

**BOROUGH OF BERNARDSVILLE**  
Mayor & Borough Council Meeting Agenda  
October 13, 2020 – 7:00 p.m.

1. **CALL MEETING TO ORDER**

Mayor Mary Jane Canose  
Council Member John Donahue  
Council Member Jeffrey Hammond  
Council Member Jena McCredie  
Council Member Chad McQueen  
Council Member Thomas O’Dea  
Council Member Christine Zamarra

2. **STATEMENT OF PRESIDING OFFICER**

Notice of this meeting was provided to the Bernardsville News, Courier News and the Star Ledger, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on January 3, 2020 and revised on October 10, 2020.

3. **PLEDGE OF ALLEGIANCE**

4. **PRESENTATIONS**

5. **OPEN SESSION**

<p>At this point in the meeting, the Mayor &amp; Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 3 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes.</p>
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6. **ITEMS OF BUSINESS**

6A. **ORDINANCES** (Public Hearing)

Mayor to open public hearing on Ordinance #2020-1852, **SUPPLEMENTING AND AMENDING THE BOROUGH LAND USE ORDINANCE TO CREATE A NEW DOWNTOWN ZONING DISTRICT WITH FOUR DOWNTOWN**

**SUBDISTRICTS WITH RELATED ZONING AND DESIGN REGULATIONS**

Mayor to close public hearing

I move to pass Ordinance #2020-1852 on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2020-1854, **ORDINANCE OF THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 70, LOTS 1, 2, 3, 4, 5, 6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 AND 6.08; BLOCK 71, LOTS 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12 AND 13 AND THE QUIMBY LANE RIGHT OF WAY AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERNARDSVILLE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (Quimby Lane).** Mayor to close public hearing

I move to pass Ordinance #2020-1854 on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2020-1855, **AN ORDINANCE CONCERNING PARKING RESTRICTIONS ON PROSPECT STREET AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”.** Mayor to close public hearing

I move to pass Ordinance #2020-1855 on final reading and adopt as published:

Second:

Roll call vote:

**ORDINANCES** (Introduction)

I move that Ordinance #2020-1856, **AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND APPROPRIATING \$500,000 THEREFOR CONSTITUTING PROCEEDS OF GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION,** be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, October 26, 2020.

Second:  
Voice Vote:

I move that Ordinance #2020-1857, **APPROPRIATING \$\_\_\_\_\_ FROM THE BOROUGH OPEN SPACE TRUST FUND AND PLACING IT IN RESERVE TO COVER THE COST OF REPLACING THE TURF FIELD AT THE POLO GROUNDS AT THE END OF ITS USEFUL LIFE**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, October 26, 2020.

Second:  
Voice Vote:

I move that Ordinance #2020-1858, **AN ORDINANCE CONCERNING ACCESSORY BUILDING SETBACKS IN THE R-1-10 RESIDENTIAL ZONE AND SUPPLEMENTING AND AMENDING ARTICLE XII OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, October 26, 2020.

Second:  
Voice Vote:

**6B. RESOLUTIONS**

- #20-235      AUTHORIZING PAYMENT OF BILLS**
- #20-236      RESOLUTION REDUCING THE PERFORMANCE GUARANTEE AND THE SAFETY AND STABILIZATION BOND FOR THE HERITAGE AT CLAREMONT (NGC DEVELOPMENT)**
- #20-237      REJECTING ALL BIDS FOR THE WALKING PATH AT THE POLO GROUNDS**
- #20-238      SUPPORTING SUBMISSION OF APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION - TRANSPORTATION ALTERNATIVES PROGRAM**

- #20-239      AUTHORIZING ENGINEERING IN SUPPORT OF THE  
TRANSPORTATION ALTERNATES GRANT APPLICATION**
- #20-240      AWARDING A CONTRACT FOR MUNICIPAL PARKING LOT  
SNOW PLOWING AND SIDEWALK CLEARING**
- #20-241      REGARDING STANDARD PROCEDURES AND  
REQUIREMENTS FOR PUBLIC COMMENT MADE AT REMOTE  
BOROUGH COUNCIL MEETINGS**
- #20-242      AUTHORIZING CONTRACT WITH THE CANNING GROUP,  
LLC, TO ASSIST THE BOROUGH IN ITS SEARCH FOR A NEW  
ADMINISTRATOR**

I move to adopt Resolutions #20-235 to #20-242

Second:

Roll call vote:

- 6C.    Draft Sign Ordinance
- 6D.    Diversity and Inclusion Program Update
- 6E.    Somerset County Transportation
- 6F.    2021 Parking Decals
- 6G.    Holiday Displays
- 6H.    Ordinance to Ban Sump Pump and Gutter/Leader Stormwater Discharge onto the  
Roadway
- 6I.    Ordinance Establishing a Fee for Cancellation of Housing Inspections
- 6J.    271 Mine Brook Road – Sale of House Portion
- 6K.    Mayor’s Update
- 6L.    Correspondence
- 6L(1). Ordinance Public Notices
- 6M.    Unfinished Business

6N. New Business

7. **CLOSED SESSION**

Council Member \_\_\_\_\_ moves, to adjourn to an executive session to consider:

**Personnel Matters**

*(Collective Bargaining, Contract negotiations, Personnel Matters, Pending or Anticipated Litigation, Property Acquisition, Attorney/Client Privilege)*, and that the time when and circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved.

Second:

Voice Vote:

8. **REOPEN AND ADJOURNMENT**

101320ag

BERNARDSVILLE BOROUGH  
ORDINANCE # 2020-1852

SUPPLEMENTING AND AMENDING THE BOROUGH LAND USE ORDINANCE  
TO CREATE A NEW DOWNTOWN ZONING DISTRICT WITH FOUR  
DOWNTOWN SUBDISTRICTS WITH RELATED ZONING AND DESIGN  
REGULATIONS

WHEREAS, the Borough Of Bernardsville 2000 Master Plan as amended in 2004 included goals and policy objectives relating to the Borough's Downtown and included a Downtown Plan within the Master Plan Land Use Element; and

WHEREAS, the Planning Board adopted a Master Plan Reexamination Report in 2016 that reaffirmed the goals and status of the 2000 Master Plan relating to the Borough's Downtown; and

WHEREAS, the Borough authorized the preparation of a draft Downtown Zoning Ordinance to implement the recommendations of the 2000 Master Plan and Reexamination Report as amended and reexamined; and

WHEREAS, Common Ground, an urban design and planning firm was retained by the Borough to prepare a draft ordinance dated September 23, 2019; and

WHEREAS, the draft ordinance promotes a performance based approach to regulating development in the Borough's Downtown whereby design criteria and standards guide development such that development becomes self-regulating based on compliance with such criteria and standards; and

WHEREAS, the Planning Board has adopted a 2020 Reexamination Report recommending that the Borough's Master Plan Land Use Element be amended to incorporate the proposed zoning regulations contained in the draft Downtown Ordinance; and

WHEREAS, the Planning Board also adopted a Master Plan Land Use Element Amendment as

recommended by the 2020 Reexamination Report incorporating the proposed land use and zoning regulations into the Land Use Element;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that the Borough Land Use Ordinance Article 12 entitled “Zoning” is hereby supplemented and amended as follows (note: deletions are denoted as strikeouts while new provisions are denoted in *bold italic*):

Section 1. Section 12-2.1 Table of Zone Districts is hereby amended to delete the B-1, C-1, H-D and O-B districts and add the Downtown, D-C, D-Co, D-CI and D-G districts as follows:

a.	R-1	Residence District
b.	R-1A	Residence District
c.	R-2	Residence District
d.	R-3	Residence District
e.	R-4	Residence District
f.	R-5	Residence District
g.	R-8	Single-Family Attached Residence District
h.	R-10A	Multi-Family Housing District
i.	R-10B	Multi-Family Housing District
<del>j.</del>	<del>B-1</del>	<del>Business District</del>
<del>k.</del>	<del>O-B</del>	<del>Office Building District</del>
<del>l.</del>	<del>C-1</del>	<del>Commercial District</del>
<i>j.</i>	<i>D</i>	<i>Downtown District</i>
<i>k.</i>	<i>D-C</i>	<i>Downtown Core</i>
<i>l.</i>	<i>D-Co</i>	<i>Downtown Corridor Subdistrict</i>
<i>m.</i>	<i>D-CI</i>	<i>Downtown Claremont Road Subdistrict</i>
<i>n.</i>	<i>D-G</i>	<i>Downtown Gateway Subdistrict</i>
<del>m.</del> <i>o.</i>	I	Industrial District

<del>n. p.</del>	I-2	Light Industrial District
<del>o. q.</del>	<del>H-D</del>	<del>Highway Development District</del>
<del>p. r.</del>	R-1-10	Residence District

Section 2. Section 12-2.2 a. The Zoning Map is hereby amended to delete reference to the B-1, O-B, C-1 and H-D Districts to be replaced with a new Downtown District with four subdistricts D-C, D-Co, D-CI and D-G as identified in the amended zoning map Appendix 1 attached hereto.

Section 3. Section 12-12 B-1 Business District is deleted in its entirety.

Section 4. Section 12-13 O-B Office Building District is deleted in its entirety.

Section 5. Section 12-16 C-1 Commercial District is deleted in its entirety.

Section 6. Section 12-21 HD Highway Development is deleted in its entirety.

Section 7. New Section 12-12 Downtown District is hereby created and added to replace the deleted Districts as follows:

**12-12 DOWNTOWN DISTRICT**

**12-12.1 Purpose and Intent**

*The purpose of this District is to implement the recommendations of the Borough of Bernardsville’s 2000 Comprehensive Master Plan Downtown Plan as amended, 2019 Master Plan Reexamination Report and 2019 Land Use Plan Element. Specifically, the intent of this District is to:*

- a) promote the Downtown as the commercial and civic center of Bernardsville in a cohesive manner;*
- b) enhance the physical characteristics of the Downtown through sign, facade, and streetscape improvements;*
- c) encourage architectural design that is consistent with the historical character of Bernardsville;*
- d) create a pedestrian-friendly atmosphere in the downtown; and*
- e) provide sufficient parking in the downtown.*

**12-12.2 Sub-districts**

*It is recognized that there are several areas of distinct character in Downtown Bernardsville; therefore, the following sub-districts are hereby created:*

- a) *Downtown Core (D-C)*
- b) *Downtown Corridor (D-Co)*
- c) *Downtown Gateway (D-G)*
- d) *Downtown Claremont Road (D-Cl)*

**12.12.3 General provisions.**

- a) *Definitions. The following definitions shall apply solely to the Downtown District. Terms contained in this section shall govern where they are in conflict with the other sections of the Land Development Ordinance except where terms are not defined herein, the definitions contained in Article 1, Section 1-3.2 shall apply:*

***ARTICULATION:*** *Treatment of a building facade through the use of offsets, recesses, Attachments, and/or Openings to reduce the mass of the facade.*

***ARTISAN MANUFACTURING:*** *The shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to electronic goods; food, drink and bakery products; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing; provided such facilities are open to the public for the retail sale of goods or services.*

***ATTACHMENT:*** *A structure, excluding signage, attached to the facade of a building.*

***BALCONY:*** *A covered or uncovered occupiable platform attached to a building facade.*

***BAY WINDOW:*** *A space with windows that projects outward from a building facade and forms a recess within.*

***CEILING:*** *The upper finished surface of a story.*

***DEVELOPMENT PLAN:*** *The documents necessary to demonstrate to the Zoning Official that proposed development, as defined in the Land Development Code, is in compliance with this section.*

***ENTRANCE:*** *An opening intended for the entry or exit of pedestrians in a building.*

***FACADE:*** *The face of a building.*

***FACADE, BLANK:*** *The portion of a facade per story that is permitted to have no Articulation or Opening.*

**FRONTAGE:** *The area between a building facade and a street, including built and planted elements. Private Frontage is located between a building facade and lot line adjacent to a street. Public Frontage is located in the street right-of-way adjacent to a lot line.*

**FRONTAGE BUILDOUT:** *The portion of a building facade built within the build-to-zone.*

**HOTEL:** *An establishment that is not a bed and breakfast or motel, that provides sleeping accommodations and customary lodging services, including dining facilities, maid service, and the furnishing of furniture and bed linens to a transient population.*

**MOTEL:** *A building or series of buildings in which lodging is offered for compensation in which each rental unit has direct independent access to, and adjoining parking for each unit.*

**OFFICES:** *Shall include co-working spaces.*

**OPENING:** *A window or door within a building facade.*

**PARAPET:** *A low protective wall along the edge of a building roof.*

**PORCH:** *A covered; occupiable platform attached to a building facade near grade level.*

**PRINCIPAL BUILDING:** *A building in which the primary use on the property is conducted.*

**ROOF:** *The structure forming the upper covering of a building including parapet walls.*

**STOOP:** *A covered platform attached to a building facade near a building entrance.*

**STORY:** *A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it as follows:*

*Any finished floor surface entirely above the established predevelopment grade shall be counted as a story, except that a basement shall be considered to be a story above grade where the finished surface of the floor above the basement is:*

- 1. More than six (6) feet above the existing grade; or*
- 2. More than six (6) feet above existing grade for more than fifty (50%) percent of the total building perimeter; or*
- 3. More than twelve (12) feet above grade at any point.*

***STREET, PRIMARY:*** *The fronting street of a lot; or when a lot fronts on more than one street, the street with the wider right-of-way which carries the greater average daily traffic volume shall be considered the primary street. In the event of two street frontages where the street has a greater average daily traffic volume but is not the wider street, the primary street shall be determined by the Planning Board based upon the orientation of the proposed building(s) and the character of the surrounding development.*

***STREET, SECONDARY:*** *Street determined to not be a primary street.*

***TRANSPARENCY:*** *The portion of the building facade made up of openings.*

- b) ***Design Standards.*** *Design Standards are prescriptive, quantifiable measures and rules that provide specific direction for meeting the intent of this section. Design Standards use terms such as “shall” or “must” to indicate that compliance with the standard is required.*
- c) ***Design Guidelines.*** *Design Guidelines are recommended approaches for meeting the intent of this section. Design Guidelines use terms such as “should” to indicate that the guideline is relevant to the intent and will be considered during the review process.*
- d) ***Applicability of Regulations***
  - 1. ***Existing Development.*** *Any existing use, lot, building or other structure legally established prior to the effective date of this ordinance that does not comply with any provision of these specific regulations is a legal non-conforming use pursuant to Chapter 12-26 Non-conforming Lots, Uses, and Structures.*
  - 2. ***New Development.*** *New construction or redevelopment of property that is not otherwise exempt shall comply with all applicable provisions of this section.*
  - 3. ***Additions.*** *Except as provided elsewhere, any addition to an existing building or buildings shall be constructed or developed in accordance with all applicable provisions of this section if any of the following criteria are met:*
    - i. ***The addition fronts a public right-of-way; or***
    - ii. ***The gross floor area of the addition exceeds 25% of the gross floor area of the existing building or structure being modified. Building additions less than 25% shall still require site plan approval in conformity with the applicable building height and setback requirements for the sub-district in which the property is located.***
  - 4. ***Modifications.*** *Except as provided elsewhere, any modification to an existing part of a building or buildings shall comply with the provisions of this section if both of the following criteria are met. Only modifications that meet the criteria are required to comply with the*

*provisions of this section and shall not require the unmodified portions of the building to be brought into compliance:*

