

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
October 28, 2019 – 7:00 p.m.

1. **CALL MEETING TO ORDER**

Mayor Mary Jane Canose
Council Member John Donahue
Council Member Diane Greenfield
Council Member Jeff Hammond
Council Member Thomas O’Dea
Council Member Chris Schmidt
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 11, 2018.

3. **PLEDGE OF ALLEGIANCE**

4. **PRESENTATIONS**

5. **APPROVAL OF MINUTES**

September 23, 2019
October 15, 2019 (Mr. Donahue and Mr. Schmidt were absent)

Motion:
Second:
Voice Vote:

6. **OPEN SESSION**

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

7. **ORDINANCES (Public Hearing)**

Mayor to continue the public hearing from October 15, 2019 on Ordinance #2019-1810, **AN ORDINANCE PROHIBITING MARIJUANA FACILITIES AND SUPPLEMENTING AND AMENDING SECTION 12 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**

I move to amend Ordinance #2019-1810 and continue the public hearing as amended to Tuesday, November 12, 2019 at 7:00pm:
Second:
Voice vote:

Mayor to open public hearing on Ordinance #2019-1821, **ESTABLISHING FOUR-WAY STOP INTERSECTION AT BERNARDS AVENUE/GARIBALDI STREET INTERSECTION AND SUPPLEMENTING AND AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”**

Mayor to close public hearing
I move to pass Ordinance #2019-1821 on final reading and adopt as published:
Second:
Roll call vote:

Mayor to open public hearing on Ordinance #2019-1822, **CONCERNING BOROUGH SHADE TREE ORDINANCE AND SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED “TREE PROTECTION”**

Mayor to close public hearing
I move to pass Ordinance #2019-1822 on final reading and adopt as published:
Second:
Roll call vote:

ORDINANCES (Introduction)

I move that Ordinance #2019-1823, **CREATING AN INFORMATION TECHNOLOGY/COMMUNICATIONS COMMITTEE AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**, 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., Tuesday, November 12, 2019.

Second:
Voice Vote:

I move that Ordinance #2019-1824, **PROHIBITING VAPING IN PUBLIC PLACES AND SUPPLEMENTING AND AMENDING CHAPTER III OF THE BOROUGH CODE ENTITLED “POLICE REGULATIONS”**, 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., Tuesday, November 12, 2019.

Second:
Voice Vote:

8. RESOLUTIONS

- #19-204 AUTHORIZING PAYMENT OF BILLS**
- #19-205 ACCEPTING MONTHLY REPORTS**
- #19-206 AWARDING A CONTRACT FOR MUNICIPAL PARKING LOT
SNOW PLOWING AND SIDEWALK CLEARING**
- #19-207 CONFIRMING A STARTING DATE FOR MATTHEW BROWN,
SLEO III OFFICER**
- #19-208 APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED
MUNICIPAL COURT FROM NOVEMBER 1, 2019 TO
DECEMBER 31, 2019**
- #19-209 ACCEPTING A DONATION TO THE BERNARDSVILLE POLICE
DEPARTMENT**
- #19-210 AUTHORIZING TRANSFER OF FUNDS**
- #19-211 COMMITTING \$83,333 TOWARD THE ACQUISITION AND
CONVERSION OF A PROPERTY FOR A GROUP HOME**
- #19-212 SETTING RECREATION PROGRAM FEES**
- #19-213 AUTHORIZING REFUND OF STORMWATER ESCROW
ACCOUNT #04-280-7000-0028 FOR MR. & MRS. NICHOLAS
BOXTER FOR 2 PRESERVE**

#19-214 APPROVING AFFORDABLE HOUSING MONITORING REPORT

I move that Resolutions #19-204 to #19-214 be adopted

Second:

Roll call vote:

9. REPORTS

9A. Municipal Attorney

9B. Council Public Safety Committee

9C. Council Finance Committee

9D. Council Personnel Committee

9E. Council Engineering, Technology & Public Works Committee

9F. Other committee/commission reports

9F1. Housing/Zoning report from Zoning Officer & Zoning Enf. Officer

9F2. Council Liaison Reports

10. ITEMS OF BUSINESS

10A. 2020 Parking Decals (Commuter and Merchant)

10B. Best Practices Worksheet

10C. Deer Management, Potential New Additions of Borough Property

10D. Mayor's Update

10E. Correspondence

10F. Unfinished Business

10G. New Business

11. **OPEN SESSION**

12. **CLOSED SESSION**

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

Personnel Matters and Collective Bargaining

(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:

13. **REOPEN AND ADJOURNMENT**

102819ag

**POSSIBLE AMENDMENTS FOR CONSIDERATION BY MAYOR AND COUNCIL AT
OCTOBER 28, 2019 MEETING (revised 10/28/19)**

**BERNARDSVILLE BOROUGH
ORDINANCE 2019-1810**

**AN ORDINANCE PROHIBITING MARIJUANA FACILITIES
AND SUPPLEMENTING AND AMENDING SECTION 12 OF THE BOROUGH LAND
USE ORDINANCE ENTITLED “ZONING”**

Moved that:

1. Ordinance 2019-1810 entitled “An Ordinance Prohibiting Marijuana Facilities and Supplementing and Amending Section 12 of the Borough Land Use Ordinance Entitled ‘Zoning’”, as previously amended, is hereby further amended as follows:
 - a. “Dispensaries” is added to the title.
 - b. The exemption language is revised to make it clear that the provisions of this section shall not apply to licensed physicians writing prescriptions for medical marijuana and pharmacists filling prescriptions for medical marijuana. **Language is added regulating signage at these locations.**
 - c. **New language is added requiring CBD retailers to provide a certificate of analysis for each CBD item sold.**
2. The public hearing on the ordinance, as amended, will be **continued until November 12.**
3. In accordance with N.J.S.A. 40:49-2, the Clerk is directed to publish a notice of the continued public hearing on the ordinance as amended

[as amended 10/28/19]

**BERNARDSVILLE BOROUGH
ORDINANCE 2019-1810**

**AN ORDINANCE PROHIBITING MARIJUANA FACILITIES AND DISPENSARIES
AND SUPPLEMENTING AND AMENDING SECTION 12 OF THE BOROUGH LAND
USE ORDINANCE ENTITLED “ZONING”**

WHEREAS, the “New Jersey Compassionate Use Medical Marijuana Act”, N.J.S.A. 24:61-1, et seq., allows the New Jersey State Department of Health to issue permits to operate alternative treatment centers that will be allowed to perform activities necessary to provide registered qualifying patients with useable marijuana and related paraphernalia; and

WHEREAS, the governing body has determined that such proposed alternative treatment centers are not compatible with the Borough Land Development Ordinances; and

WHEREAS, the existing subsection 12-23.16 entitled “Uses Prohibited in All Zone Districts” needs to be reformatted;

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

Section 1. Subsection 12-23.16 entitled “Uses Prohibited in All Zone Districts” is hereby supplemented and amended to read as follows:

12-23.16 Uses Prohibited in All Zone Districts.

The following uses are specifically prohibited in all zone districts of the Borough:

- a. ~~In all districts the~~ The use of any land or property or any buildings or ~~roof~~ top/rooftop structures, or the construction, development or alteration of any structure, roof, building, for the purpose of accommodating the taking off or the landing of airplanes, helicopters or any and all other types and kinds of airborne vehicles is specifically prohibited whether a principal use or an accessory use. Airborne vehicles landing in an emergency or under

emergency circumstances shall not be deemed in violation of this subsection. The landing or taking off of airborne vehicles related to a special event shall not be deemed to be a violation of this subsection provided a permit has been obtained therefor in accordance with standards established by the Governing Body. A special event shall include any event conducted, sponsored or permitted by any organization or association for recreational, entertainment, charitable, educational or benevolent purposes.

