

**BERNARDS TOWNSHIP – TOWNSHIP COMMITTEE  
REORGANIZATION MEETING  
JANUARY 2, 2024 – 7:00 PM  
MUNICIPAL BUILDING - 1 COLLYER LANE, BASKING RIDGE, NJ**

**A G E N D A**

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

- 1. CALL TO ORDER** Video
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. OATH OF OFFICE – GARY BAUMANN and ANA DUARTE MCCARTHY**
- 5. ROLL CALL**
- 6. 2023 MAYORAL REPORT – ANDREW J. MCNALLY, ESQ.**
- 7. NOMINATIONS FOR 2024 MAYOR**
- 8. OATH OF OFFICE – MAYOR**
- 9. NOMINATIONS FOR 2024 DEPUTY MAYOR**
- 10. MAYOR'S ADDRESS**
- 11. MAYOR'S APPOINTEES**
  - A. *Environmental Commission***
    - 1) Nicholas J. Cuzzo, RM, filling unexpired 3 yr. term of Elizabeth Cirri, expiring 12/31/25
    - 2) Sarah Wolfson, RM, filling unexpired vacant 3 yr. term, expiring 12/31/25
    - 3) Todd Edelstein, RM, filling unexpired vacant 3 yr. term, expiring 12/31/25
    - 4) Deb Graisser, A1, 2 yr. term expiring 12/31/25
    - 5) John Coelho, A2, filling unexpired 2 yr. term of Todd Edelstein, expiring 12/31/24
    - 6) *Ana Duarte-McCarthy, TC Liaison 1 yr. term expiring 12/31/24*



**B. Local Emergency Management and Flood Mitigation Committee**

- 1) Michael Sweeney, OEM Coordinator, 3 yr. term expiring 12/31/26
- 2) Ryan Wallace, Deputy OEM Coordinator
- 3) Dennis Bettler, Construction Official
- 4) Frank D'Amore, Fire Official
- 5) Henry Werner, BOE Representative
- 6) Jon Burger, Chief
- 7) Lucy Forgione, Health Officer
- 8) Pat Monaco, Administrator
- 9) Sean McCarthy, CFO
- 10) Thomas Timko, Township Engineer
- 11) Tom Schnezler, Atlantic Mobile Health Representative
- 12) BRFAS Representative
- 13) BRFC #1 Representative, Chief
- 14) Ken White, Chief LCFC Representative
- 15) *Janice Fields, TC Voting Member*  
1 yr. terms expiring 12/31/24

**C. Police Subcommittee**

- 1) Pat Monaco, Administrator
- 2) Andrew McNally, TC Voting Member
- 3) *Janice Fields, TC Voting Member*  
1 yr. terms expiring 12/31/24

**D. Planning Board**

- 1) John Crane, RM, Class II Member, 1 yr. term expiring 12/31/24
- 2) Nicholas Couzzo, Mayor's Designee, Class I Member, 1 yr. term expiring 12/31/24
- 3) Tyler Seville, RM, Class IV Member, filling the unexpired 4 yr. term of Kathleen Piedici expiring, 12/31/25
- 4) Ed Rubino, A1, Class IV Member, 2 yr. term, expiring, 12/31/25
- 5) Julie Smith, A2, Class IV Member, filling the unexpired vacant 2 yr. term expiring 12/31/24

**E. Shade Tree Commission**

- 1) Augustine Laferrera, RM, filling unexpired 5 yr. term of Cindy Aiken, expiring 12/31/27
- 2) Madhu Anna, RM, filling unexpired 5 yr. term of Frank Goodhart, expiring 12/31/26
- 3) Randy Santoro, RM 5 yr. term expiring 12/31/28
- 4) Thomas Nicoletti, DPW Advisor, 1 yr. expiring 12/31/24
- 5) *Ana Duarte-McCarthy, TC Liaison, 1 yr. term expiring 12/31/24*

**F. Zoning Board**

- 1) Beth Pochtar, RM, 4 yr. term, expiring 12/31/27
- 2) Carl Cambria, RM, 4 yr. term, expiring 12/31/27
- 3) David Tancredi, RM, 4 yr. term, expiring 12/31/27



- 4) Jamie Herrera, A2, 2 yr. term, expiring 12/31/25
- 5) Joseph Pavlosky, RM, 4 yr. term, expiring 12/31/27

**G. Mayor's Recommendation to the Somerset County Community Development Committee**

Pat Monaco, RM, 1 yr. term expiring 12/31/24

**H. Recommendation to the Somerset County Solid Waste Advisory**

Gary Baumann., Mayor's Designee 1 yr. term expiring 12/31/24

**12. MAYOR'S APPOINTEES SUBJECT TO TOWNSHIP COMMITTEE CONFIRMATION**

**A. Board of Health**

- 1) Karen Ellis, RM, 3 yr. term expiring 12/31/26
- 2) Jennifer Asay, TC Voting Member, 3 yr. term expiring 12/31/26

**B. Library Board**

- 1) Darek Smyk, RM, 5 yr. term expiring 12/31/28
- 2) Lori Kendis, RM, 5 yr. term expiring 12/31/28
- 3) Mary Jane McNally, RM, 1 yr. term expiring 12/31/24
- 4) Vivian Pagoulatos, RM, 5 yr. term expiring 12/31/28
- 5) Janice Fields, Mayor's Designee, 1 yr. term expiring 12/31/24

**13. CONSENT AGENDA**

*The items listed within the consent agenda portion of the meeting have been referred to the Township Committee for reading and study and a copy placed on the township website. They will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the consent agenda by township committee action and placed on the regular agenda under new business.*

**A. Agricultural Advisory Committee**

- 1) Joe Sorge, RM, 3 yr. term, expiring 12/31/26
- 2) Tyson Mertz, RM, 3 yr. term, expiring 12/31/26
- 3) Geroganne Di Rienzo, A1 filling the unexpired 3 yr. vacant term, expiring 12/31/24
- 4) Alex Marcus, A2 filling the unexpired 3 yr. vacant term, expiring 12/31/25
- 5) Jon Knox, Advisor, 1 yr. term, expiring 12/31/24
- 6) Walter Lane, Somerset County Advisor, 1 yr. term expiring 12/31/24
- 7) Kate Katzer, Somerset County Advisor, 1 yr. term expiring 12/31/24
- 8) Thomas Timko, Township Engineering Advisor, 1 yr. term expiring 12/31/24
- 9) Nick Polanin, Rutgers Cooperative Extension Liaison, 1 yr. term expiring 12/31/24
- 10) Ana Duarte-McCarthy, TC liaison, 1 yr. term, expiring 12/31/24



**B. Deer Management Advisory Committee**

- 1) Lieutenant Eric Geleta, Coordinator
- 2) William L. Allen, RM
- 3) Curtis Graham, RM
- 4) Leon Harris, RM
- 5) William Nobels, RM
- 6) Robert Rich, Jr., RM
- 7) Robert Vincent, RM
- 8) *Janice Fields, TC Liaison*  
1 yr. terms expiring 12/31/24

**C. Golf Advisory Committee**

- 1) Greg Angelillo, RM
- 2) Michael Robertson, RM
- 3) James Devaney Jr., RM
- 4) Reneé Vanek, RM
- 5) Tom Grady, RM
- 6) Timothy O'Rourke, RM
- 7) Peter Tobia, RM
- 8) *Ana Duarte-McCarthy, TC Voting Member*  
1 yr. terms expiring 12/31/24

**D. Green Team**

- 1) Ryan Wallace, RM
- 2) Francis Decibus, RM
- 3) Pat Monaco, RM
- 4) Ann Marie Siclare, RM
- 5) Thomas Timko, RM
- 6) *Jennifer Asay, TC Voting Member*  
1 yr. term expiring 12/31/24

**E. Municipal Alliance Chairperson**

- 1) Phil Jasina, Municipal Alliance Chairperson – 1 year term, expiring 12/31/2024

**F. Municipal Alliance**

- 1) Michele Robertson, Citizen Representative
- 2) Tracy Baldassare, Police Department Representative
- 3) Kaitlin Cartoccio, Health Department Representative
- 4) Anderson Lee, Student Representative
- 5) Rabbi Robert Green, Clergy Representative
- 6) Ellen Houlihan, Civic Group Representative
- 7) Lily Wong, Citizen Representative
- 8) Phil Jasina, Chairperson, Police Representative Alternate
- 9) Csilla Csipak, BOE Representative
- 10) Colin Lochner, Sub Abuse Representative
- 11) Mary Jane Postal, Senior Citizen Representative



- 12) Vincent Molinari, Citizen Representative
- 13) Ana Duarte-McCarthy, TC Voting Member  
1 yr. terms expiring 12/31/24

**G. Planning Board**

*Andrew McNally, RM, Class III Member, 3 yr. term, expiring 12/31/26*

**I. Pool Commission**

- 1) Shannon Liles, RM, filling unexpired 3 yr. term of Agnes Doucette, expiring, 12/31/25
- 2) Amanda Hughes, A1, 1 yr. term expiring 12/31/24
- 3) Caitlin Annese, A2, 1 yr. term expiring 12/31/24
- 4) Gary Baumann., TC Voting Member, 1 yr. term expiring 12/31/24

**H. Recreation, Parks and Pathways**

- 1) Charles Cunion, RM
- 2) Nancy D'Andrea, RM
- 3) Victor Hatala, RM
- 4) James Milito, RM
- 5) Deborah Nungester, RM
- 6) Goutham Puppala, RM
- 7) Eric Price, RM
- 8) Susan Telesmanic, RM
- 9) Anna Scanniello, RM
- 10) Barry Fields, A1
- 11) Debbie Marcus, A2
- 12) Gary Baumann., Non-Voting TC Liaison  
1 yr. terms expiring 12/31/24

**I. Sewerage Authority**

*Gary Baumann, RM, filling the unexpired term 5 yr. term of Jennifer Asay, expiring 1/31/27*

**J. Township Committee Liaisons**

- 1) Basking Ridge Fire Co. No. 1 & First Aid Squad – Andrew McNally
- 2) Liberty Corner Fire Co. – Janice Fields
- 3) Board of Education – Gary Baumann
- 4) Friends of the Kennedy-Martin-Stelle Farmstead – Janice Fields  
1 yr. terms expiring 12/31/24

**K. Township Committee Recommendation to the Somerset County Cultural and Heritage Committee**

*Leslie Workman, 2 yr. term expiring 12/31/26*

**L. Township Committee Recommendation to the Somerset County Community Development Committee**

*Gary Baumann, 1 yr. term expiring 12/31/24*



- M. Township Committee Recommendation to the Somerset County Solid Waste Advisory**  
*Andrew McNally, 1 yr. term expiring 12/31/24*
- N. Township Representatives to Somerset County Wastewater Management Advisory Committee**  
1) David Schley  
2) Thomas Timko  
*Gary Baumann, 1 yr. terms expiring 12/31/24*
- O. Resolution #2024-0012 - Professional Services Contract for Alternate Special Counsel Joseph V. Sordillo, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. In the Not to Exceed Amount of \$10,000.00**  
*1 yr. term expiring 12/31/24*
- P. Resolution #2024-0036 - Awarding Professional Services Contract for Performing Air Monitoring at the Pill Hill Landfill to Michael Heumiller LSRP NJ License #668786 Associate, Group Manager of the firm T & M Associates, 11 Tindall Road, Middletown, NJ 07748 In the Not to Exceed Amount of \$10,750.00**  
*1 yr. term expiring 12/31/24*
- Q. Resolution #2024-0039 - Awarding Professional Services Contract for 2024 Professional Land Surveying Services to Thomas F. Miller, PLS, CFS, PP, MBA Lic. No. 24GS03626400 of the firm Stonefield Engineering and Design, LLC, 92 Park Avenue, Rutherford, NJ 07070 In the Not to Exceed Amount of \$30,000 and Escrow and Capital Construction Charges, as Required, In the Not to Exceed Amount of \$20,000.00 For a Total Not to Exceed Amount of \$50,000.00**  
*1 yr. term expiring 12/31/24*
- R. Resolution #2024-0050 - Professional Services Contract for 2024 Municipal Auditor Awarded to Man Lee of the firm Nisivoccia LLP, Municipal Auditor, in the Not to Exceed Amount of \$33,750.00**  
*1 yr. term expiring 12/31/24*
- S. Resolution #2024-0056 - Professional Services Contract for 2024, Special Counsel Tax Appeals Awarded to Martin Allen, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. in the Not to Exceed Amount of \$45,000.00**  
*1 yr. term expiring 12/31/24*
- T. Resolution #2024-0058 - Professional Services Contract for 2024, Labor Counsel Awarded to Richard Flaum, Esq., of the firm of**



***DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. in the Not to Exceed Amount of \$45,000.00 (Excluding Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)***

1 yr. term expiring 12/31/24

- U. Resolution #2024-0069 - Professional Services Contract for 2024, Municipal Attorney Awarded to John P. Belardo, Esq., of the firm, McElroy, Deutsch, Mulvaney & Carpenter, LLP., in the Not to Exceed Amount of \$150,000.00 (Excluding Other Specified Legal Services, Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)***

1 yr. term expiring 12/31/24

- V. Resolution #2024-0080 - Professional Services Contract for Special Counsel Jonathan E. Drill, Esq. of the firm Stickel, Koenig, Sullivan & Drill, in the Not to Exceed Amount of \$ 10,000.00***

1 yr. term expiring 12/31/24

- W. Resolution #2024-0103 - Awarding Professional Services Contract for 2024 Site Inspection Services to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836 In the Not to Exceed Amount of \$75,000.00***

1 yr. term expiring 12/31/24

- X. Resolution #2024-0001 - Employment Practices Personnel Officer***

Emily Kesselmeyer, 1 yr. term expiring 12/31/24

- Y. Resolution #2024-0002 - Establishing 2024 Township Committee Meeting Dates***

- Z. Resolution #2024-0003 - Municipal Housing Liaison***

Susan Long, 1 yr. term expiring 12/31/24

- AA. Resolution #2024-0004 - Certifying Officer PFRS and PERS***

Sean McCarthy

- BB. Resolution #2024-0006 – Appointment of Public Agency Compliance Officer***

Francis Decibus, 1 yr. term expiring 12/31/24

- CC. Resolution #2024-0009 - Personnel Appointment, Fire Official***

Frank D’Amore, 1 yr. term expiring 12/31/24





- DD. Resolution #2024-0010 - Personnel Appointment, Deputy Tax Collector**  
Katherine Ferratti, 1 yr. term expiring 12/31/24
- EE. Resolution #2024-0013- Waiver Payments for Eligible Employees that Opt-Out of the State of New Jersey, Division of Pensions and Benefits, State Health Benefits Plan**
- FF. Resolution #2024-0014 - Designation of Official Newspapers**
- GG. Resolution #2024-0015 – Appointment of 2024 Human Resources and Finance Subcommittee**  
1) Jennifer Asay, TC Voting Member  
2) Janice Fields, TC Voting Member  
1 yr. terms expiring 12/31/24
- HH. Resolution #2024-0016 - Emergency Management Promulgation Statement**
- II. Resolution #2024-0017 - Tax Grace Period & Interest on Delinquent Taxes**
- JJ. Resolution #2024-0018 - Policy on Tax Refunds**
- KK. Resolution #2024-0019 – Authorizing the Assessor to File Corrective Appeals and Counterclaims**
- LL. Resolution #2024-0022 - Police – Street Crossing Guards**  

Mark Dennis	Patrick Noce
Todd Edelstein	Sandra Pennino-Farnham
Justin Farnham	Kathleen Rose
Rita Franceschetti	Denise Segal
George Habina	Ann Smith
Barbara Henderson	Joyce Sobel
Robert Houlihan	Mark Solomon
Constance Ledder	
Louis Matty	

1 yr. terms expiring 12/31/2024
- MM. Resolution #2024-0023 - Police – Matrons**  
Vivian Fentress  
Kate Ferratti  
Kristina Roser  
Kelli Schmolze  
1 yr. terms expiring 12/31/24





- NN. Resolution #2024-0025 - Developer's Escrow Funds**
- OO. Resolution #2024-0026 - Approval of Bill List 01/02/2024**
- PP. Resolution #2024-0028 - Temporary Appropriations for Operating Purposes**
- QQ. Resolution #2024-0029 - Emergency Temporary Appropriations, Capital Improvement Fund**
- RR. Resolution #2024-0031 - Temporary Appropriations, Golf Utility Operating Fund**
- SS. Resolution #2024-0032 - Authorized Signatures on Township Checks**
- TT. Resolution #2024-0033 - Acceptance of Cash Management Plan**
- UU. Resolution #2024-0034 - Authorization for Payroll Cash Advance**
- VV. Resolution #2024-0035 - Authorizing Returned Funds Fee and Certified Funds for Returned Funds**
- WW. Resolution #2024-0037 - Township Special Event Coordinators**  
 Jennifer Gander – Charter Day and Field of Honor  
 Basking Ridge Fire Company Representative - Memorial Day Parade  
 Jon Burger - National Night Out  
 Janice Fields – 911 Memorial  
 Jennifer Asay – Understanding Bernards & Fabric of Bernards  
 Janice Fields – Patriotic Anniversary Committee  
 James Felter – Community Sing  
 1 yr. terms expiring 12/31/24
- XX. Resolution #2024-0038 - Township Crier**  
 Hank Barre, 1 yr. term expiring 12/31/24
- YY. Resolution #2024-0040 - Personnel Appointment**  
 Office of Emergency Management (OEM) Deputy Coordinator Ryan Wallace, 1 yr. term expiring 12/31/24
- ZZ. Resolution #2024-0041 - Personnel Appointment - Lieutenant Michael Sweeney Office of Emergency Management (OEM) Coordinator**
- AAA. Resolution #2024-0042 - Suburban Municipal JIF Fund Commissioner**  
 Sean McCarthy, Administrator, 1 yr. term expiring 12/31/24  
 Pat Monaco, A1, 1 yr. term expiring 12/31/24



- BBB. Resolution #2024-0043 - Establishing Rules and Procedures for the Conduct of Business at Township Committee Meetings**
- CCC. Resolution #2024-0044 - Renewing Authorization to New Jersey American Water Company to Provide Public Fire Protection Service to the Township of Bernards through Private Fire Hydrants for 2024**
- DDD. Resolution #2024-0046 - Establishing Protocol and Structure for the Year 2024 for Relationship between Township Administrator and Township Committee**
- EEE. Resolution #2024-0065 - Acknowledgement of Fire Police Appointments by the Basking Ridge Fire Company #1 & Liberty Corner Fire Company**  
BRFC – John Bentley, Robert Fullghar III, Richard Bloom, Robert Houlihan  
LCFC - Mike Barth, Mike Conley, Douglas Gazzale, Fred Miller  
1 yr. terms expiring 12/31/2024
- FFF. Resolution #2024-0066 - Bernards Township Personnel Policies and Procedures Updated and Adopted for 2024 (Appointed Officials and Volunteers Handbook; Employee Handbook; Vendor Contractor Handbook)**
- GGG. Resolution #2024-0078 - Giving the CFO Authority to Approve Payment of Bills Due to Township Committee Meeting Cancellation or Lack of Quorum**
- HHH. Resolution #2024-0079 - Engineering and Public Works Sub-Committee**  
1) Janice Fields, TC Voting Member  
2) Andrew McNally, TC Voting Member  
1 yr. terms expiring 12/31/24

**14. PUBLIC COMMENT**

**15. TOWNSHIP COMMITTEE/STAFF COMMENTS**

**16. NEW BUSINESS**

**17. ADJOURNMENT**

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Christine V. Kieffer, Municipal Clerk





# Resolution of the Township of Bernards

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

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## **Resolution #2024-0012**

Professional Services Contract for Alternate Special Counsel Joseph V. Sordillo, Esq.,  
of the firm DiFrancesco Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.  
In the Not to Exceed Amount of \$ 10,000.00

**WHEREAS**, pursuant to N.J.S.A. 40A:9-139, in every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year; and

**WHEREAS**, John P. Belardo of the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP, was appointed Municipal Attorney for the Township of Bernards for a one-year term from January 1, 2024 to December 31, 2024; and

**WHEREAS**, a Special Counsel may be appointed by the governing body in the event the municipal attorney is unable to represent the municipality; and

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

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

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Current Fund Budget – Legal Fees and Compensation, line account # 4-01-20-155-204.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Alternate Special Counsel Joseph V. Sordillo, Esq., Stephen O. Davis, Esq., of the firm DiFrancesco Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 51 Mountain Boulevard, Warren, NJ 07059-5686 as follows:

1. The contract term is from January 2, 2024 through December 31, 2024 at the hourly rate of \$200.00 at a not to exceed amount of \$10,000.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
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. 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 deliver.
5. 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.
6. 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.

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that notice of this contract award and a copy of the resolution be on file and available for public inspection, in the office of the Bernards Township Purchasing Department.

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

\_\_\_\_\_  
Joseph V. Sordillo, Esq., of the Firm  
DiFrancesco Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

Agenda and Date Voted: 01/02/2024

**EXPLANATORY STATEMENT**

There are occasions where we need to use alternate counsel in issues where our Municipal Attorney and/or Special Counsel Jonathan Drill has a potential conflict, lack of expertise in particular area of law, or lack of available resources to direct to a particular legal need.

Date: November 30, 2023

Pat Monaco, Township Administrator

**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 amount not to exceed \$ 10,000.00. Monies will be made available in the 2024 Current Fund Budget – Legal Fees 4-01-20-155-204.

Date: December 19, 2023



Sean McCarthy  
Chief Financial Officer

**PURCHASING CERTIFICATION**

Appointment is based upon the individual and or the firms expertise in the identified professional service and familiarity with the pending cases as required. I hereby certify that I have prepared this resolution and reviewed it for accuracy.

  
For Purchasing Agent

Date: December 1, 2023

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0036**

Awarding Professional Services Contract for Performing Air Monitoring at the Pill Hill Landfill to Michael Heumiller LSRP NJ License #668786 Associate, Group Manager of the firm T & M Associates - In the Not to Exceed Amount of \$10,750.00

**WHEREAS**, the Township of Bernards requires services for Professional Air Monitoring Services; and

**WHEREAS**, Michael Heumiller LSRP NJ License #668786 Associate, Group Manager of the firm T & M Associates, 11 Tindall Road, Middletown, NJ, 07748 has submitted a proposal dated November 7, 2023, outlining professional air monitoring services to the Township; and

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

**WHEREAS**, this contract is awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in the Solid Waste Collection O.E. account #4-01-26-305-204 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 Michael Heumiller LSRP NJ License #668786 Associate, Group Manager of the firm T & M Associates, 11 Tindall Road, Middletown, NJ, 07748, as follows:

1. The contract term is from January 1, 2024, through December 31, 2024, for professional air monitoring not to exceed an amount of \$10,750.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
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. **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.**
5. 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.
6. 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.
7. The contractor shall report directly to William Gaddish, Project Coordinator, who will be the chief contact for the Township of Bernards on this project.

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

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

Michael Heumiller LSRP NJ License #668786 Associate, Group Manger

Agenda and Date Voted:01/02/2024

**Explanatory Statement**

T&M Associates have been performing professional engineering services related to the facility from its closure requirements to design of the recycling facility and ongoing services. T&M is extremely familiar with our landfill's design, and the DEP requirements to address the DEP's concerns. It is recommended to renew the Professional Services contract for Air Monitoring at the Pill Hill Landfill to T&M Associates

Date 11/08/2023

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 \$10,750.00. Monies are available in the Solid Waste Collection O/E account: #4-01-26-305-204.

