

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
January 10, 2022 – 7:00 p.m.

1. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member Jay Ambelang
Council Member Diane Greenfield
Council Member Jena McCredie
Council Member Chad McQueen
Council Member Al Ribeiro
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 December 27, 2021.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. OPEN SESSION

To make a comment or ask a question during the meeting, please raise your hand using one of the following alternatives:

1. Windows or Mac platform: Click on “Participants” at the bottom of the screen, then click on “raise hand.” (Windows shortcut: Alt+Y; Mac shortcut: Option+Y).

2. Android or iOS device: Click on “raise hand” in the bottom left corner of your screen.

*3. Telephone: Press *9.*

The host will be notified that you have raised your hand. When it is your turn to speak, you may be prompted to unmute yourself. While unmuted, your profile picture and name will be displayed to the host and panelists (or a portion of your phone number if participating by telephone) but you will not be visible.

In lieu of speaking at the meeting, members of the public may email their questions or comments to the Borough Clerk at asuriano@bernardsvilleboro.org. Written questions or comments must be submitted by noon the Wednesday preceding the meeting.

Spoken comments will be limited to three minutes per speaker. Any written questions or comments received prior to noon on the Wednesday preceding the meeting will be read or summarized on the record after all spoken comments have been made.

Comments unrelated to a governmental issue, or comments containing offensive, profane or indecent language or language constituting hate speech, will not be accepted.

If providing a comment or asking a question in writing, include your name, address, and the subject of your comment or question.

Please note that the “chat” and “Q&A” functions will be disabled during the meeting.

6. ITEMS OF BUSINESS

6A. ORDINANCES (Public Hearing - none)

Spoken comments will be limited to three minutes per speaker.

ORDINANCES (Introduction)

I move that Ordinance #2022-1907, **CONCERNING NOTICES REQUIRED FOR PLANNING BOARD AND BOARD OF ADJUSTMENT HEARINGS AND AMENDING SECTION 4-7 OF THE BOROUGH LAND DEVELOPMENT REGULATIONS ENTITLED “HEARINGS: PUBLIC NOTICE REQUIRED”**, 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, January 24, 2022.

Second:

Voice Vote:

I move that Ordinance #2022-1908, **GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY**, 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, January 24, 2022.

Second:
Voice Vote:

6B. RESOLUTIONS

#22-21 AUTHORIZING PAYMENT OF BILLS

**#22-22 APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED
MUNICIPAL COURT FROM JANUARY 1, 2022 TO DECEMBER
31, 2022**

**#22-23 AUTHORIZING AN AGREEMENT WITH THE SOMERSET
HILLS REGIONAL SCHOOL DISTRICT TO PROVIDE SPECIAL
POLICE OFFICERS IN DISTRICT SCHOOLS**

**#22-24 APPOINTING A PUBLIC DEFENDER FOR SHARED
MUNICIPAL COURT FROM JANUARY 1, 2022 TO DECEMBER
31, 2022**

I move to adopt Resolutions #22-21 to #22-24

Second:

Roll call vote:

6C. Mayor's Update

6D. Administrator's Update

6E. Oak Place Booster Station – Temporary Pumps

6F. Council Priorities

6G. Raritan Headwaters Stream Clean Up Contribution

6H. Correspondence

6I. Unfinished Business

6J. New Business

6J (1). Redevelopment

7. **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.

Second:

Voice Vote:

8. **REOPEN AND ADJOURNMENT**

**BERNARDSVILLE BOROUGH
ORDINANCE #2022-1907**

**CONCERNING NOTICES REQUIRED FOR PLANNING BOARD AND BOARD OF
ADJUSTMENT HEARINGS AND AMENDING SECTION 4-7 OF THE BOROUGH
LAND DEVELOPMENT REGULATIONS ENTITLED
“HEARINGS: PUBLIC NOTICE REQUIRED”**

WHEREAS, Section 4-7 of the Borough Land Development Regulations entitled “Hearings: Public Notice Required” merely reiterates the applicable section of the Municipal Land Use Law N.J.S.A. 40:55D-12; and

WHEREAS, Frank Mottola, Administrative Officer of the Planning Board and the Board of Adjustment, has recommended that the Ordinance section be rewritten in plain English, so that it is easier for applicants to understand;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Article 4 of the Borough Land Development Regulations entitled “Provisions Applicable to Both the Planning Board and Board of Adjustment” is hereby amended as follows:

Section 1. Section 4-7 entitled “Hearings: Public Notice Required” is hereby amended in its entirety to read as follows:

“§ 4-7 HEARINGS: PUBLIC NOTICE REQUIRED.