—3 b. — Drive-in, drive-through and car hop restaurants.

c. Businesses selling, distributing, cultivating, and/or growing either recreational and/or medicinal marijuana.¹ For purposes of this ordinance, the following definitions shall apply:

(i) Cannabis or Marijuana or Marihuana: All parts of any plant of the genus Cannabis, not excepted below, and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol; provided that cannabis shall not include:

(a) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;

(b) hemp; or

(c) the weight of any other ingredient combined with cannabis or marijuana to prepare topical or oral administrations, food, drink or other products; or

(d) Cannabidiol, commonly known as CBD, or cannabis oils.

¹ This paragraph in the ordinance as introduced read: “Businesses selling, distributing, cultivating, growing and/or facilitating the sale and/or use of either recreational and/or medicinal marijuana, including any ancillary or related paraphernalia.”

(ii) Hemp means the plant of the genus Cannabis or any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis of any part of the plant of the genus Cannabis, or per volume or weight of cannabis or marijuana product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus Cannabis regardless of moisture content.

The provisions of this section shall not apply to licensed physicians writing prescriptions for medical marijuana, pharmacists filling prescriptions for medical marijuana, and accredited hospitals and teaching facilities engaged in the research or study of cannabis or marijuana and shall not apply to any person participating in clinical trials involving the use of cannabis or marijuana. Signage at these locations shall comply with all requirements of the Borough Sign Ordinance (Section 12-23.15 of this Code). Signage shall not include the marijuana leaf icon or other imagery that would detract from the professional and medical nature of the facility.

Any retailer who offers CBD (cannabidiol) products for sale must also provide a valid and accurate certificate of analysis (“COA”) that shows how a product performed on test checking for CBD and THC levels, and the presence of contaminants.

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

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

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

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY

ATTEST:

OF SOMERSET

Anthony Suriano, Borough Clerk

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 Amendment: _____

2nd Reading and Further Amendments: _____

Referral of Amended Ordinance to Planning Board: _____

Publication of the Notice of the Notice of the Continued Public Hearing: _____

2nd Reading and Adoption of Amended Ordinance: _____

2nd Publication: _____

Filing with County Planning Board: _____

**BERNARDSVILLE BOROUGH
ORDINANCE #19-1821**

**ESTABLISHING FOUR-WAY STOP INTERSECTION AT BERNARDS
AVENUE/GARIBALDI STREET INTERSECTION AND SUPPLEMENTING AND
AMENDING CHAPTER VII OF THE BOROUGH CODE ENTITLED “TRAFFIC”**

WHEREAS, Chief of Police Kevin Valentine has recommended that the intersection of Garibaldi Street and Bernards Avenue be a four-way stop intersection to address sight clearance issues ~~and reduce the speed of vehicles travelling on Bernards Avenue~~; and

WHEREAS, *N.J.S.A. 39:4-197* provides that “a municipality may pass, without the approval of the Commissioner [of Transportation], and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, ordinances . . . [r]egulating the passage or stopping of traffic at certain congested street corners or other designated points, including the establishment of multi-way stop controls . . .”; and

WHEREAS, the governing body wishes to establish a four-way stop intersection at Bernards Avenue and Garibaldi Street as recommended by the Chief of Police;

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

Section 1. §7-13 entitled “Stop Intersections” is supplemented and amended by adding the following location, making the Bernards Avenue/Garibaldi Street intersection a 4-way stop intersection:

“Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as stop intersections. Stop signs shall be installed as provided.

Intersection

Bernards Avenue and Garibaldi Street

Stop Sign On

*Bernards Avenue
(northerly approach facing southbound traffic)*

*Bernards Avenue
(southerly approach facing northbound traffic)*

*Garibaldi Street
(easterly approach facing westbound traffic)*

*Garibaldi Street
(westerly approach facing eastbound traffic)*

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

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

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

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**BERNARDSVILLE BOROUGH
ORDINANCE 2019-1822**

**CONCERNING BOROUGH SHADE TREE ORDINANCE AND SUPPLEMENTING
AND AMENDING CHAPTER XIII OF THE BOROUGH CODE
ENTITLED "TREE PROTECTION"**

WHEREAS, the Borough Shade Tree Advisory Committee has recommended amending the Borough's shade tree ordinance to establish a timeframe for completing tree replacement or payment into the Tree Fund, revising the caliper of replacement trees and clarifying the language relating to replacement genus;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey, that Chapter XIII of the Borough Code Entitled "Tree Protection" is supplemented and amended as follows:

Section 1. Subsection 13-14.1 of Section 13-14 entitled "Tree Replacement and Reforestation" is supplemented and amended to read as follows:

"13-14 TREE REPLACEMENT AND REFORESTATION.

13-14.1 Tree Replacement.

- a. The replacement of trees shall occur as prescribed in the following table:

DBH of Existing Tree Removed	Number of Replacement Trees
Less than 6 inches	1
Between 6" and 12"	2
Between 12" and 18"	4
Between 18" and 24"	5
Between 24" and 30"	7
Between 30" and 36"	10

Over 36"	The equivalent whole number of 3" caliper trees or greater rounded up, to equal the DBH of the tree removed ¹
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Section 2. There is hereby created a new subsection 13-14.4 entitled “ Time Limit for Planting Replacement Trees or Making Contribution to Tree Trust Fund,” which reads as follows:

“13-14.4. Time Limit for Planting Replacement Trees or Making Contribution to Tree Trust Fund.

a. In the case of tree removal permits issued pursuant to section 13-7 above for trees on residential, commercial, industrial and business zone lots not involving a development application, the Applicant shall plant all replacement trees required by subsection 13-14.1 above, or make the contribution to the Tree Trust Fund permitted by paragraph “c” of subsection 13-14.1, within one calendar year from issuance of the related permit.

b. In the case of tree removal permits issued pursuant to section 13-9 above in connection with applications to the Planning Board or Zoning Board of Adjustment (the Board”) for approval of a major or minor subdivision or any site plan or any variance that requires the removal of trees, the Applicant shall plant all replacement trees required by the Board, and make any contribution to the Tree Trust Fund authorized by the Board in lieu of planting replacement trees, within the time allowed by the Board.”

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

¹For example, DBH of 36.1" to 39.0" = 13 replacement trees.

publication as required by law.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**BERNARDSVILLE BOROUGH
ORDINANCE #2019-1823**

**CREATING AN INFORMATION TECHNOLOGY/COMMUNICATIONS
COMMITTEE AND SUPPLEMENTING AND AMENDING CHAPTER II OF THE
BOROUGH CODE ENTITLED "ADMINISTRATION"**

***STATEMENT OF PURPOSE:** To create an Information Technology/Communications Advisory Committee to improve communications between the governing body and the residents of Bernardsville through better use of modern technology and social media*

BE IT ORDAINED, by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey, that Chapter II of the Borough Code entitled "Administration" is hereby supplemented and amended as follows:

Section 1. There is hereby created a new section 2-47 entitled "Information Technology/Communications Advisory Committee" which reads as follows:

"2-47 INFORMATION TECHNOLOGY/COMMUNICATIONS ADVISORY COMMITTEE

"2-47.1 Establishment.

"There is hereby created an Information Technology/Communications Advisory Committee consisting of seven (7) members appointed by the Mayor with the consent of the Borough Council.

2-47.2 Terms of Office and Vacancies.

The terms of the members first appointed under this section shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first three (3) years after their appointments. Thereafter, the term of each such member shall be three (3) years. If a vacancy shall occur otherwise than by expiration of the term, it shall be filled by appointment as above provided for the unexpired term.

2-47.3 Organization.

In accordance with the provisions of the 'Uniform Advisory Committee Procedural Rules' set forth in section 2-46 of this Code, the Borough Council, at its annual reorganization meeting, shall appoint a chair and vice-chair who shall serve until the next Council reorganization meeting. In the case of a vacancy, the Council may appoint a chair or vice-chair to fill the unexpired term. The chair or, in his or her absence or disability, the vice-chair shall preside at all meetings of the advisory committee.

2-47.3 Meetings.