Date: December 19, 2023



Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

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



Date: December 4, 2024

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

Christine Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0039**

Awarding Professional Services Contract for 2024 Professional Land Surveying Services to Thomas F. Miller, PLS, Lic. No. 24GS03626400 of the firm Stonefield Engineering and Design, LLC - In the Not to Exceed Amount of \$30,000 and Escrow and Capital Construction Charges, as Required, In the Not to Exceed Amount of \$20,000.00  
For a Total Not to Exceed Amount of \$50,000.00

**WHEREAS**, the Township of Bernards requires services for Professional Land Surveying Services; and

**WHEREAS**, Thomas F. Miller, PLS, Lic. No. 24GS03626400 of the firm Stonefield Engineering and Design, LLC, 92 Park Avenue, Rutherford, NJ 07070 has submitted a proposal dated October 26, 2023, outlining Professional Land Surveying Services to the Township; and

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

**WHEREAS**, this contract is awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in accounts: Engineering Fees & Compensation line account #4-01-20-165-204 and Inspection Fee Escrow line accounts #T-13-56-051-IFP or #T-13-56-050-IFO 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 Thomas F. Miller, PLS, Lic. No. 24GS03626400 of the firm Stonefield Engineering and Design, LLC, 92 Park Avenue, Rutherford, NJ, 07070, as follows:

1. The contract will encompass services as outlined in the submitted proposal dated October 26, 2023.
2. The contract term is from January 1, 2024, through December 31, 2024 for professional surveying services at the provided rate schedule with a not to exceed amount of \$30,000 and escrow and capital construction charges as required in the amount of \$20,000 for a total not to exceed of \$50,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.



8. The contractor shall report directly to Katelyn E. Dmitruck, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

**NOW THEREFORE BE IT 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 notice of this contract award be published in the official Township newspaper and 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.

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Thomas F. Miller, PLS, Lic. No. 24GS03626400 of the firm  
Stonefield Engineering and Design, LLC

Agenda and Date Voted: 01/02/2024

**Explanatory Statement**

It is recommended that Thomas F. Miller, PLS of the firm Stonefield Engineering and Design, LLC be retained on a consulting basis for professional land surveying services. All expenditures are paid for by the Fees/Compensation account excluding escrow accounts for plan review and capital accounts for construction projects.

Date: October 31, 2023

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

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount of \$30,000 in line account: Engineering Fees/Compensation #4-01-20-165-204 and \$20,000 in escrow accounts #T-13-56-051-IFP or #T-13-56-050-IFO for plan review and construction surveying. The total not to exceed amount for all accounts combined is \$50,000.

Date: December 19, 2023



Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

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



Date: December 5, 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 01/02/2024.

Christine Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0050**

Professional Services Contract for 2024 Municipal Auditor  
Awarded to Man C. Lee of the firm Nisivoccia LLP, Municipal Auditor  
In the Not to Exceed Amount of \$33,750.00

**WHEREAS**, the Township of Bernards requires services for Municipal Auditor 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**, Man C. Lee of the firm Nisivoccia LLP, has submitted a proposal dated November 3, 2023 outlining 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 was awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Budget line account: Pool OE, 4-01-28-376-204 (\$656.00), Golf Utility OE, 4-26-28-799-204 (\$1,550.00), Construction OE, 4-01-22-195-204 (\$988.00), Library OE, 4-01-29-390-404 (\$3,096.00), Annual Audit, 4-01-20-135-204 (\$27,460.00).

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Man C. Lee of the firm Nisivoccia LLP as follows:

1. The contract will encompass services as outlined in the submitted proposal dated November 3, 2023.
2. The contract term is from January 1, 2024 through December 31, 2024 at a not to exceed amount of \$ 33,750.00.
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 Sean McCarthy, Chief Financial Officer 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 this Resolution and by signing this document, I am committed to follow all terms of this award.

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Man C. Lee, CPA, RMA, Partner

Agenda and Date Voted: 01/02/2024

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$ 33,750.00. Monies are requested in the 2024 Budget in: Pool OE, 4-01-28-376-204 (\$ 656.00), Golf Utility OE, 4-26-28-799-204 (\$1,550.00), Construction OE, 4-01-22-195-204 (\$ 988.00), Library OE, 4-01-29-390-404 (\$3,096.00), Annual Audit, 4-01-20-135-204 (\$ 27,460.00).



Sean McCarthy, Chief Financial Officer

Date: November 10, 2023

**PURCHASING CERTIFICATION**

Appointment is based upon the individual and or the firms expertise in the identified professional service. I hereby certify that I have prepared this resolution and reviewed it for accuracy.



Francis J. Decibus, QPA, RPPO  
Purchasing Agent

Date: December 4, 2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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Christine Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0056**

Professional Services Contract for 2024 Special Counsel Tax Appeals

Awarded to Martin Allen, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. - In the Not to Exceed Amount of \$45,000.00

**WHEREAS**, the Township of Bernards requires services for Special Counsel Tax Appeals; and

**WHEREAS**, Martin Allen, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has submitted a proposal dated October 28, 2023, outlining services to the Township; and

**WHEREAS**, this contract is awarded under a “fair and open process” as defined in N.J.S.A. 19:44A-20-4 et seq.; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Budget in Legal Other Expenses line account #4-01-20-155-20C.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Martin Allen, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated October 28, 2023.
2. The contract term is from January 1, 2024 through December 31, 2024 at the hourly rate of \$180.00 at a not to exceed amount of \$ 45,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service deliver.
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 Dave Centrelli, Tax Assessor who will be the chief contact for the Township of Bernards on this project.

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official township newspaper, and a copy of the resolution placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

We agree to the terms as stated in the Resolution and by signing this document, we are committed to following all terms of this award.

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Martin Allen, Esq., of the Firm  
DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

Agenda and Date Voted: 01/02/2024

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$45,000.00. Monies are available in the 2024 Budget in: Legal Other Expenses #4-01-20-155-20C.

Date: December 19, 2023



Sean McCarthy  
Chief Financial Officer

**PURCHASING CERTIFICATION**

Appointment is based upon the individual and or the firm's expertise in the identified professional service and familiarity with the pending cases as required. I hereby certify that I have prepared this resolution and reviewed it for accuracy

Date: December 4, 2023



Francis J. Decibus, QPA, RPPO  
Purchasing Agent

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0058**

Professional Services Contract for 2024 - Labor Counsel

Awarded to Richard Flaum, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum P.C.

In the Not to Exceed Amount of \$45,000.00

(Excluding Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)

**WHEREAS**, the Township of Bernards requires services for Labor Counsel; and

**WHEREAS**, Richard Flaum, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has submitted a proposal dated October 17, 2023 outlining services to the Township; and

**WHEREAS**, this contract is awarded under a “fair and open process” as defined in N.J.S.A. 19:44A-20-4 et seq.; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Budget in Legal, Other Expenses line account # 4-01-20-155-20B.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Richard Flaum Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated October 17, 2023.
2. The contract term is from January 1, 2024 through December 31, 2024 at the hourly rate of \$210.00 at a not to exceed amount of \$45,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.
5. No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service deliver.
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 Emily Kesselmeyer, Human Resources Manager who will be the chief contact for the Township of Bernards on this project.

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

We agree to the terms as stated in the Resolution and by signing this document, we are committed to following all terms of this award.

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Richard Flaum, Esq.

Agenda and Date Voted: 01/02/2024

**CHIEF FINANCIAL OFFICER CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$45,000.00. Monies are available in the 2024 Budget in: Legal Other Expenses 4-01-20-155-20B.

Date: December 19, 2023



Sean McCarthy  
Chief Financial Officer

**PURCHASING CERTIFICATION**

Appointment is based upon the individual and or the firms expertise in the identified professional service and familiarity with the pending cases as required. I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Date: December 4, 2023

  
*For Purchasing Agent*

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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Christine V. Kieffer, Municipal Clerk





# Resolution of the Township of Bernards

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

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## **Resolution #2024-0069**

Professional Services Contract for 2024 - Municipal Attorney

Awarded to John P. Belardo, Esq., of the firm, McElroy, Deutsch, Mulvaney & Carpenter, LLP.

In the Not to Exceed Amount of \$150,000.00

(Excluding Other Specified Legal Services, Matters of Litigation and Unanticipated Reimbursable Disbursements as Required)

**WHEREAS**, the Township of Bernards requires services for Township Attorney; and

**WHEREAS**, this contract is awarded under a “fair and open process” as defined in N.J.S.A. 19:44A-20-4 et seq.; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Current Fund Budget – Legal Fees and Compensation, line account # 4-01-20-155-204.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to John P. Belardo Esq., of the firm, McElroy, Deutsch, Mulvaney & Carpenter, LLP., as follows:

1. The contract will encompass services as outlined in the submitted proposal dated October 17, 2023.
2. The contract term is from January 1, 2024 through December 31, 2024 at the hourly rate of \$215.00 in the not to exceed amount of \$150,000.00, (excluding other specified legal services, matters of litigation and unanticipated reimbursable disbursements as required).
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 Pat Monaco, Township Administrator, who will be the chief contact for the Township of Bernards on this project.

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official township newspaper, and a copy of the resolution 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.

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John P. Belardo, Esq.

Agenda and Date Voted: 01/02/2024

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed \$150,000.00. Monies will be made available in the 2024 Current Fund Budget – Legal Fees and Compensation 4-01-20-155-204.

Date: December 19, 2023

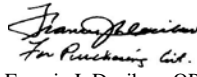


Sean McCarthy  
Chief Financial Officer

**PURCHASING CERTIFICATION**

Appointment is based upon the individual and or the firms expertise in the identified professional service and familiarity with the pending cases as required. I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Date: December 1, 2023



Francis J. Decibus, QPA, RPPO  
Purchasing Agent

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

---

Christine V. Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0080**

Professional Services Contract for Special Counsel Jonathan E. Drill, Esq.,  
of the firm Stickel, Koenig, Sullivan & Drill, LLC  
In the Not to Exceed Amount of \$ 10,000.00

**WHEREAS**, pursuant to N.J.S.A. 40a:9-139, in every municipality the governing body, by ordinance, shall provide for the appointment of a municipal attorney who may be designated as the corporation counsel or municipal attorney and unless otherwise provided by law the term of office of the municipal attorney shall be 1 year; and

**WHEREAS**, John P. Belardo of the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP, was appointed Municipal Attorney for the Township of Bernards for a one-year term from January 1, 2024 to December 31, 2024; and

**WHEREAS**, a Special Counsel may be appointed by the governing body in the event the municipal attorney is unable to represent the municipality; and

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

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

**WHEREAS**, the Chief Financial Officer has certified that funds will be made available in the 2024 Current Fund Budget – Legal Fees and Compensation, line account # 4-01-20-155-204.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that a professional service contract be awarded to Jonathan E. Drill, Esq. of the firm Stickel, Koenig, Sullivan & Drill, LLC., as follows:

1. The contract term is from January 1, 2024 through December 31, 2024 at the hourly rate of \$210.00 at a not to exceed amount of \$10,000.00.
2. Billings must be rendered by the contractor within 30 days of service delivery.
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. 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 deliver.
5. 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.
6. 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.

**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 following all terms of this award.

---

Jonathan E. Drill, Esq.

Agenda and Date Voted: 01/02/2024

**EXPLANATORY STATEMENT:**

There are occasions where we need to use alternate counsel in issues where our Municipal Attorney has a potential conflict or recuses himself.

Date: December 1, 2023

Pat Monaco, Township Administrator

**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 amount not to exceed \$ 10,000.00. Monies will be made available in the 2024 Current Fund Budget – Legal Fees 4-01-20-155-204.

Date: December 19, 2023



Sean McCarthy  
Chief Financial Officer

**PURCHASING CERTIFICATION:**

Appointment is based upon the individual and or the firms expertise in the identified professional service and familiarity with the pending cases as required. I hereby certify that I have prepared this resolution and reviewed it for accuracy.