~~Public notice of a hearing shall be given for an extension of approvals for five or more years under Subsection d. of N.J.S.A. 40:55D-49 and Subsection b. of N.J.S.A. 40:55D-52; for modification or elimination of a significant condition or conditions in a memorializing resolution in any situation wherein the application for development for which the memorializing resolution is proposed for adoption required public notice, for appeals from determinations of administrative officers pursuant to Subsection a. of N.J.S.A. 40:55D-70 and for requests for interpretation pursuant to Subsection b. of N.J.S.A. 40:55D-70 and for any other applications for development shall be given, except for, with the following exceptions: (1) conventional site plan review pursuant to N.J.S.A. 40:55D-46, (2) minor subdivisions pursuant to N.J.S.A. 40:55D-47 or (3) final approval pursuant to N.J.S.A. 40:55D-50. Public notice shall also be given in the event that relief~~

~~is requested pursuant to N.J.S.A. 40:55D-60 or N.J.S.A. 40:55D-76 as part of an application for development otherwise excepted herein from public notice. Public notice shall be given by publication in the official newspaper of the municipality if there be one, or in a newspaper of general circulation in the municipality.~~

Notice of hearing shall be given by the applicant, at least 10 days prior to the date of the hearing for the following development applications: preliminary major site plans, preliminary major subdivisions, all variances, special permits, interpretations and appeals to the Board of Adjustment from an order, requirement, decision or refusal made by an administrative officer, minor site plans and minor subdivisions, except for minor subdivisions that are merely lot line adjustments between two or three lots that involve no variances or physical changes to the sites as part of the application. Notice of hearings shall not be required for final major subdivisions or for final major site plans."

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.

ATTEST:

Anthony Suriano, Borough Clerk

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

By: _____
Mary Jane Canose, Mayor

1st Reading and Introduction: _____

1st 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): _____

2nd Reading and Adoption: _____

2nd Publication: _____

Filing with County Planning Board: _____

**BOROUGH OF BERNARDSVILLE
ORDINANCE #2022-1908**

**GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT,
CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS
SYSTEM IN THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET,
NEW JERSEY**

BE IT ORDAINED by the Council of the Borough of Bernardsville, in the County of Somerset,

State of New Jersey, as follows:

SECTION 1. PURPOSE OF THE ORDINANCE

The Borough hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Borough of a cable television and communications system. This consent is subject to the terms and conditions of this Ordinance and upon the condition that the Company accepts the provisions of this Ordinance and confirms that it shall comply with the commitments contained herein.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "“Borough” or "Municipality" is the Borough of Bernardsville, County of Somerset, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Central New Jersey II, LLC
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.

- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the municipality having received all comments regarding the qualifications of the Company to receive this consent, and the representations of the Company that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE

The non-exclusive Municipal Consent granted herein shall expire ten (10) years from the date of expiration of the previous Certificate of Approval issued by the Board.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, N.J.S.A. 48:5A-30, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality 3.5% of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Municipality or any higher amount permitted by the Act or otherwise allowable by law.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance for the renewal of the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE

The Company shall be required to proffer service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application. For purposes of this section and the Company's implementation of the LEP, a home shall only be counted as a "dwelling unit" if such home is within two hundred seventy-five (275) feet of the public right of way. The minimum homes per mile shall be 25.

SECTION 8. CONSTRUCTION REQUIREMENTS

- a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as reasonably good a condition as existed prior to the commencement of said work.
- b. Relocation: If at any time during the period of this consent, the City shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the City, shall remove, re-lay or relocate its equipment, at the expense of the Company.
- c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the City so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

SECTION 9. CUSTOMER SERVICE

In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. Nothing herein shall impair the right of any subscriber or the Township to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under applicable law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the Complaint Officer for the Borough pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Borough shall have the right to request copies of records and reports pertaining to complaints by Borough customers from the OCTV.

SECTION 11. LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving local complaints regarding the quality of service, equipment malfunctions, and similar matters.

SECTION 12. PERFORMANCE BONDS

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY

- a) The Company shall provide courtesy cable television service on one (1) outlet at no cost to each municipal building including borough hall and the borough recycling facility and other municipal facilities. All such locations must be within 200 feet of existing cable plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough. Monthly service charges shall be waived on all additional outlets.
- b) Within six months of the issuance of a renewal Certificate of Approval by the Board the Company shall provide to the Borough a one-time PEG access capital grant in the amount of \$10,000 for PEG access capital support.
- c) The Communications Act of 1934, as amended (47 U.S.C. §543(b)(4)), allows the Company to itemize and/or identify the amount on the monthly bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, educational, and governmental channels, or the use of such channels or any other services required under the franchise. The Company reserves its external cost, pass-through rights to the extent permitted by law.

SECTION 15. PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS

The Company shall continue to provide residents with a system-wide public access channel maintained by the Company. Qualified individuals and organizations may utilize public access for the purpose of cablecasting non-commercial access programming in conformance with the Company's published public access rules.

The Company shall continue to provide a system-wide leased access channel maintained by the Company for the purpose of cablecasting commercial access programming in conformance with the Company's guideline and applicable state and federal statutes and regulations.

The Company shall continue to provide two local access channels for use and access by the Borough for the purpose of cablecasting non-commercial educational or government programming in conformance with the Company's guidelines and applicable state and federal statutes and regulations.

The Company shall not exercise editorial control over any educational or governmental use of channel capacity, except Company may refuse to transmit any educational or governmental access program or portion of an educational or governmental access program that contains obscenity, indecency, or nudity.