Members of the Committee shall meet at least quarterly. A quorum shall consist of a majority of the full membership of the Committee. Minutes shall be kept and submitted on a quarterly basis to the Council liaison to the Committee.

2-47.4 Duties.

The Information Technology/Communications Advisory Committee shall perform the following duties:

- a. Evaluate and identify means, methods and systems of electronic communications for enhancing open discussions about Borough matters and resident concerns.
- b. Recommend solutions that align with best practices for government transparency.
- c. Monitor and recommend adoption of new technologies that will enhance Borough services, and communication between the governing body and Borough residents.
- d. Formulate and recommend policies for Borough presence on social media, including but not limited to Facebook, Instagram, Twitter and Linked In.
- e. Render general advice to the Mayor and Council regarding informational technology and communications.
- f. Interact with other Boards, Commissions, Committees and citizen groups to improve Borough communications.
- g. Assist in the implementation of IT and communications programs established by the governing body.
- h. Perform such other duties as may be requested by the Mayor and Council.”

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:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**BERNARDSVILLE BOROUGH
ORDINANCE #2019-1824**

**AN ORDINANCE PROHIBITING VAPING IN PUBLIC PLACES AND
SUPPLEMENTING AND AMENDING CHAPTER III OF THE BOROUGH CODE
ENTITLED "POLICE REGULATIONS"**

***STATEMENT OF PURPOSE:** To prohibit vaping in municipal buildings, parks, playgrounds, recreation areas and vehicles*

WHEREAS, Section 3-8 of the Borough Code presently prohibits smoking in municipal buildings, parks, playgrounds, recreation areas and vehicles; and

WHEREAS, vaping, like smoking, constitutes a health hazard so the governing body would like to also prohibit vaping in those public places;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter III of the Borough Code Entitled "Police Regulations" is hereby supplemented and amended as follows:

Section 1. Subsection 3-8.2 entitled "Definitions" in Section 3-8, entitled "Smoking Prohibited in Municipal Buildings, Parks, Playgrounds, Recreation Areas and Vehicles," is supplemented and amended by adding the following definitions of "Electronic Smoking Device" and "Smoking":

"Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

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:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

RESOLUTION 19-204

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	694.04
04 Escrow	\$	1,712.50
06 Outside Employment	\$	14,625.00
10 Current Fund	\$	2,502,130.95
19 Other Trusts	\$	37,673.35
20 Payroll	\$	225,456.29
33 Capital Fund	\$	14,965.00
40 Sewer Utility Fund	\$	43,805.64
55 Sewer Capital	\$	10,918.40
70 COAH Trust	\$	6,590.30
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	-
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	61.20
TOTAL	\$	2,858,632.67

I, Anthony J. Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the forgoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on October 28, 2019

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2177	3742 - DRAGER SAFETY DIAGNOSTICS INC 01-G00-0110-0384	PO 104262 ALCOTEST CERT, TEMP. PROB CERT AND SE DRUNK DRIVING ENFORCEMENT FUND		179.00	179.00
2178	6738 - HVI SERVICES, LLC 01-G18-0110-0380	PO 104388 Recycle Asphalt and Concrete from R RECYCLING TONNAGE GRANT (2015)		410.04	410.04
2179	6111 - RUTGERS, ST UNIV. OF NJ OFFICE OF C 01-G19-0110-0361	PO 104230 Clean Communities - Best Practices CLEAN COMMUNITIES (2019) - CHAPTER 159		105.00	105.00
TOTAL					----- 694.04
Total to be paid from Fund 01 STATE & FEDERAL GRANTS		694.04			
		<u>694.04</u>			

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2171	1307 - FERRIERO ENGINEERING, INC	PO 104464 BOA Engineer contract & application			1,712.50
	04-280-4000-0100	ESCROW - CLAREMONT MANOR #18-08 B75 L6	1,370.00		
	04-280-4003-0103	DISBURSEMENTS - BOA #19-03 - ROGAN - B10	68.50		
	04-280-4002-0103	DISBURSEMENTS - GALAWAY & CRANE - 9 CHUR	274.00		1,712.50
	TOTAL				----- 1,712.50
Total to be paid from Fund 04 ESCROW			1,712.50		
			<u>1,712.50</u>		

Disbursements Journal - (06) OUTSIDE EMPLOYMT OFF DUTY-M

From 10/16/2019 to 10/23/2019

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/18/2019	3060		6144		PAYROLL ACCOUNT		14,625.00	06-101-0100-2000
				06-285-0600-1057	CSC/ALTICE	4,200.00		
				06-285-0600-1007	PSEG	1,500.00		
				06-285-0600-1006	AMERICAN WATER	1,200.00		
				06-285-0600-1004	VERIZON	375.00		
				06-285-0600-1038	VOLLERS	6,300.00		
				06-285-0600-1037	SUMMIT NUTRITIONAL	1,050.00		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
06-101-0100-2000	CASH - MILLINGTON BANK - POLICE O/S DUTY				14,625.00
06-285-0600-1004	VERIZON		375.00		
06-285-0600-1006	AMERICAN WATER/MEASURING		1,200.00		
06-285-0600-1007	PSE&G		1,500.00		
06-285-0600-1037	SUMMIT NUTRITIONALS		1,050.00		
06-285-0600-1038	VOLLERS		6,300.00		
06-285-0600-1057	POLICE O/S DUTY - CSC HOLDINGS, LLC		4,200.00		
TOTALS (FOR RANGE):					14,625.00
					14,625.00

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/24/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48983	6311 - ACTION DATA SERVICES	PO 104420 PAYROLL INVOICE PERIOD END DATE 10/		325.44	325.44
	10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE			325.44
48984	135 - ALLEN PAPER & SUPPLY CO	PO 104048 PAPER SUPPLIES BLANKET PO		163.62	163.62
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY			163.62
48985	1806 - ALLIED OIL LLC (CORP)	PO 104325 GASOLINE - OCTOBER 2019 (ESTIMATE)		4,920.96	4,920.96
	10-C00-0315-0220	GASOLINE - PREMIUM GAS			4,920.96
48986	4351 - APRUZZESE, McDERMOTT, MASTRO & MURPHY	PO 104465 SEPT 2019 GENERAL LABOR SERVICES -		7,359.50	7,359.50
	10-C00-0101-0205	HUMAN RESOURCES - GEN. EXPENSE			7,359.50
		PO 104466 AUG 2019 GENERAL LABOR SERVICES - A		1,271.00	1,271.00
	10-C00-0101-0205	HUMAN RESOURCES - GEN. EXPENSE			1,271.00
					8,630.50
48987	4915 - B&R UNIFORMS	PO 104170 CROSSING GUARD JACKETS, CLOTHING AN		694.25	694.25
	10-C00-0195-0217	POLICE - CROSSING GUARDS EXP.			694.25
48988	6682 - BCI TRUCK INC	PO 103733 PARTS & SERVICE		28.50	28.50
	10-C00-0246-0207	VEHICLE MAINT. - STREETS & ROADS			28.50
48989	5668 - BEYER FORD LLC	PO 104449 OPEN PURCHASE ORDER FOR REPAIRS AND		339.63	339.63
	10-C00-0246-0206	VEHICLE MAINT. - POLICE			339.63
48990	3269 - BRADY DRISCOLL	PO 104406 CONSTRUCTION - MILEAGE 7/1/19-9/30/		243.60	243.60
	10-C00-0285-0213	CONSTRUCTION - MILEAGE			243.60
48991	5550 - CEUNION	PO 104318 RANSOMWARE - TINA MARKEWICZ 10/22/1		35.00	35.00
	10-C00-0110-0203	FINANCE DEPT - EDUCATION			35.00
		PO 104359 SEMINAR ETHICS CONTAGION - TINA MAR		95.00	95.00
	10-C00-0110-0203	FINANCE DEPT - EDUCATION			95.00
					130.00
48992	6239 - CHRIS DIACIK	PO 104404 CONSTRUCTION - MILEAGE 7/1/19-9/30/		111.94	111.94
	10-C00-0285-0213	CONSTRUCTION - MILEAGE			111.94
48993	652 - CODED SYSTEMS LLC	PO 104433 CODIFICATION OF 2018 & 2019 ORDINAN		7,258.00	7,258.00
	10-A00-0102-0208	(2018) MUNICIPAL CLERK-CODIFICATION		3,824.04	3,824.04
	10-A00-0100-0205	(2018) ADMIN. & EXEC. - GEN. EXPENSES		1,015.96	1,015.96
	10-C00-0102-0208	MUNICIPAL CLERK-CODIFICATION		2,418.00	2,418.00
					7,258.00
48994	6355 - CONVERGE ONE, INC	PO 103560 FULL COVERAGE MAINTENANCE - PHONE S		244.54	244.54
	10-C00-0305-0215	TELEPHONE - PHONE BILLS			244.54
48995	5744 - DCL HOLDING, LLC	PO 104424 REFUND - 2019 TAXES DUE TO CONSOLID		22,906.46	22,906.46
	10-205-5500-0001	TAX OVERPAYMENTS			22,906.46
48996	4212 - DEER CARCASS REMOVAL SERVICE LLC	PO 104432 DEER CARCASS REMOVAL- SEPT 2019*		35.00	35.00
	10-C00-0260-0204	ANIMAL CONTROL - MISCELLANEOUS			35.00
48997	6717 - FISH WINDOW CLEANING	PO 104145 window cleaning interior and exteri		1,750.00	1,750.00
	10-C00-0145-0225	BUILD. & GROUNDS - CLEANING SERVICES			1,750.00

