

BOROUGH OF BERNARDSVILLE
Mayor and Council Reorganization Meeting
January 2, 2024 at 7:00 p.m.

1. STATEMENT OF PRESIDING OFFICER

Notice of this meeting was provided to the Bernardsville News and Courier News, filed in the Office of the Borough Clerk, and posted on the Municipal Bulletin Board on December 14, 2023.

2. OATHS OF OFFICE

- Borough Council Members Christine Zamarra and Jeffrey Roos

3. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member Jay Ambelang
Council Member Jena McCredie
Council Member Chad McQueen
Council Member Al Ribeiro
Council Member Jeffrey Roos
Council Member Christine Zamarra

4. PLEDGE OF ALLEGIANCE

5. MAYOR'S ANNUAL ADDRESS

6. MAYOR'S APPOINTMENTS

7. COUNCIL PRESIDENT APPOINTMENT

I move to appoint _____ as Council President for 2024

Second:

Roll Call Vote:

Oath of Office for Council President

8. **RESOLUTIONS**

- #24-1 **COUNCIL CONFIRMATION OF THE MAYOR'S APPOINTMENTS**
- #24-2 **ORGANIZATION OF BOROUGH COUNCIL**
- #24-3 **BOROUGH COUNCIL APPOINTMENTS AND/OR APPOINTMENTS OR NOMINATIONS TO SOMERSET COUNTY OFFICES**
- #24-4 **APPOINTMENT OF BOROUGH OFFICIALS AND EMPLOYEES**
- #24-5 **AUTHORIZING PROFESSIONAL SERVICES APPOINTMENTS AND CONTRACTS**
- #24-6 **AUTHORIZING APPOINTMENTS/CONTRACTS FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES**
- #24-7 **MEMORIALIZING THE 2024 SCHEDULE OF MEETINGS**
- #24-8 **AUTHORIZING ADVERTISEMENT FOR BIDS FOR SUPPLIES & SERVICES**
- #24-9 **ADOPTING A CASH MANAGEMENT PLAN**
- #24-10 **AUTHORIZATION FOR INVESTMENTS**
- #24-11 **DESIGNATION OF DEPOSITORIES AND SIGNATORIES**
- #24-12 **AUTHORIZING THE MAYOR AND CLERK TO SIGN A TRANSPORTATION SERVICE CONTRACT WITH SOMERSET COUNTY**
- #24-13 **SETTING RATE OF INTEREST ON 2024 DELINQUENT TAXES, SERVICE CHARGES FOR CHECKS RETURNED FOR INSUFFICIENT FUNDS, AND CHARGES FOR DUPLICATE TAX SALE CERTIFICATES**
- #24-14 **TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES**
- #24-15 **APPROVING TEMPORARY BUDGET LINE ITEMS**
- #24-16 **ADOPTING POLICE DEPARTMENT RULES & REGULATIONS**

- #24-17 **DESIGNATING WRECKER SERVICES FOR THE POLICE DEPARTMENT**
- #24-18 **DESIGNATION OF OFFICIAL NEWSPAPERS**
- #24-19 **SLEO APPOINTMENTS FOR 2024**
- #24-20 **RENEWING LICENSE AGREEMENT WITH MAIN STREET BERNARDSVILLE ALLOWING IT TO USE THE SPARE OFFICE AT THE BOROUGH RECREATION DEPARTMENT FOR A NOMINAL CONSIDERATION**
- #24-21 **ESTABLISHING A LIMIT FOR CASH TRANSACTIONS**
- #24-22 **AUTHORIZATION TO PAY BILLS PRIOR TO REGULAR COUNCIL MEETING**

I move that Resolutions #24-1 to #24-22 be adopted:

Second:

Roll call vote:

9. TIME CAPSULE

The following letter, dated July 18, 1977, is passed on in the public record, as requested by the Bernardsville Shade Tree Commission (now Shade Tree Committee):

To the Mayor of Bernardsville and Members of the Borough Council:

With the recent restoration of the borough pond, it has been possible to complete the Time Capsule Project by imbedding the capsule in concrete at the base of the Bicentennial Liberty Tree. This tree, a red oak, was planted on April 17, 1976, at a point about 108 feet from the northeast corner of the Borough Hall Building. A plaque is affixed to the top of the concrete marker which reads:

1776 - 1976
Bicentennial Liberty Tree
Bernardsville
Shade Tree Commission
April 17, 1976

Information concerning the Time Capsule and its contents are contained in the accompanying envelope addressed to the residents of Bernardsville in the year 2076. Another copy, the original, has been placed in the Time Capsule itself.

It is the wish of the members of the Shade Tree Commission (1976-1977) that this letter be passed on from year to year on January 1 during the swearing in ceremonies of each new council through the year 2076.

At that time, during the Tricentennial Celebration of our country, the Time Capsule (see attached plans) is to be broken open for the residents to examine the items we have assembled which reflect the life and times of the Bicentennial Year.

The Bernardsville Shade Tree Commission
John Edmonds, Chairman of the Commission Members: Victoria D. Schmidt, John Croot, Marty Craig and Barbara Heckman

10. **OPEN SESSION (FOR ITEMS NOT LISTED FOR A PUBLIC HEARING)**

Spoken comments will be limited to three minutes per speaker.

11. **CLOSED SESSION**

Council Member _____ moves, to adjourn to an executive session to consider:

(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.

Seconded:

Vote:

12. **ADJOURNMENT**

MAYOR'S APPOINTMENTS

Planning Board

Christopher Otteau and Shari Bunks Geller, Class IV Members, 4 years
Ross Zazzarino, Mayor's Representative

Environmental Commission

Johanna Wissinger, Chair
Johanna Wissinger and Michelle Conover, 3 years

Library Board of Trustees

Jay Ambelang, Mayor's Alternate

OEM Coordinator/Deputy Coordinator

John Remian, Deputy, and Glenn Miller, Deputy, 1 year

Historic Preservation Advisory Committee (all 1 year terms)

Dan Lincoln, Steve Sbaraglio, Gerry Jo Cranmer (Chair),
Eileen Grippo, Valerie Barnes, Joseph Bonk,
Vacant (Alt #1 and Alt #2)

Shade Tree Advisory Committee (all 1 year terms)

Markus Dickson, Roberta Ruschmann, Johanna Wissinger

Somerset County Community Development*

Somerset County Solid Waste Advisory Committee

Jeff Horowitz

Upper Raritan Watershed Advisory Committee*

Somerset County Wastewater Management Plan Committee

Mary Jane Canose, Tony Hajjar, and John Macdowall

Municipal Alliance & Youth Services

Coleen Butler, SHSD Guidance, Lisa Drew, Bernardsville High School
Marcy Craver, Chris Habermas, Middle School & Megan Dooley, Bedwell School
John Remian, Chief of Police, Mary Jane Canose, Mayor