- i. The building part is regulated by this section; and*
  - ii. The proposed modification fronts a public right-of-way.*
- 5. Repair and Maintenance. Routine repairs and maintenance of an existing building or site are permitted and are not required to comply with the provisions of this section. If parts of a building have deteriorated beyond the point where they can be repaired to code, they shall be replaced in kind. Parts of a building that are not replaced in kind shall be considered modifications and comply with the provisions for Modifications under Section 12-12.3 d) 4.*
- 6. Changes of Use. Except as provided elsewhere, any change of use within an existing building or structure shall comply with the parking and signage provisions of this section.*

#### *12-12.4 Administrative Procedures*

- a) Pre-Application Conference. A pre-application conference with the Zoning Official is recommended prior to any application for approval within the Downtown district. The purpose of the pre-application conference is to provide an overview of the materials needed to submit an application and a description of the process; answer questions related to development within the district; and determine and clarify issues that may arise.*
- b) No construction, reconstruction, alteration, conversion or installation of a structure, building, fence, patio, driveway, or other impervious surface, establishment of or change of use shall be undertaken unless and until a Zoning Permit is obtained from the Zoning Officer in accordance with the requirements of section 12-13A of this Code. In addition, an application for a zoning permit within the Downtown district, an applicant shall submit any additional information requested by the Zoning Official to effectively review for compliance with the provisions of the Downtown District.*
- c) Review and Approval. The Zoning Official shall provide copies of the zoning permit application to appropriate agencies for review. If the zoning permit application is deemed to be in compliance with this section and no variances or other development approvals are required under the Borough Land Development Regulations or Municipal Land Use Law, then the Zoning Official can issue the zoning permit. If the Zoning Official deems the submittal to not be in compliance with this ordinance (providing the reasons for such decision), then the applicant may submit the land development application to the Planning Board or the Board of Adjustment, as applicable, for appropriate relief and approval.*

#### *12-12.5 Deviation from Standards Defined*

- a) *Deviations from use requirements and standards relating to bulk, building placement, building height, building articulation, building transparency, parking, lighting and signage standards shall be deemed zoning requirements requiring use or variance relief pursuant to N.J.S.A. 40:55D-70(c) and (d).*
- b) *Deviations from design standards relating to architecture, frontage and miscellaneous guidelines shall be deemed design standard exceptions pursuant to N.J.S.A. 40:55D-51.*

***12-12.6 Permitted Uses In the Downtown District and All Sub-Districts***

*Unless specifically prohibited within a sub-district or elsewhere in this section, the following uses are permitted in the Downtown District:*

- a) *Artisan Manufacturing (including distilleries and micro-brewing)*
- b) *Educational Institutions*
- c) *Financial Institutions*
- d) *Institutional Uses (including but not limited to places of worship)*
- e) *Business and Professional Offices*
- f) *Outdoor Dining as regulated by §12-12.9.*
- g) *Personal Care Services*
- h) *Recreational type uses such as health clubs, spas and boutique exercise class providers, boutique gaming facilities, arcades, dance and art studios.*
- i) *Residential-Multi-family (including within a mixed-use building)*
- j) *Residential-Townhouses*
- k) *Restaurants and cafes*
- l) *Retail sales*
- m) *Theaters, community centers, art centers and museums*
- n) *Drive-through facilities shall be allowed for pharmacies only.*

***12-12.7 Conditional Uses Permitted in the Downtown Zone and All Sub-districts***

- a) *Hotels (pursuant to Section 12-25.f)*
- b) *Automobile Fueling Stations and Public Garages (pursuant to Section 12-25.b) in the Downtown Corridor and Downtown Gateway Districts only.*
- c) *Public Utilities (pursuant to Section 12-25.i)*

**12-12.8 Sidewalk Sales**

*Sidewalk sales shall be permitted within the Downtown District, not to exceed more than nine (9) days during each calendar year per business, which days shall be authorized by the Borough Clerk subject to the following standards:*

- a) *Goods and merchandise may be displayed only upon a sidewalk area immediately in front of the business establishment selling same and in such a manner as to permit the free flow of pedestrian traffic on the sidewalk at a minimum width of 48 inches.*
- b) *Goods and merchandise shall be of the same type and quality as that ordinarily maintained and sold by the business establishment conducting the sale.*
- c) *Goods and merchandise shall be displayed in such manner as to permit sales to pedestrians on sidewalk areas. Sales shall not be conducted or made to pedestrians walking or standing in streets, roads or other areas where motor vehicles ordinarily travel.*
- d) *No advertising signs larger than twelve inches by twenty- four inches shall be utilized in sidewalk sales.*
- e) *Business establishments adjacent to parking areas may set aside portions thereof by clearly marking some and restricting the areas to sidewalk sales. Booths or other displays shall be located in such a manner as to permit the free flow of traffic through the area.*
- f) *Sidewalk sales shall be restricted ~~between~~ to the hours of 9:00 a.m. ~~and~~ to 6:00 p.m., prevailing time.*
- g) *The use of public address systems, bells, music, auctioneers or other devices or activities not otherwise utilized by business establishments in the ordinary course of business shall not be permitted in conjunction with sidewalk sales.*
- h) *The location of booths and other merchandise displays along sidewalks and in parking areas shall be subject to approval by an authorized member of the Police Department of the Borough of Bernardsville and an authorized member of the Fire Department of the Borough of Bernardsville. Any party failing to comply with a written directive from either of the agencies shall be deemed to be in violation of this section.*

### ***12-12.9 Outdoor Dining***

***Outdoor Dining shall be permitted within the Downtown District as accessory to an existing indoor restaurant only subject to the following regulations:***

- a) No outdoor table, shelf or other facility to hold food or drink while the same are being consumed shall be permitted in any nonresidential zone except in accordance with this paragraph.***
- b) The dining area must be on private property. If any portion of the dining area is on a sidewalk over which the public has a right-of-way, an unobstructed passage not less than four (4) feet wide must be left between the dining area and any street, structure, hydrant, lamppost, highway signpost or other obstruction. No portion of the dining area may be closer than four (4) feet to any fire lane, parking lot or loading dock. No portion of any required parking space or loading dock shall be converted to dining area.***
- c) The dining area shall be surrounded by a defining barrier not less than two (2) feet high such as landscaping, a fence or ropes and posts. If any portion of the dining area is within ten (10) feet of any area used by vehicles and less than two (2) feet above such area, the barrier shall be designed to protect the dining area unless the same is protected by trees or other means. Any immovable portion of the barrier, or any permanent roof, arbor, platform or similar structure shall be considered a site improvement for the purpose of Section 12-12.4, Administrative Procedures, requiring site plans proposing site improvements to be drawn by a licensed person. The placement of tables and chairs in the dining area and the provision of passages through the barrier shall not obstruct entry to or exit from any building. Folding chairs are prohibited. No advertising or product names are permitted on any tablecloths, chairs or umbrellas in the dining area.***
- d) No use of the dining area shall be permitted after 10pm or before 6:00 a.m. Sunday through Wednesday. Outdoor dining shall not be permitted after 11:59 pm or before 6:00 am Thursday through Saturday.***
- e) Convenient containers for trash and recyclables shall be provided. The operator of the dining area shall keep it clean, sanitary and free from litter.***
- f) With the permission of the Board of Health and/or the Fire Department as to the maximum number of people in the indoor and outdoor spaces, the restaurant may serve indoor and outdoor diners simultaneously.***

### ***12-12.10 Specifically Prohibited Uses***

***In addition to the uses prohibited in Section 12-23.16, any use not specifically enumerated as expressly permitted herein is hereby prohibited including the following specific uses in all sub-districts unless otherwise indicated:***

- a) Animal slaughter***

- b) Any business operation conducted outside the confines of a building, or any business operation which results in the storage or display of any article or merchandise in bulk outside the confines of a building such as bags of topsoil, mulch, firewood or storage associated with a lumber yard, auto sales and the like. Seasonal displays are permitted as well as sidewalk sales as regulated above.*
- c) Bail bonds agency*
- d) Bulk storage of flammable liquids except the sale of exchangeable propane tanks is permitted.*
- e) Vending machines unless operated within the confines of a principal building or unless permitted by subsection 12-25.2 of this chapter.*
- f) Convention centers*
- g) Dependent living facilities*
- h) Junk yards, dumps, and scrap material storage*
- i) Lumber yards, contractor storage or equipment*
- j) Manufacturing (other than Artisan Manufacturing as defined elsewhere in this section)*
- k) Marijuana dispensaries either for medicinal or recreational use*
- l) Motels, trailer camps or other storage or parking of trailers*
- m) Pawn shops*
- n) Automobile Fueling Stations and Public Garages except as permitted in the Downtown Corridor and Gateway Corridor sub-districts*
- o) Stone or monument works*
- p) Tattoo parlors*
- q) Vape shops*
- r) Warehouses*
- s) Drone landing pads or area*

### ***12-12.11 Nuisances***

***No retail, restaurant, outdoor dining area, or office in any building shall use any noisemaking instruments such as phonographs, loudspeakers, amplifiers, radios, television sets or similar devices which are so situated as to be heard outside any building at a level exceeding 65 decibels during daytime and 50 decibels between 10:00 p.m. and 7:00 a.m. No smoke, dust, fumes or objectionable odor shall be emitted from any building. The display of merchandise on the exterior premises of any building is prohibited, except as to sidewalk sales as provided herein.***

### ***12-12.12 Lot Development***

- a) Intent. Most downtowns are designed as a system of streets and blocks. Downtown Bernardsville generally follows this pattern, but some areas stretch along corridors such as Mine Brook Road and Claremont Road. To ensure connection between the public and private realm, it is important that lots and, subsequently, buildings should front streets and/or open spaces such as parks and plazas. It is equally important that such public streets and spaces be connected to each other to the extent possible to form a complete street and park network.***
- b) Lots shall front on a public street, Private Street built to public standard, or designated public open space.***

### ***12-12.13 Placement of Buildings***

- a) Intent. It is important that buildings and related landscaping, rather than parking, be the dominant characteristic in Downtown Bernardsville. This creates an environment more conducive to pedestrians. While building placement varies by sub-district, the intent is for new development to be built close to the street.***
- b) Front setbacks from a street shall be measured from the property line. Rear and side setbacks are measured at a right angle from the adjacent property line.***
- c) Additions to buildings are not required to meet the minimum building frontage standards as applicable by sub- district.***
- d) Attachments, as established in section 12-12.16, may encroach into setbacks as applicable by sub-district subject to the following maximums:***
  - 1. Awnings: 6 feet***
  - 2. Balconies: 6 feet***
  - 3. Bay Windows: 6 feet***
- e) Minor elements such as accessory utility structures, mechanical equipment, fences, walls, driveways, walkways, and uncovered stoops and porches may encroach into all setbacks but not across property lines.***

### **12-12.14 Building Height**

- a) Intent. The height of buildings in Downtown Bernardsville is varied, which adds to the richness of its character. Additionally, the height of individual stories varies. For example, shopfronts close to sidewalk often feature taller ground level ceilings than the stories above. The first floor of residential-type buildings is typically raised above the level of the adjoining sidewalk. The intent is to be sensitive to the existing building and ceiling heights of the area, but to allow for additional height where appropriate due to location and/or unique features of the site.**
  
- b) Building height shall be measured in stories and feet. The measurement of building height in feet shall be made using average predevelopment grade. The average predevelopment grade shall be established at the minimum front yard setback line, measured at the endpoints of equal length segments composing that line with no segment longer than 20 feet. Building height from the average predevelopment grade will be measured to the bottom of the eave on a sloped roof or the highest point of the roof surface of a flat roof not including a parapet. The maximum exposed foundation along any portion of a building shall be no greater than 2-feet.**
  
- c) Any finished floor surface entirely above the established predevelopment grade shall be counted as a story, except that a basement shall be considered to be a story above grade where the finished surface of the floor above the basement is:
  - 1. More than six (6) feet above the existing grade; or**
  
  - 2. More than six (6) feet above existing grade for more than fifty (50%) percent of the total building perimeter; or**
  
  - 3. More than twelve (12) feet above grade at any point.****
  
- d) Where a lot slopes down from the primary street a minimum of 10 feet vertically, one additional story is allowed beyond the maximum number of stories as applicable by sub-district. Such additional story shall be used only for underground or covered parking, storage or mechanical equipment.**
  
- e) Non-occupiable roof elements such as spires, cupolas, chimneys, cell antennas, and similar structures may exceed the maximum height requirements by no greater than 20%.**
  
- f) Stairways to the roofs, rooftop shade structures, and rooftop mechanical equipment including solar panels may not exceed the maximum height requirement by more than 10 feet and shall be set back from building facades a minimum of 10 feet. Rooftop structures shall be limited to 25% of the roof area. All roof structures, facilities and improvements shall have aesthetic quality consistent with the design standards applicable to the structure as a whole and shall be appropriately screened.**

- g) *Minimum story height requirements shall be measured from the top of the finished floor to the floor above.*
- h) *Minimum ground floor elevation requirements shall be measured from the top of the adjacent sidewalk.*
- i) *Fencing as required by building codes for terraced roofs is permitted but may not exceed the minimum height required by the building code.*

#### **12-12.15 Building Articulation**

- a) *Intent. Downtown Bernardsville, like many historic downtowns, was built incrementally over time. The result is a pattern of development where the articulation of buildings through recesses, projections, and attachments create visual interest. It is the intent to avoid the massive character of buildings with long, uninterrupted facades that do not contribute to a viable streetscape.*
- b) *Articulation requirements by sub- district shall be met in one or more of the following methods:*
  - 1) *Facade offset with a minimum depth of 2 feet that extends to within 2 feet of the full height of the facade.*
  - 2) *Facade projection or recession with a minimum depth of 4 inches and a minimum width of 1 foot that extends the full height of the first story of the facade.*
  - 3) *Variation in building or parapet height of a minimum 2 feet for single story buildings and 4 feet for buildings with 2 or more stories.*
  - 4) *The use of multiple roof forms to create the effect of different building components.*

#### **12-12.16 Permitted Building Attachment Standards**

- a) *Intent. In addition to the articulation of building facades, downtown buildings may feature a variety of attached elements that provide protection from the weather and extend informal occupiable space, while also helping to break down the perceived mass of the building.*
- b) *Building attachment requirements by sub- district shall be met in one or more of the following methods:*
  - 1. *Awnings/canopies shall have a minimum clear height above a sidewalk of 9 feet and a minimum depth of 5 feet.*
  - 2. *Balconies shall have a minimum clear height above a sidewalk of 9 feet and a minimum clear depth of 5 feet.*
  - 3. *Bay windows shall have a maximum projection of 5 feet from a facade.*

4. *Chimneys shall have a maximum projection of 3 feet from a facade.*
5. *Drive-through facilities visible from a street shall be recessed a minimum of 10 feet from street-facing facades. Vehicular circulation and stacking for drive-through facilities shall be designed in a manner that does not impede traffic flow on adjacent streets.*
6. *Porches shall have a minimum clear depth of 6 feet excluding steps.*
7. *Stoops shall have a minimum clear depth of 4 feet.*

**12-12.17 Building Transparency**

- a) *Intent. Similar to articulation, the transparency of buildings, or the amount of windows and doors in Downtown Bernardsville, where fronting or visible from streets and public spaces, contributes to a pedestrian-friendly environment critical to the success of the downtown. It is the intent to ensure development enhances the streetscape through openings that provide unobstructed views into buildings and are blocked only by sightly merchandise seasonal displays rather than merchandise storage, which is otherwise prohibited, do not demean the look of the borough, and are placed appropriately based on location and use.*
- b) *Transparency shall be measured by dividing all the transparent surface areas of windows and including doors by the total facade area of a street-facing story.*
- c) *Storefronts which become vacant shall be cleaned of all trash and debris at the front display windows. The property owner or tenant shall install a temporary painted, or otherwise decorated screen that shall obscure all display windows upon the premises to prevent visual exposure of the areas behind the screen. The top of the screen shall be not less than six feet above the adjacent sidewalk area.*