Francis J. Decibus, QPA  
Purchasing Agent

Date: December 1, 2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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Christine V. Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0103**

Awarding Professional Services Contract for 2024 Site Inspection Services  
to Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm  
Suburban Consulting Engineers, Inc.,  
96 U.S. Highway 206, Suite 101, Flanders, NJ 07836  
In the Not to Exceed Amount of \$75,000.00

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

**WHEREAS**, Andrew S. Holt, P.E., P.P, C.M.E., NJ Lic. #24GE03855400 of the firm Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, NJ 07836, has submitted a proposal dated October 30, 2023, outlining Professional Site Inspection Services to the Township; and

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

**WHEREAS**, this contract is awarded without public advertisement as defined in N.J.S.A. 19:44A-20-7 and pursuant to the provisions of N.J.S.A. 19:44A-20-4; and

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

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

1. The contract will encompass services as outlined in the submitted proposal dated October 30, 2023.
2. The contract term is from January 1, 2024, through December 31, 2024, for Professional Site Inspection Services not to exceed an amount of \$75,000.00.
3. Billings must be rendered by the contractor within 30 days of service delivery.
4. **Any modification to this contract shall be in writing and signed by both parties and upon obtaining said signatures shall immediately become part of the contract.**
5. **No payments in excess of the “not to exceed” contract amounts will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.**
6. As required by law, the parties to this contract agree to incorporate into this contract the mandatory affirmative action language promulgated by the Treasurer pursuant to P.L. 1975, c.127, which is attached to this resolution as Exhibit A.
7. This contract shall, for all purposes, be deemed a NJ Contract and any provisions of this contract shall be governed and interpreted with the Laws of the State of New Jersey.
8. The contractor shall report directly to Katelyn E. Dmitruck, P.E., Assistant Township Engineer, who will be the chief contact for the Township of Bernards on this project.

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the Township Committee of the Township of Bernards that notice of this contract award be published in the official Township newspaper and be placed on file and available for public inspection in the office of the Bernards Township Purchasing Agent.

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

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

Agenda and Date Voted: 01/02/2024

**Explanatory Statement**

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

Date: October 31, 2023

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

**CFO CERTIFICATION**

I, Sean McCarthy, Chief Financial Officer of the Township of Bernards, hereby certify that adequate funds are available for the above referenced purchase in the amount not to exceed \$75,000.00. Monies are collected from the developers and held in escrow accounts; Trust, Inspection Fees: T-13-56-051 IFP and T-13-56-050-IFO.

Date: December 19, 2023



Sean McCarthy, Chief Financial Officer

**PURCHASING CERTIFICATION**

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



Date: December 1, 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 01/02/2024.

\_\_\_\_\_  
Christine Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0001**

Employment Practices Personnel Officer  
Emily Kesselmeyer

**WHEREAS**, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

**WHEREAS**, pursuant to the Suburban Municipal Joint Insurance Fund's 2024 Municipal Excess Liability Employment Practices Liability Program, Check List, each member shall appoint an Employment Practices Personnel Officer.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do hereby appoint Emily Kesselmeyer, Human Resources Officer, as the Bernards Township 2024 Employment Practices Personnel Officer.

Agenda Date and Vote: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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





# Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920  
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## **Resolution #2024-0002**

### **Establishing 2024 Township Committee Meeting Dates**

**BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the 2024 meeting dates are scheduled as follows:

Meetings - 2<sup>nd</sup> and 4<sup>th</sup> Tuesday after the 1<sup>st</sup> Monday unless otherwise noted.  
Starting Time 8:00 PM unless otherwise noted; Preceded by Executive Session at 7:30 PM if Required  
1 Collyer Lane, Basking Ridge, NJ 07920 - Warren Craft Meeting Room

<b>Date</b>	<b>Type Meeting</b>
01/09/24	Combined Agenda/Regular
01/23/24	Combined Agenda/Regular
02/13/24	Combined Agenda/Regular
02/27/24	Combined Agenda/Regular
03/12/24	Combined Agenda/Regular
03/26/24	Combined Agenda/Regular
04/09/24	Combined Agenda/Regular
04/23/24	Combined Agenda/Regular
05/14/24	Combined Agenda/Regular
05/28/24	Combined Agenda/Regular
06/11/24	Combined Agenda/Regular
06/25/24	Combined Agenda/Regular
07/09/24	Combined Agenda/Regular
07/23/24	Combined Agenda/Regular
08/13/24	Combined Agenda/Regular
08/27/24	Combined Agenda/Regular
09/10/24	Combined Agenda/Regular
09/24/24	Combined Agenda/Regular
10/15/24	Combined Agenda/Regular
10/29/24	Combined Agenda/Regular
11/12/24	Combined Agenda/Regular
11/26/24	Combined Agenda/Regular
12/10/24	Combined Agenda/Regular
12/23/24 *Monday	Combined Agenda/Regular
01/02/25 *Thursday	Reorganization (*Special 7 PM Start)

### **Executive Sessions**

Executive Sessions may precede each meeting. Executive Sessions will commence 30 minutes prior to the scheduled meeting time. Although each Executive Session will commence as an open public meeting, Executive Sessions will be used by the Township Committee solely for consideration of matters which will be discussed pursuant to N.J.S.A. 10:4-12B whereby the public is excluded. If Executive Session matters are not concluded in the 30 minutes prior to the scheduled meeting time, those discussions will resume after the open portion of the meeting concludes.

*Notice of any revisions to the above schedule will be posted at the Municipal Clerk's Office, the township website [www.bernards.org](http://www.bernards.org), e-mailed to the newspaper, and mailed to those who have so requested and paid the required fee.*

**BE IT FURTHER RESOLVED** that the meeting key contained on page 3 of this resolution, and deadline date calendar, on page 4 is hereby adopted and made effective for 2024.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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

## 2024 MEETING KEY

Agricultural Advisory Committee	3 <sup>rd</sup> Thursday after 1 <sup>st</sup> Monday, Quarterly
Board of Adjustment	1 <sup>st</sup> Wednesday after 1 <sup>st</sup> Monday, Monthly; special meetings 2 <sup>nd</sup> Thursday after the 1 <sup>st</sup> Monday in January through June and September through November
Board of Health	2 <sup>nd</sup> Thursday after 1 <sup>st</sup> Monday, (no meetings in July, August and November) and the 1 <sup>st</sup> Thursday of December
Deer Management	1 <sup>st</sup> Thursday after 1 <sup>st</sup> Monday, Monthly
DPW & Engineering Sub Committee	Call of the Chairperson
Environmental Commission	4 <sup>th</sup> Monday, Monthly
Golf Advisory Committee	3 <sup>rd</sup> Monday, Minimum of Quarterly, or at the call of the Chair
Human Resources & Finance Subcommittee	Call of the Chair
LEPC & Flood Mitigation Committee	3 <sup>rd</sup> Wednesday after 1 <sup>st</sup> Monday, 3 Times per Year in January, May and September (Daytime Meetings)
Library Board	4 <sup>th</sup> Wednesday after 1 <sup>st</sup> Monday, Monthly
Municipal Alliance/Youth Service	1 <sup>st</sup> Tuesday after 1 <sup>st</sup> Monday, Monthly except July & August (Prior to Planning Board) 6-7:30 PM
Parks, Pathways & Recreation	1 <sup>st</sup> Monday, Minimum of Quarterly, or at the call of the Chair
Planning Board	1 <sup>st</sup> and 3 <sup>rd</sup> Tuesdays after the 1 <sup>st</sup> Monday
Pool Commission	4 <sup>th</sup> Monday, Minimum of Quarterly, or at the call of the Chair
Police Subcommittee	Call of the Chairperson
Sewerage Authority	2 <sup>nd</sup> Tuesday after 1 <sup>st</sup> Monday (Prior to TC Meetings)
Shade Tree Commission	2 <sup>nd</sup> Wednesday after 1 <sup>st</sup> Monday, Monthly
Township Committee	2 <sup>nd</sup> & 4 <sup>th</sup> Tuesdays after 1 <sup>st</sup> Monday, Monthly

*Unless otherwise posted, all meeting dates are scheduled as above unless otherwise noted on the township calendar. Notice of any revisions to the above schedule will be posted on the bulletin board in townhall and the township website [www.bernards.org](http://www.bernards.org).*

Revised 01/02/2024

<b>Township Committee Meeting Date</b>	<b><u>Type:</u> <u>Township Committee Meeting</u></b>	<b>CLERK'S Deadline for Agenda Items (by noon)</b>	<b>FINANCE'S Deadline for Accounts Payable (by noon)</b>	<b>PURCHASING'S Deadline for Resolution Items (by noon)</b>
01/03/24 *Tuesday	Reorganization	N/A	N/A	12/06/23
01/09/24	Combined Agenda/Regular	01/03/24	01/05/24	12/27/23
01/23/24	Combined Agenda/Regular	01/17/24	01/19/24	01/11/24
02/13/24	Combined Agenda/Regular	02/07/24	02/09/24	02/05/24
02/27/24	Combined Agenda/Regular	02/21/24	02/23/24	02/22/24
03/12/24	Combined Agenda/Regular	03/06/24	03/08/24	03/04/24
03/26/24	Combined Agenda/Regular	03/20/24	03/22/24	03/18/24
04/09/24	Combined Agenda/Regular	04/03/24	04/05/24	04/01/24
04/23/24	Combined Agenda/Regular	04/17/24	04/19/24	04/15/24
05/14/24	Combined Agenda/Regular	05/08/24	05/10/24	05/06/24
05/28/24	Combined Agenda/Regular	05/22/24	05/23/24	05/20/24
06/11/24	Combined Agenda/Regular	06/05/24	06/07/24	06/03/24
06/25/24	Combined Agenda/Regular	06/19/24	06/21/24	06/17/24
07/09/24	Combined Agenda/Regular	07/03/24	07/05/24	07/01/24
07/23/24	Combined Agenda/Regular	07/17/24	07/19/24	07/15/24
08/13/24	Combined Agenda/Regular	08/07/24	08/09/24	08/05/24
08/27/24	Combined Agenda/Regular	08/21/24	08/23/24	08/19/24
09/10/24	Combined Agenda/Regular	09/04/24	09/06/24	08/29/24
09/24/24	Combined Agenda/Regular	09/18/24	09/20/24	09/16/24
10/15/24	Combined Agenda/Regular	10/09/24	10/10/24	10/07/24
10/29/24	Combined Agenda/Regular	10/23/24	10/25/24	10/21/24
11/12/24	Combined Agenda/Regular	11/06/24	11/08/24	11/04/24
11/26/24	Combined Agenda/Regular	11/20/24	11/22/24	11/14/24
12/10/24	Combined Agenda/Regular	12/04/24	12/06/24	12/02/24
12/23/24 *Monday	Combined Agenda/Regular	12/17/24*	12/19/24	12/16/24
01/02/25 *Thursday	Reorganization	N/A	N/A	12/16/24



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**Resolution #2024-0003**  
Municipal Housing Liaison  
Susan Long

**WHEREAS**, pursuant to the Revised General Ordinances of the Township of Bernards, Chapter XXI, Section 76.4, the Township Committee shall appoint each year a township official as the Municipal Housing Liaison; and

**WHEREAS**, the responsibilities of the municipal housing liaison shall be (1) primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households; (2) monitoring the status of all restricted units in the Township of Bernards Fair Share Plan; (3) compiling, verifying and submitting annual reports as required by COAH; (4) coordinating meetings with affordable housing providers and Administrative Agents, as applicable; (5) attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH; and

**WHEREAS**, said appointment does not guarantee employment or salary for the term of the appointment.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby appoint Susan Long as the 2024 Municipal Housing Liaison.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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**Resolution #2024-0004**  
Certifying Officer PFRS and PERS  
Sean McCarthy

**WHEREAS**, pursuant to N.J.A.C. 17:2-1.5 and N.J.A.C. 17:4-1.5, the governing body of a municipality must appoint by resolution a certifying officer to certify the accuracy and validity of all documents and forms sent to the New Jersey Division of Pensions and Benefits; and

**WHEREAS**, said appointment does not guarantee employment or salary for the term of the appointment.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that Sean McCarthy is hereby appointed Certifying Officer for PFRS and PERS.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0006**

Appointment of Public Agency Compliance Officer  
Francis Decibus

**WHEREAS**, pursuant to N.J.A.C. 17:27-3.5 the Township Committee shall appoint a public agency compliance officer; and

**WHEREAS**, said appointment does not guarantee employment or salary for the term of the appointment.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that Francis Decibus be appointed Public Agency Compliance Officer for a one-year term expiring 12/31/2024.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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





# Resolution of the Township of Bernards

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## **Resolution #2024-0009**

### **Personnel Appointment**

**Frank D'Amore – Fire Official - Engineering**

**WHEREAS**, Frank D'Amore is serving in the statutory position of Fire Official for a term to expire December 31, 2023; and

**WHEREAS**, said appointment does not guarantee employment or salary for the term of the appointment; and

**WHEREAS**, Frank D'Amore has retained his Fire Official/Fire Inspector certifications required by N.J.A.C. 5:71.; and

**WHEREAS**, the Township Engineer, Township Administrator, and Human Resources Officer recommend reappointment of Frank D'Amore to the position of Fire Official.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that Frank D'Amore be reappointed for a one-year term to expire December 31, 2024.

