

BERNARDS TOWNSHIP - TOWNSHIP COMMITTEE

COMBINED AGENDA - REGULAR MEETING

September 26, 2023 – 8:00 PM Public Open Session

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

Estimated
Times

A G E N D A

8:00 PM

1. CALL TO ORDER

Video

2. FLAG SALUTE

3. MAYOR’S OPENING MEETING STATEMENT

4. ROLL CALL

5. EXECUTIVE SESSION (if required)

6. PRESENTATION

A. *Resolution #2023-0404 - Commendation on Attaining Eagle Scout Designation Jared Eric Mark, Edward Doherty and Kevin Egan Taylor*

7. PUBLIC WORK SESSION (if required)

8. REPORTS

8:10 PM

9. CORRESPONDENCE

10. PUBLIC COMMENT

11. STAFF COMMENTS, TOWNSHIP COMMITTEE COMMENTS AND BOARD / LIAISON REPORTS

12. FIRE & RESCUE APPOINTMENT

13. UNFINISHED BUSINESS

A. *Ordinance #2527 - 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 the Location of Utility Services - Planning Board Report – Public Hearing*

B. *Ordinance #2528 - 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 Submission Requirements for Land Development Applications - Planning Board Report – Public Hearing*

C. *Ordinance #2534 - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards, Chapter 12 “Building and Housing,” Section 1-3 “Construction Fee Schedule” – Public Hearing*

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 #2023-0400 - Approval of the Bill List Dated 09/26/2023
- 2) Resolution #2023-0389 - Award of Bid for Front & Back Entryway Repair/Renovation Project at Bernards Township Library To Skopye LLC, 40 Henry Road, Newton, NJ 07860 In the Amount of \$229,000.00
- 3) Resolution #2023-0401 - Authorization for Tax Refund
- 4) Resolution #2023-0402 - Resolution Authorizing the Renewing of a Commodity Resale System
- 5) Resolution #2023-0403 - Resolution Approving the Construction of the Schmidt Park Pedestrian Trail Bridge and Staircases
- 6) Resolution #2023-0405 - Appointment of Insurance Risk Manager RSC Insurance Brokerage, Inc. (Formerly Meeker Sharkey & Hurley)
- 7) Resolution #2023-0406 - Approval of Block Party Permit for North Brook Avenue, 10/14/2023 (Rain date 10/15/2023)
- 8) Resolution #2023-0407 - Award of Purchase Orders for Identified Vendor: Palindrome Technologies
- 9) Resolution #2023-0408 - Adopting a 457 Deferred Compensation Plan to be administered by Lincoln Retirement Services, LLC Plan 92-PD-Lincoln-121316
- 10) Resolution #2023-0409 - Refund of Development Fee Residential Development Block 4802 Lot 1.01 88 Queen Anne Dr
- 11) Resolution #2023-0410 - Personnel Appointment Bernadette Paik – Substitute Crossing Guard – Police Department
- 12) Resolution #2023-0411 - Personnel Appointment Kathleen Rose – Substitute Crossing Guard – Police Department
- 13) Resolution #2023-0412 - Awarding Professional Services Contract for Stormwater Permitting and Compliance for NJPDES Wood Waste Recycling at Bernards Township Pill Hill Recycling Center to Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President of the firm T & M Associates - In the Not to Exceed Amount of \$38,610.00
- 14) Resolution #2023-0413 - Change Order # 1 Professional Services Contract for Professional Planning Services to David Banisch, PP, NJ Lic # 33L100556500 and Francis J. Banisch III, PP/AICP, NJ Lic # 33L100168600 of the firm Banisch Associates for Time Extension
- 15) Resolution #2023-0414 - Award of Bid, for Janitorial Services Municipal Facilities to Facilities Partners & Solutions, 170 US Highway 206, Hillsborough, New Jersey 08844 In the Amount of \$43,044.00
- 16) Resolution #2023-0415 - Personnel Appointment Marc Chisholm – Laborer – Department of Public Works
- 17) Resolution #2023-0416 - Personnel Appointment Special Law Enforcement Officer (SLEO) III - Police Department

B. Ordinance #2535 - An Ordinance to Amend the Revised General Ordinances of the Township of Bernards Chapter 17 "Stormwater Management," to Add Section 7 "Privately Owned Salt Storage"- Introduction

C. Approval of Minutes:
09/12/2023 Open Session Minutes

15. EXECUTIVE SESSION (if required)

16. ADJOURNMENT

Christine V. Kieffer, Municipal Clerk



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



Resolution of the Township of Bernards

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

Resolution #2023-0404

Commendation on Attaining Eagle Scout Designation
Jared Eric Mark
Edward Doherty
Kevin Egan Taylor

WHEREAS, the Township Committee is very pleased to recognize the outstanding personal effort of Jared, Edward and Kevin reaching the rank of Eagle Scout; and

WHEREAS, Jared, Edward, and Kevin as members of Troop 54 of Boy Scouts of America, have been active scouts, demonstrating outstanding leadership within the Troop, and have contributed many service hours to their community during their years in scouting; and

WHEREAS, of the total national enrollment of the scouting program, only a small percentage reach this prestigious rank, which Jared, Edward and Kevin will carry as a badge of honor.

NOW THEREFORE BE IT RESOLVED that the Township Committee offers its best wishes to Jared, Edward and Kevin for continued success, and congratulations for a personal achievement that will serve as a reminder of the importance of the pursuit of excellence throughout their life.

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

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 #2527

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 the
Location of Utility Services

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that the Revised General Ordinances of the Township of Bernards, Chapter 21, "Land Development," Article IV, "Zoning," Section 21-26, "Utilities," shall be amended, revised and supplemented as follows (new text is double underlined; deleted text is ~~stricken~~):

SECTION 21-26 Utilities

§ 21-26.1 Utilities to Be Provided. [Ord. #585, § 514A]

- a. All developments shall be served by telephone and electric service and, where available, gas service, public water in accordance with Section 21-25, public sanitary sewerage in accordance with Section 21-24 and cable T.V.
- b. Each such service shall be connected to an approved public utilities system where one exists.

§ 21-26.2 Location. [Ord. #585, § 514B]

- a. All utility services shall be below ground, except that terminal boxes may be located above ground. If located within a street, the utilities shall be outside of the cartway except for required crossings. Lots which abut existing streets where overhead ~~electric or telephone distribution~~utility supply lines and service connections have heretofore been installed may be supplied with ~~electric and telephone overhead utility~~ services from these existing overhead lines, ~~but any new service connections from the utilities' overhead lines shall be installed underground~~. In the case of existing overhead utilities, however, should a road widening or an extension of service or other such condition occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground, if in accordance with current PUC State of New Jersey Board of Public Utilities regulations.
- b. ~~(Reserved) The developer shall arrange with the servicing utility for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as part of the servicing utility's tariff and on file with the State of New Jersey Board of Public Utility Commissioners. The developer shall submit to the Board, prior to the granting of~~

~~final approval, a written instrument from each servicing utility which shall evidence full compliance or intended full compliance with the provisions of this section.~~

§ 21-26.3 As-Built Plans. [Ord. #585. § 514C]

The developer shall provide the Township with at least four copies of a final "as built" plan showing the installed locations of all utilities.

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

The current ordinance requires that all new utility service connections (electric, telephone, cable) between the street and a new building shall be installed underground, even in areas where existing utility lines on the same street are overhead. The purpose of this ordinance amendment is to allow utility service connections for a new building on an existing street to be installed overhead, if the street has existing overhead utilities.

David Schley, PP, AICP, Township Planner

**TOWNSHIP OF BERNARDS
PUBLIC NOTICE**

Ordinance #2527 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 06/27/2023 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 09/26/2023, 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.

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

**BERNARDS TOWNSHIP
DEPARTMENT OF ENGINEERING SERVICES
PLANNING BOARD**

TO: Christine Kieffer, Township Clerk
John P. Belardo, Esq., Township Attorney

CC: Kippy Piedici, Chairwoman
Jonathan Drill, Esq., Board Attorney
David Schley, Township Planner
David Banisch, Board Planner
Thomas Timko, Township Engineer

FROM: Cyndi Kiefer, Board Secretary

DATE: August 9, 2023

SUBJECT: Ordinance #2527 – 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 the Location of Utility Services.

The Planning Board reviewed proposed Ordinance #2527 at its public meeting held on May 16, 2023, and found that the ordinance is *not inconsistent* with the master plan.

A motion was made by Ms. Manduke and seconded by Committeeman Baumann, finding that Ordinance #2527 is *not inconsistent* with the Township's master plan.

Roll Call:

Aye:	Baumann, Crane, Cuzzo, Ladyzinski, Manduke, Piedici, Seville
Nay:	NONE
Abstain:	NONE

Motion carried.



Ordinance of the Township of Bernards

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

ORDINANCE #2528

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
Submission Requirements for Land Development Applications

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 VII, "Development Application Review Procedures," Section 21-52, "Submission of Applications for Final Approval of Minor Subdivisions," is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

SECTION 21-52

Submission of Applications for Final Approval of Minor Subdivisions

§ 21-52.1 General. [Ord. #585, § 706A; Ord. #1429, 5-29-2001, amended]

The procedures and details set forth below constitute the only submission requirements for final approval of minor subdivisions unless otherwise provided for in this chapter.

§ 21-52.2 Procedure for Submitting Applications for Final Approval of Minor Subdivisions. [Ord. #585, § 706B]

- a. The applicant shall submit to the Board Secretary ~~after the fifteenth day of the calendar month preceding the first regularly scheduled monthly meeting of the Board, but not later than the first day of the calendar month in which such meeting is to be held, 18 copies of the application package, including the original and three (3) copies of the completed application form, together with four (4) collated sets of plans and support documents in accordance with Subsection 21-52.3 below~~ for purposes of classification, preliminary discussion and appropriate action, and the fees in accordance with Section 21-58 of this chapter. The Board Secretary shall assign an application number, and such number shall appear on all papers, maps, plats and other documents submitted for processing in conjunction with the application. The Board shall certify the application as complete or notify the applicant in writing of any deficiencies within 45 days of the submission. If the application has been certified as complete, the applicant shall submit 17 additional collated copies of the complete application package. If the application has been found to be incomplete, the applicant may submit an appropriately revised application as in the first instance. [Ord. #1456, 4-10-2001, amended; Ord. #1429, 5-29-2001, amended]

- b. ~~The appropriate Board Secretary shall forward one copy of the submission to the County Planning Board for review and action~~The applicant's initial hard copy (paper) submission, and all subsequent revised or supplemental hard copy submissions, including the application form and all plans and support documents, shall also be submitted digitally in Portable Document Format (PDF).
- c. Additional copies of the submission may be requested from the applicant to be forwarded to other individuals, offices and agencies for information, review and comment.