Indemnification. The Borough shall indemnify Company for any liability, loss, or damage it may suffer due to violation of the intellectual property rights of third parties on the EG channel and from claims arising out of the Municipalities' rules for or administration of EG access channel and its programming.

SECTION 15. EMERGENCY USES

- a. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.
- b. The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the Municipality is unable to make full use of the cable television system as contemplated herein.

SECTION 16. LIABILITY INSURANCE

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

SECTION 17. INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

SECTION 18. COMPETITIVE EQUITY

Should the Municipality grant a franchise or other authorization to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

SECTION 19. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 20. PROPRIETARY INFORMATION

The Company shall not be required to disclose information which it reasonably deems to be proprietary or confidential in nature. The Borough agrees to treat any information disclosed by the Company as confidential and only to disclose it to those employees, representatives, and agents of the Township that have a need to know in order to enforce this Ordinance Agreement and who agree to maintain the confidentiality of all such information.

The Company shall not be required to provide Customer information in violation of Section 631 of the Cable Act or any other applicable federal or state privacy law. For purposes of this Section, the terms “proprietary or confidential” include, but are not limited to, information relating to the Cable System design, customer lists, marketing plans, financial information unrelated to the calculation of franchise fees or rates pursuant to FCC rules, or other information that is reasonably determined by the Company to be competitively sensitive. The Company may make proprietary or confidential information available for inspection but not copying or removal by the Municipality’s representative. In the event that the Municipality has in its possession and receives a request under a state “sunshine,” public records, or similar law for the disclosure of information the Company has designated as confidential, trade secret or

proprietary, the Borough shall notify the Company of such request and cooperate with Company in opposing such request.

SECTION 21. THIRD PARTY BENEFICIARIES

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 22. NEW DEVELOPMENTS

The Municipality, for its part, shall endeavor to exercise reasonable efforts to require developers and utility companies to provide the Company with at least fifteen (15) days advance notice of an available open trench for the placement of necessary cable.

SECTION 23 . EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

ATTEST:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

RESOLUTION 22-21

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	457.50
04 Escrow	\$	140.00
06 Outside Employment		
10 Current Fund	\$	153,811.66
19 Other Trusts	\$	3,222.68
20 Payroll	\$	-
33 Capital Fund	\$	38,601.01
40 Sewer Utility Fund	\$	9,001.24
55 Sewer Capital	\$	-
70 COAH Trust	\$	889.50
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	39.00
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust		
 TOTAL	 \$	 206,162.59

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 January 10, 2022.

Anthony Suriano
Borough Clerk

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2301	4213 - SHERRIE CALISH	PO 110215 PROGRAM COORDINATOR SALARY - DEC 2021*		157.50	
	01-G21-0110-0367	2021 MUNICIPAL ALLIANCE (2021/2022)	157.50		157.50
2302	7039 - WHRMA	PO 110137 COLLABORATIVE VIRTUAL EVENT - FILM BY IN		300.00	
	01-G21-0110-0367	2021 MUNICIPAL ALLIANCE (2021/2022)	300.00		300.00
TOTAL					----- 457.50
Total to be paid from Fund 01 STATE & FEDERAL GRANTS		457.50	=====		
		457.50			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2606	1307 - FERRIERO ENGINEERING, INC	PO 110232 PB Engineer contract & application servi		140.00	
	04-280-5003-0103	DISBURSEMENTS - PB#235 - DELLO RUSSO-GROF - B	140.00		140.00
TOTAL					140.00
Total to be paid from Fund 04 ESCROW		140.00			
		<u>140.00</u>			
		140.00			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
62697	6311 - ACTION DATA SERVICES	PO 110211 PAYROLL INVOICE PERIOD END DATE 12/4/21*		309.93	
	10-A00-0110-0205 (2021) FINANCE DEPT. - GENERAL EXPENSE		309.93		309.93
62698	6311 - ACTION DATA SERVICES	PO 110212 PAYROLL INVOICE PERIOD END DATE 12/18/21		405.52	
	10-A00-0110-0205 (2021) FINANCE DEPT. - GENERAL EXPENSE		405.52		405.52
62699	7149 - ALFRED'S SPORTS SHOP	PO 109992 Basketball Score books		66.00	
	10-A00-0272-0208 (2021) RECREATION - SPORTS/BASKETBALL		66.00		66.00
62700	1806 - ALLIED OIL LLC (CORP)	PO 110100 GASOLINE - DEC 2021 (ESTIMATE)		4,908.75	
	10-A00-0315-0220 (2021) GASOLINE - PREMIUM GAS		2,588.89		
	10-C00-0315-0220 GASOLINE - PREMIUM GAS		2,319.86		4,908.75
62701	3477 - AMERIGAS PROPANE LP	PO 109104 Propane for Snack Shack		358.78	
	10-A00-0272-0203 (2021) RECREATION - GENERAL EXPENSES		358.78		358.78
62702	5595 - ANIMAL CONTROL SOLUTIONS, LLC	PO 110214 24 HOUR ANIMAL CONTROL COVERAGE - 2021		1,500.00	
	10-C00-0260-0204 ANIMAL CONTROL - MISCELLANEOUS		1,500.00		1,500.00
62703	4915 - B&R UNIFORMS	PO 109790 2 CROSSING GUARD JACKETS		189.90	
	10-A00-0195-0217 (2021) POLICE - CROSSING GUARDS EXP.		189.90		189.90
62704	4915 - B&R UNIFORMS	PO 109850 55 BASEBALL AND WOOL HATS		1,480.15	
	10-A00-0195-0206 (2021) POLICE - UNIFORMS		1,480.15		1,480.15
62705	5894 - BARNWELL HOUSE OF TIRES	PO 110134 Senior van tires		540.00	
	10-A00-0246-0207 (2021) VEHICLE MAINT.-STREETS & ROADS		540.00		540.00
62706	104 - BERNARDSVILLE PRINT CENTER	PO 110009 LAMINATED PRINTS		151.60	
	10-A00-0165-0204 (2021) ENVIRON. COMM. - MISCELLANEOUS		151.60		151.60
62707	5243 - BOOTH WALTZ ENTERPRISES, INC	PO 110149 Diesel oil 15w-40 drum		683.41	
	10-A00-0246-0207 (2021) VEHICLE MAINT.-STREETS & ROADS		683.41		683.41
62708	6386 - BURGIS ASSOCIATES, INC	PO 110234 PB Planner contract & application servic		150.00	
	10-A00-0150-0221 (2021) PLANNING BOARD - PLANNER		150.00		150.00
62709	7168 - CARASOFT TECHNOLOGY CORP	PO 109420 Update Google Apps for Business to Googl		5,400.00	
	10-A00-0112-0206 (2021) TECH.INF. SYSTEM - MAINTENANCE CONTRAC		5,400.00		5,400.00
62710	4239 - COMCAST	PO 110157 XFINITY TV & INTERNET - ACCT#84990528900		10.36	
	10-A00-0305-0215 (2021) TELEPHONE - PHONE BILLS		10.36		10.36
62711	4239 - COMCAST	PO 110217 XFINITY TV & INTERNET - ACCT# 849905289		203.40	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		203.40		203.40
62712	4239 - COMCAST	PO 110227 XFINITY ACCOUNT 8499052890036488 - 12/18		32.17	
	10-A00-0305-0215 (2021) TELEPHONE - PHONE BILLS		32.17		32.17
62713	4239 - COMCAST	PO 110249 XFINITY TV & INTERNET - ACCT#84990528900		14.00	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		14.00		14.00

