE LOT AREA STANDARDS,  
RESIDENTIAL DEVELOPMENT, R-1 THROUGH R-7 ZONES  
(Ord. #1929, 2-27-2007, § 1, amended)**

Definition. As used in this section (Table 401A), the following term shall have the meaning as set forth below:

CONSTRAINED AREAS – Shall mean those portions of a lot, tract, or parcel of land which are encumbered by, used for, or otherwise dedicated to the following: Areas of existing road and transmission rights-of-way and proposed new roads within the tract (excluding easements or rights-of-way required for widening of existing roads abutting the tract boundaries); areas of all existing easements and restrictive covenants; natural resource limitation areas, including floodplains, wetlands, NJDEP-required wetlands transition areas, ~~areas deemed by NJDEP to be unavailable for development due to the presence of Special Water Resource Protection Areas for C-1 waters, streams, required stream buffer conservation areas riparian zones,~~ and land under water; areas of natural slopes ranging from 15% to 19.9%; areas of natural slopes ranging from 20% to 25%, and areas of natural slopes greater than 25%, excluding all man-made slopes greater than 15%.

**Part A – Maximum Permitted Lot Yield.**

Applicability. The calculations required in Part A shall be submitted as part of any minor or major subdivision application. Part A shall not apply to requests for construction permits on existing individual lots if no subdivision is required. Applicants requesting construction permits on existing lots shall proceed to Part B.

Instructions. The applicant for a minor or major subdivision shall complete the following table to determine the net tract area, which is the total tract area, minus constrained areas. The net tract area shall be divided by the minimum lot area for the zone to determine the maximum number of lots that may be potentially created on the tract.

1. On the following table, enter appropriate acreage in Column A, multiply Column A by the factor in Column B and place the result in Column C. Where cells are shaded, no information shall be entered.
2. Do not double-count acreage in Lines 2 through 7. When there is an overlap, enter the affected acreage on the line with the first named characteristic and do not include any portion of that acreage on any other line.
3. Following this computation, the applicant shall submit a plan showing the proposed subdivision layout and identifying on each lot a minimum improvable lot area in accordance with Part B. The information required in Parts A and B shall be provided on plans submitted for subdivision approval, and constrained areas shall be labeled on the plan accordingly.

<b>Part A</b>				
<b>Maximum Permitted Lot Yield</b>				
<b>Residential Development</b>				
		<b>Column A</b>	<b>Column B</b>	<b>Column C</b>

1.	Gross Tract Area		1.00	
2.	Area of existing road and transmission rights-of-way and proposed new roads within the tract (excluding easements or rights-of-way required for widening of existing roads abutting the tract boundaries)		1.00	
3.	Area of all existing easements and restrictive covenants		1.00	
4.	Area of natural resource limitation areas including flood plains, wetlands, NJDEP-required wetlands transition areas, <del>areas deemed by NJDEP to be unavailable for development due to the presence of Special Water Resource Protection Areas for C-1 waters, streams, required stream buffer conservation areas, riparian zones,</del> and land under water		1.00	
5.	Area of natural slopes ranging from 15% to 19.9% <sup>1</sup>		.60	
6.	Area of natural slopes ranging from 20% to 25% <sup>1</sup>		.80	
7.	Area of natural slopes greater than 25% <sup>1</sup>		1.00	
8.	Sum of Lines 2 through 7, Column C			
9.	Net Tract Area (Line 1 less Line 8)			
10.	Minimum Lot Area (see Table 401.)			
11.	Maximum number of lots permitted (Line 9 divided by the minimum lot area in line 10 – round down to nearest whole number)			

NOTES:

<sup>1</sup> Excluding all man-made slopes greater than 15%.

**Part B – Minimum Improvable Lot Area.**

Applicability. The minimum improvable lot areas required in Part B shall be provided on each lot in any minor or major subdivision application and on each individual existing lot where a new dwelling is proposed.

Instructions. The minimum improvable lot area shall be located entirely within the building envelope for the principal building for the applicable zone as provided in Table 501. The minimum improvable lot area shall be a contiguous area of each lot that is free of all constrained areas defined by ordinance, except that the minimum improvable lot area may contain natural slopes ranging from 15% to 19.9%, to a maximum of 40% of the total area of those slopes on the lot, and the minimum improvable lot area may contain natural slopes ranging from 20% to 25%, to a maximum of 20% of the total area of those natural slopes on the lot.

<b>Part B Minimum Improvable Lot Area Residential Development</b>		
<b>The minimum improvable lot area in each lot shall not be less than the minimum areas identified below.</b>		
<b>Zone</b>	<b>Minimum Lot Size (acres)</b>	<b>Minimum Improvable Lot Area (square feet)</b>

R-1	3	25,000
R-2	2	22,000
R-3	2	22,000
R-4	1	10,000
R-5	1	10,000
R-6	$\frac{3}{4}$	7,500
R-7	$\frac{1}{2}$	5,000

**Part XII.** Appendix L, Article IX, “Stream Buffer Conservation Easement Form” is deleted in its entirety and replaced with the following new Appendix L, Article IX, “Riparian Zone Conservation Easement Form”:

[easement form to be inserted here]

The Township Clerk is directed to give notice at least ten days prior to hearing on the adoption of this ordinance to the Somerset County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Somerset County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.

**EXPLANATORY STATEMENT**

Land development along streams and other surface waters in the Township is presently regulated under both municipal and State controls. The Township’s Stream Buffer Conservation Ordinance, which was established in 2001, requires “stream buffer conservation areas” along streams pursuant to §21-14.4. Since 2007, the New Jersey Department of Environmental Protection (NJDEP) has required “riparian zones” along streams pursuant to the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). Both sets of overlapping regulations serve the same purpose, which is to limit the destruction of vegetation and other disturbances along surface waters to maintain streambank stability and protect water quality.

When originally adopted in 2001, the Township’s Stream Buffer Conservation Ordinance required a minimum buffer width of 75’, which at the time significantly exceeded the 25’ and 50’ buffer widths required by the NJDEP. In 2007, the NJDEP adopted its current regulatory scheme requiring riparian zone widths of 300’, 150’ and 50’, which in many cases now exceed the minimum 75’ stream buffer width required by the Township.

The Township’s Stream Buffer Conservation Ordinance and the NJDEP’s riparian zone regulations are individually complex, and when applied together can be unnecessarily confusing and overly burdensome to homeowners. The purpose of this ordinance is to replace the older Township regulations with the current NJDEP regulations, resulting in a unified, less complicated approach to controlling development along streams and other surface waters.

Another purpose of this ordinance is to update the definition of “constrained areas” found in Table 401-A, to specify that all riparian zones shall be considered constrained areas when calculating compliance with maximum permitted lot yield and minimum improvable lot area requirements for subdivisions and new dwellings in residential zones.

David Schley, PP, AICP, Township Planner