(no changes to § 21-52.3 through § 21-52.6)

§ 21-52.7 Digital Submission Requirements for Final Approval of Minor Subdivisions. [Ord. #1433, 12-26-2000, added; Ord. #1429, 5-29-2001, amended]

Prior to the ~~issuance of any certificate of occupancy~~plans associated with an approved application ~~being signed by the Board Secretary, or prior to filing any map/deed (if the application does not involve new construction),~~ the applicant shall submit to the Board Secretary digital copies of all maps, plans, documents and any other information submitted with the application. These digital copies shall be ~~in the format(s) specified in Appendix A, Article VII, Digital Submission Standards, found at the end of this chapter~~submitted in Portable Document Format (PDF) and as Computer-Aided Design (CAD) files. The CAD files shall include all supporting CAD data and shall be in a format acceptable to the Township Engineer.

Part II. Article VII, "Development Application Review Procedures," Section 21-54, "Submission of Preliminary Plats and Preliminary Plans," is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

SECTION 21-54
Submission of Preliminary Plats and Preliminary Plans

A preliminary submission is required of all subdivisions classified as major subdivisions and of all development proposals requiring site plan review. **[Ord. #585, § 708]**

§ 21-54.1 Procedure for Submitting Preliminary Plats and Preliminary Plans. [Ord. #585, § 708A; Ord. #760, § 53A; Ord. #1103, § 43]

- a. ~~The applicant shall~~ submit to the Board Secretary ~~18 the original and three (3) copies of the application package, including the completed application form, together with four (4) collated sets of plans and support documents in accordance with Subsections 21-54.3 through 21-54.5-6 below;~~ 24 copies of the project report and environmental impact assessment in accordance with Subsection 21-54.6 below; and ~~the fees~~ in accordance with Section 21-58 of this chapter. The Board Secretary shall assign an application number, and such number shall appear on all papers, maps, plats and other documents submitted for processing in conjunction with the application. The Board shall certify the application as complete or notify the applicant, in writing, of any deficiencies within 45 days of the submission. If the application has been certified as complete, the applicant shall submit 17 additional collated copies of the complete application package. If the application has been found to be incomplete, the applicant may submit an appropriately revised application as in the first instance. **[Ord. #1456, 4-10-2001, amended; Ord. #1429, 5-29-2001, amended]**

- b. ~~The appropriate Board Secretary shall forward two copies of the submission to the County Planning Board for review and action. The applicant's initial hard copy (paper) submission, and all subsequent revised or supplemental hard copy submissions, including the application form and all plans and support documents, shall also be submitted digitally in Portable Document Format (PDF).~~
- c. Additional copies of the submission may be requested from the applicant to be forwarded to other individuals, offices and agencies for information, review and comment.

(no changes to § 21-54.2 through § 21-54.10)

§ 21-54.11 Digital Submission Requirements for Preliminary Development Plans. [Ord. #1433, 12-26-2000, added; Ord. #1429, 5-29-2001, amended]

Prior to the ~~issuance of any certificate of occupancy plans~~ associated with an approved application ~~being signed by the Board Secretary, or prior to filing any map/deed (if the application does not involve new construction),~~ the applicant shall submit to the Board Secretary digital copies of all maps, plans, documents and any other information submitted with the application. These digital copies shall be ~~in the format(s) specified in Appendix A, Article VII, Digital Submission Standards, found at the end of this chapter~~ submitted in Portable Document Format (PDF) and as Computer-Aided Design (CAD) files. The CAD files shall include all supporting CAD data and shall be in a format acceptable to the Township Engineer.

Part III. Article VII, “Development Application Review Procedures,” Section 21-55, “Submission of Final Development Plans,” is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

SECTION 21-55
Submission of Final Development Plans

A final submission is required of all development plans approved at the preliminary submission stage. [Ord. #585, § 709]

§ 21-55.1 Procedure for Submitting Final Plats and Final Plans. [Ord. #585, § 709A]

- a. Within three years after the date of preliminary approval, the applicant shall submit to the Board Secretary ~~after the fifteenth day of the calendar month preceding the first regularly scheduled monthly meeting of the Board which granted preliminary approval, but not later than the first day of the calendar month in which such meeting is to be held, 18 copies of the application package, including the original and three (3) copies of the completed application form, together with four (4) collated sets of plans and support documents in accordance with Subsection 21-55.2 below, and the fees in accordance with Article IX of this chapter~~ Section 21-58 of this chapter. The Board Secretary shall assign an application number, and such number shall appear on all papers, maps, plats and other documents submitted for processing in conjunction with the application. The Board shall certify the application as complete or notify the applicant in writing of any deficiencies within 45 days of the submission. If the application has been certified as complete, the applicant shall submit 17 additional collated copies of the complete application package. If the application has been found to be incomplete, the applicant may submit an appropriately revised application as in the first instance. [Ord. #1429, 5-29-2001, amended]

- b. ~~The Board shall certify the application as complete or direct the Board Secretary to notify the applicant in writing of any deficiencies within 45 days of the submission. If the application has been found to be complete, the Board Secretary shall forward two copies of the resolution to the County Planning Board for review and action. If the application has been found to be incomplete, the Board Secretary shall notify the applicant in writing and the applicant may submit an appropriately revised application as in the first instance.~~ The applicant's initial hard copy (paper) submission, and all subsequent revised or supplemental hard copy submissions, including the application form and all plans and support documents, shall also be submitted digitally in Portable Document Format (PDF). [Ord. #1456, 4-10-2001, amended; Ord. #1429, 5-29-2001, amended]
- c. ~~At the direction of the Planning Board or the Zoning Board of Adjustment, or at the suggestion of the Technical Coordinating Committee, a~~ Additional copies of the submission may be requested from the applicant to be forwarded to other individuals, offices and agencies for information, review and comment.

(no changes to § 21-55.2 through § 21-55.4)

§ 21-55.5 Digital Submission Requirements for Final Development Plans.
[Ord. #1433, 12-26-2000, added; Ord. #1429, 5-29-2001, amended]

Prior to the ~~issuance of any certificate of occupancy plans~~ associated with an approved application being signed by the Board Secretary, or prior to filing any map/deed (if the application does not involve new construction), the applicant shall submit to the Board Secretary digital copies of all maps, plans, documents and any other information submitted with the application. These digital copies shall be ~~in the format(s) specified in Appendix A, Article VII, Digital Submission Standards, found at the end of this chapter~~ submitted in Portable Document Format (PDF) and as Computer-Aided Design (CAD) files. The CAD files shall include all supporting CAD data and shall be in a format acceptable to the Township Engineer.

Part IV. Appendix A, Article VII, “Digital Submission Standards,” is deleted in its entirety.

Part V. Table 901, “Application Fee and Escrow Deposit Fee Schedule,” is amended as follows (new text is double underlined; deleted text is ~~stricken~~):

TABLE 901			
Application Fee and Escrow Deposit Fee Schedule			
		Application Fee¹	Escrow Deposit
1.	Subdivisions		
a.	Minor	\$300 + \$50/lot	\$2,500
b.	Preliminary plat, major	\$500 + \$100/lot	\$4,000 + \$200/lot
c.	Final plat, major	\$300 + \$25/lot	\$2,000 + \$50/lot
2.	Site Plans		
a.	Preliminary plan (residential) ²	\$500 + \$25/dwelling unit	\$2,500 + \$25/dwelling unit + \$25/acre
b.	Preliminary plan (nonresidential) ³	\$500 + \$0.02/sq. ft. of building floor area + \$25/acre	\$2,500 + \$0.03/sq. ft. of building floor area + \$25/acre

	c.	Final plan (residential)	\$300 + \$10/dwelling unit	\$1,500
	d.	Final plan (nonresidential)	\$300 + \$0.01/sq. ft. of building floor area + \$25/acre	\$1,500
3.	Conditional Use			
	a.	Supplementary apartment	\$150	\$500 ,000
	b.	Other	\$250 + \$0.10/sq. ft. of conditional use building or structure	\$500 ,000
4.	Variances			
	a.	Appeals (N.J.S.A. 40:55D-70a)		
	1.	Single-family residential	\$50	\$500
	2.	Other	\$150	\$500
	b.	Interpretations (N.J.S.A. 40:55D-70b)		
	1.	Single-family residential	\$50	\$500
	2.	Other	\$150	\$500
	c.	Bulk variance (N.J.S.A. 40:55D-70c)		
	1.	Single-family residential	\$100	\$1,500 ,000
	2.	Other	\$250	\$1,500 ,000
	d.	Special reasons (N.J.S.A. 40:55D-70d)	\$500	\$1,500 ,000

NOTES:

- No application fee shall exceed \$15,000.
- Any nonresidential buildings in a predominantly residential site plan shall pay an escrow deposit of \$0.03 per square foot of nonresidential building floor area in addition to the residential escrow deposit.
- Any residences in a predominantly nonresidential site plan shall pay \$25 per dwelling unit escrow deposit in addition to the nonresidential escrow deposit.
- Document imaging: ~~All documents associated with an application shall be provided to the Board in the digital format specified in Appendix A, Article VII, Digital Submission Standards. For those applicants not providing these documents in digital format, t~~The following amounts shall be due and payable at the time of application to defray the cost of digital document imagingmanagement system entry:
 - Subdivisions and site plans: \$150.
 - Variances and all other applications: \$25.
- Tax Map revision fee. In addition to the application fees set forth in Subparagraphs 1 and 2 above, the following amounts shall be due and payable at the time of application to defray the cost of professional services required to effect revisions to the Tax Map necessitated by the development application:
 - Minor subdivision plat: \$75.00 per lot.
 - Final major subdivision plat: \$50.00 per lot.
 - Site plan application creating condominium units (whether residential or commercial units): \$50.00 per unit.
- Amended application. Application fee shall be 1/2 of the original application fee but not to

exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit unless sufficient funds remain in the escrow account from the original application, such that the Board determines a lesser amount is adequate to cover anticipated bills.