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
62714	7219 - CURCIO PLUMBING	PO 110046 Misc. Plumbing Repairs at Borough Facili		668.67	
	10-A00-0145-0216	(2021) BUILD. & GROUNDS - BUILD. MNT.	599.65		
	10-A00-0145-0250	(2021) BUILD. & GROUNDS - TRAIN STATION	69.02		668.67
62715	386 - DELTA DENTAL OF NEW JERSEY, INC	PO 110260 1/1-1/31/22 DENTAL BENEFITS PAYMENT INV		2,619.92	
	10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	2,619.92		2,619.92
62716	6997 - DIRECT ENERGY	PO 110158 SENEY DR ACCT# 1706060		3.46	
	10-A00-0320-0225	(2021) GAS - NATURAL	3.46		3.46
62717	2487 - FLAGSHIP HEALTH SYSTEMS INC	PO 110219 JAN 2021 DENTAL BENEFITS PAYMENT - FLAGS		130.33	
	10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	130.33		130.33
62718	7141 - GRACIE AND HARRIGAN CONSULTING FORESTERS	PO 110138 ROLLBACK TAXES HEARING FOR BLOCK 16, LOT		375.00	
	10-A00-0115-0205	(2021) TAX ASSESSOR - GENERAL EXP.	375.00		375.00
62719	185 - GRAINGER	PO 110147 headache-rack #116		198.06	
	10-A00-0220-0205	(2021) STREETS & ROADS - GEN. EXPENSE	198.06		198.06
62720	7006 - INTERSTATE WASTE SERVICES OF NJ	PO 110182 Garbage Disposal - Street Cans, Library		1,115.84	
	10-C00-0145-0248	BUILD. & GROUNDS - SOLID WASTE REMOVAL	985.84		
	10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.	90.00		
	10-C00-0145-0250	BUILD. & GROUNDS - TRAIN STATION	40.00		1,115.84
62721	87 - JCP&L	PO 110156 JCP&L 11/19-12/17/21*		5,856.02	
	10-A00-0225-0202	(2021) STREET LIGHTING	5,856.02		5,856.02
62722	87 - JCP&L	PO 110228 JCP&L 11/20-12/19/21*		236.50	
	10-A00-0310-0220	(2021) ELECTRICITY - BILLS	178.96		
	10-A00-0145-0231	(2021) BUILD. & GROUNDS - LIBRARY TENANTS EXP	57.54		236.50
62723	87 - JCP&L	PO 110229 JCP&L 11/21-12/20/21*		852.35	
	10-A00-0310-0220	(2021) ELECTRICITY - BILLS	852.35		852.35
62724	87 - JCP&L	PO 110230 JCP&L 11/21-12/19/21*		651.70	
	10-A00-0310-0220	(2021) ELECTRICITY - BILLS	641.69		
	10-A00-0225-0202	(2021) STREET LIGHTING	10.01		651.70
62725	87 - JCP&L	PO 110231 JCP&L 11/20-12/19/21*		26.03	
	10-A00-0310-0220	(2021) ELECTRICITY - BILLS	26.03		26.03
62726	6378 - JOHNNY ON THE SPOT	PO 107523 Portable Restroom Rental - Polo, Rosebow		464.14	
	10-A00-0145-0249	(2021) BUILD. & GROUNDS - PORTABLE TOILETS	464.14		
		PO 110171 Portable Restroom Rental - Train Station		222.64	
	10-A00-0145-0250	(2021) BUILD. & GROUNDS - TRAIN STATION	222.64		686.78
62727	6247 - JOY AUTO PARTS	PO 109684 Parts Blanket ST AND ROADS		1,218.24	
	10-A00-0246-0207	(2021) VEHICLE MAINT.-STREETS & ROADS	1,218.24		1,218.24
62728	6304 - KATHLEEN REDLING	PO 110173 Reimbursement for Green Infrastructure T		90.00	
	10-A00-0220-0203	(2021) STREETS & ROADS - EDUCATIONS	90.00		90.00