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/24/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48998	1619 - GARDEN STATE LABORATORIES INC	PO 102791 2019 Water Testing Polo Grounds - H		110.00	110.00
	10-C00-0145-0260	BUILD. & GROUNDS - WATER TESTING	110.00		110.00
48999	2871 - IACP NET	PO 104451 ANNUAL IACP NET SERVICE ACCESS.12/1		525.00	525.00
	10-C00-0195-0202	POLICE - DUES & SUBSC.	525.00		525.00
49000	2941 - IMAGE SYSTEMS, INC.	PO 102357 2019 SERVICE CONTRACT #006433-03 -		190.50	190.50
	10-C00-0112-0206	TECH.INF. SYSTEM - MAINTENANCE CONTRACTS	190.50		190.50
49001	6529 - J.M. KRIEGL ELECTRIC	PO 104437 town sq outlet, ballast mens room 1		425.00	425.00
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	425.00		425.00
49002	87 - JCP&L	PO 104443 JCP&L 8/22-9/20/19 MASTER ACCOUNT 2		396.21	396.21
	10-C00-0225-0202	STREET LIGHTING	396.21		396.21
49003	1322 - JESCO, INC.	PO 102335 PARTS & SERVICE		143.55	143.55
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	143.55		143.55
49004	6378 - JOHNNY ON THE SPOT	PO 102445 ROSE BOWL, KIWANIS, CLAREMONT - Ha		289.35	289.35
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	289.35		289.35
		PO 102447 2019 Annual ADA and Standard Portab		175.90	175.90
	10-C00-0145-0249	BUILD. & GROUNDS - PORTABLE TOILETS	175.90		465.25
49005	6247 - JOY AUTO PARTS	PO 103346 PARTS		54.68	54.68
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	54.68		54.68
49006	4407 - LEXISNEXIS RISK SOLUTIONS	PO 104447 SEPTEMBER - DECEMBER 2019 MONTHLY A		250.00	250.00
	10-C00-0195-0223	POLICE - DETECTIVE SUPPLIES	250.00		250.00
49007	4349 - MAPLECREST FORD	PO 103347 PARTS & REPAIRS		565.14	565.14
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	565.14		565.14
49008	6060 - MESLER'S TOWING SERVICE, INC	PO 104448 PATROL VEHICLE 309 TOWED TO HQ AFTE		150.00	150.00
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	150.00		150.00
49009	6728 - NAPA OF CHESTER, INC	PO 104272 PARTS & SUPPLIES		58.58	58.58
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	58.58		58.58
		PO 104450 TIRE PRESSURE MONITORING SYSTEM VAL		27.96	27.96
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	27.96		86.54
49010	142 - NEW JERSEY CONFERENCE OF MAYORS	PO 104414 2020 MEMBERSHIP DUES FOR MAYOR CANO		395.00	395.00
	10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.	395.00		395.00
49011	6600 - NGC DEVELOPMENT, LLC	PO 104423 REFUND OF 2019 TAXES DUE TO SUBDIVI		10,950.50	10,950.50
	10-205-5500-0001	TAX OVERPAYMENTS	10,950.50		10,950.50
49012	6532 - NICK DOBASH	PO 104364 REIMBURSEMENT FOR WORK BOOTS (WORK'		109.95	109.95
	10-C00-0220-0206	STREETS & ROADS - UNIFORMS	109.95		109.95
49013	57 - NJ AMERICAN WATER CO.	PO 104440 NJ American Water 9/10-10/9/19*		6,488.20	6,488.20
	10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	1,469.65		1,469.65

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/24/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0180-0220	FIRE HYDRANT SERVICE	5,018.55		6,488.20
49014	4286 - PERSONAL PROTECTION CONSULTANTS, INC	PO 104257 PERSONAL PROTECTION TRAINING AIDS A		665.67	665.67
	10-C00-0195-0205	POLICE - GENERAL EQUIPMENT	665.67		665.67
49015	6042 - PSE&G	PO 104401 SEPT 2019*		31.72	31.72
	10-C00-0320-0225	GAS - NATURAL	31.72		31.72
49016	4993 - R. MADDALUNA LANDSCAPE CONTRACTORS,	PO 103011 2019 Borough Hall Flower Bed Mainte		1,780.00	1,780.00
	10-C00-0145-0215	BUILD. & GROUNDS - GROUND MNT.	1,780.00		1,780.00
49017	4993 - R. MADDALUNA LANDSCAPE CONTRACTORS,	PO 103029 Claremont Hill Weedwacking		900.00	900.00
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	900.00		900.00
49018	31 - RECORDER PUBLISHING CO	PO 104452 Publications in Bernardsville News		248.43	248.43
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	16.83		248.43
	10-C00-0235-0204	LANDFILL - MISC.	231.60		248.43
49019	6443 - ROBERT ROSENDALE	PO 104405 CONSTRUCTION - MILEAGE 7/1/19-9/30/		119.48	119.48
	10-C00-0285-0213	CONSTRUCTION - MILEAGE	119.48		119.48
49020	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC	PO 102403 2019 Cleaning Borough Hall		1,367.87	1,367.87
	10-C00-0145-0225	BUILD. & GROUNDS - CLEANING SERVICES	1,367.87		1,367.87
49021	3325 - SOUTH JERSEY ENERGY	PO 104402 ELECTRIC COMMODITY 7/23-8/21/19*		133.55	133.55
	10-C00-0310-0220	ELECTRICITY - BILLS	133.55		133.55
49022	38 - STAPLES BUSINESS ADVANTAGE	PO 104321 POLICE OFFICE SUPPLIES		277.02	277.02
	10-C00-0195-0201	POLICE - OFFICE SUPPLIES	277.02		277.02
49023	6303 - SYNCB/AMAZON	PO 104161 CABLES - RECREATION		29.97	29.97
	10-C00-0272-0203	RECREATION - GENERAL EXPENSES	29.97		58.25
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	58.25		179.96
	10-C00-0272-0210	RECREATION - SUMMER CAMP	179.96		14.99
	10-C00-0120-0205	TAX COLLECTOR - GEN. EXPENSE	14.99		283.17
49024	388 - TREE TECH, INC	PO 102330 PoHaz Tree Removal at Various Locat		465.00	465.00
	10-A00-0160-0203	(2018) SHADE TREE COMM. - GENERAL EXP.	465.00		465.00
49025	6744 - TYLER E. & BRITTANY B. NELSON	PO 104425 REFUND - 2019 TAXES - FARMLAND CHAN		45.80	45.80
	10-205-5500-0001	TAX OVERPAYMENTS	45.80		45.80
49026	6195 - U.S. POSTAL SERVICE	PO 104431 POSTAGE - SUITE 103		250.00	250.00
	10-C00-0100-0209	ADMIN. & EXEC. - POSTAGE	250.00		250.00
49027	6742 - VERONICA GOLDBERG	PO 104422 REFUND - 2019 TAXES DUE TO FARMLAND		7,895.31	7,895.31
	10-205-5500-0001	TAX OVERPAYMENTS	7,895.31		7,895.31