Agenda and Dated Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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**Resolution #2024-0010**  
Personnel Appointment  
Deputy Tax Collector – Katherine Ferratti

**WHEREAS**, pursuant to §2-6.4.1 of the Revised General Ordinances of the Township of Bernards, there shall be a Department of Finance within the Township, and within that department there shall be a Deputy Tax Collector; and

**WHEREAS**, Katherine Ferratti is currently serving in the statutory position of Deputy Tax Collector; and

**WHEREAS**, said appointment does not guarantee employment or salary for the term of the appointment.

**WHEREAS**, the Tax Collector, Township Administrator, and Human Resources Officer recommend appointment of Katherine Ferratti to the position of full time Deputy Tax Collector.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that Katherine Ferratti be appointed for a one-year term in the position of Deputy Tax Collector to expire December 31, 2024.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

\_\_\_\_\_  
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 #2024-0013

Waiver Payments for Eligible Employees that Opt-Out of the  
State of New Jersey, Division of Pensions and Benefits, State Health Benefits Plan

**WHEREAS**, Bernards Township participates in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.); and

**WHEREAS**, Bernards Township has elected to participate in the State Health Benefits Program (SHBP) as adopted by Resolution #050459, voted on 11/29/05; and

**WHEREAS**, the State Health Benefits Program, in accordance with Chapter 92, P.L. 2007 and Chapter 2, P.L. 2010 allows the Township to make waiver payments to eligible employees that opt-out of the State Health Benefits Program; and

**WHEREAS**, the Township Administrator and the Manager of Human Resources recommend the following waiver payments for Eligible Employees that provide proof of medical coverage that is not provided by the SHBP:

Single	\$1,000.00
Member/Spouse	\$2,400.00
Parent/Child	\$2,400.00
Family	\$3,600.00

These payments will be spread over 24 pays and disbursed through the regular payroll process.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that the Township will offer to eligible employees the waiver payments for opting out of the State Health Benefit Program.

Agenda and Date Voted: 01/02/2024

### EXPLANATORY STATEMENT

The Township has offered opt-out payments in lieu of health benefit coverage for over 20 years resulting in substantial savings for the Township. The Township's Auditor has recommended that we memorialize the waiver payment amounts on an annual basis. The Township adopted the State Health Benefit Plan in 2005. Chapter 92, P.L. 2007 and Chapter 2, P.L. 2010 allows the Township to make waiver payments that are lower than the statutory maximum. Payments of waivers filed before May 21, 2010 cannot exceed 50% of the amount saved by the Township as a result of the opt-out. Payments of waivers filed on or after May 21, 2010 cannot exceed the lesser of 25% of the amount saved by the Township, or \$5,000. Our established waiver payments do not exceed these statutory maximums.

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 01/02/2024.

Christine V. Kieffer, Municipal Clerk



# Resolution of the Township of Bernards

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## **Resolution #2024-0014** Designation of Official Township Newspapers

**WHEREAS**, pursuant to N.J.S.A. 40:53-1 the governing body of every municipality may designate an official newspaper or newspapers for the publication of all advertisements and notices required by law to be published by the municipality; and

**WHEREAS**, the Township Committee of the Township of Bernards finds and declares that the Bernardsville News of Whippany and the Courier News of Bridgewater are among the newspapers that have the greatest likelihood of reaching the residents of Bernards Township.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the Bernardsville News of Whippany and the Courier News of Bridgewater are designated as the official newspapers for 2024; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards, that the Daily Record of Morristown and the Star Ledger of Newark are designated as newspapers which may be given notice by the clerk when the publication schedule of the Bernardsville News or Courier News does not enable it to publish advance notice of special, rescheduled, or emergency meetings.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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## **Resolution #2024-0015**

### **Appointment of 2024 Human Resources and Finance Sub-Committee**

**WHEREAS**, the Township Committee deems it necessary to review and amend current Township policies, procedures and practices relating to human resources issues as well as the financial matters of the Township; and

**WHEREAS**, the Township Committee created the Human Resources and Finance Sub-Committee to review and make recommendations regarding Township Human Resources and Finance policies, procedures and practices; and

**WHEREAS**, said works with the Human Resources Officer, Chief Financial Officer and Township Administrator in their review of policies, procedures, practices, and issues as deemed necessary.

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

1. The Human Resources and Finance Sub-Committee shall include the following members:
  - Two Members of the Township Committee
  - Township Administrator
  - Human Resources Officer
  - Chief Financial Officer
2. The Human Resources and Finance Sub-Committee shall bring all recommendations to the Township Committee for review and approval as deemed appropriate.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards, that Janice Fields and Jennifer Asay be and are hereby appointed as the Township Committee representatives to the 2024 Human Resources and Finance Sub-Committee.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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## **Resolution #2024-0016**

### Emergency Management Promulgation Statement

**WHEREAS**, the Emergency Management Operations Basic Plan has been developed to maximize the resources and personnel available during times of emergencies. When the decision is made to activate the Emergency Operations Center as a result of a severe emergency, all resources and personnel will come under the direct control of the Emergency Management Coordinator; and

**WHEREAS**, Emergency Operation Center personnel will coordinate all emergency equipment and personnel, both from within the township and any external units required as a result of Mutual Aid agreements. The emergency forces will continue to operate under the control of the Emergency Management Coordinator until such time the emergency has been declared over; and

**WHEREAS**, cooperation between all responding units will be required to obtain the highest level of service possible, and at the same time minimizing the threat of danger to property and life once the emergency has occurred. Additionally, the Township Office of Emergency management will continue to be active during normal times to reduce the threat from technological hazards; and

**WHEREAS**, the Emergency Management Operations Basic Plan will be reviewed at least once each year. Call out rosters will be updated as changes occur in the field and are reported to the Emergency Operation Center.

**NOW THEREFORE BE IT RESOLVED**, the Township Committee of the Township of Bernards approves this Emergency Management Operations Basic Plan and hereby promulgates it as the authoritative document for emergency operations in this municipality.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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## **Resolution #2024-0017**

### **Tax Grace Period & Interest on Delinquent Taxes**

**WHEREAS**, N.J.S.A. 54:4-66 provides that taxes shall be payable in quarterly installments due on February 1st, May 1st, August 1st, and November 1st, after which dates, if unpaid, shall become delinquent; and that a period of ten calendar days grace for the payment of taxes following said date be fixed and established; and

**WHEREAS**, if the tenth calendar day of the month on which the installment becomes payable falls on a weekend, the next business day will be deemed the last day to make payment without interest; and

**WHEREAS**, the tax collector, their office or the Township of Bernards cannot take responsibility on the method(s) or timing of the delivery of payments to the office of the Tax Collector. The tax collector shall follow all guidelines and statutes in the collection and delivery of said payments to the banking institution delegated by the Township within the specified time frame as stated in NJSA 40A:5-15.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards that if payment is not made by the tenth calendar day of the month on which the installment becomes payable, an interest charge of 8% per annum will be assessed on the first \$1,500 of the delinquency and 18% per annum on any amount in excess of \$1,500 to be calculated from the date the tax was payable until the date of actual payment; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that a taxpayer who has a delinquency in excess of \$10,000, who fails to pay that delinquency prior to the end of a calendar year will be charged a penalty of 6% of the amount of the delinquency plus interest calculated to December 31st.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted  
by the Bernards Township Committee on 01/02/2024

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



# Resolution of the Township of Bernards

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## **Resolution #2024-0018** Policy on Tax Refunds

**WHEREAS**, upon receipt of their property tax assessment notice required under N.J.S.A. 54:4-38.1, taxpayers have the responsibility to review their assessment records and assure their accuracy; and

**WHEREAS**, there are administrative remedies available to taxpayers for tax relief under Title 54:3-21, which provides for the filing of an appeal on or before April 1 of each year and May 1 of each year for districts having state approved reassessments or revaluations, or on or before such date as legislatively enacted, or 45 days from the bulk mailing of assessed values, pursuant to Chapter 75; and

**WHEREAS**, taxpayers are to pursue all channels available to them by statute, including such review of records, assessor corrections of data, and the filing of an appeal to the County Tax Board or to the State of New Jersey on or before April 1 of each year, or on or before May 1 of each year when there is a state approved reassessment, or on or before such date as legislatively enacted; and

**WHEREAS**, Statutes further provide for a Correction of Error Application to be filed with the State of New Jersey should a clerical error be identified following the appeal deadline; and

**WHEREAS**, based on the broad and extensive administrative remedies provided through the Statutes, including notification of values 45 days prior to an appeal, there is no need for additional consideration for a tax refund request outside the authorities of said administrative remedies.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Township of Bernards, County of Somerset and State of New Jersey, that the governing body and staff will hereby and heretofore adhere to administrative remedies for tax appeals within the authorities and guidelines of the State of New Jersey statutes.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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





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## **Resolution #2024-0019**

Authorizing the Assessor to File Corrective Appeals and Counter Claims

**WHEREAS**, the Township Committee of the Township of Bernards, Somerset County, New Jersey, has been informed by the Tax Assessor of the Township of Bernards that from time-to-time errors are made in computing tax assessments; and

**WHEREAS**, the Tax Assessor of the Township of Bernards has requested the Township Committee to authorize him to request the Township Special Tax Counsel to file corrective appeals of such errors with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey; and

**WHEREAS**, the Tax Assessor of the Township of Bernards has requested the Township Committee to authorize Special Tax Counsel to file, in cases of increases, decreases, or counterclaims as he deems necessary, with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey; and

**WHEREAS**, the Tax Assessor of the Township of Bernards is called upon to defend tax appeals filed with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey and to agree to stipulations of appeals.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee that the Tax Assessor of the Township of Bernards is hereby authorized to request Special Tax Counsel to file corrective appeals with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey in defense of appeals filed with said Board and Court and for the Tax Assessor and Special Counsel to sign stipulations of settlement on behalf of the Township of Bernards which the Assessor feels are proper and in the best interest of the municipality; and

**BE IT FURTHER RESOLVED** by the Township Committee that the Tax Assessor of the Township of Bernards be and is hereby authorized to file counter claims through the Special Tax Counsel in cases of increase with the Somerset County Board of Taxation and the Tax Court of the State of New Jersey, as he deems necessary.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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**Resolution #2024-0022**  
Personnel Appointment  
Crossing Guards - Police Department

**WHEREAS**, Pursuant to N.J.S.A. 40A:9-154.1, the governing body of any municipality may appoint adult school crossing guards for terms not exceeding one year; and

**WHEREAS**, the Chief of Police, Township Administrator, and Human Resources Officer recommend appointment of the following individuals to the position of part-time Crossing Guard:

Mark	Dennis	Louis	Matty
Todd	Edelstein	Patrick	Noce
Justin	Farnham	Sandra	Pennino-Farnham
Rita	Franceschetti	Kathleen	Rose
George	Habina	Denise	Segal
Barbara	Henderson	Ann	Smith
Robert	Houlihan	Joyce	Sobel
Constance	Ledder	Mark	Solomon

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that the above individuals be appointed part-time Crossing Guards for a one-year term to expire on December 31, 2024.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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**Resolution #2024-0023**  
Personnel Appointment  
Police Matrons, Police Department

**WHEREAS**, Pursuant to N.J.S.A. 40A:14-140 the governing body of any municipality may appoint other personnel for said department or force, which includes “matrons”; and

**WHEREAS**, the Chief of Police, Township Administrator, and Human Resources Officer recommend appointment of the following individuals to the position of part-time Police Matron:

Vivian Fentress  
Kate Ferratti  
Kristina Roser  
Kelli Schmolze

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the above individuals be appointed part-time Police Matrons for a one-year term to expire on December 31, 2024.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0025** Developer's Escrow Funds

**BE IT RESOLVED** by the Township Committee of the Township of Bernards that the fees permitted to be charged to a developer's escrow account for the services of professionals, who are Township employees, shall be charged the following rates for Calendar Year 2024:

Township Engineer	\$ 175.00/hour
Assistant Township Engineer	\$ 90.00/hour
Township Planner	\$ 130.00/hour
Fire Official	\$ 80.00/hour
Senior Staff Engineer	\$ 75.00/hour
Staff Engineer	\$ 60.00/hour
Zoning Officer	\$ 75.00/hour
Civil Engineering Technician	\$ 60.00/hour

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

**I hereby certify this is a true and exact copy of resolution adopted by the Bernards Township Committee on 01/02/2024.**

\_\_\_\_\_  
**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 #2024-0026

Approval of the Bill List Dated 1/2/2024

**BE IT RESOLVED**, that the bill list dated 01/02/2024 be audited, and if found correct, be paid.

						Check #	Check Date
Vendor			Amount Paid	Reconciled/Void	Ref Num		
138598	01/02/24	B0029	BERNARDS TWP BD OF EDUCATION	8,035,822.00		1736	
138599	01/02/24	C0037	CLERK'S PETTY CASH	100.00		1736	
138600	01/02/24	E0007	ENGINEERING PETTY CASH	100.00		1736	
138601	01/02/24	H0004	HEALTH DEPARTMENT PETTY CASH	100.00		1736	
138602	01/02/24	L0005	LIBRARY PETTY CASH	300.00		1736	
138603	01/02/24	P0006	POLICE PETTY CASH	400.00		1736	
138604	01/02/24	R0006	RECREATION PETTY CASH	100.00		1736	
138605	01/02/24	R0281	RECREATION PETTY CASH CHECKING	500.00		1736	
<hr/>							
Checking Account Totals			Paid	Void	Amount Paid	Amount Void	
			-----	-----	-----	-----	
		Checks:	8	0	8,037,422.00	0.00	
		Direct Deposit:	0	0	0.00	0.00	
		=====	=====	=====	=====	=====	
		Total:	8	0	8,037,422.00	0.00	
<hr/>							
Paid	Void	Amount Paid	Amount Void				Report Totals
		-----	-----	-----	-----		
		Checks:	8	0	8,037,422.00	0.00	
		Direct Deposit:	0	0	0.00	0.00	
		=====	=====	=====	=====	=====	
		Total:	8	0	8,037,422.00	0.00	
<hr/>							
CURRENT FUND		3-01	8,037,422.00	0.00	0.00	8,037,422.00	
<hr/>							
Total Of All Funds:			8,037,422.00	0.00	0.00	8,037,422.00	

Agenda and Date Voted: 1/2/2024

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 1/2/2024.

\_\_\_\_\_  
Christine Kieffer , Municipal Clerk



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0028**

### Temporary Appropriations for Operating Purposes

**WHEREAS**, 40A:4-19 Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the final adoption of the 2024 budget, temporary appropriations be made for the purposes and amounts required in the manner and time herein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of 2024; and

**WHEREAS**, the total appropriations in the 2023 budget less appropriations for capital improvement fund, debt service, emergencies and relief of the poor (public assistance) are as follows:

General.....\$ 37,881,381.93

**WHEREAS**, 26.25% of the total appropriations in the 2023 budget less appropriations for capital improvement fund, debt service, emergencies and relief of the poor (public assistance) in said 2023 budget are as follows:

General.....\$ 9,943,862.76

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Bernards in the County of Somerset, that temporary operating appropriations totaling \$ 9,943,862.76 be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0029**

### Emergency Temporary Appropriations, Capital Improvement Fund

**WHEREAS**, an emergent condition has arisen with respect to inadequate funds provided in the temporary budget for the funding of the Capital Improvement Fund, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

**WHEREAS**, the total emergency temporary resolutions for Capital Purposes adopted in the year 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,500,000.00.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for Capital Improvement Fund in the amount of \$1,500,000.00.
2. That said emergency temporary appropriation will be provided for in the 2024 budget.
3. That one certified copy of this resolution be filed with Director of the Division of Local Government Services.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0031**

### **Temporary Appropriations for Golf Utility Operating Fund**

**WHEREAS**, N.J.S.A. 40A:4-19 Local Budget Act provides that where any contracts, commitments of payments are to be made prior to the final adoption of the 2024 budget, temporary appropriations be made for the purposes and amounts required in the manner and time herein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of 2024; and

**WHEREAS**, the total appropriations in the 2023 golf utility budget less appropriations for capital improvement fund and debt are as follows:

General.....\$ 457,107.28

**WHEREAS**, 26.25% of the total appropriations in the 2023 budget less appropriations for capital improvement fund and debt service in said 2023 budget are as follows:

General.....\$ 119,990.66

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Bernards in the County of Somerset, that temporary operating appropriations totaling \$ 119,990.66 be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.**

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





# Resolution of the Township of Bernards

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

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## **Resolution #2024-0032** Authorized Signatures on Township Checks

**BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the following Township officials are hereby authorized to sign checks or withdrawal slips where a combination of two principal signatures is required. One signature must either be the Mayor, Deputy Mayor, or Finance Chairman. The other signature must be either the Chief Financial Officer, Treasurer or the Administrator, and that the Chief Financial Officer, Treasurer or Administrator are authorized to sign checks or withdrawal slips where one principal signature is required; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer, Treasurer or Administrator be authorized to sign checks to transfer monies between Township accounts.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0033** Acceptance of Cash Management Plan

**BE IT RESOLVED**, by the Township Committee of the Township of Bernards, County of Somerset, that for the year 2024, the plan here following shall serve as the Cash Management Plan and Policy for the Township of Bernards; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and the Administrator are directed to use this cash management plan as a guide in depositing and investing the Township's funds.

### Cash Management Plan of the Township of Bernards in the County of Somerset, New Jersey

#### **I. Statement of Purposes.**

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Bernards, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

#### **II. Cash Management Policy**

Objectives: The priority of investing policies shall be, in order of descending importance: security, liquidity and yield.

A. Security: The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. Credit Risk: Credit Risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
  - a. Limiting investments to the safest types of securities

- b. Pre-qualifying the financial institutions, broker/dealers, intermediaries and advisors with which an entity will do business.
  - c. Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- B. Interest Rate Risk: Interest Rate Risk is the risk that the market value of the securities in the portfolio will fail due to changes in general interest rates. Interest Rate Risk may be mitigated by:
  - 1. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
  - 2. By investing operating funds primarily in shorter-term securities.
- C. Liquidity: The investment portfolio must remain sufficiently liquid to meet all cash requirements of the Township. The portfolio should be structured so that the securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).
- D. Yield: The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate any investment offering above market yields. Securities shall not be sold prior to maturity with the following exceptions:
  - 1. A declining credit security could be sold early to minimize the loss of principal.
  - 2. A security swap would improve the quality, yield, or target duration in the portfolio.
  - 3. Liquidity needs of the local unit require that the security be sold.

### **III. Identification of Funds and Accounts to be Covered by the Plan.**

The Plan is intended to cover the deposit and/or investment of all Bernards Township funds and accounts.

### **IV. Designation of Officials of the Township Authorized to Make Deposits and Investments under the Plan.**

The Chief Financial Officer, Treasurer, and the Administrator of the Township (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of the Plan

which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

**V. Designation of Depositories.**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- A. All eligible and qualified banks and trust companies in the State of New Jersey and the State of New Jersey Cash Management Fund and the New Jersey Asset & Rebate Management Program be and are hereby designated as depositories for the Township of Bernards for the year 2024.
- B. Prior to the deposit of any municipal funds in the depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Governmental Unit Deposit Protection Act (R.S. 17:9-41).

**VI. Authorized Investments.**

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- A. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- B. Government money market mutual funds;
- C. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
  - a. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- D. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment of Local Units;
- E. Local government investment pools;
- F. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (c. 52:18A-90.4); or
- G. Agreements for the repurchase of fully collateralized securities if:
  - 1. The underlying securities are permitted investments pursuant to paragraphs (A) and (C) of this subsection a;
  - 2. The custody of collateral is transferred to a third party;
  - 3. The maturity of the agreement is not more than 30 days;
  - 4. The underlying securities are purchased through a public depository as defined in section 1 of p.l. 1970, c.236 (c.17:9-41); and
  - 5. A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

**Government Money Market Mutual Fund.** An Investment company or investment trust:

1. Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.T. sec. 270.2a-7.
2. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
3. Which has:
  - a. Attained the highest ranking of the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - b. Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

**Local Government Investment Pool.** An investment pool:

1. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
2. Which is rated in the highest category by a nationally recognized statistical rating organization;
3. Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
4. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
5. Which does not permit investments to instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
6. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c. 9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent

capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

Any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of P.L. 1977, c.396 (c.40A:5-15.1), or any combination of the preceding or the selection of an entity seeking to sell an investment to the local unit who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the local unit and to the Local Finance Board or a county or municipal ethics board as appropriate.

#### **VII. Safekeeping Custody Payment and Acknowledgment of Receipt of Plan.**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township’s funds.

To assure that all parties with whom the Township deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

#### **VIII. Reporting Requirements.**

On the twentieth day of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the governing body of the Township a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.

H. All other information which may be deemed reasonable from time to time by the governing body of the Township.

**IX. Term of Plan.**

This Plan shall be in effect from January 1, 2024, to December 31, 2024. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Official(s) is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0034** Authorization for Payroll Cash Advance

**BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that the Chief Financial Officer be empowered to place up to a \$550,000 advance in the Payroll Account.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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





# Resolution of the Township of Bernards

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

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## **Resolution #2024-0035**

Authorizing Returned Funds Fee and Certified Funds for Returned Funds

**WHEREAS**, there have been instances where the Township has been in receipt of payments which have been returned from the bank as unpaid; and

**WHEREAS**, N.J.S.A. 40:5-18 provides for a \$20.00 maximum service charge on funds returned for any reason; and

**WHEREAS**, to ensure replacement funds are redeemable for payment, the Tax Collector and Chief Financial Officer recommend that funds returned from the bank be replaced with a certified check, cash or money order; and

**WHEREAS**, as a one-time courtesy annually, and at the discretion of the Tax Collector and Chief Financial Officer, the service charge may be reduced in the event of a typographical error or omission causing funds to be returned due to the inability to locate an account.

**NOW, THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Bernards establish a service charge of \$20.00 per item returned for any reason and to provide that any funds that are returned from the bank be replaced with certified check, cash or money order.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0037**

Appointment of Township Special Event Coordinators:  
Jennifer Gander - Charter Day and Field of Honor  
Basking Ridge Fire Company Representative - Memorial Day Parade  
Jon Burger - National Night Out  
Janice Fields – 911 Memorial  
Janice Fields – Patriotic Anniversary Committee  
Jennifer Asay – Understanding Bernards & Fabric of Bernards  
Jim Felter - Community Holiday Sing

**WHEREAS**, the Township of Bernards hosts special events throughout the year.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby appoint the following township coordinators:

Jennifer Gander  
Basking Ridge Fire Company Representative  
Jon Burger  
Janice Fields  
Janice Fields  
Jennifer Asay  
Jim Felter

Charter Day and Field of Honor  
Memorial Day Parade  
National Night Out  
911 Memorial  
Patriotic Anniversary Committee  
Understanding Bernards & Fabric of Bernards  
Community Holiday Sing

Agenda Date and Vote: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0038** 2024 Appointment of Town Crier, Hank Barre

**WHEREAS**, pursuant to Resolution #040202 adopted by the Township Committee on 5/11/04, the volunteer position of town crier was created, and Hank Barre was appointed to the position; and

**WHEREAS**, Hank Barre has served as the Town Crier since the creation of the position.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do hereby reappoint Hank Barre as the town crier for a one-year term to expire 12/31/2024.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0040**

### **Personnel Appointment**

Office of Emergency Management (OEM) Deputy Coordinator Ryan Wallace

**WHEREAS**, Ryan Wallace was appointed as the Office of Emergency Management Deputy Coordinator in 2022; and

**WHEREAS**, the OEM Coordinator, Township Administrator and Human Resources Officer recommend reappointment of Ryan Wallace as the OEM Deputy Coordinator.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that Ryan Wallace be hereby appointed as the Emergency Management Deputy Coordinator, with an annual pensionable stipend of \$3,500 for a one-year term effective January 1, 2024 and expiring 12/31/2024.