**12-12.18 Parking**

- a) *Intent. The accommodation of parking within Downtown Bernardsville is necessary, but it is critical that downtown design not be controlled by parking. Downtown residents and patrons should be able to park once and visit multiple establishments. The intent should be to reduce unnecessary parking and encourage shared parking that is convenient throughout the Downtown District.*
- b) *Parking shall be required for new development or changes in use according to the table below:*

<u><b>USE</b></u>	<u><b>REQUIRED PARKING</b></u>
<i>Artisan Manufacturing</i>	<i>1 sp./1,000 sq. ft.</i>
<i>Auditorium, Theater:</i>	<i>1 sp./3 seats</i>
<i>Educational, Daycare:</i>	<i>1 sp./250 sq. ft.</i>
<i>Financial Institutions:</i>	<i>1 sp./300 sq. ft.</i>

<i>Hotels:</i>	<i>1 sp./room plus 1 sp./2 employees</i>
<i>Institutional:</i>	<i>1 sp./250 sq. ft.</i>
<i>Institutional, Places of Worship:</i>	<i>1 sp./3 seats</i>
<i>Offices:</i>	<i>1 sp./300 sq. ft.</i>
<i>Personal Care Service:</i>	<i>1 sp./250 sq. ft.</i>
<i>Recreational:</i>	<i>1 sp./250 sq. ft.</i>
<i>Residential:</i>	<i>Per RSIS</i>
 <i>Restaurants:</i>	 <i>1sp./3 seats for patrons and 1/employee on a maximum shift</i>
<i>Retail:</i>	<i>1 sp./250 sq. ft.</i>

- c) *Parking setbacks are measured at right angles to the adjacent property line.*
- d) *Required parking, with the exception of required accessible spaces, may be located off-site, if located within 600 feet from the primary pedestrian entrance.*
- e) *A shared parking plan may be approved by the Planning Board or the Board of Adjustment, as applicable, for a mixed-use project when uses are located near one another and have different peak parking demands and operating hours, based upon a shared parking analysis prepared and presented by a qualified New Jersey licensed professional engineer.*
- f) *Cross access between adjacent parking areas is required when technically feasible.*
- g) *For parking lots or structures with a minimum of 50 spaces, a minimum of 2% of the spaces shall be reserved for electric vehicle charging stations.*

**12-12.19 Downtown Zone Standards**

*Development regulations for each Downtown Subzone are hereby established as follows:*

- a) *Downtown Core Sub-district (D-C)*
  - 1. *Description and Intent. The Downtown Core sub-district encompasses the heart of downtown Bernardsville. The district is centered around Olcott Square at the intersection of Mine Brook Road, Mt. Airy Road, Anderson Hill Road, and Morristown Road. The district features a variety of building types, but generally buildings are built close to the sidewalk with parking located behind. The intent is to preserve the historic character of the area and to ensure new development is compatible. The district also includes the area around Quimby Lane, an area the Borough envisions to be redeveloped with a mixture of uses and the character of a European village.*

2. *Permitted uses: Uses as permitted in § 12-12.6, § 12-12.8 and § 12-12.9.*
3. *Conditional uses: Conditional uses as permitted in § 12-12.7.*
4. *Prohibited uses: As regulated by §12-12.10.*
5. *Lot Coverage: Maximum 90%.*
6. *Building Setbacks*
  - i. *Front Yard.*
    - (a) *Non-residential and mixed use buildings: Minimum: 2 feet; Maximum 5 feet. For non-residential and mixed-use buildings, the area between the building façade and the sidewalk shall be hardscaped to match or complement the sidewalk*
    - (b) *Residential buildings: Minimum: 5 feet; Maximum 10 feet.*
  - ii. *Side Yard. Minimum: 0 feet/Minimum to adjacent residentially zoned property: 5 feet.*
  - iii. *Rear Yard. Minimum: 5 feet/Minimum to adjacent residentially zoned property: 20 feet.*
  - iv. *Distance between buildings on same lot: Minimum 10 feet.*
  - v. *Frontage buildout: Minimum 80% of the front façade shall extend along the ~~street~~ front setback line.*
7. *Principal Building Height Requirements*
  - i. *Maximum Stories: 3 stories*
  - ii. *Feet to bottom of eave: Maximum 40*
  - iii. *Feet to top of parapet: Maximum 45 feet*
  - iv. *Story Height as measured floor to floor.*
    - (a) *Ground level non-residential uses: Minimum 15 feet/Maximum 21 feet*
    - (b) *Ground level residential: Minimum 10 feet*

*(c) Upper level: Minimum 9 feet*

**10. Accessory Building Height Requirements**

- i. Maximum Stories: 2*
- ii. Maximum Height: 30 feet*

**11. Ground floor above sidewalk measured at doorway**

- i. Non-residential uses: 4 inches to a maximum of 6 inches.*
- ii. Residential uses: Minimum 1.5 feet*

**12. Building Articulation**

- i. Flat façade – Primary Street: Maximum 25 feet*
- ii. Flat façade-Secondary Street: Maximum 50 feet*
- iii. Permitted attachments subject to § 12-12.16: awnings, canopies, balconies, bay windows, chimney, porches and stoops*

**13. Required Building Transparency**

- i. Primary Street Ground Level – Non-residential: Minimum 70%/Maximum 80%; Maximum sill height at window 2 ½ feet; For non-residential uses, located within a building designed to resemble a single-family residential building type with a porch frontage, required transparency may be reduced to 20%.*
- ii. Secondary Street Ground Level - Non-residential: Minimum 20%/Maximum 80%*
- iii. Primary Street Ground Level – Residential: Minimum 20%/Maximum 60%*
- iv. Secondary Street Ground Level – Residential: Minimum 15%/Maximum 60%*
- v. Upper Level: Minimum 15%/Maximum 50%*

**14. Parking setbacks from property lines**

- i. Primary Street: Behind the principal building*

- ii. *Secondary Street: Minimum 5 feet*
- iii. *Side: Minimum 5 feet*
- iv. *Rear: Minimum 5 feet*

**15. Parking Access**

- i. *Primary Street Number of Driveways: Maximum 1*
- ii. *Secondary Street Driveways: Maximum 2*
- iii. *Driveway Width: Maximum 24 feet*

**16. Parking lot screening from public right of way: Minimum planting height 3 feet/Maximum planting height 4 feet; Parking lots with less than 5 spaces are exempt from this requirement.**

**17. Architecture**

- i. *Permitted Foundation Materials: Brick masonry, stone masonry, cement-parged concrete block*
- ii. *Permitted Façade Materials: Brick masonry, stone masonry, stucco, wood siding/shingles for buildings designed to resemble a single-family residential building type only, fiber-cement siding/shingles to resemble a single-family residential building type only*
- iii. *Permitted Façade Accent Materials: Cast stone, wood, fiber-cement trim, siding, and panels, composite trim, siding, and panels, architectural metal*

**18. Frontages**

- i. *Permitted private frontages: Shopfront, stoop, forecourt, porch*
- ii. *Public frontages: Sidewalk and tree well*

**19. Sidewalks - 8 foot sidewalk as measured from the top edge of the curb face shall be provided. Where the sidewalk along a property frontage is less than 8 feet, the front facade must be setback an additional distance to ensure a 10 foot minimum clear sidewalk width.**

**20. Signage as permitted pursuant to §12-23-15.**

**b) Downtown Corridor Sub-district (D-Co)**

1. *Description and intent. The Downtown Corridor sub-district extends along Morristown Road east of the core and serves as a portion of the eastern gateway into Bernardsville. The area has a more auto-dependent character than other sub-districts. The intent is to limit the future expansion of this character while recognizing that the corridor will remain auto-oriented for the foreseeable future.*
2. *Permitted uses: Uses as permitted in § 12-12.6, § 12-12.8 and § 12-12.9.*
3. *Conditional uses: Conditional uses as permitted in § 12-12.7.*
4. *Prohibited uses: As regulated by § 12-12.10 and residential on a ground floor.*
5. *Lot Coverage: Maximum 80%.*
6. *Building Setbacks*
  - i. *Front Yard. Minimum: 5 feet; Maximum 75 feet.*
  - ii. *Side Yard. Minimum: 5 feet*
  - iii. *Rear Yard. Minimum: 20 feet*
  - iv. *Distance between buildings on same lot: Minimum 20 feet.*
  - v. *Frontage buildout: Minimum 60% of the front façade shall extend along the street-front setback line.*
7. *Principal Building Height Requirements*
  - i. *Maximum Stories: 2 1/2 stories*
  - ii. *Feet to bottom of eave: Maximum 30 feet*
  - iii. *Feet to top of parapet: Maximum 35 feet*
  - iv. *Story Height as measured floor to floor*
    - (a) *Ground level: Minimum 13 feet*
    - (b) *Upper level: Minimum 9 feet*
10. *Accessory Building Height Requirements*

- i. Maximum Stories: 2*
- ii. Maximum Height: 30 feet*

**11. Ground floor above sidewalk measured at doorway: 0 feet**

**12. Building Articulation**

- i. Flat façade – Primary Street: Maximum 50 feet*
- ii. Flat façade-Secondary Street: Maximum 50 feet*
- iii. Permitted Attachments subject to § 12-12.16: awnings, canopies, balconies, bay windows, drive-throughs for Pharmacies only, porches and stoops*

**13. Required Building Transparency**

- i. Primary Street Ground Level – Non-residential: Minimum 40%/Maximum 80%; For non-residential uses located within a building designed to resemble a single-family residential building type with a porch frontage, required transparency may be reduced to 20%.*
- ii. Secondary Street Ground Level - Non-residential: Minimum 20%/Maximum 80%*
- iii. Primary Street Ground Level – Residential: Minimum 20%/Maximum 60%*
- iv. Secondary Street Ground Level – Residential: Minimum 15%/Maximum 60%*
- v. Upper Level: Minimum 15%/Maximum 50%*

**14. Parking setbacks from property lines**

- i. Primary Street: Minimum 5 feet; Surface parking is limited to one double-loaded aisle of parking between the building and the street.*
- ii. Secondary Street: Minimum 5 feet*
- iii. Side: Minimum 5 feet*
- iv. Rear: Minimum 5 feet*

**15. Parking Access**

i. *Primary Street Number of Driveways: Maximum 2*

ii. *Secondary Street Driveways: Maximum 2*

iii. *Driveway Width: Maximum 24 feet*

16. *Parking lot screening from public right of way: Minimum planting height 3 feet/Maximum planting height 4 feet; Parking lots with less than 5 spaces are exempt from this requirement.*

17. *Architecture*

i. *Permitted Foundation Materials: Brick masonry, stone masonry, cement-parged concrete block*

ii. *Permitted Façade Materials: Brick masonry, stone masonry, stucco, wood siding/shingles for buildings designed to resemble a single-family residential building type only, fiber-cement siding/shingles to resemble a single-family residential building type only*

iii. *Permitted Façade Accent Materials: Cast stone, wood, fiber-cement trim, siding, and panels, composite trim, siding, and panels, architectural metal*

18. *Frontages*

i. *Permitted private frontages: Shopfront, stoop, porch*

ii. *Public frontages: Sidewalk and planter, sidewalk and planting strip*

19. *Sidewalks - 8 foot sidewalk as measured from the top edge of the curb face shall be provided. Where the sidewalk along a property frontage is less than 8 feet, the front facade must be setback an additional distance to ensure a 10 foot minimum clear sidewalk width.*

20. *Signage as permitted pursuant to §12-23.15*

c) *Downtown Gateway Sub-district (D-G)*

1. *Description and intent. The Downtown Gateway sub-district extends along Morristown Road near its intersection with Finley and east to the Borough limits near Madisonville Road. This area serves as the eastern gateway into Bernardsville. The area has a more auto-dependent character than other sub-districts. The intent is to encourage a slightly more intense development pattern in this area-in particular, office uses, but with an appropriate transition to surrounding residential areas.*

2. *Permitted uses: Uses as permitted in § 12-12.6, § 12-12.8 and § 12-12.9.*
3. *Conditional uses: Conditional uses as permitted in § 12-12.7.*
4. *Prohibited uses: As regulated by §12-12.10*
5. *Lot Coverage: Maximum 85%.*
6. *Building Setbacks*
  - i. *Front Yard. Minimum: 5 feet; Maximum 75 feet.*
  - ii. *Side Yard. Minimum: 5 feet*
  - iii. *Rear Yard. Minimum: 20 feet*
  - iv. *Distance between buildings on same lot: Minimum 20 feet.*
  - v. *Frontage buildout: Minimum 60% of the front façade shall extend along the ~~street~~ front setback line.*
7. *Principal Building Height Requirements*
  - i. *Maximum Stories: 3 stories*
  - ii. *Feet to bottom of eave: Maximum 40 feet*
  - iii. *Feet to top of parapet: Maximum 45 feet*
  - iv. *Story Height as measured floor to floor*
    - (a) *Ground level – non-residential: Minimum 13 feet/Maximum 21 feet*
    - (b) *Ground level – residential: Minimum 10 feet*
    - (c) *Upper level: Minimum 9 feet*
10. *Accessory Building Height Requirements*
  - i. *Maximum Stories: 2*
  - ii. *Maximum Height: 30 feet*

**11. Ground floor above sidewalk measured at doorway:**

- i. Ground level – non-residential: Minimum 0 feet**
- ii. Residential uses – Minimum 1 ½ feet within 25 feet of front property line**

**12. Building Articulation**

- i. Flat façade – Primary Street: Maximum 50 feet**
- ii. Flat façade-Secondary Street: Maximum 50 feet**
- iii. Permitted Attachments subject to § 12-12.16: awnings, canopies, balconies, bay windows, drive-thru for Financial Institutions and Pharmacies only, porches and stoops**

**13. Required Building Transparency**

- i. Primary Street Ground Level – Non-residential: Minimum 60%/Maximum 80%**
- ii. Secondary Street Ground Level - Non-residential: Minimum 20%/Maximum 80%**
- iii. Primary Street Ground Level – Residential: Minimum 20%/Maximum 60%**
- iv. Secondary Street Ground Level – Residential: Minimum 15%/Maximum 60%**
- v. Upper Level: Minimum 15%/Maximum 50%**

**14. Parking setbacks from property lines**

- i. Primary Street: Minimum 5 feet; Surface parking is limited to one double-loaded aisle of parking between the building and the street.**
- ii. Secondary Street: Minimum 5 feet**
- iii. Side: Minimum 5 feet**
- iv. Rear: Minimum 5 feet**

**15. Parking Access**

- i. Primary Street Number of Driveways: Maximum 2**

ii. *Secondary Street Driveways: Maximum 2*

iii. *Driveway Width: Maximum 24 feet*

16. *Parking lot screening from public right of way: Minimum planting height 3 feet/Maximum planting height 4 feet; Parking lots with less than 5 spaces is exempt from this requirement.*

17. *Architecture*

i. *Permitted Foundation Materials: Brick masonry, stone masonry, cement-parged concrete block*

ii. *Permitted Façade Materials: Brick masonry, stone masonry, stucco, wood siding/shingles for buildings designed to resemble a single-family residential building type only, fiber-cement siding/shingles to resemble a single-family residential building type only*

iii. *Permitted Façade Accent Materials: Cast stone, wood, fiber-cement trim, siding, and panels, composite trim, siding, and panels, architectural metal*