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/24/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
49028	5318 - W.B.MASON CO,INC	PO 104413 OFFICE SUPPLIES -S096183307			379.51
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	292.27		
	10-C00-0102-0205	MUNICIPAL CLERK-GEN. EXPENSE	14.69		
	10-C00-0115-0201	TAX ASSESSOR - OFFICE SUPPLIES	28.23		
	10-C00-0272-0201	RECREATION - OFFICE SUPPLIES	38.92		
	10-C00-0110-0201	FINANCE DEPT - OFFICE SUPPLIES	5.40		379.51
	TOTAL				----- 83,930.49
Total to be paid from Fund 10 CURRENT FUND			83,930.49		

			83,930.49		

Checks Previously Disbursed

10585	PAYROLL ACCOUNT	PO# 104446 10/18/19 PAYROLL*	201,791.13	10/18/2019
10582	SOMERSET HILLS BOARD OF ED.	OCTOBER 2019 SCHOOL TAX	2,216,409.33	10/10/2019

			2,418,200.46	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	2,418,200.46	83,930.49	2,502,130.95
BILLS LIST TOTALS	2,418,200.46	83,930.49	<u>2,502,130.95</u>

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
119	4654 - AIR GROUP HEATING & AIR CONDITIONIN 19-285-0500-5001	PO 104411 service call- deli unit no voltage RESERVE FOR RAILROAD STATION	365.40		365.40 365.40
120	57 - NJ AMERICAN WATER CO. 19-285-0500-5001	PO 104442 NJ AMERICAN WATER 9/10-10/11/19-* RESERVE FOR RAILROAD STATION	44.75		44.75 44.75
121	2186 - TREASURER-STATE OF NEW JERSEY 19-285-0500-2002	PO 104429 3RD QUARTER 2019 CONSTRUCTION DCA F DUE TO STATE - DCA	5,886.00		5,886.00 5,886.00
122	3488 - VERIZON 19-285-0500-5001	PO 104430 INTERNET SERVICE AT TRAIN STATION A RESERVE FOR RAILROAD STATION	151.99		151.99 151.99
TOTAL					6,448.14
Total to be paid from Fund 19 OTHER TRUSTS			6,448.14		
			<u>6,448.14</u>		

Checks Previously Disbursed

19060	CURRENT ACCOUNT	PO# 104428 TRANSFER OF CONST.FEES SEPT 2019	30,647.00	10/21/2019
19059	PAYROLL ACCOUNT	PAYROLL - RAILROAD - 10/18/19	578.21	10/18/2019

			31,225.21	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 19 OTHER TRUSTS	31,225.21	6,448.14	37,673.35
BILLS LIST TOTALS	31,225.21	6,448.14	37,673.35

Disbursements Journal - (20) PAYROLL AGENCY

From 10/15/2019 to 10/23/2019

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/15/2019	3046		19058		CURRENT FUND - MILLINGTON		405.15	20-101-0100-20
				20-285-0500-1001	TO CLEAR INTERFUND - INTEREST	405.15		
10/15/2019	3051		340		NATHANIEL SCHMERLER		-422.66	20-101-0100-20
				20-280-5600-0850	7/26/19 PAYROLL - CHECK LOST	-422.66		
10/15/2019	3052	104412			REPLACEMENT CHECK FOR LOST 7/26/19 PAYROLL	422.66		
			5	20-280-5600-0850	NATHANIEL SCHMERLER		422.66	20-101-0100-20
10/18/2019	3053		341		ACTION DATA SERVICES-PAYROLL		389.62	20-101-0100-20
				20-280-5600-0850	NET PAYROLL	389.62		
10/18/2019	3054		341		ACTION DATA SERVICES-PAYROLL		-389.62	20-101-0100-20
				20-280-5600-0850	NET PAYROLL	-389.62		
10/18/2019	3055		20538		ACTION DATA SERVICES-PAYROLL		389.62	20-101-0100-20
				20-280-5600-0850	NET PAYROLL	389.62		
10/18/2019	3056		20539		ACTION DATA SERVICES-PAYROLL		149,765.99	20-101-0100-20
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT	149,765.99		
10/18/2019	3057		20540		ACTION DATA SERVICES-PAYROLL		74,895.53	20-101-0100-20
				20-280-5600-0852	FEDERAL	21,257.11		
				20-280-5600-0853	FICA SS EE	7,698.74		
				20-280-5600-0854	MEDICARE EE	3,021.31		
				20-280-5600-0855	NJ STATE TAX	7,087.95		
				20-280-5600-0856	EMPLOYEE SUI/SDI	118.63		
				20-280-5600-0858	PA STATE TAX	18.82		
				20-280-5600-0870	PERS	8,605.40		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	541.29		
				20-280-5600-0890	DEFERRED COMP	3,227.24		
				20-280-5600-0898	GARNISHMENTS	775.49		
				20-280-5600-0901	EMPLOYER SS	7,698.74		
				20-280-5600-0902	MED EMPLOYER	3,021.31		
				20-280-5600-0903	EMPLOYER SUI	195.55		
				20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	584.80		
				20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	430.61		
				20-280-5600-0871	PERS LOAN	1,285.10		
				20-280-5600-0877	PFRS	7,413.41		
				20-280-5600-0878	PFRS LOAN	1,123.68		
				20-280-5600-0895	PBA DUES	332.00		
				20-280-5600-0893	DPW DUES	132.00		
				20-280-5600-0905	AFLAC POST TAX	25.35		
				20-280-5600-0906	AFLAC PRE TAX	105.45		
				20-280-5600-0879	PFRS BACK DEDUCTION	195.55		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - MILLINGTON - PAYROLL				225,456.29
20-280-5600-0850	NET PAYROLL PAYABLE			389.62	

Disbursements Journal - (20) PAYROLL AGENCY

From 10/15/2019 to 10/23/2019

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT NON-BUDGETARY	DISBURSED
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		21,257.11	
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		7,698.74	
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		3,021.31	
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		7,087.95	
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		118.63	
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		18.82	
20-280-5600-0870	PAYABLE - P.E.R.S.		8,605.40	
20-280-5600-0871	PAYABLE - P.E.R.S. LOAN		1,285.10	
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		541.29	
20-280-5600-0877	PAYABLE - P.F.R.S.		7,413.41	
20-280-5600-0878	PAYABLE - P.F.R.S. - LOAN		1,123.68	
20-280-5600-0879	PAYABLE - P.F.R.S. - BACK DEDUCTIONS		195.55	
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		584.80	
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		430.61	
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN		3,227.24	
20-280-5600-0893	PAYABLE - DPW UNION DUES		132.00	
20-280-5600-0895	PAYABLE - PBA DUES		332.00	
20-280-5600-0898	PAYABLE-GARNISHMENT		775.49	
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		149,765.99	
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		7,698.74	
20-280-5600-0902	PAYROLL TAXES PAYABL MED		3,021.31	
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		195.55	
20-280-5600-0905	AFLAC POST TAX		25.35	
20-280-5600-0906	AFLAC PRE TAX		105.45	
20-285-0500-1001	DUE TO CURRENT - INTEREST		405.15	
TOTALS (FOR RANGE):			225,456.29	225,456.29