7. Extension of preliminary approval, final approval, or variance approval. Application fee shall be 1/2 of the original application fee but not to exceed \$500.00. Escrow deposit shall be 1/2 of the original escrow deposit for preliminary or final extensions, and ~~\$300~~1,000 for variance extensions, unless sufficient funds remain in the escrow account from the original application.
8. Conceptual approval. In the event that the developer chooses to submit an application for conceptual approval of the development plan, 25% of the entire preliminary development plan application fee and the entire escrow amount shall be paid at the time of such submission and the remainder shall be payable at the time of the submission of a complete application for preliminary approval.
9. Waiver of fees. Charitable, philanthropic, fraternal and religious nonprofit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 [26 U.S.C. § 501(c) or (d)] shall pay one-half (1/2) of the normal application fee. All governmental agencies of the Township of Bernards are exempt from the payment of any fee required under this chapter.
10. Variances involving subdivisions or site plans shall be accompanied by the application fee and escrow deposit in Nos. 1 and 2.
11. Additional escrow funds shall be required by the Board when the escrow balance has been depleted below the amount of the original deposit. The additional deposit shall be an amount sufficient to restore the escrow balance to the amount of the original escrow deposit unless the Board determines a lesser amount is adequate to cover anticipated bills. Whenever additional funds are required, the applicant shall be notified in writing and the additional deposit shall be remitted to the Board Secretary within ten (10) days of the date of the written notification.
12. Modification or elimination of a condition contained in a previously adopted resolution of approval. Application fee shall be \$300. Escrow deposit shall be ~~\$1,000~~1,500.
13. Informal review pursuant to N.J.S. 40:55D-10.1. Application fee shall be \$100, which shall be a credit toward the fee for the application for development.

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

This ordinance amends certain application review procedures, digital submission requirements, and escrow deposit requirements for land development applications filed with the Planning Board or Zoning Board of Adjustment. The amendment updates subdivision and site plan application procedures to be consistent with current practices and Board rules, and adds requirements for digital copies to be included with all submissions. The amendment eliminates current digital submission standards that are obsolete.

This amendment also increases the escrow deposits required for certain types of applications, based on actual costs incurred in the processing of applications over the last four years. For residential variance applications, which represent the majority of applications, the amendment increases the initial escrow deposit from \$1,500 to

\$2,000. This increases an applicant's upfront cost, however, does not affect the total cost of the application process.

David Schley, PP, AICP, Township Planner

TOWNSHIP OF BERNARDS
PUBLIC NOTICE

Ordinance #2528 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 06/27/2023 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 09/26/2023, 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.

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

**BERNARDS TOWNSHIP
DEPARTMENT OF ENGINEERING SERVICES
PLANNING BOARD**

TO: Christine Kieffer, Township Clerk
John P. Belardo, Esq., Township Attorney

CC: Kippy Piedici, Chairwoman
Jonathan Drill, Esq., Board Attorney
David Schley, Township Planner
David Banisch, Board Planner
Thomas Timko, Township Engineer

FROM: Cyndi Kiefer, Board Secretary

DATE: August 9, 2023

SUBJECT: Ordinance #2528 – 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 Submission Requirements for Land Development Applications.

The Planning Board reviewed proposed Ordinance #2528 at its public meeting held on May 16, 2023, and found that the ordinance is *not inconsistent* with the master plan.

A motion was made by Mr. Crane and seconded by Ms. Manduke, finding that Ordinance #2528 is *not inconsistent* with the Township's master plan.

Roll Call:

Aye:	Baumann, Crane, Cuzzo, Ladyzinski, Manduke, Piedici, Seville
Nay:	NONE
Abstain:	NONE

Motion carried.



Ordinance of the Township of Bernards

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

ORDINANCE # 2534

An Ordinance to Amend the Revised General Ordinances
of the Township of Bernards, Chapter 12 “Building and Housing,”
Section 1-3 “Construction Fee Schedule”

BE IT ORDAINED, by the Township Committee of the Township of Bernards in the County of Somerset that Chapter 12, “Building and Housing,” Section 1-3 “Construction Fee Schedule” of the Revised General Ordinances of the Township of Bernards is hereby amended: (new text is in underline; deletions are ~~stricken~~):

§ 12-1.3 Construction Fee Schedule.

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

- a. The fee for a construction permit shall be the sum of the subcode fees listed as follows, where applicable, and shall be paid before a permit is issued.
 1. Building subcode fees:
 - (a) For new construction and additions: ~~\$0.035~~ 0.040 per cubic foot of building or structure volume. For commercial farm buildings as defined in N.J.S.A. 52:27D-121, the fee shall be \$0.008 per cubic foot for the first 100,000 cubic feet of construction and \$0.006 for each cubic foot in excess of 100,000 cubic feet of building or structure volume. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (b) For renovations, alterations, repairs, solar systems and communication towers: ~~\$30~~ \$35 per \$1,000 for the first \$50,000, ~~\$24~~ \$27 per \$1,000 from \$50,000 to \$100,000 and ~~\$21~~ \$24 per \$1,000 over \$100,001 of the estimated cost of the work. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (c) For retaining walls:
 - (1) A retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure: \$125. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (2) A retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure: ~~\$80~~ 90. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (3) A retaining wall of any size at other than a Class 3 residential structure: the fee shall be calculated in accordance with Section 12-1.3a1(b) of this chapter.
 - (d) For combination of renovations and additions: the sum of the fees computed separately as renovations and additions.

- (e) Swimming pools. [Ord. #2055, 3-10-2009, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (1) For aboveground pools: ~~\$80~~ 90.
 - (2) For in-ground pools: \$175.
 - (3) For in-ground hot tubs: \$125.
 - (f) For the construction or placement of an unclassified structure, including but not limited to fences, tents, sheds and temporary trailers: ~~\$80~~ 90. For accessory structures over one story in height: \$200. [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (g) The fee for a demolition permit shall be as follows: [Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]
 - (1) Commercial building or structure: ~~\$200~~ \$250. [Ord. #2412, 2-26-2019, amended]
 - (2) Use Groups R-2, R-3, R-4 and R-5 building or structure: ~~\$80~~ \$100.
 - (3) Unclassified structures, oil/fuel tank removal or abandonment or pools: ~~\$80~~ 90 each. [Ord. #2412, 2-26-2019, amended]
 - (h) The fee for a permit to erect a sign: [Ord. #2331, 2-9-2016, amended]
 - (1) Permanent sign: ~~\$3~~ 5 per square foot of sign area. Fees for double-faced signs shall be based on the total square footage of one side only.
 - (i) Radon systems: ~~\$40~~ 45. [Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]
 - (j) Roofing or siding: ~~\$80~~ 90. (Use Groups R-2, R-3 and R-4) including Use Group U that is an accessory to R-2, R-3 and R-4. All other Use Groups charged per Subsection 12-1.3.a.1.(b) of this chapter. [Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (k) Asbestos abatement in accordance with N.J.A.C. 5:23-8: \$70 and \$14 per certificate of occupancy.
 - (l) Lead hazard abatement in accordance with N.J.A.C. 5:17: \$70 and \$14 per lead abatement certificate.
 - 2. Certificates of occupancy fees, miscellaneous fees and waiver of fees: [Ord. #1907, 12-26-2006, amended; Ord. #2055, 3-10-2009, amended]
 - (a) The fee for a certificate of occupancy for Use Groups R-2, R-3, R-4 and R-5 shall be \$100. [Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
 - (b) The fee for a certificate of occupancy for other than Use Groups R-2, R-3, R-4 and R-5 shall be 10% of the total construction permit fee. [Ord. #2316, 5-12-2015, amended]
 - (c) The fee for a certificate of continued occupancy: ~~\$550~~ 500. [Ord. #2331, 2-9-2016, amended]
 - (d) The fee for a change of use: \$350. [Ord. #2331, 2-9-2016, amended]
 - (e) Certificate of approval: no fee.
 - (f) Temporary certificate of occupancy: \$30 for the issuance and/or renewal of any temporary certificate. [Ord. #2331, 2-9-2016, amended]

- (g) Public swimming pools, spas and hot tubs except for one- or two-family residential property, review of bonding and grounding certificate: \$100 for each pool, spa or hot tub renewable every five years. **[Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (h) Public swimming pools, spas and hot tubs except for one- or two-family residential property, electrical inspection to include issuance of certificate of compliance: \$100 annually for each pool, spa or hot tub. **[Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (i) The fee to reinstate a lapsed permit: 25% of the initial fee, provided that such application is made within one year from the date the initial permit lapsed. Thereafter, the fee to reinstate the permit shall be 100%.
- (j) The fee for an application to the Construction Board of Appeals shall be based on the fee currently adopted by the County of Somerset and payable to the County of Somerset. **[Ord. #2412, 2-26-2019, amended]**
- (k) The fee for an application for a variation:
 - (1) Commercial: \$100.
 - (2) Use Groups R-2, R-3, R-4 and R-5: \$50.
 - (l) Annual permits issued in accordance with N.J.A.C. 5:23-2.14(c):
 - (1) One to 25 workers: \$500 per worker.
 - (2) Over 25 workers: \$200 per worker.
 - (3) Training fee in accordance with N.J.A.C. 5:23-4.18(a)5: \$140 per subcode.
- (m) The fee for plan review shall be 25% of the amount to be charged for the construction permit or the amount listed below and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit. Plan review fees are not refundable. Plan revisions: \$80 90 per subcode to be paid at the time of submission. **[Ord. #2494, 4-12-2022, amended]**
- (n) The minimum permit fee for a basic construction permit covering any or all of building, electrical, plumbing or fire protection work: \$80 90. **[Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (o) New Jersey State permit surcharge fees: Fees shall be collected in accordance with N.J.A.C. 5:23-4.19.
- (p) Waiver of fees: All construction permit fees for any work requiring a construction permit shall be waived for the following buildings: **[Ord. #2152, 2-15-2011, amended; Ord. #2412, 2-26-2019, amended; Ord. #2426, 8-27-2019, amended; Ord. #2494, 4-12-2022, amended]**
 - (1) Buildings owned and operated by Bernards Township, Somerset County, State of New Jersey, or the federal government.
 - (2) Buildings owned and operated by the Bernards Township Board of Education. In accordance with

N.J.A.C. 5:23-3.11A(b)2, buildings owned and operated by the Bernards Township Board of Education are subject to payment of the plan review fee as required in Paragraph (m) above.