OEM Deputy Coordinators

John Remian

*To be announced at a future meeting

2024 Local Emergency Planning Committee

Tim Richard, John Remian, Mary Jane Canose, Nancy Malool, John Macdowall, Charles Ferrante, Lucy Forgione, Brian Brotschul, Patricia Dragunas, Jeffrey Hammond, Daniel Fenco

Mayor's Ad Hoc Committees

MAYOR'S WELLNESS CAMPAIGN (created 5/27/14)

Jessica Walker

Jennifer Morrison

Juliet Patsalos-Fox

Francine Dello Russo

Lisa Oraziotti

Jennifer Luik

Antoinette Sbaraglio

Al Ribeiro

Toni Knoll

Ken Musgrove

Logan DeCicco

Alan Leipner

Carin Karolin

**RESOLUTION #24-1
COUNCIL CONFIRMATION
OF THE MAYOR'S APPOINTMENTS**

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, to confirm the following appointments made by the Mayor:

Board of Health

Lennie Ambelang and Brian Wallace, 3 years

Library Board of Trustees

John Bertoni and Mark Krook, 5 years

Recreation Advisory Committee (all 1 year terms)

William DeMilt, Ted Dolan (Chair), Heather Eich,
Brian Gallagher, Laura Hartnett, Kerry Haselton, Melissa Provost,
Louis Romano, Steve Reynolds, Andrew Taylor (Vice Chair)

Shade Tree Committee (all 1 year terms)

Markus Dickson, Roberta Ruschmann, Johanna Wissinger

Somerset County Cultural & Heritage Advisory Commission Nomination

Kathleen Palmer

OEM/CERT SHELTER & POD groups

(see following page)

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 January 2, 2024.

**BERNARDSVILLE OFFICE OF EMERGENCY MANAGEMENT
2024 OEM APPOINTMENTS**

OEM COORDINATOR

SGT. TIMOTHY RICHARD, (3 YEAR APPOINTMENT JAN. 1, 2023 – DEC. 31, 2025 \$5,000.00 ANNUAL STIPEND)

DEPUTY OEM COORDINATORS

CHIEF JOHN REMIAN (\$2,500.00 ANNUAL STIPEND - 1 YEAR APPT.)

GLENN MILLER (1 YEAR APPT)

EMERGENCY MANAGEMENT COUNCIL & LOCAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

SGT. TIMOTHY RICHARD, OEMC, CHAIRPERSON

CHIEF. JOHN REMIAN, DOEMC, BPD

GLENN MILLER, DOEMC

MARY JANE CANOSE, MAYOR

NANCY MALOOL, BOROUGH ADMINISTRATOR

JOHN MACDOWALL, DPW

CHARLES FERRANTE, BFC

ELLEN PERALTA, BFC-FAS

LUCY FORGIONE, HEALTH DEPT.

BRIAN BROTSCHUL, SHSD

LISA GAROFALO, SHDS

CHERYL FERRANTE (CERT)

PATRICIA DRAGUNAS (CERT)

JEFFREY HAMMOND (AFN COORDINATOR)

PASTOR DANIEL FENCO, CAMINO DE FE CHURCH

PASTOR BETH SCIAINO, ST. BERNARDS CHURCH

BERNARDSVILLE BOROUGH OEM HAZARD MITIGATION COMMITTEE (ESTABLISHED BY RESOLUTION)

HAZARD MITIGATION OFFICER, SGT. TIMOTHY RICHARD, OEMC

ALTERNATE HAZARD MITIGATION OFFICER, NANCY MALOOL, BOROUGH ADMINISTRATOR

CHIEF JOHN REMIAN, DOEMC, BPD

GLENN MILLER, DOEMC, BFD

MAYOR MARY JANE CANOSE, ELECTED OFFICIAL/MAYOR

JOHN MACDOWALL, PUBLIC WORKS DIRECTOR

TONY HAJJAR, BOROUGH ENGINEER

DENISE FILARDO, ZONING OFFICER-CODE ENFORCEMENT

BERNARDSVILLE OEM DAMAGE ASSESSMENT TEAM

JOHN MACDOWALL, DPW MANAGER, COORDINATOR

BERNARDSVILLE OEM SHELTER TEAM COORDINATORS

CHERYL FERRANTE, CO-COORDINATOR, CERT TEAM MEMBER

JANET MURNICK, CO-COORDINATOR, CERT TEAM MEMBER

PATRICIA DRAGUNAS, CO- COORDINATOR CERT TEAM MEMBER

**BERNARDSVILLE OFFICE OF EMERGENCY MANAGEMENT
2024 OEM APPOINTMENTS**

OEM POD SITE COORDINATORS

SGT. TIMOTHY RICHARD, OEMC
ANTHONY SURIANO, BERNARDSVILLE BOROUGH
CINDY BERINGER, BERNARDSVILLE BOROUGH

BERNARDSVILLE OEM CART TEAM VOLUNTEERS

ROSALIE BAKER
DONNA FLYNN
DR. ERNO HOLO, DVM

VULNERABLE POPULATION ADVISORY COMMITTEE

DR. JEFFREY HAMMOND (CHAIR)
SGT. TIMOTHY RICHARD, OEMC
CHIEF. JOHN REMIAN, DOEMC, BPD
GLENN MILLER, DOEMC, BFD
NANCY MALOOL, BOROUGH ADMINISTRATOR
RIYA PATEL, BERNARDS TWP.HEALTH DEPT
CHRIS D'AMATO, IT DEPT.
SUSAN VISSER, COMMUNITY IN CRISIS
CHRISTIE PONESSA, ATLANTIC VISITING NURSE
TERESA VAUGHT, SHSD
DANIEL POWELL, ATLANTIC VISITING NURSE
ELIZABETH ROBLES
JOSH WOOD
MICHAEL CATELLI, SHSD
REV. BETH RAUEN-SCIAINO, ST. BERNARDS CHURCH
PASTOR DANIEL FENCO, CAMINO DE FE CHURCH

BERNARDSVILLE OEM COMMUNITY EMERGENCY RESPONSE TEAM (CERT)

SGT. TIMOTHY RICHARD, OEMC CHIEF JOHN REMIAN GLENN MILLER KRISTINE MCNAMARA, OEM ADMINISTRATIVE SUPPORT CHERYL FERRANTE CINDY BERINGER JANET MURNICK KAY PARAGANO CATHY FERRERA PETER DRAGUNAS PATRICIA DRAGUNAS STEPHEN SCHWED JAMES VILADE	MADELYN ENGLISH KEN FRESSELA PATRICIA KENNEDY-GRANT JOHN ORFAN ANN STONE KATHLEEN DORAN CHRIS D'AMATO CHRISTIE PONESSA DONNA FLYNN JEFFREY HAMMOND RONALD REDLING ROSALIE BAKER
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**BERNARDSVILLE OFFICE OF EMERGENCY MANAGEMENT
2024 OEM APPOINTMENTS**