Agenda and Date Voted: 01/02/2024

#### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



# Resolution of the Township of Bernards

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

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## **Resolution #2024-0041**

Personnel Appointment - Lieutenant Michael Sweeney  
Office of Emergency Management (OEM) Coordinator

**WHEREAS**, the Township has determined that a liaison from the Police Department is desired for the Office of Emergency Management; and

**WHEREAS**, the 3 year term of the Office of Emergency Management Coordinator is to expire 12/31/2023 and Lieutenant Christopher Hurst has resigned his position as OEM Coordinator effective same; and

**WHEREAS**, the Chief of Police, Township Administrator and Human Resources Officer recommend the appointment of Lieutenant Michael Sweeney as the Emergency Management Coordinator.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that Lieutenant Michael Sweeney is hereby appointed as the Emergency Management Coordinator, with an annual non-pensionable stipend of \$7,000 for a three-year term effective January 1, 2024 and expiring 12/31/2026.

Agenda and Date Voted: 01/02/2024

### **EXPLANATORY STATEMENT**

This role is a mayoral appointment and is considered to be an important liaison from the Police Department to the Local Emergency Planning and Flood Mitigation Committee. The amount being paid to Lieutenant Sweeney is budgeted, non-pensionable earnings under PFRS regulations. Lieutenant Sweeney and the PBA are required to sign a Memorandum of Agreement.

Emily Kesselmeier, Human Resources Officer

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0042**

Appointment of Suburban Municipal Joint Insurance Fund Commissioner  
Sean McCarthy and Pat Monaco as Alternate

**WHEREAS**, pursuant to N.J.S.A. 40A:10-36 et seq, Bernards Township is a member of the Suburban Municipal Joint Insurance Fund; and

**WHEREAS**, pursuant to Article III.1.a. of the By-Laws of the Suburban Municipal Joint Insurance Fund, each member shall appoint one commissioner to the fund and each member shall select either a member of its governing body or one of its employees to serve in this capacity.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards, that we do hereby appoint Sean McCarthy as the JIF Fund Commissioner, and Pat Monaco to act as the Alternate Commissioner for one-year terms to expire 12/31/2024.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0043**

Establishing Rules and Procedures for the Conduct of Business  
at Township Committee Meetings

**WHEREAS**, pursuant to N.J.S.A. 40A:63-6 the Township Committee is the legislative body of the municipality and may adopt any resolution for any purpose required for the government of the municipality and possesses all the executive responsibilities of the municipality; and

**WHEREAS**, pursuant to § 2-1.5. of the Revised General Ordinances of the Township of Bernards the rules of procedure to be followed for the conduct of business of the Township Committee shall be provided by resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Bernards that the following rules shall govern the rules of procedures at all Township Committee Meetings for the year 2024:

### **1. AGENDAS**

- A. Matters to be listed on a Township Committee agenda, must be submitted to the Municipal Clerk in electronic and hardcopy format by the deadlines established by the Municipal Clerk and affixed to the annual meeting date Resolution adopted by the Township Committee.
- B. The Municipal Clerk may request but not require that agenda items include a "Recommendation for Township Committee Action" form to be submitted with the agenda item.
- C. The proposed agenda for each meeting shall be completed by the Municipal Clerk who shall consult with the Administrator, and with the Mayor as the presiding officer of the Township Committee. To the extent feasible or practical, the Municipal Clerk shall make the proposed agenda available to the public at least 48 hours in advance of the meeting and the agenda will posted to the Township website.
- D. The Committee may amend the agenda as the first item of business at the meeting upon the determination that a need to amend the agenda exists. A majority of committee members present, by formal vote, must agree that a need exists in order to add or remove an item for discussion.
- E. Under "Township Committee/Board Reports and Staff Comments" any member of the Committee, the Administrator, Municipal Clerk or Attorney may request additional matters be listed on an upcoming meeting agenda. If a majority of members of the committee, by formal vote, do not agree the items should be included in the agenda, the items shall not be listed.
- F. Executive Sessions may precede each meeting as required. Executive Sessions will commence one-half hour prior to the scheduled meeting time pursuant to Resolution

#2024-0002. Although each Executive Session will commence as an open public meeting, Executive Sessions will be used by the Township Committee solely for consideration of matters which will be discussed pursuant to N.J.S.A. 10:4-12B. The public will be excluded from these Executive Session discussions. If the need exists, the Executive Session may continue after the regular order of business is concluded.

- G. Public Work Sessions may be listed as an order of business during each meeting as determined by the Municipal Clerk after consultation with the Mayor. Public Work Sessions will be limited to discussion of public business. Formal action on the matter(s) discussed may be added to the same or subsequent agendas by majority vote of the committee.
- H. The agenda for all meetings shall be as follows:
  - 1. Call to Order
  - 2. Pledge of Allegiance
  - 3. Reading of the Open Public Meetings Statement
  - 4. Roll Call
  - 5. Executive Session (if required)
  - 6. Public Work Session (if required)
  - 7. Reports
  - 8. Correspondence
  - 9. Public Comment
  - 10. Township Committee/Liaison & Board Reports and Staff Comments
  - 11. Fire & Rescue Appointments
  - 12. Unfinished Business
  - 13. Consent Agenda (to include approval of minutes and payment of bills)
  - 14. New Business
  - 15. Executive Session (if required)
  - 16. Adjournment

## **2. CONDUCT AT MEETINGS**

- A. The Mayor when present shall conduct all meetings.
- B. The Deputy Mayor shall conduct the meeting when the Mayor is absent.
- C. If the Mayor and Deputy Mayor are both absent, the Municipal Clerk shall call the meeting to order and conduct the nomination and election of a Temporary Chairperson. The Temporary Chairperson shall conduct the meeting, but shall have no powers beyond those necessary to conduct the meeting.
- D. A majority of the whole number of members of the Township Committee shall constitute a quorum, and no ordinance shall be adopted by the Township Committee without the affirmative vote of a majority of all the members of the Township Committee.
- E. If a Township Committee member fails to attend a meeting or attends but leaves prior to the conclusion of the meeting, the member can ask the Township Committee to excuse the absence at that meeting or at the immediate next meeting following. The Township Committee shall excuse the member if a majority of the members at the meeting determine that the absence was caused by legitimate illness, and may in its discretion excuse the member if the reason for the absences is for disqualification, or any other legitimate reason.
- F. If a quorum is not present 1/2 hour after the appointed time for any meeting, the presiding officer or the Municipal Clerk may declare the meeting adjourned.



- G. While the Township Committee is in session, the members thereof shall preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Township Committee nor disturb any member while speaking, or refuse to obey the order of the Township Committee or its presiding officer.
- H. The Chief of Police or such member of the Police Department as he may designate, may be designated as the Sergeant-at-Arms of Township Committee meetings. He shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Township Committee Meetings.
- I. The Township Attorney shall be the Parliamentarian.
- J. Meetings shall be conducted in accordance with these Regulations and Robert's Rules of Order for items not covered in these Regulations.
- K. The Municipal Clerk shall read all Ordinances, by title only, before introduction and adoption.
- L. The items listed within the consent agenda portion of the meeting will have been previously referred to the Township Committee for reading and study, and a copy placed on the bulletin board on the township website. These items are considered routine and will be enacted by one motion of the Township Committee with no separate discussion. If separate discussion is required, the item may be removed from the agenda by Township Committee action and placed under New Business.
- M. No New Business shall be entertained after 10:30 P.M. without an affirmative vote of a majority of the members present, for all meetings.
- N. No meeting shall continue beyond 11:30 P.M. without the affirmative vote of the majority of members present.
- O. Any member of the public desiring to address the Committee shall first seek recognition by the Mayor or presiding officer and upon recognition, shall proceed to the floor and give his or her name and address. Statements shall be limited to five minutes. This rule may be waived by the mayor. Persons making public comment may not yield their time to another speaker, and each individual is limited to speaking once during a particular public comment period.
- P. Remarks shall be confined to the order of business prescribed by this section:
  - 1) Ordinances. Pursuant to NJSA 40:49-2b, any Township resident and all persons interested shall be given an opportunity to be heard concerning the ordinance during that public hearing. The opportunity to be heard shall include the right to ask pertinent questions concerning the ordinance by any resident of the municipality or any other person directly affected by the ordinance.
  - 2) Under the heading of "Public Comment" only a resident may address the Committee on any matter over which the Committee has jurisdiction. Non-residents may only address the Committee on any matter directly impacting that non-resident.
- Q. Any person(s) making personal, defamatory or profane remarks or who willfully utters loud, threatening or abusive language or engages in any disorderly conduct which disturbs or disrupts the orderly conduct of any meeting shall be called to order by the presiding officer. If such conduct continues, the presiding officer of the Township Committee, at his discretion, may order such person removed from that meeting and/or arrested.

### **3. VOTING**

- A. Once a quorum of the Township Committee is present (which is at least three members), an affirmative vote of the majority of members present is required to approve all actions,

except for approval of minutes which shall require a majority of the eligible members present, ordinances as further defined in 2.D above, or where otherwise provided by law.

- B. Given that a governing body member has a public duty to vote unless there exists a conflict of interest or other disqualifying event, a governing body member who abstains without providing a reason for the abstention, shall have his vote counted with the majority. If a township committee member is not qualified to vote because of a conflict of interest or other disqualifying event, that committee member shall not abstain from the vote, but, rather, that committee member shall not be eligible to vote, shall leave the meeting room during the discussion of the matter and his vote shall not count with the majority vote.
- C. If the committee is evenly split in a decision, no majority exists with whom an abstaining member can be said to vote and accordingly, abstentions shall not be assigned to either voting block. A tie vote shall be deemed a defeated motion.
- D. All motions shall require a second. In the absence of a second, the motion shall be deemed defeated.

#### **4. MINUTES**

- A. The minutes of each meeting shall be taken by the Municipal Clerk.
- B. The Municipal Clerk shall preserve approved minutes as a permanent record and the official authoritative record of the committee proceedings. Approved open session minutes will also be posted on the Township Website.
- C. The Municipal Clerk shall have available a draft copy of the executive and open session minutes, three days after the meeting.
- D. Open Session minutes shall be listed for approval and released by the Township Committee at the next subsequent meeting
- E. Executive Session minutes shall be approved in open session; provided, however, that any discussion concerning the contents of the minutes, prior to approval, shall be conducted in executive session.
  - 1) The Municipal Clerk shall forward copies of all executive session minutes still held in confidentiality to the Township Attorney during the months of June and December of each year. The Township Attorney shall review these minutes, determining which, if any can be released to the public in whole or in part without jeopardizing the need for confidentiality, and advise the Municipal Clerk. The Municipal Clerk shall present a resolution to the Township Committee for adoption releasing the executive session minutes, in whole or in part, as approved for release by the Township Attorney. Those executive session minutes to be released shall be designated by subject matter. Upon adoption of the resolution, those minutes or portions of minutes approved for release shall be placed in the minute books of the Township Committee and available for public inspection.
  - 2) If a member of the public requests from the Municipal Clerk access to executive session minutes not yet released to the public as set forth above, the requestor shall submit an Open Public Records Request (OPRA) to the Municipal Clerk. The Municipal Clerk shall consult with the Township Attorney on the subject matter as requested. The Township Attorney shall advise the Municipal Clerk if the minutes, or portion of the minutes, can be released. If approved for release by the Township Attorney, a resolution memorializing the release of said minutes, or portion of minutes, shall be presented to the Township Committee for adoption at their next regularly scheduled meeting.

## **5. VIDEO STREAMING AND PUBLIC BROADCASTING**

- A. All meetings, other than executive session, shall be recorded and video-streamed live on the township website and broadcasted on local PEG Channels. The Municipal Clerk, Director of Technology, and the person conducting the meeting shall authenticate recordings to the extent possible. Failure to do so does not invalidate any actions by the governing body.
- B. Archived video-streaming of the meetings will be available approximately 48 hours after the meeting over the township website.
- C. Recordings of the meeting will be maintained in accordance with the State of NJ Department of the Treasury Records Manual and associated retention schedules.