- (3) Designs solely to promote accessibility by the handicapped to an existing structure.
- (4) Rehabilitation of low- or moderate-income housing in accordance with N.J.S.A. 52:27D-126d.
- (5) Buildings owned by the Bernards Township Volunteer Emergency Services are exempt from Township construction permit fees only.
- (q) Annual review for commercial backflow prevention device certificate: \$50 each device. **[Ord. #2093, 12-15-2009, added; Ord. #2152, 2-15-2011, amended]**
- (1) Late fee. Each week that renewal of a certificate is overdue: \$50 per week. **[Ord. #2468, 4-27-2021, added]**
- (r) Change of contractor: \$25 per subcode. **[Ord. #2152, 2-15-2011, added]**
- (s) Change of ownership of a permit: \$100. **[Ord. #2152, 2-15-2011, added]**
- (t) Change of ownership of a permit for a new dwelling: \$500. **[Ord. #2468, 4-27-2021, added]**

3. Electrical subcode fees:

- (a) Fixtures and devices. For the purpose of computing this fee, receptacles, switches, fixtures, convenience receptacles or similar fixtures and motors and devices of one horsepower or one kilowatt or less shall be counted and totaled. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended]**
 - (1) First 50 fixtures or devices: ~~\$80~~ 90. **[Ord. #2412, 2-26-2019, amended]**
 - (2) Each fixture or device over 50: \$2 each.
- (b) Swimming pools, in-ground spas and hot tubs: \$200. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (c) Storable pool or spa: ~~\$80~~ 90. **[Ord. #2055, 3-10-2009, amended; Ord. #2152, 2-15-2011, amended; Ord. #2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**

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

- (d) Motors/electrical devices: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**
 - (1) One to 10 horsepower: ~~\$40~~ 45.
 - (2) To 50 horsepower: ~~\$80~~ 90.
 - (3) To 100 horsepower: \$125.
 - (4) Above 100 horsepower: \$200.
- (e) Transformers/generators: **[Ord. #2055, 3-10-2009, amended; Ord. #2412, 2-26-2019, amended]**

- (1) One to 10 kilowatt: \$~~40~~ 45.
- (2) To 45 kilowatt: \$75.
- (3) To 112.5 kilowatt: \$125.
- (4) Above 112.5 kilowatt: \$200.
- (f) Services/panels/subpanels/transfer switches: **[Ord. #2055, 3-10-2009, amended; Ord. #2185, 2-28-2012, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (1) To 100 amperes: \$~~80~~ 90.
 - (2) To 200 amperes: \$125.
 - (3) To 300 amperes: \$200.
 - (4) To 400 amperes: \$225.
 - (5) To 800 amperes: \$275.
 - (6) To 1,000 amperes: \$500.
 - (7) To 1,200 amperes: \$750.
 - (8) Above 1,200 amperes: \$1,000.
- (g) Radon systems: \$~~40~~ 45. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
- (h) Rain sensors for irrigation systems: \$~~40~~ 45. **[Ord. #2055, 3-10-2009, amended; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (i) Future conduit run without connection: **[Ord. #2331, 2-9-2016, amended]**
 - (1) Up to 300 feet: \$100.
 - (2) Over 300 feet: \$250.
- (j) Photovoltaic solar systems. **[Ord. #2093, 12-15-2009, added; Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]**
 - (1) One to 50 kw: \$150.
 - (2) Fifty-one to 100 kw: \$300.
 - (3) Greater than 100 kw: \$1,000.
- (k) Bonding of CSST gas piping: \$~~40~~ 45. **[Ord. #2185, 2-28-2012, added; Ord. #2412, 2-26-2019, amended]**
- 4. Plumbing subcode fees: **[Ord. #2055, 3-10-2009, amended; Ord. # 2316, 5-12-2015, amended; Ord. #2331, 2-9-2016, amended; Ord. #2398, 8-14-2018, amended; Ord. #2412, 2-26-2019, amended]**
 - (a) Fixtures, including devices and stacks: \$20.

- (b) Water service connection: ~~\$80~~ 90.
- (c) Sewer tie-in and septic: ~~\$80~~ 90.
- (d) Gas connections: ~~\$80~~ 90. Each additional connection shall be \$10.
- (e) Boilers (including pool heaters): ~~\$80~~ 90.
- (f) Water-cooled air-conditioning and refrigeration systems: \$250.
- (g) Air-conditioning systems: ~~\$40~~ Use Groups R-2, R-3, R-4 and R-5 \$45-

(2) All other Use Groups: \$100

- (h) Backflow preventers:
 - (1) Use Groups R-2, R-3, R-4 and R-5: ~~\$40~~ 45.
 - (2) Other use groups: \$150.
- (i) Pumps: ~~\$80~~ 90.
- (j) Grease traps, interceptors and oil separators: ~~\$80~~ 90.
- (k) Solar heating devices: ~~\$80~~ 90.
- (l) Steam generator (shower): ~~\$40~~ 45.
- (m) LP gas tank and associated connections: ~~\$80~~ 90.
- (n) Fuel oil connections: ~~\$40~~ 45.
- (o) Radiant floor heat: ~~\$80~~ 90.
- (p) Water heater, fuel-fired: ~~\$80~~ 90.
- (q) Water heater, electric: ~~\$40~~ 45.
- (r) Swimming pool drains: ~~\$80~~ 90.
- (s) Furnace in Use Groups R-3 and R-5: ~~\$80~~ 90.
- (t) Gas logs in Use Groups R-3 and R-5: ~~\$40~~ 45.
- (u) Generators in Use Groups R-3 and R-5: ~~\$40~~ 45.
- (v) Gas fireplaces in Use Groups R-3 and R-5: ~~\$80~~ 90. [Ord. #2468, 4-27-2021, amended]

(w) Mini Split System: \$90 each.

(x) Heat Pump: \$90 each.

5. Fire protection fees:

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

Number of Smoke/Heat Detectors and Mass Evacuation Speakers	Fee
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1 to 20	\$ 80 90
21 to 100	\$150
101 to 200	\$250
201 to 400	\$600
401 to 1,000	\$825
Over 1,000	\$1,200

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

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

(c) Pre-engineered systems:

(1) CO2 suppression: \$150.

(2) FM-200: \$150.

(3) Foam system: \$150.

(4) Dry chemical: \$150.

(5) Wet chemical: \$150.

(d) Commercial kitchen hood: \$100.

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

- (1) Factory-built wood fireplaces and solid fuel stoves: ~~\$80~~ 90.
- (2) Furnaces in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (3) Gas logs in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (4) Factory-built chimneys: ~~\$80~~ 90.
- (5) Chimney lining in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (6) Generators in all Use Groups except R-3 and R-5: ~~\$80~~ 90.
- (7) Fuel-fired appliances in new construction, per appliance: ~~\$80~~ 90.
- (f) Standpipe systems: \$200 each riser.
- (g) Fire pumps: \$200.
- (h) Preaction valve: \$200.
- (i) Dry pipe valve: \$200.
- (j) Drafting systems: \$200. [Ord. #2055, 3-10-2009, amended]
- (k) Smoke control system: \$200.
- (l) Supervisory and signaling devices: \$15 each. [Ord. #2331, 2-9-2016, amended]
- (m) Fuel storage tank installation: [Ord. #2055, 3-10-2009, amended]
- (1) Use Groups R-2, R-3, R-4 and R-5: ~~\$40~~ 45. [Ord. #2331, 2-9-2016, amended; Ord. #2412, 2-26-2019, amended]
- (2) All other use groups: \$200.
- (n) Roof-mounted solar systems: ~~\$80~~ 90. [Ord. #2468, 4-27-2021, added]
- (o) Fire hydrants: ~~\$80~~ 90 each. [Ord. #2468, 4-27-2021, added]
- 6. Mechanical subcode fees: [Ord. #2398, 8-14-2018, added; Ord. #2412, 2-26-2019, amended]
 - (a) Water heater: ~~\$80~~ 90 each.
 - (b) Boiler: ~~\$80~~ 90 each.
 - (c) Furnace: ~~\$80~~ 90 each.
 - (d) Oil tank: ~~\$40~~ 45 each.
 - (e) LP tank: ~~\$40~~ 45 each.
 - (f) Kerosene tank: ~~\$40~~ 45 each.
 - (g) Air conditioning: ~~\$40~~ 45 each.
 - (h) Gas fireplace: ~~\$80~~ 90 each.

- (i) Gas log set: ~~\$40~~ 45 each.
- (j) Gas log lighter: ~~\$40~~ 45 each.
- (k) Gas heater: ~~\$80~~ 90 each.
- (l) Kerosene heater: ~~\$80~~ 90 each.
- (m) Oil heater: ~~\$80~~ 90 each.
- (n) Generator: ~~\$40~~ 45 each.
- (o) Gas piping connection: ~~\$80~~ 90. Each additional connection shall be \$10.
- (p) Oil piping connection: ~~\$40~~ 45.
- (q) Chimney liner: ~~\$80~~ 90 each.
- (r) Mini Split System: \$90 each.
- (s) Heat Pump: \$90 each

7. Elevator subcode fees:

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

Explanatory Statement:

These revisions are required to maintain the level of service the permit customers are used to. Our fees have been historically lower than our neighboring communities and even with these revisions the fees will be slightly lower, but more in line with the industry. Our last noteworthy fee increase was four (4) years ago. The Construction Department generally does not utilize tax dollars for our operations. We make every effort to be totally fee based. These revisions should continue that trend.

*Dennis Bettler, C.B.O.
Construction Official*

TOWNSHIP OF BERNARDS
PUBLIC NOTICE

Ordinance #2534 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 09/12/2023 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 09/26/2023, 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.

By Order of the Township Committee
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 #2023-0400

Approval of the Bill List Dated 09/26/2023

BE IT RESOLVED, that the bill list dated 09/26/2023 be audited, and if found correct, be paid.