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
62729	7214 - LAWSON PRODUCTS INC	PO 110142 Shop trsluff snow non-stick		72.36	
	10-A00-0220-0205 (2021) STREETS & ROADS - GEN. EXPENSE		72.36		72.36
62730	7214 - LAWSON PRODUCTS INC	PO 110144 Inv.#9309103426+#9309108027 bolts+nuts		936.21	
	10-A00-0220-0205 (2021) STREETS & ROADS - GEN. EXPENSE		936.21		936.21
62731	4407 - LEXISNEXIS RISK SOLUTIONS	PO 107680 OPEN MONTHLY ACCURINT SERVICE 1/21 - 12/		150.00	
	10-A00-0195-0230 (2021) POLICE - MAINTENANCE CONTRACTS		150.00		150.00
62732	358 - LUDLOW HEATING & COOLING CO.	PO 107558 2021 4 PM HVAC Service - Borough Hall +		365.70	
	10-A00-0145-0216 (2021) BUILD. & GROUNDS - BUILD. MNT.		365.70		
		PO 107559 2021 4 PM HVAC Service - Suite 103 + Com		718.80	
	10-A00-0145-0234 (2021) BUILD. & GROUNDS - CONSTRUCTION OFFICE		718.80		
		PO 110178 Replace Inducer - Ste. 101 in Lower Leve		665.60	
	10-A00-0145-0231 (2021) BUILD. & GROUNDS - LIBRARY TENANTS EXP		665.60		1,750.10
62733	4349 - MAPLECREST FORD	PO 110161 Vehicle Maintenance Vehicle 307		3,148.58	
	10-A00-0246-0206 (2021) VEHICLE MAINT. - POLICE		3,148.58		3,148.58
62734	32 - MARY JANE CANOSE	PO 107317 REIMBURSEMENT - PUBLICATION OF MAYOR'S N		228.00	
	10-204-5500-0 ACCOUNTS PAYABLE		228.00		228.00
62735	1841 - MEEKER SHARKEY & HURLEY	PO 110226 LIBRARY TREASURER BOND 1/29/2022-1/29/20		100.00	
	10-C00-0170-0220 LIABILITY INSURANCE		100.00		100.00
62736	98 - MJ NEILL, INC	PO 110225 DIESEL USAGE - DEC 2021*		4,706.95	
	10-A00-0315-0230 (2021) GASOLINE - DIESEL		4,706.95		4,706.95
62737	7187 - MUNICIPALPAY, LLC	PO 109673 CREDIT CARD SCANNER FOR SUITE 103		190.00	
	10-A00-0110-0205 (2021) FINANCE DEPT. - GENERAL EXPENSE		190.00		190.00
62738	6357 - NJAPZA Treasurer	PO 110190 2022 Membership for Renee Apuzzo.		100.00	
	10-C00-0156-0205 ZONING/HOUSE -GENERAL EXP.		100.00		100.00
62739	590 - NORTHEAST COMMUNICATIONS	PO 110162 SERVICE CALL FOR HUMMING ON REMOTES. VER		220.00	
	10-A00-0195-0219 (2021) POLICE - RADIO REPAIR		220.00		220.00
62740	895 - PIDGEON AND PIDGEON,P.C.	PO 109961 DEC 2021 LEGAL SERVICES FOR NEXT MON		5,031.00	
	10-A00-0135-0215 (2021) LEGAL SERVICES - BORO ATTORNEY		5,031.00		5,031.00
62741	7000 - QUADIENT LEASING USA, INC	PO 110218 LEASE PAYMENT - BOROUGH HALL METER - LEA		653.31	
	10-C00-0100-0209 ADMIN. & EXEC. - POSTAGE		653.31		653.31
62742	31 - RECORDER PUBLISHING CO	PO 110148 LEGAL NOTICES 12/9/21 BERNARDSVILLE NEWS		45.39	
	10-A00-0100-0205 (2021) ADMIN. & EXEC. - GEN. EXPENSES		45.39		45.39
62743	4360 - RESEARCH & DESIGN LANDSCAPE LLC	PO 110165 Municipal Parking Lot Flowing and Sidewa		2,295.00	
	10-A00-0145-0229 (2021) BUILD. & GROUNDS - LIBRARY SNOW REMV		275.00		
	10-A00-0145-0250 (2021) BUILD. & GROUNDS - TRAIN STATION		270.00		
	10-A00-0220-0215 (2021) STREETS & ROADS - SNOW REMOVAL		1,750.00		2,295.00