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
5476	5227 - FORGIONE LANDSCAPE, LLC	PO 104454 Install Additional Decorative Stone			200.00
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	200.00		200.00
5477	4330 - J.M. SORGE, INC	PO 103887 SERVICES OF LICENSED SITE REMEDIATI			8,065.00
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	8,065.00		8,065.00
5478	4360 - RESEARCH & DESIGN LANDSCAPE LLC	PO 104302 Relocate Rock Wall and Regrade at 2			1,000.00
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	1,000.00		1,000.00
5479	4971 - RICHARD MADDALUNA	PO 104312 dig out island of pool parking lot			5,700.00
	33-215-2700-1001	18-1761 - RECREATION - POOL EQUIPMENT	5,700.00		5,700.00
	TOTAL				----- 14,965.00
Total to be paid from Fund 33 CAPITAL FUND			14,965.00		
			<u>14,965.00</u>		
			14,965.00		

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
9062	135 - ALLEN PAPER & SUPPLY CO 40-C00-0101-0213	SEWER - PLANT MAINTENANCE PO 104410 Polyliners - Delivered 10/11/19	454.10	454.10	454.10
9063	6063 - AMERICAN WEAR, INC 40-C00-0101-0206	SEWER - UNIFORMS PO 104382 9/3/19 - 9/24/19	301.75	301.75	301.75
9064	4614 - CHEMTRADE CHEMICALS US LLC 40-C00-0101-0216	SEWER - ALUM & CHLORINE PO 104365 Alum Sulfate Delivered 9/4/18	4,045.13	4,045.13	4,045.13
9065	185 - GRAINGER 40-C00-0101-0214	SEWER - PUMP STATION MAINT. PO 104366 Rodent Trap	136.98	136.98	136.98
9066	87 - JCP&L 40-C00-0101-0227	SEWER - ELECTRICITY PO 104444 JCP&L 8/21-9/20/19*	9,504.06	9,504.06	9,504.06
9067	4981 - MISSION COMMUNICATIONS, LLC 40-C00-0101-0214	SEWER - PUMP STATION MAINT. PO 104381 Alarm Monitoring	227.40	227.40	227.40
9068	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229	SEWER - WATER BILLS PO 104441 NJ AMERICAN WATER - 9/11-10/9/19*	82.29	82.29	82.29
9069	4335 - PASSAIC VALLEY SEWERAGE COMMISSION 40-C00-0101-0226	SEWER - SLUDGE REMOVAL PO 104384 9/1/19 - 9/30/19	1,881.60	1,881.60	1,881.60
9070	3221 - PETER RUBINETTI PRIVATE DISPOSAL 40-C00-0101-0226	SEWER - SLUDGE REMOVAL PO 104383 October Service	411.83	411.83	411.83
9071	4993 - R. MADDALUNA LANDSCAPE CONTRACTORS, 40-C00-0101-0214	SEWER - PUMP STATION MAINT. PO 104212 Landscaping at Fox Hollow Pumping S	5,450.00	5,450.00	5,450.00
9072	6108 - R. MOORE & ASSOC. TREE EXPERTS, LLC 40-C00-0101-0214	SEWER - PUMP STATION MAINT. PO 104211 Tree Removal - Fox Hollow Pumping S	850.00	850.00	850.00
9073	1994 - RUSSELL REID 40-C00-0101-0226	SEWER - SLUDGE REMOVAL PO 104426 Sept. 2019	2,472.96	2,472.96	2,472.96
TOTAL					----- 25,818.10
Total to be paid from Fund 40 SEWER UTILITY FUND			25,818.10		
			<u>25,818.10</u>		

Checks Previously Disbursed

40286	PAYROLL ACCOUNT	PAYROLL - SEWER 10/18/19	17,987.54	10/18/2019

				17,987.54

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
Totals by fund		Previous Checks/Voids	Current Payments	Total	

	Fund 40 SEWER UTILITY FUND	17,987.54	25,818.10	43,805.64	

	BILLS LIST TOTALS	17,987.54	25,818.10	<u>43,805.64</u>	

**List of Bills - (5510101002000) CASH - MILLINGTON - SEWER CAPITAL
SEWER CAPITAL**

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
20	5547 - ARCADIS-US, INC	PO 100748 Construction Admin. for WWTP Filter		4,828.40	
	55-215-0225-1000	SEWER CAP/SANITARY SEWERAGE STM 13-1620	4,828.40		4,828.40
21	4993 - R. MADDALUNA LANDSCAPE CONTRACTORS, PO 104293 Maple Village Pumping Station Lands			6,090.00	
	55-215-0252-1002	ORD 19-1817 - PUMP STATION LANDSCAPING	6,090.00		6,090.00
	TOTAL				10,918.40
Total to be paid from Fund 55 SEWER CAPITAL			10,918.40		
			<u>10,918.40</u>		
			10,918.40		

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2070	5366 - CGP&H, LLC	PO 104417 ADMINISTRATIVE AGENT&PLANNING SERVI			6,590.30
	70-286-5685-4000	RESERVE FOR COAH		6,590.30	6,590.30
	TOTAL				----- 6,590.30
Total to be paid from Fund 70 COAH TRUST			6,590.30		
			<u>6,590.30</u>		
			6,590.30		

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

Meeting Date: 10/28/2019 For bills from 10/16/2019 to 10/23/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
127	6741 - ANNETTE BESANTE	PO 104415 REFUND - YOGA - DUPLICATE REGISTRAT			41.20
	85-286-5685-3009	RECREATION TRUST -YOGA FALL ONE	41.20		41.20
TOTAL					41.20
Total to be paid from Fund 85 RECREATION TRUST			41.20		
			<u>41.20</u>		

Checks Previously Disbursed

85109	GATEWAY	CREDIT CARD FEES - SEPTEMBER 2019	20.00	10/02/2019

				20.00

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 85 RECREATION TRUST	20.00	41.20	61.20
BILLS LIST TOTALS	20.00	41.20	<u>61.20</u>

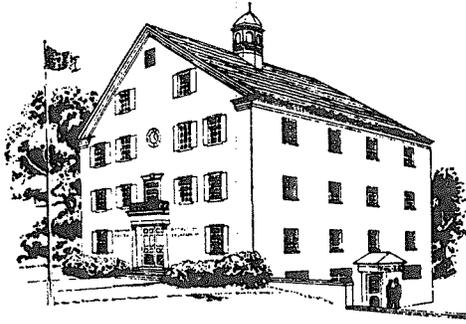
**RESOLUTION #19-205
ACCEPTING MONTHLY DEPARTMENT REPORTS**

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to accept monthly reports from certain departments as follows:

Department	Month
Animal Control	September
Bureau of Fire Prevention	*
Construction	September
Court	*
Investment	*
Facilities	October
Library	*
Police	September
Property Maintenance/Landlord Registration	September
Public Works	October
Recreation	September
Revenue Report	*
Sewer Operators Report	*
Tax Collector	September
Zoning	September
	3 rd Quarter Report

*No report received

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 on October 28, 2019.



Borough of Bernardsville
166 Mine Brook Road
Bernardsville, NJ 07924
Somerset County

Administration (908) 766-3000 Fax (908) 766-2401
Engineering (908) 766-3850 Fax (908) 766-2788

RESOLUTION #19-206

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

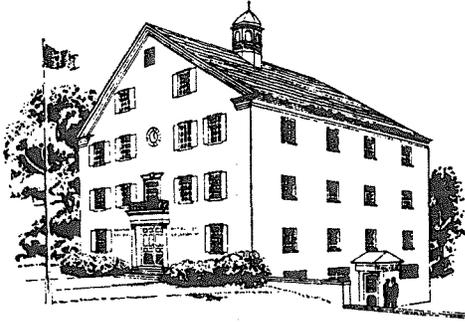
WHEREAS, bids were received for municipal parking lot snow plowing and sidewalk clearing, supported by the required documentation, as discussed in a memo from the Public Works Manager dated October 17, 2019.