## **6. VIDEOTAPING OF MEETINGS**

The Township Committee recognizes the right of persons to videotape meetings provided that the persons videotaping the meetings do so in a manner that is respectful, unobtrusive and not disruptive to the meeting and those attending the meeting. The Township Clerk will thus designate a fixed and defined area that is suitable to persons that desire to videotape meetings.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0044**

Renewing Authorization to New Jersey American Water Company  
to Provide Public Fire Protection Service to the Township of Bernards through  
Private Fire Hydrants for the Year 2024

**WHEREAS**, the New Jersey American Water Company, Inc. is a regulated public utility corporation of the State of New Jersey presently in possession of municipal consent as required by N.J.S.A. 48:19-17 and 48:19-20, as amended, to provide water service within the Township of Bernards; and

**WHEREAS**, the Township of Bernards desires that New Jersey American Water Company, Inc. own, operate and maintain fire hydrants on and along such roads, streets and places within the Township of Bernards at locations to be designated by the Township of Bernards; and

**WHEREAS**, it is deemed to be in the best interest of the citizens of the Township of Bernards that New Jersey American Water Company be authorized to add to the number of public fire protection hydrants within the Township; and

**WHEREAS**, N.J.S.A. 40A:11-5(1)(f) permits a municipality to contract with a public utility, without bidding, for products or services in accordance with tariffs and schedules of charges filed with the Board of Public Utilities.

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

1. The governing body of the Township of Bernards hereby authorizes New Jersey American Water Company to provide public fire protection service to the Township through the private fire hydrants listed on Schedule A hereto and located in the Township.
2. The Township of Bernards hereby agrees to pay to New Jersey-American Water Company, the appropriate public fire protection service charge for the private fire hydrants described on Schedule A hereto. The Township recognizes that public fire protection service charges will be rendered by New Jersey American Water Company pursuant to the terms and provisions of its tariff on file with the New Jersey Board of Regulatory Commissioners, which tariff may be amended from time to time.
3. The term of the contract shall begin on the date that this resolution is adopted, and continue until an extension is granted or for twelve (12) months, whichever is sooner. The municipality may, by resolution, extend the contract for successive terms, each having a duration of twelve (12) months.
4. The clerk shall send a copy of this resolution, upon adoption, to the New Jersey American Water Company.

5. To the extent that any part or parts of this resolution are repealed or otherwise modified or voided by statute or case law, the remaining sections of this resolution shall remain in full force and effect.

Agenda and Date Voted: 01/02/2024

**SCHEDULE A**

<b>Association/Development</b>	<b>Number of Hydrants</b>
Amherst Mews	9
Countryside	3
Crown Court	3
Hamilton Crest	5
Hamilton Ridge	6
Hamilton Woods	12
Lord Stirling Village	3
Lyons Estates	2
Maple Run	6
Patriot Hill	12
Patriot Mews	5
Society Hill I	11
Society Hill II	8
Spring Ridge Madison Village	11
Spring Ridge Master Association	4
St. Andrews	2
The Barons	10
The Ridge	2
The Cedars	22
Whispering Woods	1

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0046**

Establishing Protocol and Structure for Calendar Year 2024  
for Relationship Between Township Administrator and Township Committee

**WHEREAS**, pursuant to N.J.S.A. 40A:63-7 the Township Committee is a legislative body of the municipality and may adopt any resolution for any purpose required for the government of the municipality and possesses all the executive responsibilities of the municipality; and

**WHEREAS**, pursuant to N.J.S.A. 40A:63-7, the Township Committee may, by ordinance, delegate all or a portion of the executive responsibility of the municipality to an administrator who shall be appointed pursuant to N.J.S.A. 40A:9-136; and

**WHEREAS**, the Township of Bernards pursuant to Section 2-3 of the Revised General Ordinances of the Township of Bernards has created the position of Township Administrator and delegated the day-to-day demands of the administrative and governmental affairs of the Township to the Township Administrator since the affairs upon the time of the Township Committee had grown to the extent that it had become increasingly difficult to devote adequate time to the proper discharge of such duties; and

**WHEREAS**, pursuant to Section 2-3.1 proper regard for the public interest and economical and efficient administration of the Township business required the creation of the position of Township Administrator to furnish to the Township Committee necessary assistance in the prompt, day-to-day, management of the administrative affairs of the Township Committee, coordination of the activities of the various departments within the municipality, and assistance in planning and supervising the execution of the Township Committee work in those areas where a continuous and sustained effort is required; and

**WHEREAS**, Section 2-3.8 sets forth the duties and responsibilities of the Township Administrator which, include among other things, but are not limited to: (a) coordination of operations, activities and administration of the departments, divisions, offices, and agencies of the Township Government; (b) exchanging and disseminating information and generally advising and consulting with the Township Committee; (c) the responsibility to execute ordinances and resolutions of the Township, subject to the direction of the Township Committee, and to delegate to any department head such of his powers as he may deem necessary for efficient administration; (d) establishing and maintaining effective personnel practices and maintaining appropriate records of all employees, and carrying out all policies established by the Township Committee; (e) performing such other duties as may be required by ordinance, resolution or direction of the Township Committee; and (f) carrying out all policies established by the Township Committee; and

**WHEREAS**, the Township Committee desires for the calendar year 2024 to establish a protocol and structure to the relationship between the Township Administrator and Township Committee to ensure that the purposes, goals, and duties aforementioned that are the responsibility of the Township Administrator are properly and efficiently implemented to maximize the resources of the Township administrative staff and to the benefit of the citizenry of Bernards Township.

**NOW, THEREFORE, BE IT RESOLVED**, that the following rules shall govern the relationship for 2024 between the Township Administrator and Township Committee:

1. After the Township Committee has by majority vote adopted or denied an ordinance, resolution, project or policy, all analysis, questions, memoranda, and inquiry by individual Township Committee members to Township employees and staff concerning the action by the Township Committee with respect to the aforesaid ordinance, resolution, policy, or project will be prohibited. All further inquiries or requests for information concerning the decisions will be directed to the Township Administrator who will decide whether to allocate employee and staff resources to respond to the request or inquiry. Alternatively, in his discretion, the Township Administrator will decide whether the individual inquiry or request should be brought to the attention of the Township Committee for further review and direction.
2. As Section 2-3.8 mandates that the Township Administrator is under the supervision and control of the Township Committee and not individual Township Committee members, all written communications directed to the Township Administrator by individual Township Committee members will be circulated to all Township Committee members for review and input. All verbal orders or directives received by the Township Administrator which he deems of a policy nature or project focus will, in the discretion of the Township Administrator, be brought to the attention of the Township Committee for further discussion.
3. As the Township Administrator is responsible, pursuant to Section 2-3.8, to effectuate all ordinances, resolutions and policies established by the Township Committee, and is also responsible for the determination of the manner and method by which such ordinances, policies are to be implemented, individual Township Committee members will not contact or otherwise interfere with the ability of Township employees and staff in performance of the directives of the Township Administrator in implementing ordinances, resolutions policies established by the Township Committee.
4. It is the intention of this Resolution that the individual members of the Township Committee shall deal exclusively with the employees and staff through the Township Administrator and shall not give orders to any subordinate of the Township Administrator either publicly or privately.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.**

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



# Resolution of the Township of Bernards

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## Resolution #2024-0065

### Acknowledgement of Fire Police Appointments

By the Basking Ridge Fire Company #1 & Liberty Corner Fire Company

**WHEREAS**, pursuant to §2-14.1 of the Revised General Ordinances of the Township of Bernards, the volunteer fire department consisting of the Basking Ridge Fire Company #1 and the Liberty Corner Fire Company, are hereby made the fire departments for the Township of Bernards; and

**WHEREAS**, pursuant to N.J.S.A. 15:8-4, any duly organized volunteer fire company may provide for the appointment of certain members to perform certain police duties at fire and fire drills, for a term of office not to exceed five years from the date of appointment; and

**WHEREAS**, the Basking Ridge Fire Company #1 & Liberty Corner Fire Company have appointed the following individuals as Fire-Police for 1-year terms to expire 12/31/2024.

Basking Ridge Fire Company #1	Liberty Corner Fire Company
John Bentley	Mike Barth
Robert Fullghar III	Mike Conley
Richard Bloom	Douglas Gazzale
Robert Houlihan	Fred Miller

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby acknowledge the Fire-Police appointments of the Basking Ridge Fire Company #1 & Liberty Corner Fire Company.

Agenda and Date Voted: 01/02/2024

#### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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





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## **Resolution #2024-0066**

Bernards Township Personnel Policies and Procedures  
Updated and Adopted for 2024

**WHEREAS**, it is the policy of the Township of Bernards to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the ADA Amendments Act of 2008, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers' Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), the New Jersey Security and Financial Empowerment Act and the Open Public Meetings Act; and

**WHEREAS**, the Bernards Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees, prospective employees, officials, volunteers and vendors and contractors are treated in a manner consistent with these laws and regulations.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Bernards, that the following Handbooks of Personnel Policies and Procedures attached hereto are hereby updated and adopted for 2023: 1) Employee Handbook, and 2) Elected Officials, Appointed Officials and Volunteers Handbook, and 3) Vendors and Outside Contractors Handbook; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Bernards that these personnel policies and procedures shall apply to all municipality officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective negotiations agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Bernards that the Employee and Officials and Volunteers handbooks are intended to provide guidelines covering public service by municipality workers and does not serve as a contract. The provisions of these handbooks may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Bernards that, to the maximum extent permitted by law, employment practices for the municipality shall operate under the legal doctrine known as "employment at will"; and

**BE IT FINALLY RESOLVED** by the Township Committee of the Township of Bernards that the Township Administrator and all managerial/supervisory personnel are responsible for these

employment practices. The Human Resources Officer shall assist the Township Administrator in the implementation of the policies and procedures in this manual, as directed by Township Committee action.

Agenda and Date Voted: 01/02/2024

**CERTIFICATION**

**I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.**

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**Christine V. Kieffer, Municipal Clerk**



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## **Resolution #2024-0078**

Giving the CFO Authority to Approve Payment of Bills  
Due to Township Committee Meeting Cancellation or Lack of Quorum

**WHEREAS**, the annual meeting schedule of the Township Committee adopted pursuant to Resolution #2024-0002, sets meetings for the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays after the 1<sup>st</sup> Monday of each month (twice a month); and

**WHEREAS**, at each scheduled meeting, the Township Committee is presented with a resolution authorizing payment of bills; and

**WHEREAS**, occasionally a meeting must be cancelled due to scheduling conflicts or lack of quorum of the Township Committee; and

**WHEREAS**, the CFO advises that failure to pay certain bills will result in delinquencies on township accounts; and

**WHEREAS**, the CFO recommends that the township committee give him the authority to approve payment of bills to avoid delinquencies on township accounts.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Bernards that we do hereby authorize Sean McCarthy, CFO, or his designee, to audit the bills scheduled for payment when there is a cancellation of a township committee meeting, and give him the authority to approve payment; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that the payment of bills authorized by Sean McCarthy be memorialized in a resolution to be adopted by the Township Committee at the next regularly scheduled meeting.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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



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## **Resolution #2024-0079** Engineering and Public Works Sub-Committee

**WHEREAS**, the Township Committee deems it necessary to review policies and projects relating to Township Engineering and Public Works; and

**WHEREAS**, the Township Committee hereby authorizes the creation of an Engineering and Public Works Sub-Committee to review and make recommendations regarding Township Engineering and Public Works Policies and Projects; and

**WHEREAS**, said sub-committee shall work with the Township Engineer, Director of Public Works and Township Administrator in their review of Engineering and Public Works issues, policies and projects as deemed necessary.

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

1. Engineering and Public Works Sub-Committee shall include the following members:
  - Two Members of the Township Committee
  - Township Administrator
  - Township Engineer
  - Director of Public Works
2. Engineering and Public Works Sub-Committee shall bring all recommendations to the Township Committee for review and approval as deemed appropriate.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Bernards that Janice Fields and Andrew McNally be and are hereby appointed as the Township Committee representatives to the 2024 Engineering and Public Works Sub-Committee.

Agenda and Date Voted: 01/02/2024

### **CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 01/02/2024.

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