September 26, 2023
09:09 AM

TOWNSHIP OF BERNARDS
Check Register By Check Date

Page No: 1

Range of Checking Accts: CASH - CHECKING to CASH - CHECKING Range of Check Dates: 09/26/23 to 09/26/23
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
CASH - CHECKING CURRENT CHECKING				
137468	09/26/23	90507 GANDER, JENNIFER	315.00	1722 Direct Deposit
137469	09/26/23	90525 BAXTER, CHRISTOPHER	53.36	1722 Direct Deposit
137470	09/26/23	90667 LOPEZ, DUSTIN	996.00	1722 Direct Deposit
137471	09/26/23	A0168 ALLIED OIL COMPANY, LLC	15,731.77	1722 Direct Deposit
137472	09/26/23	A0398 STERLING TALENT SOLUTIONS	277.38	1722 Direct Deposit
137473	09/26/23	A0453 AMAZON.COM	1,179.99	1722 Direct Deposit
137474	09/26/23	B0581 BUY WISE AUTO PARTS	968.08	1722 Direct Deposit
137475	09/26/23	B0840 BRIGHT VIEW ENGINEERING	1,662.50	1722 Direct Deposit
137476	09/26/23	C0597 CLIFFSIDE BODY CORPORATION	247.97	1722 Direct Deposit
137477	09/26/23	D0020 DELTA DENTAL OF NJ	12,209.10	1722 Direct Deposit
137478	09/26/23	E0002 EDMUNDS GOVTECH	213.42	1722 Direct Deposit
137479	09/26/23	E0224 EXCELLENT BUILDING SERVICES	2,745.00	1722 Direct Deposit
137480	09/26/23	E0267 EAW SECURITY	1,000.00	1722 Direct Deposit
137481	09/26/23	F0003 FOLEY, INCORPORATED	977.58	1722 Direct Deposit
137482	09/26/23	F0205 4 IMPRINT	1,922.58	1722 Direct Deposit
137483	09/26/23	G0674 GALLS, LLC	217.73	1722 Direct Deposit
137484	09/26/23	G0694 GREENMAN-PEDERSEN, INC.	8,448.20	1722 Direct Deposit
137485	09/26/23	H0029 HUMPHREYS PEST CONTROL, INC.	275.00	1722 Direct Deposit
137486	09/26/23	M0353 MIDWEST TAPE LLC	2,565.28	1722 Direct Deposit
137487	09/26/23	M0511 MOTOROLA SOLUTIONS, INC.	668.00	1722 Direct Deposit
137488	09/26/23	N0083 NJRPA	195.00	1722 Direct Deposit
137489	09/26/23	N0297 NORTHERN SAFETY CO., INC.	154.90	1722 Direct Deposit
137490	09/26/23	O0164 ODP BUSINESS SOLUTIONS LLC	345.63	1722 Direct Deposit
137491	09/26/23	P0534 PLUG 'N PAY TECHNOLOGIES, INC.	20.00	1722 Direct Deposit
137492	09/26/23	P0663 PALINDROME TECHNOLOGIES INC	4,000.00	1722 Direct Deposit
137493	09/26/23	R0509 REIVAX CONTRACTING CORPORATION	56,741.79	1722 Direct Deposit
137494	09/26/23	R0824 REPUBLIC SERVICES OF NJ LLC	1,290.00	1722 Direct Deposit
137495	09/26/23	S0016 STORR TRACTOR COMPANY	95.51	1722 Direct Deposit
137496	09/26/23	S0741 SUBURBAN CONSULTING ENGINEERS	15,914.31	1722 Direct Deposit
137497	09/26/23	S0764 STERICYCLE	35.70	1722 Direct Deposit
137498	09/26/23	T0066 CENGAGE LEARNING CREDIT SVCS	170.19	1722 Direct Deposit
137499	09/26/23	T0142 TODD HARRIS CO., INC.	9,517.97	1722 Direct Deposit
137500	09/26/23	T0192 TURN OUT UNIFORMS INC	2,794.29	1722 Direct Deposit
137501	09/26/23	T0378 THE GUARDIAN LIFE INS CO OF AM	96.14	1722 Direct Deposit
137502	09/26/23	T0514 TOP QUALITY SERVICES LLC	600.00	1722 Direct Deposit
137503	09/26/23	U0001 UNITEMP MECHANICAL DEGREES LLC	3,070.58	1722 Direct Deposit
137504	09/26/23	W0213 WT COX SUBSCRIPTIONS, INC.	4,034.60	1722 Direct Deposit
137505	09/26/23	W0271 WEATHER WORKS	2,075.00	1722 Direct Deposit
137506	09/26/23	W0275 WINNING TEAMS BY NISSEL LLC	1,003.15	1722 Direct Deposit
137507	09/26/23	W0409 WEATHERTITE SOLUTIONS	875.00	1722 Direct Deposit
137508	09/26/23	76023 DEADY, JAMES OR SUZANNE	1,593.00	1723
137509	09/26/23	A0126 AFLAC NEW YORK	137.94	1723
137510	09/26/23	A0250 AMBASSADOR MEDICAL SERVICES	120.00	1723
137511	09/26/23	A0338 AFLAC	1,075.21	1723
137512	09/26/23	A0717 AAA FACILITY SOLUTIONS LLC	11,102.49	1723
137513	09/26/23	A0754 ANNIE'S PLAYHOUSE	300.00	1723
137514	09/26/23	B0001 BAKER & TAYLOR, INC.	1,408.83	1723
137515	09/26/23	B0017 BRIDGEWATER RESOURCES, INC.	498.36	1723
137516	09/26/23	B0026 BERNARDS TOWNSHIP CURRENT	6,390.08	1723
137517	09/26/23	B0029 BERNARDS TWP BD OF EDUCATION	8,035,822.08	1723
137518	09/26/23	B0031 BERNARDSVILLE PRINT CENTER	50.00	1723
137519	09/26/23	B0034 BERNARDS TOWNSHIP PAYROLL ACCT	599,674.88	1723
137520	09/26/23	B0044 BASKING RIDGE ANIMAL HOSPITAL	447.18	1723
137521	09/26/23	B0068 BUCKET SUPPLY & EQUIPMENT CO.	425.52	1723
137522	09/26/23	B0098 BERNARDS TOWNSHIP (RECREATION)	1,095.96	1723
137523	09/26/23	B0831 BADGE COMPANY OF NJ LLC	930.00	1723
137524	09/26/23	B0869 BASKING RIDGE PROPCO, LLC	234,082.22	1723
137525	09/26/23	C0024 GANNETT NEW JERSEY NEWSPAPERS	28.86	1723
137526	09/26/23	C0083 CDW GOVERNMENT, INC.	25,722.88	1723
137527	09/26/23	C0241 COOPER ELECTRIC SUPPLY	129.32	1723
137528	09/26/23	C0522 CHATHAM LAWNMOWER SALES & SVC	571.63	1723
137529	09/26/23	C0696 COOPERATIVE COMMUNICATIONS,INC	204.96	1723
137530	09/26/23	C0773 COMMUNITY HOME CARE	659.00	1723
137531	09/26/23	C0798 C & L TOWING SERVICE	75.00	1723
137532	09/26/23	D0005 DENVILLE LINE PAINTING INC.	5,202.16	1723
137533	09/26/23	D0785 JOHN DEERE COMPANY	3,307.55	1723
137534	09/26/23	E0340 ESSEX MANAGEMENT SERVICES, INC	145.00	1723
137535	09/26/23	F0047 FULLERTON FORD	560.03	1723
137536	09/26/23	F0158 FLEMINGTON DEPARTMENT STORE	615.00	1723
137537	09/26/23	F0273 FLOWERS ON THE RIDGE	110.50	1723
137538	09/26/23	F0330 FIDELITY SECURITY LIFE INS	320.56	1723
137539	09/26/23	F0431 FOX FENCE ENTERPRISES INC	7,874.00	1723
137540	09/26/23	F0433 FINN, KELLIE OR MICHAEL	100.00	1723
137541	09/26/23	G0098 JCP&L	33,236.70	1723
137542	09/26/23	G0333 BEDMINSTER CAR WASH	4.95	1723

