

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
October 12, 2021 – 7:00 p.m.

1. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member John Donahue
Council Member Jeffrey Hammond
Council Member Matthew Marino
Council Member Jena McCredie
Council Member Chad McQueen
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 24, 2020.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

4A. Concord Energy Services - Community Energy Aggregation Program

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)

Spoken comments will be limited to three minutes per speaker.

Mayor to open public hearing on Ordinance #2021-1894, **AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES AND SUPPLEMENTING AND AMENDING ARTICLE 12 OF THE BOROUGH LAND USE REGULATIONS ENTITLED “ZONING”**

Mayor to close public hearing

I move to pass Ordinance #2021-1894 on final reading and adopt as published:

Second:
Roll call vote:

Mayor to open public hearing on Ordinance #2021-1897, **AMENDING CHAPTER 4 OF THE BOROUGH CODE ENTITLED “GENERAL LICENSING” BY REPEALING SECTION 4-3 ENTITLED “AUTOMATIC COIN OR ELECTRONIC AMUSEMENT DEVICES”**

Mayor to close public hearing

I move to pass Ordinance #2021-1897 on final reading and adopt as published:

Second:
Roll call vote:

ORDINANCES (Introduction)

I move that Ordinance #2021-1898, **AN ORDINANCE APPROPRIATING \$250,000 FROM THE BOROUGH OPEN SPACE TRUST FUND FOR IMPROVEMENTS TO MUNICIPAL OPEN SPACE PROPERTIES IN ACCORDANCE WITH THE OPEN SPACE & RECREATION MASTER PLAN**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, October 25, 2021.

Second:
Voice Vote:

I move that Ordinance #2021-1899, **SALARY ORDINANCE FOR BOROUGH DISPATCHERS WHO ARE MEMBERS OF THE IBEW, LOCAL 1158**, be introduced by title, passed on first reading, published according to law, and that a public hearing be scheduled for a meeting beginning at 7:00 p.m., Monday, October 25, 2021.

Second:
Voice Vote:

6B. RESOLUTIONS

- #21-211 AUTHORIZING PAYMENT OF BILLS**
- #21-212 AUTHORIZING REFUND OF OVERPAYMENT OF 2018 & 2019 TAXES TAX COURT OF NJ APPEAL 191 MINE MOUNT ROAD**
- #21-213 AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH VAN CLEEF ENGINEERING TO ASSIST WITH QUIET ZONE ENGINEERING**
- #21-214 AUTHORIZING THE BOROUGH ENGINEER TO ENGINEER PICKLEBALL COURTS AT SENEY DRIVE**

- #21-215 RATIFYING THE MEMORANDUM OF AGREEMENT FOR THE LOCAL 1158 (DISPATCHER BARGAINING UNIT) CONTRACT FOR 2020 AND 2021**
- #21-216 AUTHORIZING RETURN OF STREET OPENING PERMIT ESCROW TO SANDRA WHELAN AT 39 SYCAMORE HILL ROAD**
- #21-217 APPOINTING A NIMS COMPLIANCE OFFICER**
- #21-218 REAFFIRMING THE DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE BOROUGH OF BERNARDSVILLE**
- #21-219 AWARDING A CONTRACT FOR 2021-2022 MUNICIPAL PARKING LOT SNOW PLOWING AND SIDEWALK CLEARING**
- #21-220 APPROVING LICENSE AGREEMENT WITH DOWNTOWN BERNARDSVILLE ALLOWING IT TO USE THE SPARE OFFICE AT THE BOROUGH RECREATION DEPARTMENT FOR A NOMINAL CONSIDERATION**

I move to adopt Resolutions #21-211 to #21-220

Second:

Roll call vote:

- 6C. Mayor's Update
- 6D. Administrator's Update
- 6E. School of St. Elizabeth Shamrock Shuffle 5K
- 6F. Correspondence
- 6G. Unfinished Business
- 6H. New Business

7. **CLOSED SESSION**

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

Attorney/Client Privilege

(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**

101221ag

BOROUGH OF BERNARDSVILLE

ORDINANCE #21-1894

AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES AND SUPPLEMENTING AND AMENDING ARTICLE 12 OF THE BOROUGH LAND USE REGULATIONS ENTITLED “ZONING”

***STATEMENT OF PURPOSE:** This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Borough.*

WHEREAS, supporting the transition to electric vehicles contributes to Borough of Bernardsville's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Borough of Bernardsville encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of Borough of Bernardsville adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of the Master Plan as well as the land use and circulation elements of the Master Plan; and

WHEREAS, the Borough of Bernardsville encourages greater ownership and use of electric vehicles, thus the Borough of Bernardsville is amending the Borough Land development Regulations to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

NOW, THEREFORE, BE IT ORDAINED, by the *Council* of the **Borough of Bernardsville**, County of **Somerset**, State of New Jersey that Article 12 of the Borough Land Use regulations entitled “Zoning” is hereby supplemented and amended as follows::

Section 1. Section 12-23 entitled “Supplementary regulations” is supplemented and amended by adding a new subsection 12-23.24 entitled “Electric Vehicle Supply/Service Equipment” which reads as follows:

12-23.4. ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT

A. Purpose

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State’s transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.