BERNARDSVILLE RESCUE TASK FORCE (ESTABLISHED BY RESOLUTION)

SGT. TIMOTHY RICHARD, OEMC, RTF COORDINATOR CHIEF CHARLES FERRANTE, ASSISTANT RTF COORDINATOR GLENN MILLER, OEM KEITH KEILING ELLEN BRANDT RONALD SALKO HARRISON CLARK VICTOR J. CORAZZA KATHLEEN FERRANTE ERIC GRIER DAN HART GREG HOYT LIAM WRY LEXI YATES GENE MALIN LAUREN SUGARMANN	JERRY NEGRI JR. JOHN SABEL RANDY STEINKOPF GREG LUCID ZAC WOJTECH DAN FRESELLA JUST CASTRILLI LAURA AQUINO MATT FAVREAU JOHN ORFAN DAN PRINCIPAL ANN STONE PAUL WRY CONNOR KEILING WILLIAM ALLEN SEAN SULLIVAN	JAMES PERALTA STEVEN VERA ANDREW LUCID DAMIAN JUTH XENIA BAMERT MARY FERRANTE FRANK FERRANTE ROBERT YOUNG ALAN LOU ROBERT RAGGI
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BERNARDSVILLE OEM COMMUNITY VOLUNTEERS

ROBIN ALT RACHEL ANDREOTTA ANDREAS AVGOUSTIS SUSAN ANASTASIA ADRIENNE AUERBACH DENIS BLAKE MARTHA BURKE STEVEN BORTON EDWARD BYRNES MICHELLE CONOVER PAUL CAIN GREG CANOSE MARY JANE CANOSE MARGARET CARTON ELLEN CLARKE ALISON DAVIDSON FRANCINE DELLORUSSO M. DILEO LOUISE DIXON SAMA HABIBI	STEVE AUTENRIETHS CHRIS GREENE KERRY HASELTON KERRY KEEN LYNN NICKERSON ZORAIDA PERERIA JAMES PERALTA KATHY REDLING PATRICK REILEY RENEE ROBERTSON GERALD M RIZZO BENSON ROSS LLOYD SEMS JUSTIN SCHWED PATRICIA WRY CHRISTINE ZAMARRA FELICITO GARCIA PHILIP GARUBO KERRY HASELTON PHILIP GARUBO JR	LOIS AUTENRIETHS NICHOLAS SCHWED ALBERT SCHAUFLEER ELIZABETH SCIANO BARBARA SPENGLER JULIA SOMERS CHRISTOPHER THOMAS MICHAEL TREANOR DOUG VOIGHT DIANE VAGLIO JAMES VILADE GRAYSON VALENTINE GUNNAR VALENTINE GRAHAM VALENTINE JOHN WELLER BETSY WOOD JOSHUA WOOD EILEEN GRIPPO STEPHANIE FUENTES RICK GALLO	MARILYN DEE RICHARD DIEGNAN SUSAN DIEGNAN KATHLEEN DORAN REBECCA DUNNE MATTHEW ENGLEBY MADELYN ENGLEBY DANIEL FRESELLA DONNA FLYNN DANIEL FENCO JACKIE FUENTES
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RESOLUTION #24-2
ORGANIZATION OF BOROUGH COUNCIL

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that _____ will serve as Council President for 2024.

RESOLVED FURTHER, that Council standing committees shall be as follows:

PUBLIC SAFETY COMMITTEE

Jena McCredie (Chair), Al Ribeiro, Jeff Roos

FINANCE COMMITTEE

Jay Ambelang (Chair), Chad McQueen, Al Ribeiro

ORGANIZATIONAL DEVELOPMENT AND PERSONNEL COMMITTEE

Chad McQueen (Chair), Christine Zamarra, Jay Ambelang

PUBLIC WORKS COMMITTEE

Christine Zamarra (Chair), Jeff Roos, Jena McCredie

RESOLVED FURTHER, that Council Members shall serve on the following committees:

Jay Ambelang

Library Board of Trustees (Mayor's Alternate)

Jena McCredie

Board of Health (Liaison), Recreation Committee (Liaison)

Chad McQueen

Planning Board Class III Member

Al Ribeiro

HPAC (Liaison), Mayor's Wellness

Jeff Roos

Environmental Commission (Liaison), Land Use

Christine Zamarra

Shade Tree Committee (Liaison), Green Team

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 January 2, 2024.

RESOLUTION #24-3

**BOROUGH COUNCIL APPOINTMENTS AND/OR
APPOINTMENTS/NOMINATIONS TO SOMERSET COUNTY OFFICES**

BE IT RESOLVED, by the Borough Council to announce the following appointments to Borough of Bernardsville boards, committees and/or commissions and appointments or nominations to Somerset County Offices:

Board of Adjustment

David Greenebaum (Chair) and Rich Traynor (Vice Chair), 4 years
Thomas Slocum (Alt #1) and Mark Melillo (Alt #3), 2 years

Planning Board

Chad McQueen, Class III, 1 year

Environmental Commission Alternate Members

Nick Vaglio (Alt #2), 2 years

Green Team Advisory Committee (all 1 year terms)

Adrienne Auerbach, Rosalie Baker, Greg DeGrandpre, Jeff Hammond, Michael Schatzki, Claire Taylor, Shannon Tobin, Karen Tyrell, Diane Vaglio, Rob Wilson

Somerset County Community Development Committee*

Nomination to the Somerset County Solid Waste Advisory Council*

Chairs/Vice Chairs of Advisory Committees

Green Team – Jeff Hammond and Greg deGrandpre, Co-Chairs

HPAC – Gerry Jo Cranmer, Chair

Recreation Committee - Ted Dolan, Chair; Andrew Taylor, Vice-Chair

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 January 2, 2024.

*To be announced at a future meeting

RESOLUTION #24-4

APPOINTMENT OF BOROUGH OFFICIALS AND EMPLOYEES

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville to confirm the following appointments for 2024:

Nancy Malool, Administrator & Affirmative Action Compliance Officer
Anthony Suriano, Assessment Search Officer
Anthony Suriano, Borough Clerk (tenured)
John R. Pidgeon, Municipal Attorney
Tony Hajjar, Borough Engineer, 3 year term (January 1, 2024 to December 31, 2026)
Nancy Malool, QPA
Leslie Roberson, Tax Search Officer (tenured)
Frank D'Amore, Fire Prevention Official
Rev. Beth Rauen Sciaino and Pastor Daniel Fenco, Police Chaplains
Crossing Guards, contingent upon passing hearing and vision testing:
Shelly Benetin
Elizabeth Cook
Henry Dacko
Karen Daly
Robert Daly
John Donovan
John Heppes
Rudy Hyzer
Patricia LaVecchia
Debra Nardone
Lisa Panfile
Richard Pierson
Martha Santini
Bruce Watson

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 January 2, 2024.