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
62744	3499 - RICHIE'S TIRE SERVICE INC	PO 110155 loader tire		2,170.00	
	10-A00-0220-0205 (2021) STREETS & ROADS - GEN. EXPENSE		2,170.00		2,170.00
62745	5500 - RICOH USA, INC	PO 109263 OPEN P.O. FOR MAINTENANCE, TONER AND EXT		246.85	
	10-A00-0195-0230 (2021) POLICE - MAINTENANCE CONTRACTS		246.85		246.85
62746	7142 - SAIF NAQVI	PO 109261 COLLEGE REIMBURSEMENT FALL 2021		829.50	
	10-A00-0195-0207 (2021) POLICE-EDUCATION-COLLEGE TUTION REIMBU		829.50		829.50
62747	4961 - SAKOUTIS BROTHERS DISPOSAL	PO 109507 Garbage Container Removal and Disposal -		1,387.00	
	10-A00-0235-0213 (2021) LANDFILL - DISPOSAL OF WASTE		1,387.00		1,387.00
62748	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC	PO 109314 Cleaning of Commuter Area + Bathroom - T		377.55	
	10-A00-0145-0250 (2021) BUILD. & GROUNDS - TRAIN STATION		377.55		377.55
62749	169 - STATE OF NJ PENSIONS & BENEFITS	PO 110213 HEALTH BENEFITS DEC 2022* BILLING DATE		90,016.19	
	10-C00-0175-0220 GROUP INSURANCE - HLTH. BNFTS.		90,016.19		90,016.19
62750	5223 - TINA MARKIEWICZ	PO 110160 MILEAGE 4TH QTR 2021		33.04	
	10-A00-0110-0205 (2021) FINANCE DEPT. - GENERAL EXPENSE		33.04		33.04
62751	5630 - VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C	PO 110233 PB Attorney contract & application servi		595.00	
	10-A00-0150-0215 (2021) PLANNING BOARD - ATTORNEY		595.00		595.00
62752	61 - VERIZON	PO 110216 FAX LINE - SUITE 103 - ACCOUNT 908 766-1		76.29	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		76.29		76.29
62753	3488 - VERIZON	PO 110224 INTERNET SERVICE AT TRAIN STATION ACC 75		151.99	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		151.99		
		PO 110235 FIOS - ACCT# 554-658-975-0001-21 -12/21/		169.00	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		169.00		
		PO 110247 FIOS - ACCT# 354-642-517-0001-63 - 12/10		129.99	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		129.99		450.98
62754	61 - VERIZON	PO 110236 TELEPHONE BILLS DEC 20- JAN 19, 2022*		2,968.38	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		2,968.38		2,968.38
62755	61 - VERIZON	PO 110248 TELEPHONE BILL 908-766-3842 - 12/13-1/12		37.54	
	10-C00-0305-0215 TELEPHONE - PHONE BILLS		37.54		37.54
62756	1632 - VERIZON WIRELESS (NEWARK)	PO 110220 WIRELESS PHONES 11/10/21- 12/9/21* ACC		557.84	
	10-C00-0305-0225 TELEPHONE - MOBILE PHONES		557.84		
		PO 110221 ACC#442265347-00001* WIRELESS PHONES 11		2,389.63	
	10-C00-0305-0225 TELEPHONE - MOBILE PHONES		2,389.63		2,947.47
62757	1920 - VILLAGE OFFICE SUPPLY	PO 109974 NAME PLATES FOR AL RIBEIRO AND JAY AMBEL		20.15	
	10-A00-0102-0205 (2021) MUNICIPAL CLERK-GEN. EXPENSE		20.15		20.15
62758	5318 - W.B.MASON CO, INC	PO 110143 OFFICE SUPPLIES		83.99	
	10-A00-0115-0201 (2021) TAX ASSESSOR - OFFICE SUPPLIES		10.95		
	10-A00-0102-0205 (2021) MUNICIPAL CLERK-GEN. EXPENSE		23.99		
	10-A00-0110-0201 (2021) FINANCE DEPT - OFFICE SUPPLIES		49.05		83.99