18. *Frontages*

i. *Permitted private frontages: Shopfront, stoop, porch*

ii. *Public frontages: Sidewalk and planter, sidewalk and planting strip*

19. *Sidewalks - 8 foot sidewalk as measured from the top edge of the curb face shall be provided. Where the sidewalk along a property frontage is less than 8 feet, the front facade must be setback an additional distance to ensure a 10 foot minimum clear sidewalk width.*

20. *Signage as permitted pursuant to §12-23.15.*

d) *Downtown Claremont Road Sub-district (D-CI)*

1. *Description and intent. The Downtown Claremont Road sub-district contains a mixture of uses in a form that creates an appropriate transition between the core of downtown and the single-family neighborhoods to the north. New development in the area would ideally feature a mixture of uses and be compatible in scale and character with existing development.*

2. *Permitted uses: § 12-12.6, § 12-12.8 and § 12-12.9.*

3. *Conditional uses: Conditional uses as permitted in § 12-12.7.*

4. *Prohibited uses: As regulated by §12-12.10 including artisan manufacturing and public parking garages which are also prohibited.*

5. *Lot Coverage: Maximum 80%.*

6. *Building Setbacks*

i. *Front Yard. Minimum: 5 feet; Maximum 25 feet*

ii. *Side Yard. Minimum: 5 feet*

iii. *Rear Yard. Minimum: 5 feet//Minimum 20 feet to residentially used or zoned property*

iv. *Distance between buildings on same lot: Minimum 10 feet.*

v. *Frontage buildout: Minimum 70% of the front façade shall extend along the front setback line.*

7. *Principal Building Height Requirements*

i. *Maximum Stories: 2.5 stories*

ii. *Feet to bottom of eave: Maximum 30 feet*

iii. *Feet to top of parapet: Maximum 35 feet*

iv. *Story Height as measured floor to floor*

(a) *Ground level – non-residential: Minimum 11 feet/Maximum 16 feet*

(b) *Ground level – residential: Minimum 10 feet*

(c) *Upper level: Minimum 9 feet*

10. *Accessory Building Height Requirements*

i. *Maximum Stories: 2*

ii. *Maximum Height: 30 feet*

11. *Ground floor above sidewalk measured at doorway:*

- i. Ground level – non-residential: Minimum 0 feet*
- ii. Residential uses – Minimum 1 ½ feet*

**12. Building Articulation**

- i. Flat façade – Primary Street: Maximum 35 feet*
- ii. Flat façade-Secondary Street: Maximum 50 feet*
- iii. Permitted Attachments subject to § 12-12.16: awnings, canopies, balconies, bay windows, chimneys, porches, and stoops*

**13. Required Building Transparency**

- i. Primary Street Ground Level – Non-residential: Minimum 50%/Maximum 80%/Maximum 2 ½ feet sill height; For non-residential uses located within a building designed to resemble a single-family residential building type within a porch frontage, required transparency may be reduced to 20%.*
- ii. Secondary Street Ground Level - Non-residential: Minimum 20%/Maximum 80%*
- iii. Primary Street Ground Level – Residential: Minimum 20%/Maximum 60%*
- iv. Secondary Street Ground Level – Residential: Minimum 15%/Maximum 60%*
- v. Upper Level: Minimum 15%/Maximum 50%*

**14. Parking setbacks from property lines**

- i. Primary Street: Behind the principal building*
- ii. Secondary Street: Minimum 5 feet*
- iii. Side: Minimum 5 feet*
- iv. Rear: Minimum 5 feet*

**15. Parking Access**

- i. Primary Street Number of Driveways: Maximum 1*
- ii. Secondary Street Driveways: Maximum 1*

- iii. *Driveway Width: Maximum 24 feet*
16. *Parking lot screening from public right of way: Minimum planting height 3 feet/Maximum planting height 4 feet; Parking lots with less than 5 spaces is exempt from this requirement.*

17. *Architecture*

- i. *Permitted Foundation Materials: Brick masonry, stone masonry, cement-parged concrete block*
- ii. *Permitted Façade Materials: Brick masonry, stone masonry, stucco, wood siding/shingles, fiber-cement siding/shingles*
- iii. *Permitted Façade Accent Materials: Cast stone, wood, fiber-cement trim, siding, and panels, composite trim, siding, and panels, architectural metal*

18. *Frontages*

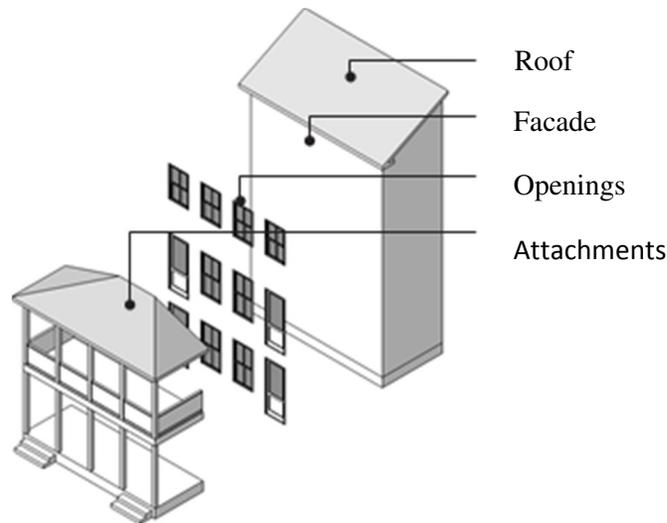
- i. *Permitted private frontages: Shopfront, stoop, forecourt, porch*
  - ii. *Public frontages: Sidewalk and tree well, sidewalk and planting strip*
19. *Sidewalks – 5 foot sidewalk as measured from the top edge of the curb face shall be provided. Where the sidewalk along a property frontage is less than 5 feet, the front facade must be setback an additional distance to ensure a 7 foot minimum clear sidewalk width.*

20. *Signage as permitted pursuant to §12-23.15.*

12-12.20 *Architectural Standards*

- a) *Intent. The architecture of Downtown Bernardsville is varied. In the historic core, building design ranges from early 20th century, masonry and stucco “Main Street” shopfront buildings close to the sidewalk to older residential-type buildings, such as the Old Library, that feature shallow yards, porches, sloped roofs, and siding. These variations contribute to the unique village-like character of the Borough. The demolition of structures deemed historic is strongly discouraged. At a minimum, the exterior facades and features of buildings deemed historic should be preserved. The later architecture in downtown and along the corridors leading into downtown is more suburban in character and lacks the richness of downtown’s more historic buildings. The intent is for the design of new construction and additions to take cues from Downtown Bernardsville’s most iconic historic buildings.*
- b) *General. The standards in this section apply to basic building components as depicted in Figure 1.*

**Figure 1**



1. *Unless otherwise specified, the standards in this section apply to all facades that face a street or public open space and side facades for a minimum depth of 20 feet*
2. *Buildings shall be generally oriented so that a primary entrance(s) faces the primary street or public open space.*
3. *Building entrances (excluding service access or emergency egress) shall be defined by a roof covering or by being recessed.*
4. *Buildings shall be generally built parallel to the street frontage. If the street frontage is not straight, facades shall be generally built tangent to the street frontage.*
5. *Buildings shall have simple massing and details in order to clearly distinguish the main body of the building and the primary pedestrian entry.*
6. *Street-facing facades shall be composed so that the rhythm of ground floor attachments and openings harmonizes with the rhythm of attachments and openings on upper stories.*
7. *Buildings on corner lots, shall address both streets with openings or the following attachments: porches and bay windows. For the purpose of this standard, a lane or alley is not a street.*
8. *Miscellaneous Guidelines. Buildings and related elements should be arranged in a manner to indicate the pattern of base, body or shaft, and cap.*

c) *Facades*

1. *Building facades shall be built of no more than two primary materials, excluding accent materials, and shall only change material along a horizontal line (with the heavier material below the lighter material), outside corners (where material wraps the corner a minimum of 2 feet), or inside corners. (see Section 12-12.26, Appendix 3 referencing illustrations)*
2. *The following materials are prohibited:*
  - i. *Exterior Insulation Finish Systems (E.I.F.S)*
  - ii. *Faux brick, stone, or similar faux masonry panels*
  - iii. *Vinyl siding*
3. *Building facades may include horizontal siding, vertical siding with flush joints, stucco, and medium-density overlay plywood (MDO) as an accent material in gables, dormers, and bay windows.*
4. *Horizontal siding shall be lap, shiplap, drop, or shingle-style.*
5. *Materials, other than masonry, shall be painted, stained, or have a factory-applied finish.*
6. *Buildings shall be limited to two colors, excluding accent colors. Colors shall be earth tones from white through natural “red.”*
7. *Parking structure facades shall incorporate appropriate materials, openings, and detailing and be configured in a manner so as to resemble a building with active uses.*
8. *Miscellaneous Guidelines. Natural materials are encouraged. Materials intended to represent natural materials should be minimized.*

d) *Openings*

1. *Openings in walls with siding shall be trimmed with flat casing, a sloping sill, and drip cap at a minimum.*
2. *Openings in masonry walls or walls with masonry veneer shall include brickmold casing.*
3. *Openings in masonry walls or walls with masonry veneer other than stucco, shall have a precast lintel; masonry arch; or masonry header.*
4. *Openings in Parking Structure facades may remain open without windows.*
5. *With the exception of transoms and decorative windows, windows shall be square or vertically proportioned and rectangular in shape. The grouping of individual windows to*

*create a horizontal banding effect is permitted as long as the width of the banding does not exceed 1/2 of the length of the facade.*

6. *Adjacent windows shall be separated a minimum of 2 in.*
7. *Windows and doors shall have clear glass.*
8. *Window muntins, if included, shall be true divided lites or simulated divided lites fixed on the interior and exterior surfaces of the window and shall create panes of square or vertical proportion (as tall as wide or taller than wide).*
9. *Shutters, if included, shall be the same height as the window, and 1/2 the width of the window. Small windows may have one shutter that is the full width of the window. Shutters shall be operable or designed and installed as if they were operable including hardware.*

#### *10. Miscellaneous Guidelines*

- i. *Openings, including dormers, should be centered vertically with other openings or shall be centered with the wall between openings.*
- ii. *Openings above should be equal in size or smaller than openings below.*

#### *e) Roofs*

1. *Principal building sloped roofs shall be a symmetrical hip or gable and have a minimum pitch of 8:12.*
2. *Eaves shall be continuous or include appropriate eave returns, unless overhanging a balcony or porch.*
3. *Miscellaneous Guidelines*
  - i. *The ridge of the primary building should generally be oriented either parallel to or perpendicular to the street.*
  - ii. *All gable and hipped roofs of a building, excluding ancillary roofs, should generally have the same slope where visible from a street or open space.*

#### *f) Attachments*

*Attachments shall comply with the following standards. Refer to Figure 3, Appendix A for examples:*

1. *Awnings and canopies shall not be internally illuminated.*
2. *Balconies shall not be fully enclosed.*
3. *Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or brick corbeling.*
4. *Chimneys shall extend to grade.*
5. *Drive-through facilities shall be designed to match the architecture of the principal building the facility is attached to.*
6. *Porches may be enclosed with glass or screens; however, glass enclosures are not permitted on porches that face a street or public open space.*
7. *Posts and columns shall be generally classically ordered and include a base or pedestal, shaft, and capital. The base of posts, columns, and pedestals shall generally align with the face of the foundation wall directly below. The outside face of porch beams shall generally align with the face of the top of the column.*
8. *The above standards shall not preclude the provision for outdoor dining.*
9. *Miscellaneous Guidelines*
  - i. *Porches should have square or vertically proportioned openings.*
  - ii. *Balcony, porch, and stoop railings between balusters should have both top and bottom rails.*

#### **12-12.21 Landscaping and Screening**

- a) *Intent. Downtown areas often feature more hardscaped areas than landscaped areas. Landscaping on private property in downtowns is generally used to screen equipment and refuse storage that detract from the streetscape and to soften the impact of paved areas in surface parking lots. It is the intent to provide standards that enhance the pedestrian experience. Refer to 12-23 Frontages for guidance on landscaping within the public right-of- way.*
- b) *There shall be planted 1 shade tree for every 6 vehicles and at least 65 percent of the required trees shall be provided within the interior of surface parking spaces. The ends of interior parking bays with a minimum of 12 spaces must be bordered with landscape islands. The ends of perimeter parking bays shall be bordered by landscape peninsulas. Each landscape island should contain a minimum of one 3 inch caliper shade tree and have sufficient space for tree growth and irrigation.*

- c) *Required parking lot screening must be a minimum of 3 feet in height as measured from the adjacent finished surface of the parking area. Parking lot screening, at a minimum, must consist of:*
- 1. a compact hedge of evergreen shrubs, at least 2 feet tall at planting, spaced to ensure closure into a solid hedge at maturity and canopy trees at a maximum of 30 feet on center;*
  - 2. an architecturally compatible opaque wall or fence;*
  - 3. a seat wall at seating height; or*
  - 4. a combination of the above.*
- d) *Retaining walls shall be constructed of or clad in brick, stone, or stucco.*
- e) *Decorative walls and fences shall be of a material similar to the facade material of the principal building on the lot.*
- f) *All dumpsters, trash receptacles, and refuse storage containers shall be located within an enclosure providing screening, unless located adjacent to a loading dock at the rear of the building. Enclosure shall meet one of the following standards:*
- 1. A decorative masonry wall with a minimum height of 6 feet on three sides and a gate on the fourth side. The gate shall be constructed with an opaque, non-masonry material. The construction materials of the wall shall match materials used on the principal building located on the same lot.; or*
  - 2. Medium-sized evergreen shrubs shall be arranged, planted a maximum of 6 feet on-center, around the perimeter of the pad area except the side where access is located. This landscaping requirement does not apply when the enclosure is an architectural extension of a principal building.*
- g) *When technically feasible, outdoor equipment shall be placed underground. All proposed ground-mounted equipment (i.e., transformers, air conditioner units, etc.) within view from a street shall be screened by evergreen shrubs. Medium-sized evergreen shrubs shall be arranged around the boundary of the equipment and planted a maximum of 4 feet on-center. Mechanical equipment on the roof shall be screened from abutting streets with parapets or other types of visual screening. In no case shall mechanical equipment be allowed along street frontage(s).*
- h) *Plant materials should be native, drought-tolerant species. Invasive plant species are prohibited.*
- i) *Where possible, provision shall be made for snow removal within the parking areas so as to minimize damage to landscaped areas.*

### ***12-12.22 Stormwater Management***

***Stormwater management shall be provided in accordance with Chapter 22, Stormwater Regulations.***

### ***12-12.23 Sustainability***

***Sustainable techniques and practices such as, but not limited to, recycling, green roofs, and solar power, are encouraged to be included in development proposals.***

### ***12-12.24 Frontages***

- a) Intent. The design of frontages, or the interface of building fronts and the public right-of-way, is an important consideration. This section focuses on the pedestrian area between the travelway and private property. The intent is to promote an environment at street level that is attractive and comfortable for pedestrians.***
  
- b) Public Frontage Guidelines. Public frontages include the area within the public right-of-way. For development and redevelopment that requires improvements to the public right-of-way, the following standards should guide the design of frontages as suggested by sub-district (see Section 12-12.26, Appendix 3 referencing illustrations). Actual design may vary depending on the width or condition of the sidewalk and whether an owner or developer is required to improve the sidewalk along the frontage of the development.***
  - 1. Sidewalk and Tree Grate. The Sidewalk-Tree Grate public frontage maximizes the walkable zone and pedestrian amenity zone by maximizing paved area and including street trees in tree grates. The clear walkable zone should be a minimum of 5 feet wide. Trees should be placed a maximum of 40 feet on center within 5 foot tree grates that include sufficient planting area for tree roots below grade.***
  