REORGAPPTBOROUGHOFFICIALS.RES

RESOLUTION #24-5
AUTHORIZING PROFESSIONAL SERVICES APPOINTMENTS/CONTRACTS

WHEREAS, the Borough of Bernardsville has a need to acquire services listed herein as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate and the Finance Officer has determined and certified in writing that the value of the acquisitions will exceed \$17,500, and

WHEREAS, the anticipated term of contracts is one year, and contractors listed herein have submitted proposals indicating they will provide the services needed by the Borough, and

WHEREAS, the contractors have completed and submitted a Business Entity Disclosure Certification which certifies that their business entity has not made any reportable contributions to a political or candidate committee in the Borough of Bernardsville in the previous one year, and that the contract will prohibit the contractors named herein from making any reportable contributions through the term of the contract, and

WHEREAS, the Finance Officer has certified in writing that sufficient funds are or will be available in the 2024 budget.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Bernardsville authorizes contracts with the following professional services contractors for 2024:

Pidgeon and Pidgeon, for Legal Services - not to exceed \$150,000
DiFrancesco, Bateman, Kunzmano, Davis, Lehrer & Flaum, P.C., for Labor Counsel –
not to exceed \$50,000
Suplee, Clooney & Co., Municipal Auditors - not to exceed \$45,000
Hawkins, Delafield & Wood, Bonding Attorneys - not to exceed \$25,000
Stormwater Compliance Solutions, for NJDEP storm water compliance - not to exceed \$60,000
Stormwater Compliance Solutions, for NJDEP Wood Waste Recycling and Leaf Composting General
Permit - not to exceed \$22,000
Phoenix Advisors, LLC, IRMA and Continuing Disclosure Agent - not to exceed \$10,000
CGP&H, Professional Planning and Affordable Housing Services - not to exceed \$25,000
Metro Company, LLC to Provide Relocation Advisory Services - not to exceed \$10,000
Maraziti Falcon, LLP in connection with the acquisition of 210 North Finley Avenue and
63 Bernards Avenue for affordable housing purposes - not to exceed \$50,000
Rippled Waters Engineering, LLC, For Engineering Services For Dam Removal – not to exceed \$40,000
Suburban Engineering, Phase I Polo Grounds Building Utilities – not to exceed \$40,000
Appraisal Systems, for professional appraisal inspections done in 2024 and services in connection with
the 2025 borough wide reassessment program - not to exceed \$13,100
Paulus, Sokolowski, & Sartor, for wastewater treatment engineering services - not to exceed \$20,000
McManimon, Scotland, and Baumann, LLC – Redevelopment Attorneys – not to exceed \$50,000
J. Caldwell & Associates LLC – Borough Planner – not to exceed \$5,000

BE IT FURTHER RESOLVED that all required, supporting documentation be placed on file with each service contract, and that notice of these awards be advertised once in the Bernardsville News.

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 January 2, 2024.

RESOLUTION #24-6
AUTHORIZING APPOINTMENTS/CONTRACTS
FOR EXTRAORDINARY, UNSPECIFIABLE SERVICES

WHEREAS, the borough may award contracts for “Extraordinary, Unspecifiable Services (EUS) without competitive bids in accordance with requirements of N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2; and

WHEREAS, the Chief Financial Officer in accordance with the requirements of N.J.A.C. 5:34-5 has certified in writing to the Mayor and Borough Council the availability of adequate funds to pay the maximum amount of the contract; and

WHEREAS, the resolution and the EUS contract shall be kept on file and available for public inspection in the office of the Borough Clerk.

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. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with General Code (formerly Coded Systems, Inc.), for ordinance codification.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with Brown and Brown for Risk Consultants.
3. Both contract are awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.

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 January 2, 2024.

RESOLUTION #24-7
BOROUGH OF BERNARDSVILLE
MEMORALIZING THE 2024 SCHEDULE OF MEETINGS OF THE MAYOR AND COUNCIL

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville to adopt the following schedule of meetings to be held in the second floor Council Chambers of the Municipal Building, 166 Mine Brook Road, Bernardsville, New Jersey, or virtual, (see www.bernardsvilleboro.org) when formal action may be taken:

DATE	TIME	MEETING TYPE
Tuesday, January 2, 2024	7:00 P.M.	Reorganization
Tuesday, January 16, 2024	7:00 P.M.	Public/work
Monday, January 22, 2024	7:00 P.M.	Public
Tuesday, February 20, 2024	7:00 P.M.	Public/work
Monday, February 26, 2024	7:00 P.M.	Public
Monday, March 18, 2024	7:00 P.M.	Public/work
Monday, March 25, 2024	7:00 P.M.	Public
Monday, April 15, 2024	7:00 P.M.	Public/work
Monday, April 22, 2024	7:00 P.M.	Public
Monday, May 20, 2024	7:00 P.M.	Public/work
Tuesday, May 28, 2024	7:00 P.M.	Public
Monday, June 17, 2024	7:00 P.M.	Public/work
Monday, June 24, 2024	7:00 P.M.	Public
Monday, July 8, 2024	7:00 P.M.	Public
Monday, August 12, 2024	7:00 P.M.	Public
Monday, September 16, 2024	7:00 P.M.	Public/work
Monday, September 23, 2024	7:00 P.M.	Public
Monday, October 21, 2024	7:00 P.M.	Public/work
Monday, October 28, 2024	7:00 P.M.	Public
Monday, November 18, 2024	7:00 P.M.	Public/work
Monday, November 25, 2024	7:00 P.M.	Public
Monday, December 16, 2024	7:00 P.M.	Public

The agenda will be available by 4:30 p.m. in the Office of the Borough Clerk or online at www.bernardsvilleboro.org on Thursday preceding each meeting.

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 January 2, 2024.

RESOLUTION #24-8

**AUTHORIZING ADVERTISEMENT FOR
BIDS FOR SUPPLIES & SERVICES**

BE IT RESOLVED, that the Public Works Manager and/or Projects Manager is hereby authorized to advertise for bids in the usual form for:

- Sludge removal
- Water sampling and lab analysis
- Road improvements
- Garbage container pickup
- Garbage disposal
- Janitorial services
- Snow plowing/sidewalk clearing
- Grass cutting/lawn maintenance
- Road Department equipment and vehicles
- Tree pruning/removal services
- Excavation of test pits
- Street Sweeping
- Tubgrinding of Brush and Leaf at Compost Facility

to be publicly opened in accordance with law by the Administrator or his authorized delegate, who is hereby designated as the contracting agent for the Borough for the aforesaid purposes.

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 January 2, 2024.