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
62759	4397 - WELSH'S MOTOR SALES INC	PO 110141 Zoning jeep shifter kits		106.96	
	10-A00-0246-0207	(2021) VEHICLE MAINT.-STREETS & ROADS	106.96		106.96
62760	494 - WORK N WEAR	PO 110154 sweat shirts and jackets		705.00	
	10-A00-0220-0205	(2021) STREETS & ROADS - GEN. EXPENSE	705.00		705.00
TOTAL					----- 153,811.66
Total to be paid from Fund 10 CURRENT FUND		153,811.66			
		----- 153,811.66			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
396	7220 - ANOTHER LIEN, LLC	PO 110205 REDEMPTION - TSC 21-00002 - BLOCK 62, LO		3,222.68	
	19-285-0500-6002	RESERVE FOR TAX SALE REDEMPTION	1,422.68		
	19-285-0500-6001	RESERVE FOR TAX SALE PREMIUM	1,800.00		3,222.68
TOTAL					----- 3,222.68
Total to be paid from Fund 19 OTHER TRUSTS		3,222.68			

		3,222.68			

**List of Bills - (3310101004000) CASH - CAPITAL
CAPITAL FUND**

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
6173	7074 - RIPPLED WATERS ENGINEERING, LLC	PO 108586 Testing - Dam Remediation Project (Profe		9,100.00	
	33-215-2920-1001	2021-1875 - DAM REMEDIATION - FUNDED	9,100.00		9,100.00
6174	7035 - WOJCHICK ELECTRIC INC	PO 107926 Bernardsville Lower Level Generator Proj		29,501.01	
	33-215-2800-1030	18-1760 - FACIL - LIB GENERATOR - UNFUND	29,501.01		29,501.01
TOTAL					----- 38,601.01
Total to be paid from Fund 33 CAPITAL FUND		38,601.01			
		=====			
		38,601.01			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
10436	135 - ALLEN PAPER & SUPPLY CO 40-A00-0101-0205 (2021) SEWER - GENERAL EXPENSES	PO 110085 TOILET TISSUE AND HAND TOWELS	210.35	210.35	210.35
10437	386 - DELTA DENTAL OF NEW JERSEY, INC 40-C00-0101-0230 SEWER - GROUP INSURANCE	PO 110260 1/1-1/31/22 DENTAL BENEFITS PAYMENT INV	432.57	432.57	432.57
10438	1619 - GARDEN STATE LABORATORIES INC 40-A00-0101-0215 (2021) SEWER - TESTING	PO 110152 November 2021 Service	990.00	990.00	990.00
10439	7096 - NSI NEAL SYSTEMS, INC 40-A00-0101-0213 (2021) SEWER - PLANT MAINTENANCE	PO 108806 UV System	6,753.48	6,753.48	6,753.48
10440	1518 - USA BLUE BOOK 40-A00-0101-0207 (2021) SEWER - EQUIP. PARTS & SUPPLY	PO 110051 Laboratory Supplies	539.76	539.76	539.76
10441	1920 - VILLAGE OFFICE SUPPLY 40-A00-0101-0201 (2021) SEWER - OFFICE SUPPLIES	PO 110052 Year Log Book	75.08	75.08	75.08
TOTAL					9,001.24
Total to be paid from Fund 40 SEWER UTILITY FUND		9,001.24			
		9,001.24			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2170	6386 - BURGIS ASSOCIATES, INC 70-286-5685-4013 COAH - ADMINISTRATIVE COSTS	PO 110258 PLANNING SERVICES - AFFORDABLE HOUSING -	187.50	187.50	187.50
2171	895 - PIDGEON AND PIDGEON,P.C. 70-286-5685-4013 COAH - ADMINISTRATIVE COSTS	PO 109961 DEC 2021 LEGAL SERVICES FOR NEXT MON	702.00	702.00	702.00
TOTAL					889.50
Total to be paid from Fund 70 COAH TRUST		889.50			
		=====			
		889.50			

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

Meeting Date: 01/10/2022 For bills from 12/28/2021 to 01/05/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2123	895 - PIDGEON AND PIDGEON,P.C.	PO 109961 DEC 2021 LEGAL SERVICES FOR NEXT MON		39.00	
	72-286-5685-3001	RESERVE FOR OPEN SPACE - AQUISITION	39.00		39.00
TOTAL					----- 39.00
Total to be paid from Fund 72 OPEN SPACE TRUST		39.00			
		=====			
		39.00			

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-22**

**APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED MUNICIPAL
COURT FROM JANUARY 1, 2022 TO DECEMBER 31, 2022**

WHEREAS, the current term for the Municipal Prosecutor expired December 31, 2021 and there is a need for the appointment of a Municipal Prosecutor for the Bedminster Township, Borough of Peapack and Gladstone, Bernards Township, and Borough of Bernardsville Shared Municipal Court; and

WHEREAS, the Shared Municipal Court Services Advisory Committee recommends the following appointment to the position of Municipal Prosecutor to the Shared Court for the period of January 1, 2022 – December 31, 2022.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Bernardsville do hereby approve the appointment of the following to perform professional services for the Bedminster Township, Borough of Peapack and Gladstone, Bernards Township, and Borough of Bernardsville Shared Municipal Court:

<u>NAME</u>	<u>POSITION</u>
Stephen O. Davis, Esq. DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. 15 Mountain Boulevard Warren, NJ 07059	Municipal Prosecutor Annual Compensation: Full Tuesday + Full Thursday: \$95,888.06

Legal services in response to any Post-Conviction Relief Applications generated by the State v. Cassidy litigation will be billed separately at the rate of \$125.00 per hour.