  - 2. Sidewalk and Planter. The Sidewalk-Tree Planter public frontage attempts to balance walkability with streetscaping. Street trees are located in planters that can aid in stormwater infiltration as well as provide additional area for tree growth and supplemental plantings. The clear walkable zone should be a minimum of 5 feet wide. Trees should be placed a maximum of 40 feet on center within 5 foot by 8 foot minimum planters. Supplemental plantings in planter may include grasses, low shrubs, perennials, and groundcovers.***
  
  - 3. Sidewalk and Planting Strip. The Sidewalk-Planting Strip public frontage maximizes the planting area for street trees. It should be used in areas where pedestrian activity is anticipated to be the lightest. The clear walkable zone should be a minimum of 5 feet wide. Trees should be placed a maximum of 40 feet on center within a minimum 5 foot wide planting strip.***

- c) *Private Frontages. Private frontages include the area between the public right-of-way and the building face. The following standards should guide the design of frontages as required by sub-district (see Section 12-12.26, Appendix 3 referencing illustrations).*
1. *Shopfront. The shopfront features buildings close to the sidewalk, shopfront windows, at street level, and most often active uses on the ground floor.*
  2. *Forecourt. The forecourt is similar to the Shopfront in that buildings are typically built close to the sidewalk, but recesses are permitted to accommodate elements such as outdoor dining or small courtyards.*
  3. *Stoop. The stoop is common on residential- type buildings built close to the sidewalk. It is shallow, covered, and typically raised above the sidewalk.*
  4. *Porch. The porch is common on residential- type buildings that have a shallow yard between the building and sidewalk. Porches are deep enough to function as a covered outdoor extension of the building.*
  5. *Parking. The parking frontage acknowledges that certain areas may require parking between the building and the street. Such parking is typically limited and is screened from the sidewalk by a year- round landscaped buffer.*
  6. *Yard. The yard is simply a deeper lawn between the face of the building and the sidewalk. The lawn typically contains turf grass but may include landscaping and trees.*

#### **12-12.25 Lighting**

- a) *Intent. Standards for lighting in Downtown Bernardsville are necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misaligned light fixtures that produce glare, light trespass (nuisance light) and/or unnecessary sky glow; and also, that such regulation is necessary to discourage the waste of electricity and to improve or maintain nighttime public safety, utility and security.*
- b) *Security Lighting. Where used for security purposes or to illuminate walkways, roadways and parking lots, only shielded light fixtures shall be used.*
- c) *Commercial Lighting. Where used for commercial purposes such as in merchandise display areas, work areas, platforms, signs, architectural, landscape or sports or recreational facilities, all light fixtures shall be equipped with automatic timing devices and comply with the following:*
  1. *Light fixtures used to illuminate flags, statues or any other objects mounted on a pole, pedestal or platform, shall use a narrow cone beam of light that will not extend beyond the illuminated object.*

2. *Other upward directed architectural, landscape or decorative direct light emissions shall have at least ninety (90) percent of their total distribution pattern within the profile of the illuminated structure.*
  3. *Externally illuminated signs including commercial building identification or other similar illuminated signs, shall comply with the following:*
    - i. *Top mounted light fixtures shall be shielded and are preferred.*
    - ii. *When top mounted light fixtures are not feasible, illumination from other positioned light fixtures shall be restricted to the sign area. Visors or other directional control devices shall be used to keep spill light to an absolute minimum.*
  4. *All other outdoor lighting shall use shielded light fixtures.*
- d) *Floodlight type fixtures, once properly installed, shall be permanently affixed in the approved position.*
  - e) *Foundations supporting lighting poles not installed four (4) feet behind the curb, shall not be less than 24 inches above ground.*
  - f) *When fifty percent or more of existing outdoor light fixtures are being replaced or modified, then all lighting must be made to conform to the provisions of this section.*
  - g) *Light Trespass (Nuisance Light). All light fixtures, except street lighting, shall be designed, installed and maintained to prevent light trespass, as specified below:*
    1. *At a height of five (5) feet above the property line of subject property, illuminations from light fixtures shall not exceed 0.1 foot-candles in a vertical plane on residentially zoned property.*
    2. *Outdoor light fixtures properly installed and thereafter maintained, shall be directed so that there will not be any objectionable direct glare source visible above a height of five feet from any property or public roadway.*
  - h) *Light fixtures near adjacent property may require special shielding devices to prevent light trespass.*

*Note: Illustrations for the application of the regulations set forth herein are illustrated in Attachment 3 entitled: "Bernardsville Zoning District Guidebook."*

Section 8. § 1-3.2 Gross Floor Area (GFA) is hereby defined as

***GROSS FLOOR AREA (GFA): the sum of the area of all floors of buildings or structures compared to the total area of land as measured from exterior walls.***

Section 9. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 10. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 11. This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:

COUNCIL OF THE BOROUGH OF  
BERNARDSVILLE IN THE COUNTY  
OF SOMERSET

\_\_\_\_\_  
Anthony Suriano, Borough Clerk

By: \_\_\_\_\_  
Mary Jane Canose, Mayor

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1<sup>st</sup> Reading and Introduction: September 28, 2020

1<sup>st</sup> Publication: October 1, 2020

Referral to Planning Board: September 29, 2020

Notice to County Planning Board Prior to Adoption: September 29, 2020

Notice to Clerks of Adjoining Municipalities (if required): September 29, 2020

Notice to Affected Property Owners (if required):

2<sup>nd</sup> Reading:

Adoption of Ordinance:

2<sup>nd</sup> Publication:

Filing with County Planning Board

**ORDINANCE #2020-1854**

**ORDINANCE OF THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 70, LOTS 1, 2, 3, 4, 5, 6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 AND 6.08; BLOCK 71, LOTS 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12 AND 13 AND THE QUIMBY LANE RIGHT OF WAY AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERNARDSVILLE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (Quimby Lane)**

**WHEREAS**, the Borough of Bernardsville, in the County of Somerset, New Jersey (the “**Borough**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, the Mayor and Borough Council adopted a Resolution on October 15, 2019 (Resolution #19-203) authorizing the Planning Board of the Borough of Bernardsville (the “**Planning Board**”) to conduct an investigation to determine if certain property identified as Block 70, Lots 1, 2, 3, 4, 5, 6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07, and 6.08; Block 71, Lots 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12 and 13; Block 98, Lot 1; Block 124, Lot 1; and Block 144, Lot 1, as shown on the official Tax Map of the Borough (the “**Study Area**”), constitutes a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

**WHEREAS**, on December 12, 2019 the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Preliminary Investigation – Quimby Lane, Bernardsville, NJ” and dated November 25, 2019 prepared by Topology LLC, (the “**Study**”); and

**WHEREAS**, the Borough Planning Board, after conducting the required investigation and holding a public hearing on December 12, 2019 recommended that the Study Area met the statutory criteria; and

**WHEREAS**, the Borough Council on January 13, 2020 adopted a Resolution accepting the Planning Board’s recommendation that the area was found to meet the necessary statutory criteria, and designated the entire Study Area as a *Non-Condemnation Area in Need of Redevelopment*; and

**WHEREAS**, pursuant to the provisions of *N.J.S.A. 40A:12A-7(e and f)* and *N.J.S.A. 40A:12A-15* of the Redevelopment Law, the Borough’s staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

**WHEREAS**, a redevelopment plan for the Study Area titled “Quimby Lane Redevelopment Plan” dated September 4, 2020, has been prepared by Topology and submitted to the Borough Council for review (the “**Redevelopment Plan**”); and

**WHEREAS**, the Borough Council directs the Planning Board to conduct a hearing to review the Redevelopment Plan to determine if it is consistent with the Borough’s Masterplan; and

**WHEREAS**, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Borough Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the Borough for the redevelopment of the Property; and

**WHEREAS**, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interest of the Borough for the redevelopment of the Property.

**NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BERNARDSVILLE, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** Upon introduction of the Ordinance the Borough Clerk is hereby directed to forward a copy of this Ordinance and the Redevelopment Plan to the Borough Planning Board for a consistency review and comment pursuant to *N.J.S.A. 40A:12A-7(f)*.

**Section 3.** The Redevelopment Plan titled "Quimby Lane Redevelopment Plan" dated September 4, 2020 is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

**Section 4.** The zoning district map in the zoning ordinance of the Borough is hereby amended to include the Property per the boundaries described in the Redevelopment Plan and the provisions thereon.

**Section 5.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 6.** A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

**Section 7.** This Ordinance shall take effect in accordance with all applicable laws.

**BERNARDSVILLE BOROUGH  
ORDINANCE #2020-1855**

**AN ORDINANCE CONCERNING PARKING RESTRICTIONS  
ON PROSPECT STREET AND AMENDING CHAPTER VII  
OF THE BOROUGH CODE ENTITLED “TRAFFIC”**

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*Statement of Purpose: To impose additional parking restrictions on Prospect Street.*

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**WHEREAS**, Police Chief Kevin Valentine has recommended that parking be prohibited on the north side of Prospect Street between Mt. Airy Road and Condit Place;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Bernardsville in the County of Somerset, New Jersey, that Chapter VII of the Borough Code entitled “Traffic” is hereby supplemented and amended as follows:

**Section 1.** Section 7-7.6 entitled “Parking Prohibited at All Times on Certain Streets” is hereby supplemented and amended by adding the following new parking restrictions on Prospect Street:

**7-7.6 Parking Prohibited at All Times on Certain Streets.** No person shall park a vehicle at any time upon any streets or parts of streets described.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
<u>Prospect Street</u>	<u>North</u>	<u>From Mt. Airy Road to Condit Place</u>

**Section 2.** The effectiveness of this ordinance is contingent upon signs being erected as required by law.

**Section 3.** Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 4.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section

or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 5.** This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:

COUNCIL OF THE BOROUGH OF  
BERNARDSVILLE IN THE COUNTY  
OF SOMERSET

\_\_\_\_\_  
Anthony Suriano, Borough Clerk

By: \_\_\_\_\_  
Mary Jane Canose, Mayor

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*Introduction:* \_\_\_\_\_

*1st Publication:* \_\_\_\_\_

*Public Hearing and Adoption:* \_\_\_\_\_

*Publication after Adoption:* \_\_\_\_\_

**ORDINANCE #2020-1856**

**ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND APPROPRIATING \$500,000 THEREFOR CONSTITUTING PROCEEDS OF GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:**

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Bernardsville, New Jersey, and there is hereby appropriated therefor the aggregate sum of \$500,000 constituting moneys received or expected to be received by the Borough from the New Jersey Department of Transportation as grants-in-aid of financing said improvement.

Section 2. The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of Lloyd Road and Washington Corner Road in and by the Borough, including the construction or reconstruction thereof, together with all paving, road resurfacing, milling, equipment, site work, structures, work, materials and other expenses necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any

inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

ATTEST:

BOROUGH OF BERNARDSVILLE

\_\_\_\_\_  
Anthony Suriano, Borough Clerk

\_\_\_\_\_  
Mayor, Mary Jane Canose

Introduction:  
1st Publication:  
Public Hearing and Adoption:  
2nd Publication:

**BERNARDSVILLE BOROUGH  
ORDINANCE #2020-1857**

**APPROPRIATING \$\_\_\_\_\_ FROM THE BOROUGH OPEN SPACE TRUST FUND  
AND PLACING IT IN RESERVE TO COVER THE COST OF REPLACING THE TURF  
FIELD AT THE POLO GROUNDS AT THE END OF ITS USEFUL LIFE**

**WHEREAS**, it is estimated that the synthetic turf field at the Polo Grounds has a useful life of approximately 10 years; and

**WHEREAS**, the Mayor and Council wish to put money aside every year so there are sufficient funds in reserve to cover the cost of replacing the turf field when that becomes necessary; and

**WHEREAS**, up to 20% of the Borough’s Open Space Trust Fund monies may be used for the development of lands acquired for recreation and conservation purposes; and

**WHEREAS**, “development” was defined in the 2008 public question to mean:

“[A]ny improvement to a land . . . area of eligible Borough property that is designed to expand or enhance its utilization for outdoor recreation . . . purposes and shall include the construction, renovation, or repair of any such improvement. This term may include any of the following types of ancillary improvements to eligible Borough properties: roadways, parking, landscaping, fencing, lighting, utilities, structures, and any other improvement that expands or enhances the use of property for outdoor recreation . . . purposes.”;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey as follows:

**Section 1.** \_\_\_\_\_ (\$\_\_\_\_\_) dollars is hereby appropriated from the Borough Open Space Trust Fund and that money shall be placed in reserve and shall be used exclusively to cover the cost of replacing the turf field at the end of its useful life.

**Section 2.** Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 3.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 4.** This ordinance shall become effective immediately upon final passage and publication as required by law.

COUNCIL OF THE BOROUGH OF  
BERNARDSVILLE IN THE COUNTY  
OF SOMERSET

ATTEST:

\_\_\_\_\_  
Anthony Suriano, Acting Borough Clerk

By: \_\_\_\_\_  
Mary Jane Canose, Mayor

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*Introduction:* \_\_\_\_\_

*1st Publication:* \_\_\_\_\_

*Public Hearing and Adoption:* \_\_\_\_\_

*2nd Publication:* \_\_\_\_\_

**BERNARDSVILLE BOROUGH  
ORDINANCE #2020-1858**

**AN ORDINANCE CONCERNING ACCESSORY BUILDING SETBACKS IN THE R-1-10 RESIDENTIAL ZONE AND SUPPLEMENTING AND AMENDING ARTICLE XII OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**

**WHEREAS**, Section 12-23.1 entitled “Accessory Building” does not include setbacks for the R-1-10 zone;

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Article XII of the Borough Land Use Ordinance entitled “Zoning” is hereby supplemented and amended as follows:

**Section 1.** Paragraph d and g of §12-23.1 are supplemented and amended to include references to the R-1-10 residential zone as follows:

“d. No accessory building wall shall be located nearer to any side or rear lot line than the following distances:

R-1	40 feet*
<u>R-1-10</u>	<u>40 feet*</u>
R-1A	40 feet*
R-2	30 feet
R-3	15 feet
R-4	10 feet
R-5	7 feet

\* See Subsection **g** below.

“g. All accessory buildings over 20 feet in height as defined in this chapter and located in the R-1, R-1-10 and R-1A Zones shall be set back a distance equal to two times the building height (as defined by this chapter).”

**Section 2.** All other provisions of §12-23.1 shall remain in full force and effect.

**Section 3.** Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

**Section 4.** In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 5.** This ordinance shall become effective immediately upon final passage and publication as required by law.

ATTEST:

COUNCIL OF THE BOROUGH OF  
BERNARDSVILLE IN THE COUNTY  
OF SOMERSET

\_\_\_\_\_  
Anthony Suriano, Borough Clerk

By: \_\_\_\_\_  
Mary Jane Canose, Mayor

*1<sup>st</sup> Reading and Introduction:* \_\_\_\_\_

*1<sup>st</sup> Publication:* \_\_\_\_\_

*Referral to Planning Board:* \_\_\_\_\_

*Notice to County Planning Board Prior to Adoption:* \_\_\_\_\_

*Notice to Clerks of Adjoining Municipalities (if required):* \_\_\_\_\_

*Notice to Affected Property Owners (if required):* \_\_\_\_\_

*2<sup>nd</sup> Reading and Adoption:* \_\_\_\_\_

*2<sup>nd</sup> Publication:* \_\_\_\_\_

*Filing with County Planning Board:* \_\_\_\_\_

**RESOLUTION 20-235**

**AUTHORIZING PAYMENT OF BILLS**

**RESOLVED**, that the list of bills, copies attached hereto, are hereby approved for payment.

01 State & Federal Grants	\$	1,878.58
04 Escrow	\$	3,883.00
06 Outside Employment	\$	-
10 Current Fund	\$	227,663.11
19 Other Trusts	\$	77,408.53
20 Payroll	\$	270,343.72
33 Capital Fund	\$	21,809.76
40 Sewer Utility Fund	\$	45,926.55
55 Sewer Capital	\$	-
70 COAH Trust	\$	777.00
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	331.50
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	2,685.00
<b>TOTAL</b>	<b>\$</b>	<b>652,706.75</b>

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I, Anthony J. Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the forgoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on October 13, 2020.