RESOLUTION #24-9
ADOPTING A CASH MANAGEMENT PLAN

BE IT RESOLVED, that the Borough Council of the Borough of Bernardsville, County of Somerset, for the year 2024 or until further action by the Borough Council, shall adopt the policy attached hereto and made a part hereof, which shall serve as the cash management plan of the Borough of Bernardsville.

RESOLVED FURTHER that the Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough funds. Suitable and authorized investments are Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds; Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1(e); Local government investment pools which comply with N.J.S.A. 40A:5-15.1(e) and conditions set by the Division of Local Government Services; New Jersey State Cash Management Fund; and Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(a).

RESOLVED FURTHER that each month, the Chief Financial Officer shall prepare a schedule of investments purchased and redeemed, investment earnings, fees incurred and market value of all investments. Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds and those used by the Borough of Bernardsville are listed in Resolution #24-11. The Chief Financial Officer shall report to the governing body any account that does not earn interest.

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 January 2, 2024.

Borough of Bernardsville Cash Management Policy

Be it resolved by the Borough Council of the Borough of Bernardsville, County of Somerset, that the Chief Financial Officer shall administer the cash management plan adopted herewith through compliance with 40A:5-1 et seq. Prudent application of these cash management policies, which shall not conflict the plan in any way.

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

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

1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

- a. Limiting investments to the safest types of securities.
- b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
- c. Diversifying the investment portfolio.

2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

- a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
- b. By investing operating funds primarily in shorter-term securities.

B **Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.

2. A security swap would improve the quality, yield, or target duration in the portfolio.
 3. Liquidity needs of the local unit require that the security be sold.
- C. **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Chief Financial Officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II Standards of Care

- A. **Prudence:** The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. The Chief Financial Officer acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of, any investment authorized by the cash management plan.
- B. **Ethics and Conflicts of Interest:** Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.
- C. **Delegation of Responsibility and Authority:** Responsibility and authority to manage the cash management plan and policy is granted to the Chief Financial Officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer. The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish system of controls to regulate the activities of subordinate officials.

III. Safekeeping and Custody

A. **Authorized Banks for Deposit of governmental Funds:** The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

B. **Approved Security Broker/Dealers:** The cash management plan shall list any approved security broker/dealers.

C. **Internal Controls**

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected from loss, theft, or misuse. The chief financial officer shall develop written internal controls and submit them to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. The cost of a control should not exceed the benefits likely to be derived.
- b. The valuation of costs and benefits of internal controls requires estimates and judgements by management.

2. Internal control practices shall address the following points:

- a. Control of collusion. Collusion is a situation where two or more employees are working in conjunction to defraud their employer.
- b. Separation of transaction authority from accounting and record keeping. By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a separation of duties is achieved.
- c. Custodial safekeeping. Securities purchased from any bank or dealer including appropriate collateral (as defined by N.J.S.A. 12A.9-105) shall be placed with an independent third party for custodial safekeeping.
- d. Avoidance of physical delivery securities. Book entry securities are much easier to transfer and account for since actual delivery of a document never takes place. Delivered securities must be properly safeguarded against loss or destruction. The potential for fraud and loss increases with physically delivered securities.
- e. Clear delegation of authority to subordinate staff members. Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid improper actions. Clear delegation of authority also preserves the internal control structure that is contingent on the various staff positions and their respective responsibilities.

- f. Written confirmation of telephone transactions for investments and wire transfer. Due to the potential for error and improprieties arising from telephone transactions, all telephone transactions should be supported by written communications and approved by the appropriate person. Written communication may be via fax if on letterhead and the safekeeping institution has a list of authorized signatures.
 - g. Development of a wire transfer agreement with the lead bank or third party custodian. This agreement should outline the various controls, security provisions, and delineate responsibilities of each party making and receiving wire transfers.
- D. **Delivery vs. Payment:** All trades where applicable will be executed by delivery vs. payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

IV. Reporting

- A. **Methods:** The chief financial officer shall prepare an investment report to the governing body each month, including a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last month. This management summary will be prepared in a manner which will allow the governing body to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the chief executive officer, and the governing body. The report will include those items outlined in the cash management plan.
- B. **Performance Standards:** The investment portfolio will be managed in accordance with the parameters specified within the cash management plan and policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. Portfolio performance should be compared to appropriate benchmarks on a regular basis.

V. Policy

- A. **Exemption:** Any investment currently held that does not meet these guidelines shall be exempted from the requirements of the cash management plan. At maturity or liquidation, such monies shall be reinvested only as provided by the cash management plan and policy.
- B. **Amendment:** The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

RESOLUTION #24-10
AUTHORIZATION FOR INVESTMENTS

BE IT RESOLVED that the Administrator/CMFO be authorized to make investments of Borough funds, subject to Current Policy on Investments and subsequent approval by the Borough Council, maximum of \$7,500,000.00 (except NJ Cash Management), GUDPA insures all governmental deposits, check financial statements of banks quarterly and report on Cap/Assets ratio and Investments in individual banks may be increased above limits above, based on Cap/Assets ratio. (Will seek highest interest rate for short-term investments; some banks with very high C/A ratios are not competitive.)

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 January 2, 2024.

RESOLUTION #24-11
DESIGNATION OF DEPOSITORIES AND SIGNATORIES

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that the following banks are designated depositories for funds of the Borough, including General Trust and Current Funds, Public Defender fees, Open Space Trust Funds, Animal Control Funds, Capital Funds, Assessment Trust funds, Sewer Utility Funds, Sewer Capital account, payroll funds, escrow account, landfill escrow account, construction fund, Municipal Court account, bail bond account, State and Federal Grants fund, Railroad Station fund, Fire Penalty Account I & II, COAH Development Fees Account, Police Department Law Enforcement Trust account, Police Off-Duty Employment, Shade Tree Trust Fund, Community Garden Trust Fund, Accumulated Absences Liability Trust Fund, Snow Removal Reserve Trust Fund, and subject to receipt from each depository hereafter named, their statement of financial condition which is equal to, or better than, current standards:

Kearny Bank, Bernardsville, NJ
Peapack-Gladstone Bank, Bernardsville, NJ
Bank of America, Basking Ridge and Bridgewater, NJ
State of NJ, Cash Management, Trenton, NJ
Roselle Savings Bank, Bernardsville, NJ
Lakeland Bank, Bernardsville, NJ
Chase Bank, Bernardsville, NJ
PNC Bank, Bernardsville, NJ
Wells Fargo Bank, Bernardsville
TD Bank, Bernardsville

BE IT FURTHER RESOLVED that the Mayor, Council President or a Member of the Finance Committee, CMFO, and Borough Clerk, are hereby authorized to sign all checks, notes and drafts of this Borough drawn on any account in the above institutions which have been or may be opened in accordance with resolution (except payroll account) and that any of them is hereby authorized to endorse and deposit checks and drafts payable to the Borough, and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to sign payroll checks and in his absence the Treasurer/Finance Officer and Administrator are authorized to sign said checks.