137543	09/26/23	G0509	GREEN ROCK RECYCLING	1,510.00	1723
137544	09/26/23	H0235	HOOVER TRUCK CENTERS	596.56	1723
137545	09/26/23	H0246	HOME DEPOT CREDIT SERVICES	94.37	1723
137546	09/26/23	H0277	HUFF N PUFF CHIMNEY SERVICE	60.00	1723
137547	09/26/23	H0433	HAZELTON, REBECCA OR CLIFFORD	175.00	1723
137548	09/26/23	J0261	JAMESTOWN DUO	100.00	1723
137549	09/26/23	J0270	JAN FENCE, INC.	3,242.00	1723
137550	09/26/23	J0271	JEONG, MICHELLE	240.00	1723
137551	09/26/23	K0039	KOBESKY, GREGG S.	361.74	1723
137552	09/26/23	K0259	KONICA MINOLTA PREMIER FINANCE	108.92	1723
137553	09/26/23	K0259	KONICA MINOLTA PREMIER FINANCE	123.54	1723
137554	09/26/23	K0331	KONICA MINOLTA PREMIER FINANCE	148.97	1723
137555	09/26/23	K0331	KONICA MINOLTA PREMIER FINANCE	148.77	1723
137556	09/26/23	K0331	KONICA MINOLTA PREMIER FINANCE	133.42	1723
137557	09/26/23	K0331	KONICA MINOLTA PREMIER FINANCE	214.75	1723
137558	09/26/23	K0424	KUMAR, SUBRAMANI OR PRIYA	285.00	1723
137559	09/26/23	L0510	LI, YICHEN OR ZHANG, XINKIN	175.00	1723
137560	09/26/23	M0020	MOTOROLA SOLUTIONS	7,129.00	1723
137561	09/26/23	M0055	MCASC	25.00	1723
137562	09/26/23	M0116	MID-ALANTIC TRUCK CENTER, INC.	128,647.50	1723
137563	09/26/23	M0165	METRO HYDRAULIC JACK CO.	275.00	1723
137564	09/26/23	M0178	MARK'S AUTO SERVICE	112.50	1723
137565	09/26/23	M0441	MAIN LINE COMMERCIAL POOLS, INC	1,975.00	1723
137566	09/26/23	M0899	MR JOHN	65.00	1723
137567	09/26/23	N0001	N.I.G.P.	195.00	1723
137568	09/26/23	N0006	NEW JERSEY AMERICAN WATER CO.	0.00	09/26/23 VOID
137569	09/26/23	N0006	NEW JERSEY AMERICAN WATER CO.	9,933.88	1723
137570	09/26/23	N0017	NJ STATE LEAGUE OF MUNICIPAL.	1,370.00	1723
137571	09/26/23	N0032	NJ STATE DEPT HEALTH/SR SVCS	28.20	1723
137572	09/26/23	N0053	NJ UNEMPLOYMENT COMP. FUND	3,515.44	1723
137573	09/26/23	N0179	NEW JERSEY STATE GOLF ASSOC.	429.00	1723
137574	09/26/23	N0244	NORTHERN TOOL & EQUIPMENT CO.	572.99	1723
137575	09/26/23	O0068	O'BAGEL BAGELRY & DELI	330.00	1723
137576	09/26/23	O0100	OVERDRIVE, INC.	2,714.14	1723
137577	09/26/23	O0166	OLIVER, MATTHEW OR DANA	185.00	1723
137578	09/26/23	P0005	PITNEY BOWES, INC.	220.98	1723
137579	09/26/23	P0072	POSITIVE PROMOTIONS	613.25	1723
137580	09/26/23	P0511	PERFORMANCE TRAILERS INC.	30.00	1723
137581	09/26/23	P0525	POWER PLACE, INC.	269.42	1723
137582	09/26/23	P0538	PROVIDENT LIFE & ACCIDENT	60.04	1723
137583	09/26/23	P0614	PASSAIC COUNTY POLICE ACADEMY	250.00	1723
137584	09/26/23	Q0032	QUINN, THOMAS J.	1,087.50	1723
137585	09/26/23	R0005	RECORDER PUBLISHING CO., INC	52.02	1723
137586	09/26/23	R0023	RICHIES TIRE SERVICE, INC.	5,462.62	1723
137587	09/26/23	R0043	REGISTRARS' ASSOCIATION OF NJ	285.00	1723
137588	09/26/23	R0058	R & R IRRIGATION CO., INC.	1,740.00	1723
137589	09/26/23	S0202	SUBURBAN PROPANE	548.12	1723
137590	09/26/23	S0378	STAVOLA ASPHALT	146.90	1723
137591	09/26/23	S0415	SPORTSWORLD	4,616.00	1723
137592	09/26/23	S0432	SOMERSET COUNTY TREASURER	117.32	1723
137593	09/26/23	S0875	SUNLIGHT GENERAL CAPITAL	287.83	1723
137594	09/26/23	S0913	SHEDLOCK CAR CARE	125.00	1723
137595	09/26/23	S0965	SITEONE LANDSCAPE SUPPLY, LLC	54.48	1723
137596	09/26/23	S0977	STAVOLA CONSTRUCTION MATERIALS	6,856.20	1723
137597	09/26/23	S1020	SAJE ENTERPRISES, LLC	3,200.00	1723
137598	09/26/23	S1191	SAVO, SCHALK, CORSINI, GILLESPIE,	3,034.00	1723
137599	09/26/23	T0049	TROPICANA ATLANTIC CITY	384.00	1723
137600	09/26/23	T0498	TRINI AUTO GROUP LLC	850.00	1723
137601	09/26/23	T0500	TOG DEVELOPMENT LLC	1,668.00	1723
137602	09/26/23	T0501	THE PORTASOFT COMPANY INC	940.00	1723
137603	09/26/23	T0504	TO, CHI MAN OR PHOL, NORIN	150.00	1723
137604	09/26/23	U0079	US SPORTS INSTITUTE, INC.	1,800.00	1723
137605	09/26/23	V0056	VERIZON WIRELESS	1,625.35	1723
137606	09/26/23	V0058	VERIZON	40.06	1723
137607	09/26/23	V0058	VERIZON	85.44	1723
137608	09/26/23	V0058	VERIZON	41.79	1723
137609	09/26/23	V0058	VERIZON	37.49	1723
137610	09/26/23	V0058	VERIZON	241.90	1723
137611	09/26/23	V0084	VERIZON	188.99	1723
137612	09/26/23	V0084	VERIZON	189.99	1723
137613	09/26/23	V0084	VERIZON	289.99	1723
137614	09/26/23	V0084	VERIZON	20.81	1723
137615	09/26/23	V0199	VOIANCE LANGUAGE SERVICES LLC	13.80	1723
137616	09/26/23	W0016	WARRENVILLE TRUE VALUE	309.83	1723
137617	09/26/23	W0056	WELDON CONCRETE CO.	2,594.17	1723
137618	09/26/23	W0078	WORK 'N WEAR STORE	400.00	1723
137619	09/26/23	W0347	WACKS DEBONA BEILIN & WEBER	144.00	1723
137620	09/26/23	W0424	WILLOW'S BEND IRRIGATION	487.50	1723
137621	09/26/23	W0425	WU, JIE OR LIU, SHUJIAN	150.00	1723
137622	09/26/23	X0005	XTEL COMMUNICATION	518.10	1723
137623	09/26/23	Z0092	ZOHO CORPORATION	1,929.00	1723

Report Totals	Paid	Void	Amount Paid	Amount Void
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Checks:	115	1	9,183,399.43	0.00
Direct Deposit:	40	0	155,703.70	0.00
	=====	=====	=====	=====
Total:	155	1	9,339,103.13	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	4,000.00	0.00	0.00	4,000.00
CURRENT FUND	3-01	8,775,057.40	0.00	0.00	8,775,057.40
DOG FUND	3-12	1,239.37	0.00	0.00	1,239.37
GOLF COURSE UTILITY	3-26	9,069.74	0.00	0.00	9,069.74
Year Total:		8,785,366.51	0.00	0.00	8,785,366.51
CAPITAL FUND	C-04	185,720.44	0.00	0.00	185,720.44
PUBLIC GRANTS	G-02	71,911.44	0.00	0.00	71,911.44
TRUST FUNDS	T-13	50,806.50	0.00	0.00	50,806.50
PROJECT		241,298.24	0.00	0.00	241,298.24
Total Of All Funds:		9,339,103.13	0.00	0.00	9,339,103.13

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer , Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0389

Award OF Bid for Front & Back Entryway Repair/Renovation Project
at Bernards Township Library
To Skopye LLC, 40 Henry Road, Newton, NJ 07860
In the Amount of \$229,000.00

WHEREAS, the Township of Bernards received five (5) bids on August 1, 2023, at 10:30 AM for the Library Entrances Project:

BIDDER NAME	TOTAL BID AMOUNT
AB CONTRACTING LLC	\$183,700.00
SKOPYE LLC	\$229,000.00
PALEY CONSTRUCTION COMPANY INC.	\$286,814.00
OCHOA ENTERPRISES LLC	\$308,800.00
DE SAPIO CONSTRUCTION INC	\$334,000.00

WHEREAS, the low bidder AB Contracting LLC., did not provide a subcontractor list pursuant to N.J.S.A. 40A:11-16 showing a structural steel contractor which is a fatal flaw in their bid; and

WHEREAS, it is the combined recommendation of the Library Director, Administrator and Purchasing Agent to award the contract to Skopye LLC, 40 Henry Road, Newton, NJ 07860, in the amount of \$229,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; line account # 3-01-LI-R01-C05 (\$229,000.00); and

WHEREAS, this contract has been awarded to Skopye LLC, 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: Skopye LLC, 40 Henry Road, Newton, NJ 07860, in the amount of \$229,000.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Skopye LLC, 40 Henry Road, Newton, NJ 07860 as follows:

1. Provisions of all labor, material, and equipment necessary to perform all work as indicated on the Drawings and Specified for the Library Front & Back Entryway Repair/Renovation Project.
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 the contractor does not fulfill the services as outlined in the Bid Specification, upon 10 days written notice via certified mail.

8. The work contemplated under the Contract shall be completed within 120 days of the Notice to Proceed.
9. The Contractor shall commence the work not later than 10 calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
10. 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.
11. 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 \$500.00 per day for every day thereafter 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.
12. 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 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.

Sasho Momiroski, Owner

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

It is my recommendation that a contract be awarded to Skopye LLC for the amount of \$229,000.00. After a first round of bid packages that did not meet the necessary requirements, Skopye LLC is the lowest second-round bidder for the Library Entryway Repair/Renovation Project that meets the bid requirements.

Date: August 29, 2023

Rachel Burt, Library Director

CFO CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$229,000.00. Monies are available in Building Maintenance Projects Account #3-01-LI-R01-C05.

Date: September 1, 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: August, 31, 2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

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 #2023-0401 Authorization for Tax Refund

WHEREAS, the following tax overpayment exists due to receipt of property tax money and the property becoming Veteran Exempt; and

WHEREAS, the overpayment must be returned to the Veteran property owner to clear the account; and

WHEREAS, the tax collector is recommending a refund be issued.

Block/Lot	Quarter/Year	Amount	Issue Refund to
9203/3.05/CONDO	3Q 2023	\$697.62	Frank Banghart Jr. 23 Baldwin Ct Basking Ridge, NJ 07920

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

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine V. Kieffer, Municipal Clerk

INTERPRETIVE STATEMENT:

This property was granted a Veteran Exemption from property taxes. As such, the above payment received is due back to the Veteran property owner. I recommend a refund be issued to clear this 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 #2023-0402

Resolution Authorizing the Renewing of a Commodity Resale System

WHEREAS, N.J.A.C. 5:34-7 authorizes contracting units to establish a Commodity Resale System; and

WHEREAS, the Township of Bernards, County of Somerset, State of New Jersey is desirous of renewing a Commodity Resale System for the resale of Gasoline, Diesel Fuel, Snow Removal Chemicals and Public Works Materials; and

WHEREAS, the Township of Bernards has agreed to serve as the Lead Agency for a Commodity Resale Agreement with, Basking Ridge Fire Company #1 & First Aid Squad, Liberty Corner Fire Company, Bernards Township Board of Education, Bernards Township Sewerage Authority, Long Hill Township, Long Hill Township Emergency Services – First Aid Squad and Long Hill Township Board of Education for a period from May 1, 2023 to April 30, 2028.