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# List of Bills - (0110101002000) CASH - STATE & FEDERAL GRANTS STATE & FEDERAL GRANTS

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2239	6738 - HVI SERVICES, LLC	PO 104388 Recycle Asphalt and Concrete from Road R		476.08	
	01-G19-0110-0380	RECYCLING TONNAGE GRANT (2016)	396.12		
	01-G20-0110-0380	RECYCLING TONNAGE GRANT (2017)	79.96		476.08
2240	4213 - SHERRIE CALISH	PO 106848 PROGRAM COORDINATOR SALARY - SEPT 2020*		262.50	
	01-G20-0110-0367	2020 MUNICIPAL ALLIANCE 5TH QTR	262.50		262.50
2241	3141 - TRAFFIC SAFETY SERVICE LLC	PO 106545 4 Portable Stop sign for Olcott Sq when		1,140.00	
	01-G17-0110-0400	EMAA/OEM 2015 - Chap.159	669.73		
	01-G19-0110-0400	EMAA/OEM GRANT (2017)	470.27		1,140.00
	TOTAL				1,878.58
Total to be paid from Fund 01 STATE & FEDERAL GRANTS			1,878.58		
			<u>1,878.58</u>		
			1,878.58		

## List of Bills - (0410101001000) CASH - ESCROW ESCROW

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/05/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2512	6386 - BURGIS ASSOCIATES, INC	PO 106910 BOA Planner contract & application servi		750.00	
	04-280-4011-0103	DISBURSEMENTS - BOA #18-02A - FITZPATRIC	37.50		
	04-280-4015-0103	DISBURSEMENTS - BOA#20-03 - HAWN - B28,	300.00		
	04-280-4017-0103	DISBURSEMENTS - BOA#20-05 - SEA BRIGHT S	412.50		
		PO 106911 PB Planner contract & application servic		112.50	
	04-280-5001-0103	DISBURSEMENTS - PB #655 - STIDWORTHY - B	112.50		862.50
2513	1307 - FERRIERO ENGINEERING, INC	PO 106912 PB Engineer contract & application servi		205.50	
	04-280-5000-1062	ESCROW-KANE #653 B17 L38	205.50		205.50
2514	6962 - KASTRUD ENGINEERING, LLC	PO 106909 Alternate PB Engineer contract & applica		2,415.00	
	04-280-5001-0103	DISBURSEMENTS - PB #655 - STIDWORTHY - B	2,415.00		2,415.00
2515	5805 - LOUIS P. RAGO, ESQ	PO 106908 BOA Attorney contract & application serv		400.00	
	04-280-4017-0103	DISBURSEMENTS - BOA#20-05 - SEA BRIGHT S	400.00		400.00
	TOTAL				----- 3,883.00
Total to be paid from Fund 04 ESCROW		3,883.00			
		=====			
		3,883.00			

## List of Bills - (1010101006000) CASH - CURRENT FUND CURRENT FUND

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
60373	5098 - AA CHEMDRY OF NORTH JERSEY 10-A00-0145-0225 (2019) BUIL. & GROUNDS - CLEANING SERVI	PO 104913 Annual Carpet Cleaning Borough Hall	824.15	824.15	824.15
60374	6311 - ACTION DATA SERVICES 10-C00-0110-0205 FINANCE DEPT. - GENERAL EXPENSE	PO 106868 PAYROLL INVOICE PERIOD END DATE 9/23/20*	441.28	441.28	441.28
60375	135 - ALLEN PAPER & SUPPLY CO 10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLY	PO 106921 PAPER SUPPLIES - 10/1/20	86.73	86.73	
	10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLY	PO 106923 PAPER SUPPLIES - 10/1/20	690.67	690.67	777.40
60376	1806 - ALLIED OIL LLC (CORP) 10-C00-0315-0220 GASOLINE - PREMIUM GAS	PO 106733 GASOLINE - SEPT 2020 (ESTIMATE)	3,012.10	3,012.10	3,012.10
60377	5263 - ALPHA DOG SOLUTIONS, INC 10-C00-0112-0207 TECH.INF.SYSTEM - BOROUGH WEBSITE	PO 106318 BOROUGH WEBSITE - JULY - DECEMBER 2020	1,420.00	1,420.00	1,420.00
60378	6063 - AMERICAN WEAR, INC 10-C00-0145-0255 BUIL. & GROUNDS - CLOTHING	PO 106472 2020 Cleaning Walkoff Rugs and Uniforms	59.40	111.90	
	10-C00-0145-0225 BUIL. & GROUNDS - CLEANING SERVICES		52.50		111.90
60379	6063 - AMERICAN WEAR, INC 10-C00-0220-0206 STREETS & ROADS - UNIFORMS	PO 106933 UNIFORM CLEANING FOR ROAD DEPT. SEPT 202	228.60	228.60	228.60
60380	5595 - ANIMAL CONTROL SOLUTIONS, LLC 10-C00-0260-0204 ANIMAL CONTROL - MISCELLANEOUS	PO 104964 24 HOUR ANIMAL CONTROL COVERAGE - 2020	1,500.00	1,500.00	1,500.00
60381	4351 - APRUZZESE, McDERMOTT, MASTRO&MURPHY 10-C00-0101-0205 HUMAN RESOURCES - GEN. EXPENSE	PO 106873 AUG 2020 GENERAL LABOR SERVICES - ACCT#1	6,970.00	6,970.00	6,970.00
60382	5180 - ATLANTIC CORPORATE HEALTH 10-C00-0100-0205 ADMIN. & EXEC. - GEN. EXPENSES	PO 106929 Vaccinations Fire Co., Luke Stauffer	65.00	65.00	65.00
60383	4943 - ATLANTIC TOMORROW'S OFFICE 10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE	PO 106754 Paper for HP Designjet T830	160.00	160.00	160.00
60384	6951 - AWARENESS PROTECTIVE CONSULTANTS LLC 10-C00-0195-0203 POLICE - EDUCATION & TRAINING EXPENSES	PO 106833 POLICE SERVICE RIFLE INSTRUCTOR-FOLEY. 9	395.00	395.00	395.00
60385	6682 - BCI TRUCK INC 10-C00-0246-0207 VEHICLE MAINT.-STREETS & ROADS	PO 106597 PARTS	52.90	52.90	52.90
60386	239 - BERNARDS TOWNSHIP 10-C00-0250-0225 BOARD OF HEALTH - CONTRACT	PO 106886 4TH Quarter 2020 Health Services Contrac	22,780.96	22,780.96	22,780.96
60387	104 - BERNARDSVILLE PRINT CENTER 10-C00-0195-0201 POLICE - OFFICE SUPPLIES	PO 106846 500 PROPERTY/EVIDENCE LOGS	164.13	164.13	164.13
60388	5668 - BEYER FORD LLC 10-A00-0246-0206 (2019) VEHICLE MAINT. - POLICE	PO 104694 OPEN PURCHASE ORDER FOR POLICE VEHICLE P	9.84	9.84	9.84
60389	6386 - BURGIS ASSOCIATES, INC	PO 106910 BOA Planner contract & application servi		37.50	

## List of Bills - (1010101006000) CASH - CURRENT FUND CURRENT FUND

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0155-0218	BOARD OF ADJ. - PLANNER			
		PO 106911 PB Planner contract & application servic	37.50		
	10-C00-0150-0221	PLANNING BOARD - PLANNER	38.75	2,963.75	
	10-C00-0150-0227	PLANNING BOARD - DOWNTOWN REVITILIZATION	2,925.00		3,001.25
60390	4239 - COMCAST	PO 106869 XFINITY TV & INTERNET - ACCT# 849905289		213.40	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	213.40		213.40
60391	4239 - COMCAST	PO 106870 XFINITY TV & INTERNET - ACCT#84990528900		14.00	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	14.00		14.00
60392	4239 - COMCAST	PO 106871 XFINITY TV & INTERNET - ACCT#84990528900		44.31	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	44.31		44.31
60393	4239 - COMCAST	PO 106872 XFINITY ACCOUNT 8499052890036488 - 9/18/		29.56	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	29.56		29.56
60394	774 - COUNTY OF SOMERSET	PO 106889 Recording an Mortgage 21D Fox Hollow Dri		11.00	
	10-C00-0102-0206	MUNICIPAL CLERK-ELECTIONS	11.00		
		PO 106904 Recording an Ordinance - Vacation of Pap		11.00	
	10-C00-0102-0206	MUNICIPAL CLERK-ELECTIONS	11.00		22.00
60395	6960 - CUTTING GREEN, LLC	PO 106864 Slit Seed Kiwanis Tee Ball Field		500.00	
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	500.00		500.00
60396	2610 - CYDRAKE	PO 106839 REPROGRAMMING OF AM RADIO STATION DOOR L		208.50	
	10-C00-0210-0205	EMERGENCY MGMT. - GENERAL EXP.	208.50		208.50
60397	4827 - D'ONOFRIO & SONS INC	PO 105560 2020 Recreation Grass Cutting and Lawn M		2,880.00	
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	2,880.00		2,880.00
60398	386 - DELTA DENTAL OF NEW JERSEY, INC	PO 106913 10/1-10/31/20 DENTAL BENEFITS PAYMENT I		2,447.46	
	10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	2,447.46		2,447.46
60399	6167 - DIRECT ENERGY BUSINESS	PO 106927 1 ANDERSON HILL RD SERVICE LOC ID 766866		23.73	
	10-C00-0320-0225	GAS - NATURAL	23.73		23.73
60400	6658 - ESCHAT	PO 106859 MOBILE PUSH TO TALK FOR ROAD & POLICE DE		354.29	
	10-C00-0305-0225	TELEPHONE - MOBILE PHONES	354.29		354.29
60401	547 - HOME DEPOT CREDIT SERVICES	PO 106819 Landscape Edging for Borough Hall Rain G		155.64	
	10-C00-0145-0215	BUILD. & GROUNDS - GROUND MNT.	155.64		155.64
60402	124 - JAEGER LUMBER	PO 105176 2020 BLANKET PO FOR LUMBER & SUPPLIES		31.90	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	31.90		31.90
60403	87 - JCP&L	PO 106906 JCP&L 8/18-9/17/20*		3,276.64	
	10-C00-0310-0220	ELECTRICITY - BILLS	3,275.02		
	10-C00-0225-0202	STREET LIGHTING	1.62		3,276.64
60404	87 - JCP&L	PO 106928 JCP&L 8/21-9/21/20*		1,638.69	
	10-C00-0310-0220	ELECTRICITY - BILLS	1,638.69		1,638.69

## List of Bills - (1010101006000) CASH - CURRENT FUND CURRENT FUND

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
60405	6554 - JOHNSON CONTROLS FIRE PROTECTION LP 10-C00-0145-0228	PO 106683 Troubleshoot Duct Detector in Fire Syste BUILD. & GROUNDS - LIBRARY MAINT.	439.04	439.04	439.04
60406	374 - LACAL EQUIPMENT 10-C00-0220-0209	PO 106824 Blanket PO for Leafer Parts STREETS & ROADS - LEAF PICKUP	2,414.14	2,414.14	2,414.14
60407	4185 - LIFESAVER, INC. 10-C00-0195-0203	PO 106748 Heartsaver First Aid student workbooks a POLICE - EDUCATION & TRAINING EXPENSES	449.50	449.50	449.50
60408	5805 - LOUIS P. RAGO, ESQ 10-C00-0155-0215	PO 106908 BOA Attorney contract & application serv BOARD OF ADJ. - ATTORNEY	1,880.00	1,880.00	1,880.00
60409	6388 - LTI, INC 10-C00-0145-0215	PO 105561 2020 Borough Grass Cutting and Lawn Main BUILD. & GROUNDS - GROUND MNT.	3,160.00	3,160.00	3,160.00
60410	358 - LUDLOW HEATING & COOLING CO. 10-C00-0145-0216	PO 106938 Heater Repair - DPW Garage BUILD. & GROUNDS - BUILD. MNT.	2,643.85	2,643.85	2,643.85
60411	4349 - MAPLECREST FORD 10-C00-0246-0207	PO 106897 Blanket PO for Parts VEHICLE MAINT.-STREETS & ROADS	62.51	62.51	62.51
60412	322 - MGL FORMS PRINTING SOLUTIONS,LLC 10-C00-0156-0205	PO 106842 Envelopes 1000 count. ZONING/HOUSE -GENERAL EXP.	101.00	101.00	101.00
60413	98 - MJ NEILL, INC 10-C00-0315-0230	PO 106926 DIESEL USAGE - SEPT 2020* GASOLINE - DIESEL	723.42	723.42	723.42
60414	6728 - NAPA OF CHESTER, INC 10-C00-0246-0207 10-C00-0246-0206	PO 105982 PARTS VERICLE MAINT.-STREETS & ROADS PO 106862 WIPER BLADES FOR CAR #309 VEHICLE MAINT. - POLICE	223.59 23.98	223.59 23.98	247.57
60415	6092 - NEIL MASTROBUONO 10-C00-0271-0204	PO 106899 Mileage Reimbursement July 2020- Septemb SWIM POOL - MISCELLANEOUS	203.26	203.26	203.26
60416	5258 - NEW JERSEY PRESS MEDIA SOLUTIONS 10-C00-0102-0207	PO 106887 NOTICE OF ORDINANCES MUNICIPAL CLERK-ADVERTISING	86.86	86.86	86.86
60417	5258 - NEW JERSEY PRESS MEDIA SOLUTIONS 10-C00-0102-0207	PO 106940 NOTICE OF ORDINANCES MUNICIPAL CLERK-ADVERTISING	33.54	33.54	33.54
60418	57 - NJ AMERICAN WATER CO. 10-C00-0145-0219	PO 106880 NJ AMERICAN WATER - 7/9/20-8/8/20* BUILD. & GROUNDS - WATER BILLS	782.14	782.14	782.14
60419	4963 - PAYPHONE OPERATIONS INC 10-C00-0305-0215	PO 104972 2020 CHARGES FOR PAYPHONE #917-406-1614 TELEPHONE - PHONE BILLS	150.00	150.00	150.00
60420	4286 - PERSONAL PROTECTION CONSULTANTS,INC 10-C00-0195-0205	PO 106308 Fox labs 2oz. Canister (1.5 ounce actual POLICE - GENERAL EQUIPMENT	547.45	547.45	547.45