NOW THEREFORE, BE IT FURTHER RESOLVED that the appointment of Mr. Davis is expressly contingent upon the continuation of a shared court agreement between Bedminster Township, Peapack-Gladstone Borough, Bernards Township, and Bernardsville Borough and the appointment of Mr. Davis as Prosecutor by the Borough of Peapack-Gladstone, Bernards Township, and the Township of Bedminster.

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 10, 2022.

RESOLUTION #22-23
AUTHORIZING AN AGREEMENT WITH THE SOMERSET HILLS REGIONAL
SCHOOL DISTRICT TO PROVIDE SPECIAL POLICE OFFICERS
IN DISTRICT SCHOOLS

WHEREAS, the Somerset Hills Regional School District (the “District”) has asked the Borough Police Department to place two special police officers in District schools to ensure the security and safety of the students, faculty and staff; and

WHEREAS, the Special Law Enforcement Officers’ Law at N.J.S.A. 40A:14-146.8, et seq. was amended in 2016 to establish a new category of Class III Special Law Enforcement Officers (SLEO III’s) comprised of retired law enforcement officers who are authorized to provide security in the State’s public and non-public schools; and

WHEREAS, the Chief of Police and Borough Administrator have negotiated an agreement with the District which would place two SLEO III officers in the District schools; and

WHEREAS, the agreement further provides that the District will reimburse the Borough \$100,300 for these SLEO IIIs for six months (payable in monthly installments of \$8,358.33; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough and its residents, as well as the District to provide this service;

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 Borough Clerk are hereby authorized and directed to execute a contract with the Somerset Hills Regional School District to place two SLEO IIIs in the District schools as outlined in the preamble.
2. The form of the agreement shall be subject to the approval of the Borough Attorney.
3. The term of the agreement shall run from January 1, 2022 through December 31, 2022.

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 Monday, January 10, 2022.

Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-24**

**APPOINTING A PUBLIC DEFENDER FOR SHARED MUNICIPAL
COURT FROM JANUARY 1, 2022 TO DECEMBER 31, 2022**

WHEREAS, the current term for the Public Defender expired December 31, 2021 and there is a need for the appointment of a Public Defender for the Bedminster Township, Borough of Peapack and Gladstone, Bernards Township, and Borough of Bernardsville Shared Municipal Court; and

WHEREAS, the Shared Municipal Court Services Advisory Committee recommends the following appointment to the position of Public Defender to the Shared Court for the period of January 1, 2022 – December 31, 2022.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Bernardsville do hereby approve the appointment of the following to perform professional services for the Bedminster Township, Borough of Peapack and Gladstone, Bernards Township, and Borough of Bernardsville Shared Municipal Court:

<u>NAME</u>	<u>POSITION</u>
Scott Mitzner Mitzner & Mitzner 786 Mountain Blvd. Suite 101A Watchung, NJ 07069	Public Defender Annual Compensation: \$30,000

NOW THEREFORE, BE IT FURTHER RESOLVED that the appointment of Mitzner & Mitzner is expressly contingent upon the continuation of a shared court agreement between Bedminster Township, Peapack-Gladstone Borough, Bernards Township, and Bernardsville Borough and the appointment of Mitzner & Mitzner as Public Defender by the Borough of Peapack-Gladstone, Bernards Township, and the Township of Bedminster.

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 10, 2022.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-25**

**AUTHORIZING THE BOROUGH PLANNING BOARD TO UNDERTAKE
AN INVESTIGATION TO DETERMINE WHETHER ALL OR A
PORTION OF CERTAIN PROPERTIES IDENTIFIED ON THE
BOROUGH TAX MAPS AS BLOCK 125, LOTS 1, 2, AND 3
CONSTITUTE A NON-CONDEMNATION REDEVELOPMENT AREA**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Borough Council**”) of the Borough of Bernardsville (the “**Borough**”) must first authorize the planning board of the Borough (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough that an investigation occur with respect to certain parcels within the Borough and therefore authorizes and directs the Planning Board to conduct an investigation of the properties identified on the tax maps of the Borough as Block 125, Lots 1, 2, and 3, and commonly known as 39 Olcott Square, 35 Olcott Square and 5 Morristown Road respectively (the “**Study Area**”), and to determine whether all or a portion of the Study Area meets the criteria set forth in the Redevelopment Law, *N.J.S.A. 40A:12A-5*, and whether all or a portion of said Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder would authorize the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain, and any redevelopment area so designated shall be referred to as a “Non-Condensation Redevelopment Area,” pursuant to *N.J.S.A. 40A:12A-6*,

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to *N.J.S.A. 40A:12A-6*, to determine whether all or a portion of the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* and whether said Study Area should be designated a “Non-Condensation Redevelopment Area.”

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area shall be an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Borough or Borough Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and shall be made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as a Non-Condensation Redevelopment Area.

Section 7. This resolution shall take effect immediately.

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 10, 2022.