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 January 2, 2024.

RESOLUTION #24-12

**AUTHORIZING THE MAYOR AND CLERK
TO SIGN A TRANSPORTATION SERVICE
CONTRACT WITH SOMERSET COUNTY**

BE IT RESOLVED, to authorize the Mayor and Clerk to sign a Transportation Service Contract with Somerset County Division of Transportation for 2024, with terms pursuant to the attached contract.

I, Leslie Roberson, CMFO, hereby certify that funds for these services are to be appropriated in the 2024 budget in account #10-C00-0280-0200 - Senior Citizen Van - OE.

I, Anthony Suriano, Borough 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 January 2, 2024.

sc-transportation

SOMERSET COUNTY

TRANSPORTATION SERVICE AGREEMENT

THIS AGREEMENT, made this day of 2024 by and between the Borough of Bernardsville, 166 Mine Brook Rd, Bernardsville, NJ 07924 (hereinafter referred to as “Borough”) and COUNTY OF SOMERSET, DIVISION OF TRANSPORTATION, P. O Box 3000, Somerville, New Jersey 08876 (hereinafter referred to as “County”).

1. *Service Provided.* County hereby agrees to provide ambulatory and accessible transportation services to Bernardsville Borough residents to destinations identified in Exhibit A for the purposes of grocery shopping and chore services. Said transportation services will be in addition to the services already provided by the Somerset County Division of Transportation to borough residents.

Transportation services are to be provided via an accessible bus, which shall be provided by the County. The County shall also provide the driver, necessary driver training, vehicle maintenance, liability insurance, workman’s compensation, fuel and other necessary items to providing the transportation service. The Borough shall incur no cost other than those provided for in this Agreement associated with the provision of said service.

2. *Payment.* The Borough and the County agree that the cost per day for the services is \$118.42 for the driver and \$ 25.00 for the bus, not to exceed \$143.42 per day. The County by the 15th day of each month shall provide a detailed report to the Borough, describing the number of users, the number of service days and trips and the nature of the trips taken by those utilizing the service. The County shall also provide with the report a voucher and invoice for the services provided for the period contained in the report.

The parties agree that during the term of this Agreement, the Borough shall make monthly payments to the County. The monthly payment shall be submitted by the Borough to the County by the

10th of the following month

3. *Term of Agreement.* The term of this Agreement shall be from January 1, 2024 through December 31, 2024.

4. *Borough Responsibilities.*

(A) It shall be the responsibility of Borough to notify residents of the availability of this service and the limitations on hours and days of the week. It shall be the responsibility of the residents to follow the “no-show” policy of the County of Somerset, a copy of which is attached. Individual residents must contact the Division of Transportation and register as a passenger in order to make use of said transportation service.

(B) It is the responsibility of the resident to notify the Somerset County Division of Transportation if they cancel their appointment and do not require County transportation service as previously arranged. Cancellations may be made up to one (1) hour prior to scheduled pick-up time. All trips not cancelled within this time frame will result in a documented no-show occurrence. The County reserves the right to charge the Borough a fee for the no-show occurrence equal to the fee charged per user.

5. *Cancellation.* The County of Somerset hereby reserves the right to cancel transportation service for one and/or more days in the event of severe inclement weather, declared state of emergency or other conditions, including but not limited to such conditions as health risks, flooding, ice or snow which affects Somerset County’s ability to perform under the terms and conditions of this Agreement. Any and all appointments that are cancelled may be rescheduled for a mutually convenient time. The County is to notify the Borough when weather prohibits safe transportation so that transportation services need to be cancelled. Notice of cancellation shall be provided as soon as practicable by the County to the Borough. No notification shall be made to individual passengers as all announcements are made through the local radio stations of MAGIC 98.3 FM, WCTC 1450 AM, and the

Somerset County website located at www.co.somerset.nj.us.

6. *Assignment.* Neither the County nor the Borough shall assign, sublet or transfer any rights or interest in this Agreement without the prior written consent of the other party. Unless specifically stated to the contrary, in writing, prior to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing herein shall be construed to give any rights or benefits to anyone other than the County and the Borough.

7. *Liability.* The County and the Borough each bind themselves and their successors, executors, administrators, heirs and assigns and legal representatives of the other party respecting all covenants and agreements and obligations of this Agreement. The parties hereby agree to save and hold harmless the other from any and all injuries to person and property resulting from the provision and utilization of the services described in this Agreement. If injuries to person or property are caused by an act of gross negligence, then the protections afforded by this section shall not apply.

8. *Interpretation.* The terms of this Agreement shall be construed and interpreted, and all respective rights and duties of the parties shall be governed by the laws of the State of New Jersey.

9. *Termination Clause:* Either party may terminate this Agreement, without cause, -upon ten (10) days written notice to the other.

10. *Meetings:* Representatives from the County shall be made available to meet with representatives of the Borough, as designated by the Borough Clerk as requested, to assess the operation of said transportation services and address any issues associated with said service.

IN WITNESS WHEREOF, the County of Somerset has caused this instrument to be executed by the Director of the Board of Chosen Commissioners pursuant to the Resolution that said County passed for said purpose, and the Bernardsville has caused this Agreement to be signed by its proper corporate officers as of the day and year first written above.

ATTEST:

COUNTY OF SOMERSET

Kelly L. Mager, Clerk of the Board

Shanel Y. Robinson, Commissioner Director

Signed, Sealed and Delivered
in the Presence of

Borough of Bernardsville

BY: _____

Exhibit A

Scope of service and cost (maximum of 10 passengers)

1. Shopping on Fridays in Bernardsville, with stops including, but not limited to Bernardsville ShopRite, Bedminster Kings, Bernardsville Hardware, and banks in Bernardsville, from 10:30 a.m. to 1:30 p.m. Shopping bags shall be limited to four bags per person.
2. Somerset County Transportation does not operate this service on legal or Somerset County observed holidays.

Salary/Fringe rate per day for driver	\$ 118.42
Bus Rate per day	\$ 25
Total rate per day	\$143.42
Anticipated Fridays in 2024	<u>46</u>
Anticipated agreement amount in 2024	\$ 6597.32

RESOLUTION #24-13
SETTING RATE OF INTEREST ON 2024 DELINQUENT TAXES,
SERVICE CHARGES FOR CHECKS RETURNED FOR INSUFFICIENT FUNDS,
AND CHARGES FOR DUPLICATE TAX SALE CERTIFICATES

BE IT RESOLVED, as follows:

FOR TAXES NOT IN ARREARS, 0% for nine (9) calendar days following the due date. Taxes not paid during this ten day period shall be deemed to be in arrears as of the said first day of the month.