## List of Bills - (1010101006000) CASH - CURRENT FUND CURRENT FUND

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
60421	3221 - PETER RUBINETTI PRIVATE DISPOSAL	PO 105011 2020 Solid Waste Removal Library (2) and		1,075.84	
	10-C00-0145-0248 BUILD. & GROUNDS - SOLID WASTE REMOVAL		1,075.84		1,075.84
60422	895 - PIDGEON AND PIDGEON, P.C.	PO 106661 SEPTEMBER LEGAL SERVICES		10,173.00	
	10-C00-0135-0215 LEGAL SERVICES - BORO ATTORNEY		10,173.00		10,173.00
60423	6042 - PSE&G	PO 106930 8/25-9/23/20*		33.34	
	10-C00-0320-0225 GAS - NATURAL		33.34		33.34
60424	31 - RECORDER PUBLISHING CO	PO 106770 Bernardsville News Annual Subscription f		130.00	
	10-C00-0155-0202 BOARD OF ADJ. - DUES & SUBSC.		65.00		
	10-C00-0150-0202 PLANNING BOARD - DUES & SUBSC.		65.00		
		PO 106914 Publication in Bernardsville News 9/17/2		131.07	
	10-C00-0150-0204 PLANNING BOARD - MISCELLANEOUS		31.11		
	10-C00-0155-0204 BOARD OF ADJ. - MISCELLANEOUS		58.65		
	10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE		41.31		
		PO 106919 RECORDER PUBLISHING 9/24 newspaper		298.92	
	10-C00-0235-0204 LANDFILL - MISC.		231.60		
	10-C00-0102-0207 MUNICIPAL CLERK-ADVERTISING		67.32		559.99
60425	4955 - REEGS, INC	PO 106840 Generator replacement batteries		423.80	
	10-C00-0246-0206 VEHICLE MAINT. - POLICE		423.80		
		PO 106895 Batteries for Leaf Machines		399.80	
	10-C00-0220-0209 STREETS & ROADS - LEAF PICKUP		399.80		823.60
60426	3499 - RICHIE'S TIRE SERVICE INC	PO 106328 TIRES & SERVICE		122.00	
	10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE		122.00		
		PO 106856 4 NEW TIRES FOR PATROL CAR 312.		444.48	
	10-C00-0246-0206 VEHICLE MAINT. - POLICE		444.48		
		PO 106896 Tires for Recreation Trailer		601.00	
	10-C00-0145-0241 BUILD. & GROUNDS - REC. FIELD MAINT.		601.00		1,167.48
60427	5500 - RICOH USA, INC	PO 105430 OPEN P.O. FOR MAINTENANCE / TONER / EXTR		214.65	
	10-C00-0195-0230 POLICE - MAINTENANCE CONTRACTS		214.65		214.65
60428	6915 - ROBERT MARKOWICK	PO 106903 Mileage Reimbursement July 2020- Septemb		283.47	
	10-C00-0271-0204 SWIM POOL - MISCELLANEOUS		283.47		283.47
60429	6958 - RONALD & KATHLEEN REDLING	PO 106830 REFUND - CONSTRUCTION PERMIT FEE - BLOCK		131.00	
	10-192-0816-0000 UNIFORM CONSTRUCTION CODE FEES		131.00		131.00
60430	6111 - RUTGERS, ST UNIV. OF NJ OFFICE OF C	PO 106412 Seminar Registration for Certified Recyc		295.00	
	10-C00-0220-0203 STREETS & ROADS - EDUCATIONS		295.00		295.00
60431	397 - SELECTIVE FLOOD	PO 106891 FLOOD INSURANCE - BORO 11/18/20-11/17/21		7,056.00	
	10-C00-0170-0220 LIABILITY INSURANCE		7,056.00		7,056.00
60432	3672 - ST. NICK POOL MANAGEMENT, INC.	PO 106942 Winterization of 3 Pools and filter syst		6,950.00	
	10-C00-0271-0208 SWIM POOL - OPENING/CLOSING		6,950.00		6,950.00
60433	38 - STAPLES BUSINESS ADVANTAGE	PO 106766 Epson 69 Dual-Pack Black Ink Cartridges		65.58	
	10-C00-0195-0201 POLICE - OFFICE SUPPLIES		65.58		65.58

## List of Bills - (1010101006000) CASH - CURRENT FUND CURRENT FUND

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
60434	5304 - SUBURBAN PROPANE	PO 106831 PROPANE FOR 150 PILL HILL RD* - police		200.00	
	10-C00-0145-0244	BUILD. & GROUNDS - POLICE	200.00		200.00
60435	5223 - TINA MARKEWICZ	PO 106866 MILEAGE 3RD QTR 2020		20.88	
	10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE	20.88		20.88
60436	1552 - TOWNSHIP OF BEDMINISTER	PO 106901 SHARED SERVICES - MUNICIPAL COURT - JULY		23,680.53	
	10-C00-0357-0201	Municipal Court Shared Service-OE	23,680.53		23,680.53
60437	6939 - TRAFFIC LINES, INC	PO 106637 Striping Various Roads SC Co-op #CC-0042		2,299.70	
	10-C00-0220-0217	STREETS & ROADS - RESURFACING	2,299.70		2,299.70
60438	3141 - TRAFFIC SAFETY SERVICE LLC	PO 105863 Stop For Pedestrians in Crosswalk Barric		1,276.00	
	10-C00-0220-0229	STREETS & ROADS - SIGNS	1,276.00		
	10-C00-0195-0205	POLICE - GENERAL EQUIPMENT	920.00	920.00	2,196.00
60439	649 - TREASURER, STATE OF NJ	PO 106894 3rd Q 2020 Marriage License Report		350.00	
	10-214-5500-0000	DUE TO STATE-- MARRIAGE LIC.	350.00		350.00
60440	388 - TREE TECH, INC	PO 106578 Remove/Prune PoHaz Trees - Tree Removal		2,920.00	
	10-C00-0160-0203	SHADE TREE COMM. - GENERAL EXP.	2,920.00		
	10-C00-0160-0250	SHADE TREE COMM. - EMERGENCIES	2,417.00	2,417.00	5,337.00
60441	61 - VERIZON	PO 106874 FAX LINE - SUITE 103 - ACCOUNT 908 766-1		43.43	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	43.43		43.43
60442	61 - VERIZON	PO 106875 TELEPHONE BILLS SEPT 20- OCT 19, 2020*		2,217.86	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	2,217.86		2,217.86
60443	3488 - VERIZON	PO 106879 FIOS - ACCT# 554-658-975-0001-21 -9/21-1		169.00	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	169.00		169.00
60444	868 - VIKING PEST CONTROL	PO 105028 2020 Annual Pest Control @ Borough Hall		138.22	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	138.22		138.22
60445	90 - VILLAGE SUPER MARKETS	PO 106844 Pool Cleaning Supplies		56.48	
	10-C00-0271-0204	SWIM POOL - MISCELLANEOUS	56.48		56.48
60446	2599 - VITAL COMMUNICATIONS, INC.	PO 106884 MAILING OF ASSESSMENT POST CARDS FOR 202		1,043.15	
	10-C00-0115-0205	TAX ASSESSOR - GENERAL EXP.	1,043.15		1,043.15
60447	5318 - W.B.MASON CO,INC	PO 106647 SUPPLIES SUITE 103		45.22	
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	45.22		
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	11.68	11.68	
	10-C00-0110-0201	FINANCE DEPT - OFFICE SUPPLIES	18.68		
	10-C00-0150-0201	PLANNING BOARD - OFFICE SUPPLY	32.82		
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	370.30		
		PO 106890 SUPPLIES SUITE 103		401.85	
	10-C00-0290-0201	FIRE PREVENTION - OFFICE SUPPLIES	22.74		
	10-C00-0285-0201	CONSTRUCTION - OFFICE SUPPLIES	347.86		

**List of Bills - (1010101006000) CASH - CURRENT FUND  
CURRENT FUND**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0156-0201	ZONING/HOUSE - OFFICE SUPPLY	31.25		880.55
60448	1264 - WELDON ASPHALT CO.	PO 106934 BITUMINOUS CONCRETE & STONE - SEPT 2020		223.12	
	10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR	223.12		223.12
60449	1264 - WELDON ASPHALT CO.	PO 106935 BITUMINOUS CONCRETE & STONE - SEPT 2020		827.07	
	10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR	827.07		827.07
60450	4682 - WINDSTREAM	PO 106925 SEPT 2020 PHONE CHARGES*		897.52	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	897.52		897.52
TOTAL					137,088.37
Total to be paid from Fund 10 CURRENT FUND		137,088.37			
		-----			
		137,088.37			

**Checks Previously Disbursed**

10682	STATE OF NJ PENSIONS & BENEFITS	PO# 106915 HEALTH BENEFITS OCT 2020*	90,544.74	10/05/2020
			-----	
			90,544.74	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	90,544.74	137,088.37	<b>227,633.11</b>
BILLS LIST TOTALS	90,544.74	137,088.37	<b>227,633.11</b>

## List of Bills - (1910101001000) CASH - OTHER TRUSTS OTHER TRUSTS

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
299	185 - GRAINGER 19-285-0500-8002	PO 106455 Cleaning supplies and equipment for esse STORM RECOVERY TRUST - COVID-19	1,241.52	1,241.52	1,241.52
300	57 - NJ AMERICAN WATER CO. 19-285-0500-5001	PO 106881 NJ AMERICAN WATER 8/6/20-9/8/20* RESERVE FOR RAILROAD STATION	139.21	139.21	139.21
301	4442 - PARK FINANCE II , LLC 19-285-0500-6002 19-285-0500-6001	PO 106902 REDEMPTION - TSC 19-00003 - BLOCK 69, LO RESERVE FOR TAX SALE REDEMPTION RESERVE FOR TAX SALE PREMIUM	30,292.00 24,000.00	54,292.00	54,292.00
302	3221 - PETER RUBINETTI PRIVATE DISPOSAL 19-285-0500-5001	PO 105050 2020 Train Station Disposal Service / Re RESERVE FOR RAILROAD STATION	178.66	178.66	178.66
303	895 - PIDGEON AND PIDGEON, P.C. 19-285-0500-5001	PO 106661 SEPTEMBER LEGAL SERVICES RESERVE FOR RAILROAD STATION	58.50	58.50	58.50
304	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC 19-285-0500-8002	PO 106667 COVID-19 DISINFECTING - POLICE DEPARTMEN STORM RECOVERY TRUST - COVID-19	4,091.00	4,091.00	4,091.00
305	2186 - TREASURER-STATE OF NEW JERSEY 19-285-0500-2002	PO 106945 3RD QUARTER 2020 CONSTRUCTION DCA FEES* DUE TO STATE - DCA	3,857.00	3,857.00	3,857.00
306	61 - VERIZON 19-285-0500-5001	PO 106932 908-204-3475 347 38Y - TRAIN STATION FI RESERVE FOR RAILROAD STATION	73.64	73.64	73.64
TOTAL				-----	63,931.53
Total to be paid from Fund 19 OTHER TRUSTS		63,931.53			
		=====			
		63,931.53			

**Checks Previously Disbursed**

19131	CURRENT ACCOUNT	PO# 106944 TRANSFER OF CONST.FEES SEPT 2020	13,477.00	10/07/2020
				-----
				13,477.00
Totals by fund		Previous Checks/Voids	Current Payments	Total
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Fund 19 OTHER TRUSTS		13,477.00	63,931.53	77,408.53
-----		-----	-----	-----
BILLS LIST TOTALS		13,477.00	63,931.53	77,408.53
				=====

# Disbursements Journal - (20) PAYROLL AGENCY

From 10/01/2020 to 10/31/2020

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/01/2020	3055		20633	20-285-0500-1001	CURRENT FUND - MILLINGTON TRANSFER INTEREST DUE TO CURRENT	106.99	106.99	20-101-0100-2000
10/02/2020	3041		20630	20-280-5600-0900	ACTION DATA SERVICES-PAYROLL PAYROLL DIRECT DEPOSIT	161,030.25	161,030.25	20-101-0100-2000
10/02/2020	3042		20631	20-280-5600-0852	ACTION DATA SERVICES-PAYROLL FEDERAL	23,699.39	82,661.56	20-101-0100-2000
				20-280-5600-0853	FICA SS EE	9,052.52		
				20-280-5600-0854	MEDICARE EE	3,281.39		
				20-280-5600-0855	NJ STATE TAX	8,334.30		
				20-280-5600-0856	EMPLOYEE SUI/SDI	209.48		
				20-280-5600-0858	PA STATE TAX	19.19		
				20-280-5600-0870	PERS	9,323.15		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	569.85		
				20-280-5600-0890	DEFERRED COMP	3,436.86		
				20-280-5600-0898	GARNISHMENTS	548.77		
				20-280-5600-0901	EMPLOYER SS	9,052.52		
				20-280-5600-0902	MED EMPLOYER	3,281.39		
				20-280-5600-0903	EMPLOYER SUI	295.78		
				20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	437.93		
				20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	322.48		
				20-280-5600-0871	PERS LOAN	1,060.59		
				20-280-5600-0877	PFRS	8,034.27		
				20-280-5600-0895	PBA DUES	332.00		
				20-280-5600-0893	DPW DUES	156.00		
				20-280-5600-0905	AFLAC POST TAX	27.89		
				20-280-5600-0906	AFLAC PRE TAX	105.45		
				20-280-5600-0878	PFRS LOAN	622.65		
				20-280-5600-0899	VISION	457.71		
10/05/2020	3048		20632	20-280-5600-0870	ACTION DATA SERVICES-PAYROLL PENSION BILL - LIBRARY PORTION - 3RD QTR 20	6,193.36	6,606.26	20-101-0100-2000
				20-280-5600-0874	PENSION BILL - CONT INS - LIBRARY PORTION -	412.90		
10/07/2020	3061	106916		20-260-0500-1001	EMPLOYEE MEDICAL FROM PAYROLL (DUE TO CURRE	18,310.40		
				20-260-0500-1003		1,628.26		
			20634		CURRENT ACCOUNT		19,938.66	20-101-0100-2000

## SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - PAYROLL				270,343.72
20-260-0500-1001	PAYABLE - CURRENT - MEDICAL INSURANCE		18,310.40		
20-260-0500-1003	PAYABLE - SEWER - MEDICAL INSURANCE		1,628.26		
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		23,699.39		
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		9,052.52		
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		3,281.39		
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		8,334.30		
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		209.48		
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		19.19		
20-280-5600-0870	PAYABLE - P.E.R.S.		15,516.51		
20-280-5600-0871	PAYABLE - P.E.R.S. LOAN		1,060.59		

# Disbursements Journal - (20) PAYROLL AGENCY

From 10/01/2020 to 10/31/2020

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		982.75		
20-280-5600-0877	PAYABLE - P.F.R.S.		8,034.27		
20-280-5600-0878	PAYABLE - P.F.R.S. - LOAN		622.65		
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		437.93		
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		322.48		
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN		3,436.86		
20-280-5600-0893	PAYABLE - DPW UNION DUES		156.00		
20-280-5600-0895	PAYABLE - PBA DUES		332.00		
20-280-5600-0898	PAYABLE-GARNISHMENT		548.77		
20-280-5600-0899	PAYABLE - VISION		457.71		
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		161,030.25		
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		9,052.52		
20-280-5600-0902	PAYROLL TAXES PAYABL MED		3,281.39		
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		295.78		
20-280-5600-0905	AFLAC POST TAX		27.89		
20-280-5600-0906	AFLAC PRE TAX		105.45		
20-285-0500-1001	DUE TO CURRENT - INTEREST		106.99		
TOTALS (FOR RANGE):			270,343.72		270,343.72
			270,343.72		270,343.72

**List of Bills - (3310101004000) CASH - CAPITAL  
CAPITAL FUND  
Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/08/2020**