NOW THEREFORE BE IT RESOLVED, at the Township Committee meeting held on September 26, 2023 of the Township of Bernards, County of Somerset, State of New Jersey, as follows:

The Township Committee hereby authorizes the renewal of a Commodity Resale System known as the Bernards Township Commodity Resale System with the Township of Bernards serving as the Lead Agency.

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

This resolution allows the Township to resell commodities, primarily gasoline and diesel fuel, to participating agencies as a form of shared services. The Township is reimbursed for direct cost associated with the program. Some member agencies may also be required to pay a surcharge to offset overhead or capital cost.

Date: 9/11/2023

Ryan Wallace
Director of Public Works

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0403

Resolution Approving the Construction of the Schmidt Park Pedestrian Trail Bridge and Staircases

WHEREAS, Bernards Township has completed the construction of a public improvement within Bernards Township, commonly referred to as the Schmidt Park Pedestrian Trail Bridge and Staircases; and

WHEREAS, Bernards Township has caused the construction of the aforementioned improvement to be completed; and

WHEREAS, the governing body has reviewed the aforementioned construction and exercised its judgment and/or approved the judgments of others as represented by the bid documents; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Bernards hereby formally approves the project entitled “Schmidt Park Pedestrian Trail Bridge and Staircases,” dated March 23, 2021, and prepared by Thomas Timko, PE, Township Engineer; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be placed in the permanent project file, together with one copy of the plan referred to above with a notation referring to the Resolution of Approval placed thereon; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to Bernards Township’s Joint Insurance Fund Risk Managers.

Date Voted and Agenda: 09/26/2023

Explanatory Statement

This resolution is recommended by the Suburban Municipal Joint Insurance Fund, and reinforces the protections of N.J.S.A. 59:4-6 relating to plan and design immunities. It is the JIF Attorney’s recommendation that plans or designs for capital improvement projects be approved by resolution of the governing body, with reference to the plans and specifications.

CERTIFICATION

**I hereby certify this is a true and exact copy of a resolution adopted
by the Bernards Township Committee on 09/26/2023.**

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0405

Appointment of Insurance Risk Manager
RSC Insurance Brokerage, Inc. (Formerly Meeker Sharkey & Hurley)

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

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, that RSC Insurance Brokerage, Inc., 21 Commerce Drive, Suite 302, Cranford, NJ 07016 be and is hereby appointed Risk Manager for a three-year term expiring 12/31/26; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards that we do hereby authorize execution of a contract with the RSC Insurance Brokerage in accordance with this appointment.

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0406

Approval of Block Party Permit for
North Brook Avenue, 10/14/2023
(Rain date 10/15/2023)

WHEREAS, Garth Davidson, 26 North Brook Avenue, Basking Ridge, NJ, hereinafter “the applicant,” has requested permission to close the intersections of William Street and North Brook Avenue, on 10/14/2023 (rain date 10/15/2023), from 12:00 PM to 6:00 PM for the purpose of holding a block party; and

WHEREAS, the applicant has satisfied the requirements of the Revised General Ordinances of the Township of Bernards § 7-16.1. et. seq.; and

WHEREAS, the Municipal Clerk and Police Chief have reviewed the application and recommend approval.

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

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

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 #2023-0407

Award of Purchase Orders for Identified Vendor: Palindrome Technologies

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

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

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

Vendor	Not to Exceed
Palindrome Technologies	\$ 44,000

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

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue purchase orders to the vendors listed above to maintain continuity and facilitate the ordering process through December 31, 2023.

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

Pursuant to the adoption of the Bernards Township Pay to Play ordinance #1854 and P. L. 2004, Chapter 19, adoption will permit the purchases from noted vendor(s) relative to the day-to-day operation of the township departments.

Date: September 18, 2023

Francis J. Decibus, QPA, RPPO Purchasing Agent

PURCHASING CERTIFICATION

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

Francis J. Decibus, QPA, RPPO, Purchasing Agent

Date: September 18, 2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

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 #2023-0408

Adopting a 457 Deferred Compensation Plan to be administered by Lincoln Retirement Services, LLC
Plan 92-PD-Lincoln-121316

WHEREAS, Bernards Township (hereinafter referred to as the “Employer”) by resolution is adopting a Deferred Compensation Plan (hereinafter referred to as the “Plan”) with a new provider for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”); and

WHEREAS the Employer desires its new Plan will conform the Code and Treasury regulations brought about by the Acts and Regulations; and

WHEREAS the Employer desires to adopt a Plan that will conform to changes in the Code and Treasury regulations resulting from the Acts and Regulations.

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts Plan 92-PD-Lincoln-121316.

BE IT FURTHER RESOLVED that Lincoln Retirement Services, LLC (hereinafter referred to as “Lincoln”) has agreed to be the provider of the new Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that Lincoln would provide for the benefit of the participants in its Alliance Program; and

BE IT FURTHER RESOLVED that the employer would discontinue its current relationship with Mission Square Retirement and would transfer all existing participant assets from Mission Square to Lincoln’s Alliance Program; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:37-7.1(a) the Employer solicited proposals for a Deferred Compensation Plan and Service Agreement from providers of deferred compensation services. The vendors responding to the request for proposals were Lincoln, Empower and Voya. The successful vendor is Lincoln. The Townships Chief Financial Officer, Chief Operating Officer, and Human Resources Officer have reviewed all of the proposals submitted and met with representatives of the responding companies. Lincoln was selected because of its competitive bid, high

level of service, program features and investment options available to plan participants, as well as recommendations from other municipal government units.

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to execute an Administrative Services Agreement with Lincoln (92-SA-Lincoln-121316) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to serve as the “Administrator” of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Chief Financial Officer; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

This resolution authorizes the adoption of a new 457 deferred compensation plan to be administered by Lincoln Retirement Services, LLC. This administrative services agreement will replace the existing plan agreement with Mission Square retirement. All existing employee 457 retirement accounts will be transferred from Mission Square to Lincoln upon adoption of the new agreement and approval by the New Jersey Division of Local Government Services. After soliciting proposals for these services, it was determined that this change in providers would be advantageous for both employees and the Township by reducing fees and expanding the services provided. There is no cost to the Township as the employer for this program.

Date: September 13, 2023

Sean McCarthy, Chief Financial Officer

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer Municipal Clerk



Resolution of the Township of Bernards

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

Resolution#2023-0409

Refund of Development Fee
Residential Development Block 4802 Lot 1.01
88 Queen Anne Dr

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 \$1,100,000.00 was required; and

WHEREAS, \$16,500.00 was paid by James P. Jr. & Suzanne Deady; 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 \$14,907.00; and

WHEREAS, a refund of \$1,593.00 is due to James P. Jr. & Suzanne Deady.

NOW, THEREFORE, BE IT RESOLVED THAT, the Township Committee of the Township of Bernards hereby authorizes the refund of \$1,593.00.

Agenda and Date Voted: 09/26/2023

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.

Date: September 19, 2023

Jennifer Martins, Administrative Assistant

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0410
Personnel Appointment

Bernadette Paik – Substitute Crossing Guard – Police Department

WHEREAS, the position of Substitute Crossing Guard is a necessary function of the Police Department; and

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

WHEREAS, Bernadette Paik has applied for and is qualified to fill said position; and

WHEREAS, the Police Chief, Township Administrator, Chief Financial Officer and Human Resources Officer recommend the appointment of Bernadette Paik to the position of Substitute Crossing Guard.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Bernadette Paik be hired as a Substitute Crossing Guard effective October 2, 2023, at an hourly rate of \$18.00. This appointment is contingent upon the successful completion of a background check and pre-employment physical per Township policy.

Agenda and Dated Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/23.

Christine V. Kieffer, Municipal Clerk

Explanatory Statement

Schedule conflicts and personal obligations in the Crossing Guards' schedules create a need to hire additional Substitute Crossing Guards to ensure coverage of all school posts. Hiring additional Crossing Guards also ensures that the Township does not have to utilize Patrol Officers to cover school posts. Bernadette Paik applied for a Substitute Crossing Guard position and is qualified to fill this position.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2023-0411 Personnel Appointment

Kathleen Rose – Substitute Crossing Guard – Police Department

WHEREAS, the position of Substitute Crossing Guard is a necessary function of the Police Department; and

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

WHEREAS, Kathleen Rose has applied for and is qualified to fill said position; and

WHEREAS, the Police Chief, Township Administrator, Chief Financial Officer and Human Resources Officer recommend the appointment of Kathleen Rose to the position of Substitute Crossing Guard.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that Kathleen Rose be hired as a Substitute Crossing Guard effective October 2, 2023, at an hourly rate of \$18.00. This appointment is contingent upon the successful completion of a background check and pre-employment physical per Township policy.

Agenda and Dated Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/23.

Christine V. Kieffer, Municipal Clerk

Explanatory Statement

Schedule conflicts and personal obligations in the Crossing Guards' schedules create a need to hire additional Substitute Crossing Guards to ensure coverage of all school posts. Hiring additional Crossing Guards also ensures that the Township does not have to utilize Patrol Officers to cover school posts. Kathleen Rose applied for a Substitute Crossing Guard position and is qualified to fill this position.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution # 2023-0412

Awarding Professional Services Contract for Stormwater Permitting and Compliance for NJPDES Wood Waste Recycling at Bernards Township Pill Hill Recycling Center to Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President of the firm T & M Associates - In the Not to Exceed Amount of \$38,610.00

WHEREAS, the Township of Bernards requires services for Stormwater Permitting and Compliance Activities at the Bernards Township Pill Hill Recycling Center; and

WHEREAS, Richard Moralle, P.E., P.L.S., C.M.E., NJ License #25863 Senior Vice President of the firm T & M Associates, 11 Tindall Road, Middletown, NJ, 07748 has submitted a proposal dated June 22, 2023 outlining such 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 #2524 line account #C-04-55-524-B01 line item appropriation or ordinance.

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

1. The contract will encompass services as outline, in the submitted proposal dated June 22, 2023.
2. The contract term is from September 26, 2023 through September 25, 2024 for stormwater permitting and compliance services not to exceed an amount of \$38,610.00.
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.

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

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

The Township received communication from the NJDEP earlier this year requiring the Township to obtain an NJPDES permit regulating stormwater discharge from the Pill Hill Recycling Center as a result of wood waste recycling activities conducted by the Township at the site. It is advantageous for the Township to continue wood waste recycling at Pill Hill to manage the volume of wood waste, lessen disposal costs, provide for beneficial reuse of mulch and for storm/emergency events.