FOR TAXES IN ARREARS, 8% per annum on the first \$1500 of the delinquency, 18% per annum on any amount in excess of \$1500 BOTH TO BE INCREASED TO THE MAXIMUM ALLOWED BY LAW IN THE EVENT OF AN INCREASE IN THE STATUTORY MAXIMUM.

RESOLVED FURTHER that pursuant to N.J.S.A. 54:4-67, as amended, a penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000 who fails to pay said delinquency prior to the end of the calendar year. The penalty so charged is hereby fixed at 6% of the amount of the delinquency; and if taxes are fully paid and satisfied for that calendar year by the holder of an outstanding tax sale certificate, the holder shall be entitled to receive the same 6% penalty as part of the amount required to redeem such certificate of sale; and pursuant to N.J.S.A. 54:5-61, as amended, the amount to be charged on account of tax sale certificates shall include the following redemption penalties:

- A. 2% of the amount of the certificate over \$200 and up to \$5,000
- B. 4% of the amount of the certificate over \$5,000 and up to \$10,000
- C. 6% of the amount of the certificate over \$10,000

RESOLVED FURTHER, that a service charge in the amount of \$20 shall be imposed for each check returned for insufficient funds and the charge for a duplicate tax sale certificate shall be \$75, and

RESOLVED FURTHER that per N.J.S.A. 54:4-66.3, if failure of the State to approve budgets in a timely manner causes the delay in the delivery of property tax bills, the Collector must include notice of the payment date after which interest will be charged back to the statutory dates. No interest may be charged for 25 days after mailing.

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 January 2, 2024.

RESOLUTION #24-14
TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

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

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

WHEREAS, the total appropriations in the 2023 Budget less debt service, pension, capital improvements, and grants are as follows:

General	\$ 13,925,582.13
Sewer Utility	\$ 1,177,681.24

WHEREAS, 26.25 percent of the above appropriations in the 2023 Budget is as follows:

General	\$ 3,655,465.31
Sewer Utility	\$ 309,141.33

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, County of Somerset that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records.

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 January 2, 2024.

RESOLUTION #24-15
APPROVING TEMPORARY BUDGET LINE ITEMS

BE IT RESOLVED, by the Borough Council that the breakdown by line item, as shown in the attachment entitled “Approving Temporary Budget Line Items”, is hereby adopted.

See attached 2024 Temporary Budget

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 January 2, 2024.

Account	Description	Debit	Credit
10-C00-0100-0100	ADMIN. & EXEC - S&W	-	45,622.00
10-C00-0100-0200	ADMIN. & EXEC - OE	-	53,018.31
10-C00-0101-0200	HUMAN RESOURCES - OE	-	9,188.00
10-C00-0102-0100	MUNICIPAL CLERK - S&W	-	40,950.00
10-C00-0102-0200	MUNICIPAL CLERK - OE	-	3,938.00
10-C00-0110-0100	FINANCE - S&W	-	36,750.00
10-C00-0110-0200	FINANCE - OE	-	10,000.00
10-C00-0111-0200	FINANCIAL ADMINISTRATION - AUDIT	-	44,550.00
10-C00-0112-0100	INFORMATION TECHNOLOGY - S&W	-	3,701.00
10-C00-0112-0200	INFORMATION TECHNOLOGY - OE	-	25,000.00
10-C00-0115-0100	TAX ASSESSOR - S&W	-	32,681.00
10-C00-0115-0200	TAX ASSESSOR - OE	-	7,547.00
10-C00-0120-0100	TAX COLLECTOR - S&W	-	14,254.00
10-C00-0120-0200	TAX COLLECTOR - OE	-	6,000.00
10-C00-0135-0200	LEGAL SERVICES - OE	-	50,000.00
10-C00-0140-0100	ENGINEERING - S&W	-	50,000.00
10-C00-0140-0200	ENGINEERING - OE	-	1,000.00
10-C00-0145-0100	BUILDINGS & GROUNDS - S&W	-	63,000.00
10-C00-0145-0200	BUILDINGS & GROUNDS - OE	-	300,000.00
10-C00-0150-0100	PLANNING BOARD - S&W	-	13,335.00
10-C00-0150-0200	PLANNING BOARD - OE	-	7,875.00
10-C00-0155-0100	BOARD OF ADJ. - S&W	-	8,741.00
10-C00-0155-0200	BOARD OF ADJ. - OE	-	6,562.00
10-C00-0156-0100	ZONING/HOUSE - S&W	-	27,825.00
10-C00-0156-0200	ZONING/HOUSE - OE	-	2,465.00
10-C00-0160-0200	SHADE TREE COMM. - OE	-	15,750.00
10-C00-0165-0200	ENVIRON. COMM. - OE	-	1,000.00
10-C00-0170-0200	LIABILITY INSURANCE	-	55,125.00
10-C00-0171-0200	WORKERS COMPENSATION INSURANCE	-	48,038.00
10-C00-0175-0100	HB WAIVER	-	6,562.00
10-C00-0175-0200	GROUP INSURANCE - OE	-	400,000.00
10-C00-0180-0200	FIRE HYDRANT SERVICE	-	50,000.00
10-C00-0185-0200	AID TO FIRE DEPT. - OE	-	29,662.00
10-C00-0190-0100	COMMUNICATIONS - S&W	-	93,568.00
10-C00-0190-0200	COMMUNICATIONS - OE	-	5,775.00
10-C00-0195-0100	POLICE - S&W	-	743,768.00
10-C00-0195-0200	POLICE - OE	-	50,000.00
10-C00-0205-0220	AID TO RESCUE CO. - DONATION	-	16,275.00
10-C00-0210-0100	EMERGENCY MGMT. - S&W	-	2,000.00
10-C00-0210-0200	EMERGENCY MGMT. - OE	-	1,628.00
10-C00-0220-0100	STREETS & ROADS - S&W	-	228,354.00
10-C00-0220-0200	STREETS & ROADS - OE	-	124,688.00
10-C00-0225-0200	STREET LIGHTING - OE	-	30,000.00
10-C00-0235-0200	LANDFILL - OE	-	15,540.00
10-C00-0240-0200	RECYCLING - OE	-	25,988.00
10-C00-0246-0100	VEHICLE MAINT. - S&W	-	21,630.00
10-C00-0246-0200	VEHICLE MAINT. -OE	-	21,000.00