Check#	Vendor	Description	Account	PO Payment	Check Total
6029	6825 - BRANDSTETTER CAROL, INC 33-215-2915-1000 O/S ORD 19-1812 - VARIOUS IMPROVEMENT	PO 105443 PROFESSIONAL SERVICES - PARK, RECREATION	8,000.00	8,000.00	8,000.00
6030	6671 - HQW ARCHITECTS, LLC 33-215-2800-1028 18-1760 - FACIL - LIBRARY ROOF - UNFUND	PO 103950 Roof top and Roof Library Lower Level	1,150.00	1,150.00	1,150.00
6031	2037 - PEAPACK & GLADSTONE 33-215-1400-1002 Ord. 15-1691Improvements VariousRoads	PO 106829 Traffic Control Lloyd Road Project	1,495.00	1,495.00	1,495.00
6032	6961 - ROSEMARY BRENNAN 33-215-2907-1003 2019-1827 - SOFT COSTS - VARIOUS ROADS	PO 106883 Refund to Rosemary Brennan (Hull Road) E	186.06	186.06	186.06
6033	6525 - TOPOLOGY NJ LLC 33-219-0803-1000 RESERVE - QUIMBY LN PROFESSIONAL PLANNER	PO 104421 PLANNING SERVICES - QUIMBY LANE PHASE 1	337.50	337.50	337.50
6034	6939 - TRAFFIC LINES, INC 33-215-1400-1002 Ord. 15-1691Improvements VariousRoads	PO 106636 Striping of Lloyd Road SC Co-op Contract	5,577.00	5,577.00	5,577.00
6035	6939 - TRAFFIC LINES, INC 33-215-2907-1001 2019-1827 - FUNDED - VARIOUS ROADS 33-215-2911-1000 CAP ORD 2020-1842 - MEEKER, MT. HARMONY	PO 106637 Striping Various Roads SC Co-op #CC-0042	91.00 4,973.20	5,064.20	5,064.20
TOTAL				-----	21,809.76
Total to be paid from Fund 33 CAPITAL FUND		21,809.76	=====		
		21,809.76			

**List of Bills - (4010101002000) CASH - SEWER UTILITY  
SEWER UTILITY FUND**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
10067	6063 - AMERICAN WEAR, INC 40-C00-0101-0206 SEWER - UNIFORMS	PO 106941 September 2020 Service	289.00	289.00	289.00
10068	386 - DELTA DENTAL OF NEW JERSEY, INC 40-C00-0101-0230 SEWER - GROUP INSURANCE	PO 106913 10/1-10/31/20 DENTAL BENEFITS PAYMENT I	344.87	344.87	344.87
10069	4133 - LA MOTTE CO 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 106861 Delivered 9/28/20	164.83	164.83	164.83
10070	5987 - LAVI, LLC 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 106746 WWTP PEOSHA Safety Repair to SBR Concret	4,900.00	4,900.00	4,900.00
10071	4981 - MISSION COMMUNICATIONS, LLC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 106946 Year of Service 11/12/20 - 10/31/2021	227.40	227.40	227.40
10072	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 106880 NJ AMERICAN WATER - 7/9/20-8/8/20*	4,432.15	4,432.15	4,432.15
10073	4835 - ONE CALL CONCEPTS 40-C00-0101-0204 SEWER - MISCELLANEOUS	PO 106931 SEPT 2020 Service	155.87	155.87	155.87
10074	6849 - R & R CONSTRUCTION, INC 40-C00-0101-0208 SEWER - VEHICLE REPAIRS	PO 106857 Replace Brake Pads, Rotors and Caliper S	1,612.14	1,612.14	1,612.14
10075	397 - SELECTIVE FLOOD 40-C00-0101-0239 SEWER - GENERAL INSURANCE	PO 106893 FLOOD INSURANCE SEWER PLANT 11/18/20-11/	7,056.00	7,056.00	7,056.00
10076	4434 - TOM SHADOOD 40-C00-0101-0203 SEWER - EDUCATION	PO 106885 Reimbursement for WWTP S-3 License Class	415.00	415.00	415.00
10077	183 - TOWNSHIP OF PARSIPPANY-TROY HILLS 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 106924 AUGUST 2020 Service	1,799.00	1,799.00	1,799.00
10078	1518 - USA BLUE BOOK 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 106860 Laboratory Supplies	228.77	228.77	228.77
10079	6834 - USALCO BALTIMORE PLANT, LLC 40-C00-0101-0216 SEWER - ALUM & CHLORINE	PO 106863 Delivered 9/17/2020	4,413.17	4,413.17	4,413.17
10080	5318 - W.B.MASON CO, INC 40-C00-0101-0204 SEWER - MISCELLANEOUS	PO 106782 SUPPLIES - S107074075	144.00	144.00	144.00
TOTAL					26,182.20
Total to be paid from Fund 40 SEWER UTILITY FUND		26,182.20			
		<u>26,182.20</u>			

**Checks Previously Disbursed**

40329 PAYROLL ACCOUNT PAYROLL - SEWER 10/2/20 19,744.35 10/02/2020

**List of Bills - (4010101002000) CASH - SEWER UTILITY  
SEWER UTILITY FUND**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
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19,744.35

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 40 SEWER UTILITY FUND	19,744.35	26,182.20	<b>45,926.55</b>
BILLS LIST TOTALS	19,744.35	26,182.20	<b><u>45,926.55</u></b>

**List of Bills - (7010101002000) CASH - COAH  
COAH TRUST**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2107	6386 - BURGIS ASSOCIATES, INC 70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	PO 106922 PROFESSIONAL PLANNING SERVICES - AFFORDA	75.00	75.00
2108	895 - PIDGEON AND PIDGEON,P.C. 70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	PO 106661 SEPTEMBER LEGAL SERVICES	702.00	702.00
TOTAL					----- 777.00
Total to be paid from Fund 70 COAH TRUST			777.00		
			=====		
			777.00		

**List of Bills - (7210101002000) CASH - OPEN SPACE TRUST  
OPEN SPACE TRUST**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
2096	895 - PIGEON AND PIGEON,P.C.	PO 106661 SEPTEMBER LEGAL SERVICES		331.50	
	72-286-5685-3001	RESERVE FOR OPEN SPACE - AQUISITION	331.50		331.50
	TOTAL				----- 331.50
Total to be paid from Fund 72 OPEN SPACE TRUST			331.50		
			<u>331.50</u>		

**List of Bills - (8510101002000) CASH - RECREATION TRUST  
RECREATION TRUST**

Meeting Date: 10/13/2020 For bills from 10/01/2020 to 10/07/2020

Check#	Vendor	Description	Account	PO Payment	Check Total
190	6938 - BTWN THE EARS LLC	PO 106878 Women's Fitness Program, 10 participants		2,500.00	
	85-286-5685-4003	RECREATION TRUST - WOMENS FITNESS	2,500.00		2,500.00
191	6959 - JESSICA KOSTER	PO 106849 REFUND - 3RD & 4TH GRADE SOCCER ACADEMY		185.00	
	85-286-5685-4002	RECREATION TRUST-1ST-4TH USA SOCCER	155.00		
	85-286-0200-0002	DUE TO CURRENT - ADMIN FEES	30.00		185.00
TOTAL					----- 2,685.00
Total to be paid from Fund 85 RECREATION TRUST		2,685.00			
		<u>2,685.00</u>			
		2,685.00			

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #20-236**

**RESOLUTION REDUCING THE PERFORMANCE GUARANTEE AND THE SAFETY  
AND STABILIZATION BOND FOR THE HERITAGE AT CLAREMONT (NGC  
DEVELOPMENT)**

**WHEREAS**, NGC Development is the developer of the development known as the Heritage at Claremont located at 88 and 108 Claremont Road and known as Block 68, Lot 9 and Block 37, Lot 18.01 on the Borough Tax Maps; and

**WHEREAS**, the developer posted a performance guarantee in the amount of \$171,000, of which \$17,100 was cash; and

**WHEREAS**, the developer has served notice upon the Borough Clerk, in accordance with the requirements of N.J.S.A. 40:55D-53, that the site improvements have been substantially completed and has requested the return of the performance guarantee; and

**WHEREAS**, Borough Engineer Robert C Brightly, P.E., P.P., C.M.E. in a September 29, 2020 report, recommended partial approval of those improvements; and

**WHEREAS**, the Municipal Land Use Law provides in relevant part that, “if the sum of the improved improvements would exceed 70 percent of the total performance guarantee, then the municipality may retain 30 percent of the amount of the total performance guarantee to ensure completion and acceptability of all improvements . . .” N.J.S.A. 40:55D-53;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Bernardsville in the County of Somerset, State of New Jersey as follows:

1. The Borough hereby approves those improvements designated as completed in the engineer's report. The remaining items are set forth in “Preliminary Punch List No. 1”, which is attached to the Borough Engineer's report.

2. In accordance with the Borough Engineer's recommendation, the performance guarantee shall be reduced to \$51,300, of which at least 10% percent of which or \$5,130 must be cash, and the balanced returned to the developer.
3. The Borough is not accepting any of the improvements at this time, and will not do so until all improvements are completed to the satisfaction of the Borough Engineer.
4. At the time of acceptance of the improvements, the Borough will release the balance of the performance guarantee and will require the posting of a maintenance bond in accordance with the requirements of N.J.S.A. 40:55D-53(a)2 and Section 37-16 of the Borough Code.
5. The Borough Clerk is hereby directed to serve a copy of this resolution upon the developer.

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**I, Anthony Suriano**, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body at a duly convened meeting held Tuesday, October 13, 2020.

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Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #20-237**

**A RESOLUTION REJECTING ALL BIDS FOR THE WALKING PATH AT THE POLO  
GROUNDS**

**WHEREAS**, seven bids were received on Thursday, July 23, 2020 for the walking path at the Polo Grounds; and

**WHEREAS**, insufficient monies have been appropriated to award a contract for this project and accordingly, the Borough CFO is unable to certify that funds are available to award this contract as required by N.J.A.C. 5:30-5.4;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey as follows:

1. All bids received on July 23, 2020 for the construction of a walking path at the Polo Grounds are hereby rejected..
2. The Borough Clerk is hereby authorized and directed to return the bid bonds of all seven bidders.

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**I, Anthony Suriano**, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body at a duly convened meeting held Tuesday, October 13, 2020.

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Anthony Suriano, Clerk

**RESOLUTION #20-238**  
**SUPPORTING SUBMISSION OF APPLICATION FOR NEW JERSEY DEPARTMENT**  
**OF TRANSPORTATION - TRANSPORTATION ALTERNATIVES PROGRAM**

**WHEREAS**, the Borough of Bernardsville is applying for funding to construct a Neighborhood/Pedestrian Connection Route to Public Transportation and The Downtown within The Borough of Bernardsville; and

**WHEREAS**, the project will help to continue and improve the promotion and encouragement of a safe pedestrian route to public transportation and downtown amenities; and

**WHEREAS**, maintenance of the connection route, once constructed, will be assumed by the Borough of Bernardsville with the exception of local ordinances that places maintenance responsibility with each individual property owner;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Bernardsville that it hereby supports the submission of a grant application for the Transportation Alternatives Program within the State of New Jersey Department of Transportation and authorizes the Mayor and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 13, 2020.

\_\_\_\_\_  
Anthony Suriano

**RESOLUTION #20-239**  
**AUTHORIZING ENGINEERING IN SUPPORT OF THE**  
**TRANSPORTATION ALTERNATES GRANT APPLICATION**

**WHEREAS**, via Resolution #20-238, the Borough of Bernardsville is applying for funding to construct a Neighborhood/Pedestrian Connection Route to Public Transportation and The Downtown within the Borough of Bernardsville; and

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of The Borough of Bernardsville to authorize engineering to be done in support of the Transportation Alternates Program Grant Application for an amount not to exceed \$5,000.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 13, 2020.

\_\_\_\_\_  
Anthony Suriano

**RESOLUTION #20-240**

**AWARDING A CONTRACT FOR  
MUNICIPAL PARKING LOT SNOW PLOWING  
AND SIDEWALK CLEARING**

**WHEREAS**, bids were received for municipal parking lot snow plowing and sidewalk clearing, supported by the required documentation, as discussed in a memo from the Public Works Manager dated October 7, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council as follows:

(1) A contract is hereby awarded to the low bidder, Research and Design Landscape LLC of Bernardsville, NJ, at the respective unit prices indicated in their bid.

(2) The Mayor and Clerk are hereby authorized to sign a contract with Research and Design Landscape LLC which has been approved in form by the Borough Attorney.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Streets and Roads - Snow Removal.

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I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 13, 2020.

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**RESOLUTION #20-241**  
**REGARDING STANDARD PROCEDURES AND REQUIREMENTS FOR**  
**PUBLIC COMMENT MADE AT REMOTE BOROUGH COUNCIL MEETINGS**

**BE IT RESOLVED**, by the Borough Council of the Borough of Bernardsville, that during a Governor-declared emergency, the Borough Council may hold its meetings via Zoom or some other similar platform. Such meetings will be conducted in accordance with DCA regulations set forth at N.J.A.C. 5:39-1.1 through 1.7, as follows:

1. When utilizing an electronic communications platform or Internet-accessible technology to hold a remote public meeting, the Borough Clerk shall also provide a telephonic conference line allowing members of public with limited or no internet access to listen and provide public comment.
2. The governing body will allow members of the public to make public comment by audio or by audio and video. In advance of the remote public meeting, public comments may be submitted by electronic mail and in written letter form to the Borough Clerk by noon on the Wednesday preceding the meeting..
3. Public comments submitted through electronic mail or written letter before the remote public meeting will be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public listening. If the governing body elects to summarize duplicative comments, it will not summarize certain duplicative comments while reading other duplicative comments individually.
4. Speakers must state their name and address and shall limit their comments to three minutes.
5. If reading from a prepared statement, speakers shall provide a copy via email to the Clerk's Office at [asuriano@bernardsvilleboro.org](mailto:asuriano@bernardsvilleboro.org) so it may be properly reflected in the minutes.
6. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor shall mute or keep on mute, or direct appropriate staff to mute or keep on mute, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
7. In addition to transmitting notice to the newspapers, notice of Borough Council meetings must also be posted on the door of the main public entrance to Borough Hall as well as the door for any designated and clearly delineated handicap accessible entrance to said building, such that the notice is viewable from the outside, and on the Borough website.
8. Remote public meetings shall be subject to the requirements of the Open Public Meetings Act, and all other applicable ordinances, statutes and regulations.
9. This resolution shall take effect immediately.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 13, 2020.

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Anthony Suriano

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #20-242**

**AUTHORIZING CONTRACT WITH THE CANNING GROUP, LLC, TO ASSIST THE  
BOROUGH IN ITS SEARCH FOR A NEW ADMINISTRATOR**

**WHEREAS**, Borough Administrator/CFO Ralph Maresca has announced his retirement, effective February 1, 2021; and

**WHEREAS**, there exists a need for a firm to assist the Borough in its search for a new Borough Administrator; and

**WHERRAS**, the Borough requested quotations from several firms to provide this service; and

**WHEREAS**, the lowest quotation was submitted by The Canning Group, LLC, of Morristown, New Jersey, in the amount of \$15,000, which is less than the bid threshold; and

**WHEREAS**, the Council Personnel Committee has recommended the award of the contract to The Canning Group, LLC, in accordance with its proposal:

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bernardsville, in the County of Somerset, State of New Jersey as follows:

1. A contract to assist the Borough in its search for a new Borough Administrator is hereby awarded to The Canning Group, LLC, in accordance with its proposal dated October 12, 2020, for the lump sum of \$15,000.
2. This contract award is contingent upon and subject to the Borough Attorney's approval as to the form of the contract.
3. If the Borough Attorney approves the form of a contract with The Canning Group, LLC, the Mayor and Clerk are authorized to execute that agreement.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Acct No. 10-Coo-0100-0200.

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I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 13, 2020.

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Anthony Suriano