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

- (1) A contract is hereby awarded to the low bidder, Research and Design Landscape LLC of Bernardsville, NJ, for Items 1-10 at the respective unit prices indicated in their bid.
- (2) The Mayor and Clerk are hereby authorized to sign a contract with Research and Design Landscape LLC which has been approved in form by the Borough Attorney.

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

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 28, 2019.



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RESOLUTION #19-207

**CONFIRMING A STARTING DATE
FOR MATTHEW BROWN, SLEO III OFFICER**

WHEREAS, Resolution #19-190 appointed Matthew Brown as a SLEO III Officer in the Bernardsville Police Department, effective upon completion of conditions; and

WHEREAS, said conditions were met.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to confirm the effective date of employment for Matthew Brown as November 1, 2019.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 28, 2019.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #19-208**

**APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED MUNICIPAL
COURT FROM NOVEMBER 1, 2019 TO DECEMBER 31, 2019**

WHEREAS, there is a need for the appointment of a Municipal Prosecutor for the Bedminster Township, Borough of Peapack and Gladstone and Borough of Bernardsville Shared Municipal Court due to the resignation of the current Municipal Prosecutor, James Porfido, as of November 1, 2019; 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 November 1, 2019 – December 31, 2019.

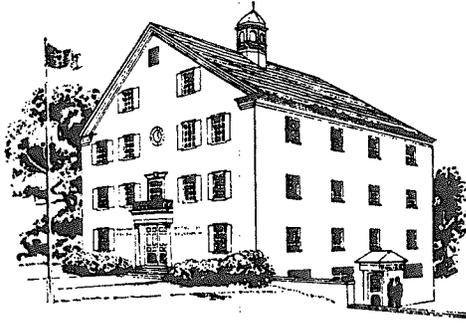
NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Bernardsville do hereby approve the appointment of the following to perform professional services for the Bedminster Township, Borough of Peapack and Gladstone and Borough of Bernardsville Shared Municipal Court:

<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: \$48,600.00 Full Tuesday + ½ Thursday: \$54,000.00 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 and Bernardsville Borough and the appointment of Mr. Davis as Prosecutor by the Borough of Peapack-Gladstone 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 October 28, 2019.



Borough of Bernardsville
166 Mine Brook Road
Bernardsville, NJ 07924
Somerset County

Administration (908) 766-3000 Fax (908) 766-2401
Engineering (908) 766-3850 Fax (908) 766-2788

RESOLUTION #19-209

ACCEPTING A DONATION TO THE BERNARDSVILLE POLICE DEPARTMENT

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to accept a donation to the Bernardsville Police Department in the amount of \$5,000 from the Paragano Family Foundation.

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 on October 28, 2019.

\resolutions\donation8

**RESOLUTION #19-210
RESOLUTION AUTHORIZING TRANSFER OF FUNDS**

WHEREAS, it has been determined that the following appropriations will be in need of additional funding prior to December 31, 2019 and NJSA 40A:4-58 and 59 permits the transfer of funds from those line items where an excess exists to those appropriations that are expected to be insufficient,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, that the following budget transfers be made effective November 1, 2019:

CURRENT FUND:

FROM:

<u>Account Number</u>	<u>Account Name</u>	<u>S&W/OE</u>	<u>FROM</u>	<u>TO</u>
10-C00-0300-0201	SAL & WAGE ADJ	OE	\$ 30,000.00	XXXXXX
10-C00-0145-0100	BUILD & GRNDS	S&W	\$ 10,000.00	XXXXXX
10-C00-0150-0100	PLANNING BOARD	S&W	\$ 6,000.00	XXXXXX
10-C00-0175-0100	H.B. WAIVER	S&W	\$ 3,800.00	XXXXXX
10-C00-0175-0200	GROUP INSURANCE	OE	\$ 20,000.00	XXXXXX
10-C00-0195-0100	POLICE	S&W	\$ 25,000.00	XXXXXX
10-C00-0225-0200	STREET LIGHTING	OE	\$ 10,000.00	XXXXXX
10-C00-0271-0200	SWIM POOL	OE	\$ 4,000.00	XXXXXX
10-C00-0260-0200	ANIMAL CONTROL	OE	\$ 1,800.00	XXXXXX
10-C00-0246-0100	VEHICLE MAINT.	S&W	\$ 3,000.00	XXXXXX

TO:

10-C00-0305-0200	TELEPHONE	OE	XXXXXX	\$ 13,000.00
10-C00-0310-0200	ELECTRICITY	OE	XXXXXX	\$ 6,800.00
10-C00-0315-0200	GASOLINE	OE	XXXXXX	\$ 4,500.00
10-C00-0112-0200	IT	OE	XXXXXX	\$ 4,300.00
10-C00-0140-0200	ENGINEERING	OE	XXXXXX	\$ 8,000.00
10-C00-0145-0200	BUILD & GROUNDS	OE	XXXXXX	\$ 10,000.00
10-C00-0271-0100	POOL	S&W	XXXXXX	\$ 7,000.00
10-C00-0291-0200	ACCUM. ABS	S&W	XXXXXX	\$ 20,000.00
10-C00-0108-0200	CIF (GENERAL)	OE	XXXXXX	\$ 20,000.00
10-C00-0220-0200	STREETS & ROADS (SNOW)	OE	XXXXXX	\$ 20,000.00
			\$ 113,600.00	\$ 113,600.00

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 October 28, 2019.

Anthony Suriano
Borough Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #19-211**

**RESOLUTION COMMITTING \$83,333 TOWARD THE ACQUISITION AND
CONVERSION OF A PROPERTY FOR A GROUP HOME**

WHEREAS, the Borough's November 22, 2017 settlement agreement with Fair Share Housing Center, the terms of which were incorporated by reference in the Amended Final Judgment of Compliance and Repose entered on December 4, 2018, in the Superior Court of New Jersey, Law Division, Somerset County, at Docket No. SOM-L-925-15, provides that Bernardsville Borough will meet its affordable housing obligation in part by providing three group homes and that it will dedicate funding from the Borough Spending Plan; and

WHEREAS, the Borough's Affordable Housing Spending Plan provides that, "\$250,000 [is] budgeted for the supportive housing/group homes. This will be divided among three projects to assist with either acquisition or in making the existing unit barrier free, along with other improvements."; and

WHEREAS, Community Options has requested a letter of commitment for funding from the Borough that they can use as part of their application to Somerset County for additional funding to facilitate a group home in Bernardsville Borough; and

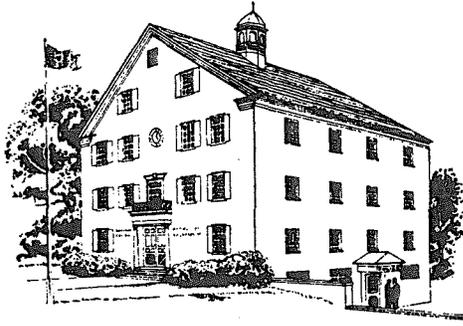
WHEREAS, Community Options has the ability and the authority to develop and administer housing programs for the developmentally disabled, as licensed and/or regulated by the New Jersey Department of Human Services;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Bernardsville, in the County of Somerset, State of New Jersey, that it does hereby commit \$83,333 from the Borough Affordable Housing Trust Fund for the acquisition and conversion of a group home by Community Options subject to the following terms and conditions:

- (a) The location of the group home will be acceptable to the Borough.
- (b) Community Options must obtain clear title to the property.
- (c) The group home will accommodate four bedrooms intended to house four developmentally-disabled adults pursuant to the New Jersey Council on Affordable Housing regulations, including *N.J.A.C. 5:93-58.7*.
- (d) Community Options will oversee and supervise any necessary renovations and/or improvements to the property to bring it into compliance with adaptability requirements and design standards as mandated by *N.J.S.A. 52:27d-123.15*.
- (e) Community Options must ensure that the deed transferring the title to Community Options contains a restriction providing that the property shall only be used as a group home for adults with developmental disabilities for a period of not less than thirty (30) years, in form acceptable to the Bernardsville Borough Attorney.