10-C00-0250-0200	BOARD OF HEALTH	-	27,562.00
10-C00-0260-0200	ANIMAL CONTROL - OE	-	20,000.00
10-C00-0271-0100	SWIM POOL - S&W	-	48,562.00
10-C00-0271-0200	SWIM POOL - OE	-	31,500.00
10-C00-0272-0100	RECREATION - S&W	-	76,125.00
10-C00-0272-0200	RECREATION - OE	-	18,375.00
10-C00-0280-0200	SENIOR CITIZEN VAN - OE	-	2,048.00
10-C00-0285-0100	CONSTRUCTION - S&W	-	60,375.00
10-C00-0285-0200	CONSTRUCTION - OE	-	9,000.00
10-C00-0290-0100	FIRE PREVENTION - S&W	-	10,000.00
10-C00-0290-0200	FIRE PREVENTION - O&E	-	4,000.00
10-C00-0305-0200	TELEPHONE	-	40,000.00
10-C00-0310-0200	ELECTRICITY	-	40,000.00
10-C00-0315-0200	GASOLINE	-	50,000.00
10-C00-0320-0200	GAS	-	20,000.00
10-C00-0334-0200	DEFINED CONTRIBUTION RETIREMENT PROGRAM	-	4,462.00
10-C00-0340-0200	SOCIAL SECURITY	-	87,065.00
10-C00-0350-0202	UNEMPLOYMENT - BOROUGH SHARE	-	6,038.00
10-C00-0360-0200	LIBRARY CONTRIBUTIONS - OE	-	250,000.00
10-190-0700-0000	AMOUNT TO BE RAISED BY TAXATIO	3,655,465.31	-
		<u>3,655,465.31</u>	<u>3,655,465.31</u>

Account	Description	Debit	Credit
40-C00-0101-0100	SEWER-SALARY & WAGES	-	136,594.33
40-C00-0101-0200	SEWER - OE	-	162,547.00
40-C00-0107-3001	SEWER - SOCIAL SECURITY	-	10,000.00
40-192-0110-1000	USER FEES	309,141.33	-
		<u>309,141.33</u>	<u>309,141.33</u>

RESOLUTION #24-16

**ADOPTING POLICE DEPARTMENT
RULES & REGULATIONS**

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, to adopt the Rules and Regulations of the Bernardsville Police Department, copies on file in the Clerk's Office and Police Department.

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 January 2, 2024.

**RESOLUTION #24-17
DESIGNATING WRECKER SERVICES
FOR THE POLICE DEPARTMENT**

BE IT RESOLVED by the Borough Council to designate the following wrecker services for use by the Bernardsville Police Department during 2024:

Mike's Towing and Recovery, Inc.
Morristown Auto Body
Somerset Hills Towing
C & L Towing
Delucas Towing
Eagle Towing

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 January 2, 2024.

RESOLUTION #24-18

DESIGNATION OF OFFICIAL NEWSPAPERS

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that the Bernardsville News and Courier News be designated as the official newspapers for the Borough, and

RESOLVED FURTHER that all official notices may be published in any or all of these papers, and they are hereby designated to receive notice of meetings in accordance with the Open Public Meetings Act because said newspapers have the greatest likelihood of informing the public of such meetings.

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 January 2, 2024.

RESOLUTION #24-19

SLEO APPOINTMENTS FOR 2024

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville to appoint the following Special Law Enforcement Officers (SLEO II & SLEO III) for 2024:

Gregory Skinner, SLEO II
Matthew Brown, SLEO III
Edwin Maldonado, SLEO III

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 January 2, 2024.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #24-20**

**RENEWING LICENSE AGREEMENT WITH MAIN STREET BERNARDSVILLE
ALLOWING IT TO USE THE SPARE OFFICE AT THE BOROUGH RECREATION
DEPARTMENT FOR A NOMINAL CONSIDERATION**

WHEREAS, Resolution #21-220, attached hereto, approved a license agreement with Main Street Bernardsville to allow it to use the spare office at the Borough Recreation Department for a nominal consideration.

WHEREAS, the term of the License Agreement commenced on October 15, 2021 and terminated on the date of the Borough Council's 2023 reorganization and was extended via Resolution #23-20 to the date of the Borough Council's 2024 reorganization.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, to extend the License Agreement, which is subject to change with 30 days notice upon Council approval.

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 January 2, 2024.

Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-220**

**APPROVING LICENSE AGREEMENT WITH DOWNTOWN BERNARDSVILLE
ALLOWING IT TO USE THE SPARE OFFICE AT THE BOROUGH RECREATION
DEPARTMENT FOR A NOMINAL CONSIDERATION**

WHEREAS, Downtown Bernardsville is a 501(c)3 nonprofit organization that serves a public purpose by revitalizing, enhancing, and promoting the commercial district of the Borough.; and

WHEREAS, the governing body supports Downtown Bernardsville's mission;; and

WHEREAS, the residents of the Borough as well as the downtown merchants and other businesses will benefit from Downtown Bernardsville's efforts; and

WHEREAS, Downtown Bernardsville has a need for office space to carry out its mission; and

WHEREAS, the Borough Recreation Department has a spare office that is not currently needed for public use; and

WHEREAS, the Local lands and Buildings Law permits a lease to a nonprofit corporation for a public purpose for nominal consideration (*N.J.S.A. 40A:12-14*);

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 Mayor and Clerk are hereby authorized and directed to sign the attached license agreement with Downtown Bernardsville allowing it to use the spare office at the Recreation Department.
2. The consideration for this License Agreement shall be \$1.00.

3. The term of the License Agreement shall be approximately fifteen (15) months commencing on October 15, 2021 and terminating on the date of the Borough Council's 2023 reorganization. The parties may elect to continue the License Agreement after that date.
4. Either party may terminate this License Agreement, on not less than thirty (30) days prior written notice to the other party, for any or no reason.
5. The Recreation Director shall be responsible for enforcing the terms of the License Agreement.
6. Downtown Bernardsville shall annually submit a report to the Borough Administrator, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law.

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 12, 2021.



Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION 24-21
ESTABLISHING A LIMIT FOR CASH TRANSACTIONS**

WHEREAS, the availability of many electronic payment options, including automatic debits (ACH) , online credit card payments and online banking options offered by personal and business banking accounts in addition to payment by personal check and property taxes paid by mortgage lenders have made the receipt of large cash payments an increasingly rare occurrence, and;

WHEREAS, large cash payments can create safety and security risks for the Borough staff;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bernardsville, County of Somerset, New Jersey that, effective immediately, no cash transactions totaling over Five Thousand Dollars (\$5,000.00) will be accepted by any Borough office or official for any reason. Payments over this threshold must be paid by check or by electronic means. In any instance where a personal check or electronic payment cannot be accepted (Tax Sale, repayment of bounced check, etc), payment shall be made by Cashier's Check.

I, Anthony Suriano, Borough 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 on January 2, 2024.

RESOLUTION #24-22

AUTHORIZATION TO PAY BILLS PRIOR TO REGULAR COUNCIL MEETING

BE IT RESOLVED, that the Borough Council of the Borough of Bernardsville authorizes the Borough Administrator and Chief Finance Officer to pay bills prior to regular council meetings;

FURTHER RESOLVED, these bills will be reported to the Borough Council at the next regularly scheduled Borough Council meeting.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on January 2, 2024.

Anthony Suriano
Borough Clerk