T&M Associates was solicited to provide professional engineering and related services to the Township in connection with the requirement to obtain an NJPDES stormwater permit for the Pill Hill Recycling Center. The scope of this project will include preparation and submission of required applications to the NJDEP, development of a stormwater pollution prevention plan and preliminary drainage control plan for the site, stormwater and groundwater sampling, and stormwater compliance reporting for a one year period.

It is my recommendation to award a professional services contract to Richard Moralle, PE, NJ Lic #25863 to provide professional services necessary to obtain the required NJPDES permit for the Pill Hill Recycling Center.

Date: 08/24/2023

Ryan Wallace
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of Bernards Township, hereby certify that adequate funds are available for the above referenced purchase in the not to exceed amount of \$38,610.00. Monies are available in Capital Ordinance #2524, line account #C-04-55-524-B01.

Date: September 19, 2023



Sean McCarthy, Chief Financial Officer

PURCHASING CERTIFICATION

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



Date: September 18, 2023

Francis J. Decibus, QPA, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0413

Change Order # 1 Professional Services Contract for Professional Planning Services to David Banisch, PP, NJ Lic # 33L100556500 and Francis J. Banisch III, PP/AICP, NJ Lic # 33L100168600 of the firm Banisch Associates for Time Extension

WHEREAS, the Bernards Township Committee awarded a professional services contract on September 13, 2022 to Banisch Associates for Professional Planning Services for the period of September 1, 2022 through August 31, 2023 in the amount of \$ 10,000.00; and

WHEREAS, Bernards Township desires to extend this contract until December 31, 2023.

THEREFORE BE IT RESOLVED by the Bernards Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to David Banisch, PP, NJ Lic # 33L100556500 and Francis J. Banisch III, PP/AICP, NJ Lic # 33L100168600 of the firm Banisch Associates for a contract extension to December 31, 2023.; and

NOW THEREFORE BE IT RESOLVED; that a copy of the resolution be on file and available for public inspection in the office of the Bernards Township Purchasing Department, Municipal Building, Basking Ridge, New Jersey 07920.

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.

Francis J. Banisch III, PP/AICP, NJ Lic # 33L100168600 of the firm Banish Associates

Agenda and Date Voted: 09/26/2023

EXPLANATORY STATEMENT

Extension of will bring Banish Associates in line with all Township Committee yearly professional services appointments.

Date: 9/21/2023

Township Administrator/COO Pat Monaco

PURCHASING CERTIFICATION

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

Francis J. Decibus, QPA, Purchasing Agent

Date: September 21, 2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

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 #2023-0414

Award of Bid, for Janitorial Services Municipal Facilities to Facilities Partners & Solutions, 170 US Highway 206, Hillsborough, New Jersey 08844
In the Amount of \$43,044.00

WHEREAS, The Township received bids on Thursday, August 10, 2023 at 10:30 A.M. for Rebid Bid #2023-09 Janitorial Services Municipal Facilities;

The Bid Summary as follows:

Bidders Name	BID AMOUNT
Facilities Partners & Solutions	\$43,044.00
Cleaning Services of Hudson Valley, Inc.	\$65,307.07
Quality Facility Solutions	\$91,498.56
AAA Facility Solutions, LLC	\$138,996.00

WHEREAS, it is the combined recommendation of the Director of Public Works, Administrator and Purchasing Agent to award a contract to the low bidder, Facilities Partners & Solutions, 170 US Highway 206, Hillsborough, New Jersey 08844; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the budget; the line item appropriations to be charged is 3-01-26-310-204, 4-01-26-310-204, 5-01-26-310-204, 6-01-26-310-204. (pending Township Committee budget year approval); and

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

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

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

1. The Contractor shall commence the work not later than 10 calendar days after the owner has given the Notice to Proceed Date to the Contractor in writing.
2. This contract shall, for all-purpose be deemed a New Jersey Contract and any provision of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
3. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
4. The cost of this contract is for a not to exceed the total bid amount of \$43,044.00 as specified unless negotiated in advance of service delivery, and the Township Committee approves an amendment revising that figure.
5. Billing must be rendered within 30 days of service delivery.

6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to resolution as Exhibit A.
7. The Township may terminate this contract if the contractor does not full its obligations as set forth in the Bid Specification, upon thirty days written notice via certified mail.
8. The work contemplated under the Contract shall begin October 1, 2023 through September 30, 2024.
9. To the extent the terms of the resolution are inconsistent with the contract, the terms of the contract shall govern.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a contract and purchase order to: Facilities Partners & Solutions, 170 US Highway 206, Hillsborough, New Jersey 08844 in the amount of \$43,044.00.

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

Kathleen Waters / President & CEO

Agenda and Date Voted: 09/26/2023

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced contract for 2021 Current Fund Budget. Monies are available in: (2023) 3-01-26-310-204, (2024) 4-01-26-310-204, (2025) 5-01-26-310-204, (2026) 6-01-26-310-204. (future years are pending Township Committee budget approval.)

Date: September 19, 2023



Sean McCarthy
Chief Financial Officer

EXPLANATORY STATEMENT

It is my recommendation that a contract be awarded to Facilities Partners & Solutions in the amount of \$43,044.00. They are the lowest responsible bidder for the bid contract of Janitorial Services at the Municipal Facilities and meet all specifications.

Date: 9/15/2023

Ryan Wallace
Director of Public Works

PURCHASING CERTIFICATION

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

Date: September 18, 2023



Francis J. Decibus, QPA, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine Kieffer, Municipal Clerk



Resolution of the Township of Bernards

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

Resolution #2023-0415
Personnel Appointment
Marc Chisholm – Laborer – Department of Public Works

WHEREAS, a full time Laborer position became available due to a vacancy; and

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

WHEREAS, Marc Chisholm has applied for and is qualified to fill said position; and

WHEREAS, the Superintendent of Public Works, Township Administrator, Chief Financial Officer and Human Resources Officer recommend appointment of Marc Chisholm to full-time Laborer.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bernards, that Marc Chisholm be appointed full-time Laborer with a hire date of Wednesday, September 27, 2023 at an hourly rate of \$19.42 for a 40-hour work week. This offer of employment is contingent upon the results of pre-employment screening as per Township policy.

Agenda and Dated Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/23.

Christine V. Kieffer, Municipal Clerk

EXPLANATORY STATEMENT

A Laborer position became available due to a vacancy within the Roads division. The position was posted and advertised according to township policy. Marc Chisholm applied for the position and is qualified to fill said position.

Carol Ackerman, HR Generalist



Resolution of the Township of Bernards

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

Resolution #2023-0416
Personnel Appointment
Special Law Enforcement Officer (SLEO) III - Police Department

WHEREAS, Pursuant to N.J.S.A. 40A:14-146.10, local unit may, as it deems necessary, appoint Special Law Enforcement Officer(s) III sufficient to perform the duties and responsibilities permitted by local ordinances authorized by N.J.S.A. 40A:14-118 and within the conditions and limitations as may be established pursuant to the act; and

WHEREAS, the Township of Bernards wish to have Special Law Enforcement Officer(s) III specifically trained for the safety and security of the students, faculty, staff and visitors of the Bernards Township District Schools located in Bernards Township; and

WHEREAS, the Township of Bernards has entered into a Memorandum of Agreement, per resolution 2023-0293, with the Bernards Township Board of Education regarding the hiring of Special Law Enforcement Officer(s) III; and

WHEREAS, the Chief of Police, Township Administrator, and Human Resources Officer recommend appointment of the following individuals, who meet the hiring requirements, to the position of Special Law Enforcement Officer III on a regular, part time basis, effective October 9, 2023 at an hourly rate of \$40.00, with hours to be determined in conjunction with the Board of Education:

Alexander Sodbinow, SLEO III
David Kolesar, SLEO III

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards that the above individuals be appointed as a Special Law Enforcement Officer III for the 2023-2024 school year.

Agenda and Date Voted: 09/26/2023

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 09/26/2023.

Christine V. Kieffer, Municipal Clerk

Explanatory Statement

The SLEO III position became available per the agreement with the Board of Education. The individuals listed above are qualified to fill the SLEO III position. The Board of Education will reimburse the Township for the officer's expenses on a monthly basis.
Carol Ackerman, HR Generalist



Ordinance of the Township of Bernards

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

ORDINANCE #2535

An Ordinance to Amend the Revised General Ordinances of the Township of Bernards
Chapter 17 “Stormwater Management,” to
Add Section 7 “Privately Owned Salt Storage”

SECTION 17-7 Privately Owned Salt Storage

17-7.1 Purpose

The purpose of this ordinance is to prevent stored salt and other solid deicing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid deicing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Bernards Township, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

17-7.2 Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

DEICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

STORM DRAIN INLET

The point of entry into the storm sewer system.

PERMANENT STRUCTURE

A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of deicing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

RESIDENT

A person who resides on a residential property where deicing material is stored.

17-7.3 Deicing Material Storage Requirements:

A. Temporary outdoor storage of deicing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through.
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels.
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use.
4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;

- d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - 5. Containers must be sealed when not in use; and
 - 6. The site shall be free of all deicing materials between April 16th and October 14th.
- B. Deicing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. The property owner, or owner of the deicing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
- 1. Residents who operate businesses from their homes that utilize deicing materials are required to perform weekly inspections.

17-7.4 Exemptions

Residents may store deicing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the deicing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) deicing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 17-7.3 above. Piles of deicing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from deicing material storage activities are regulated under another NJPDES permit.

17-7.5 Enforcement

This ordinance shall be enforced by the Zoning Officer during ordinary enforcement duties.

17-7.6 Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Any person or entity found to be in violation of the provisions of this section shall be subject to a minimum penalty, which shall consist of a fine which may be fixed at any amount not to exceed \$500 per incident. Each day the violation is not abated shall be considered a separate incident.

17-7.7 Severability

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

17-7.8 Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

EXPLANATORY STATEMENT:

Adoption of this ordinance is required by the New Jersey Department of Environmental Protection.

**TOWNSHIP OF BERNARDS
PUBLIC NOTICE**

Ordinance #2535 was introduced and passed on first reading by the Township Committee of the Township of Bernards in the County of Somerset on 09/26/2023 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 10/10/2023, 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.

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