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, October 28, 2019.

Anthony Suriano, Clerk



Borough of Bernardsville
166 Mine Brook Road
Bernardsville, NJ 07924
Somerset County

Administration (908) 766-3000 Fax (908) 766-2401
Engineering (908) 766-3850 Fax (908) 766-2788

RESOLUTION #19-212

SETTING RECREATION PROGRAM FEES

WHEREAS, the Recreation Director has requested that new programs/fees be added, as discussed in a memo dated October 23, 2019, on file in the Office of the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to authorize revision to the Recreation/Pool Schedule of Fees as follows:

PROGRAM	Resident Fee	Non-Resident Fee
Bernardsville Recreation Cheerleading	\$30.00	\$40.00

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 28, 2019.

recfees.res

RESOLUTION #19-213
AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT
04-280-7000-0028
FOR MR. & MRS. NICHOLAS BOXTER
FOR 2 PRESERVE

WHEREAS, A STORMWATER MANAGEMENT ACCOUNT WAS STARTED ON 9/27/18 FOR BLOCK 7 LOT 4.01, ALSO KNOWN AS 2 PRESERVE LANE; AND

WHEREAS, THE PROJECT AT 2 PRESERVE LANE HAS BEEN FINISHED AND A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED, IT HAS BEEN REQUESTED BY THE OWNERS THAT THE REMAINING BALANCE OF THEIR STORMWATER ESCROW ACCOUNT BE REFUNDED TO THEM, THE BALANCE WHICH IS \$0.75.

WHEREAS, IT HAS BEEN CONFIRMED BY THE ZONING OFFICER GEOFFREY B. PRICE THAT THE APPLICANTS SHOULD RECEIVE A REFUND FOR THE REMAINING BALANCE, \$0.75.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, NJ that the Tax Collector is hereby authorized to refund the following Stormwater escrow account balance:

BLOCK, LOT	RECIPIENT	REFUND AMOUNT
Block 7, Lot 4.01	Mr. & Mrs. Nicholas Boxter 2 Preserve Lane Bernardsville, NJ 07924	\$0.75

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be true and exact copy of a resolution adopted by the Borough Council at a duly convened Meeting held on October 28, 2019.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #19-214**

APPROVING AFFORDABLE HOUSING MONITORING REPORT

WHEREAS, the Borough of Bernardsville (the "Borough") has entered into a Settlement Agreement Re: In the Matter of the Application of the Borough of Bernardsville, County of Somerset, Docket No. SOM-L-925-15 with Fair Share Housing Center, executed on 11/27/17, and;

WHEREAS, paragraph 17 of the agreement states that on the first anniversary of the execution of the agreement and every anniversary thereafter through the end of the agreement, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, and;

WHEREAS, the Borough has prepared and adopted a Housing Element and Fair Share plan consistent with the requirements of the Settlement Agreement, and;

WHEREAS, the Borough received its Amended Final Judgment of Compliance and Repose on December 4, 2018, memorializing the Settlement Agreement, and;

WHEREAS, the Borough has prepared a monitoring report attached to this resolution as Exhibit 1, which is consistent with the requirements of paragraph 17 of the Settlement Agreement;

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 Bernardsville Mayor and Council hereby approve the monitoring report and;
2. The Bernardsville Mayor and Council direct the Borough Clerk to submit the monitoring report to Fair Share Housing Center and place same on the Borough's website in an appropriate location.

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 on October 28, 2019.

Bernardsville Borough, Somerset County

Project/Unit Monitoring - October 24, 2019 (Page 1)

Site / Program Name	Regional Contribution Agreements					Somerset County Rehabilitation Program					Bernardsville Home Improvement Program					Rolling Hills at Bernardsville					Pine Ridge Townhomes				
Project Type	RCA					Housing Rehabilitation Program					Housing Rehabilitation Program					100% Affordable Family Sale					100% Affordable Family Sale				
Block & Lot / Street	NA					B: 115 / L 4 (Liberty Road)					T.B.D.					B: 125 / L: 27.31-27.45 Blazure Drive & Fox Hollow Trail					B: 114 / L: 1.101-1.126 Bernards Ave & Pine Street				
Status	Completed					Completed					Under Construction					Completed					Completed				
Date	Substantive Certification granted 12/6/95					12/28/2011					NA					Last CO issued 3/12/1998					Last CO issued 7/11/96				
Length of Affordability Controls	0 Years					10 Years					10 Years					30 Years					30 Years				
Administrative Agent	N/A					T.B.D.					CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512, (609) 664-2769, https://www.affordablehomesnewjersey.com/					CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512, (609) 664-2769, https://www.affordablehomesnewjersey.com/					CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512, (609) 664-2769, https://www.affordablehomesnewjersey.com/				
Contribution	77					N/A					N/A					N/A					N/A				
Type of Units	RCA					Housing Rehabilitation Program					Housing Rehabilitation Program					Family Sale					Family Sale				
Total Affordable Units	0					0					0					15					26				
Units Notes	RCA includes 41 units to New Brunswick and 36 units to Perth Amboy.										Bernardsville Borough to complete 14 units by 2025.										Six (6) units to have their controls extended, being 15-01, 05, 06, 07, 08, and 24 Pine Street.				
Income/Bedroom Distribution	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4
Very-Low-Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Low-Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	4	2	-	-	3	8	2	-
Moderate-Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	3	2	-	-	3	8	2	-

Bernardsville Borough, Somerset County

Project/Unit Monitoring - October 24, 2019 (Page 2)

Site / Program Name	210 N. Finley Avenue	Mine Brook Road	Pine Street II	7 Childs Road	Conti Site															
Project Type	100% Affordable Age Restricted Rental	100% Affordable Family Rental	100% Affordable Family Rental	100% Affordable Family Rental	100% Affordable Special Needs Rental															
Block & Lot / Street	B: 125 / L: 25 N. Finley Ave	B: 80 / L: 15.38 Mine Brook Road	B: 115 / L: 1 & 2 Pine Street	B: 62 / L: 2 Childs Rd	Claremont Rd															
Status	Proposed/Zoned	Proposed/Zoned	Proposed/Zoned	Proposed/Zoned	Under Construction															
Date	NA	NA	NA	NA	T.B.D.															
Length of Affordability Controls	30 Years	30 Years	30 Years	30 Years	30 Years															
Administrative Agent	RPM Development Group, 77 Park Street, Montclair, NJ 07042, (973) 744-5410, http://www.rpmdev.com/	RPM Development Group, 77 Park Street, Montclair, NJ 07042, (973) 744-5410, http://www.rpmdev.com/	RPM Development Group, 77 Park Street, Montclair, NJ 07042, (973) 744-5410, http://www.rpmdev.com/	CGP&H, LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512, (609) 664-2769, https://www.affordablehomesnewjersey.com/	Midland Adult Services, 94 Readington Rd PO Box 5026, North Branch, NJ 08876, (908) 722-8222, midlandschool.org															
Contribution	N/A	N/A	N/A	N/A	N/A															
Type of Units	Age Restricted Rental	Family Rental	Family Rental	Family Rental	Special Needs Rental															
Total Affordable Units	40	16	8	6	4															
Units Notes	Part of scattered site project. Project is to be funded by LIHTC and is exempt from UHAC. Exact income and bedroom distribution to be finalized.	Part of scattered site project. Project is to be funded by LIHTC and is exempt from UHAC. Exact income and bedroom distribution to be finalized.	Part of scattered site project. Project is to be funded by LIHTC and is exempt from UHAC. Exact income and bedroom distribution to be finalized.	Exact income and bedroom distribution to be finalized.	Group home purchased and under development on Claremont Rd.															
Income/Bedroom Distribution	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4
Very-Low-Income	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	4	-	-
Low-Income	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-
Moderate-Income	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-	-	-	-	-