3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station." ***{Note: Definition is directly from legislation and cannot be changed.}***

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.). ***{Note: Definition is directly from legislation and cannot be changed.}***

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Borough Zoning Officer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of Borough of Bernardsville's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.

6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 - f. Notwithstanding the provisions of Section E above, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

{Note: Section E of the model ordinance is mandatory and may not be altered. }

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces in that zone.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.

4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:
 - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
 - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
 - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
 - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
3. EVSE Parking:
 - a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. ***{Note: The use of time limits is optional and shall be determined by the owner.}***
 - b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
 - c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or

- standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions set forth in Section 1-5 of the Borough Code. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the Borough's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to

- interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Borough shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitting at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. For publicly-accessible municipal EVSE In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be established by resolution adopted by the governing body.
- b. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

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

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

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

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

1st Reading and Introduction:

1st Publication:

**BERNARDSVILLE BOROUGH
ORDINANCE 2021-1897**

**AMENDING CHAPTER 4 OF THE BOROUGH CODE ENTITLED “GENERAL
LICENSING” BY REPEALING SECTION 4-3 ENTITLED “AUTOMATIC COIN OR
ELECTRONIC AMUSEMENT DEVICES”**

BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 4 of the Borough Code Entitled “General Licensing” is hereby amended as follows:

Section 1. Section 4-3 entitled “Automatic Coin or Electronic Amusement Devices” is hereby repealed in its entirety.

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

**BERNARDSVILLE BOROUGH
ORDINANCE #2021-1898**

AN ORDINANCE APPROPRIATING \$250,000 FROM THE BOROUGH OPEN SPACE TRUST FUND FOR IMPROVEMENTS TO MUNICIPAL OPEN SPACE PROPERTIES IN ACCORDANCE WITH THE OPEN SPACE & RECREATION MASTER PLAN

WHEREAS, 20% of Open Space Trust Fund moneys acquired prior to 2020, and 100% of the Borough's Open Space Trust Fund moneys acquired from 2020 forward, may be used for the development of lands acquired for recreation and conservation purposes; and

WHEREAS, "development" was defined in the 2008 public question to mean:

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

WHEREAS, the Borough has contracted with Brandstetter Carol for the development of a Open Space and Recreation Master Plan which has identified the priorities of Borough residents as well as the Open Space areas most in need of improvement and/or development; and;

WHEREAS, it is the desire of the Borough Council to utilize available funds within the Open Space Trust to accomplish these projects; and;

WHEREAS, the desired use of funds include, but are not limited to, engineering & design services, snack shack & bathrooms at the turf field, trail development & planning, lighting improvements, parking improvements, the development of a pickle ball court, resurfacing of Borough fields, park improvements, and other minor projects as listed in the Recreation & Open Space Master Plan; and;

WHEREAS, the Borough has deemed these projects to be necessary and/or valuable developments to its open space inventory,

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

Section 1. Two Hundred Fifty Thousand (\$250,000) dollars is hereby appropriated from the Borough Open Space Trust fund to fund the developments described above.

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 of 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: _____

First Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

ORDINANCE #2021-1899
SALARY ORDINANCE FOR BOROUGH DISPATCHERS
WHO ARE MEMBERS OF THE IBEW., LOCAL 1158

BE IT ORDAINED by the Mayor and Council of the Borough of Bernardsville, County of Somerset and State of New Jersey, that pursuant to a collective bargaining agreement, the annual base salary (not including overtime) for members of the I.B.E.W, Local 1158, for the period January 1, 2020 through December 31, 2021, is as follows:

STEPS	2019	2020	2021
1	\$44,263.00	\$45,369.58	\$46,276.97
2	\$47,245.00	\$48,426.13	\$49,394.65
3	\$49,092.00	\$50,319.30	\$51,325.69
4	\$50,936.00	\$52,209.40	\$53,253.59
5	\$52,783.00	\$54,102.58	\$55,184.63
6	\$54,762.00	\$56,131.05	\$57,253.67
7	\$56,816.00	\$58,236.40	\$59,401.13
8	\$58,946.00	\$60,419.65	\$61,628.04

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect twenty days after final passage and publication, according to law. Salary increases shall be retroactive to January 1, 2020.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

First Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

RESOLUTION 21-211

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	183.75
04 Escrow	\$	3,353.37
06 Outside Employment	\$	20,641.16
10 Current Fund	\$	525,595.19
19 Other Trusts	\$	3,325.84
20 Payroll	\$	245,702.72
33 Capital Fund	\$	192,931.98
40 Sewer Utility Fund	\$	49,264.74
55 Sewer Capital	\$	-
70 COAH Trust	\$	975.00
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	19.50
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	896.25
TOTAL	\$	1,042,889.50

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 12, 2021.

Anthony Suriano
Borough Clerk

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
2289	4213 - SHERRIE CALISH	PO 109552 PROGRAM COORDINATOR SALARY - SEPT 2021*		183.75	
	01-G21-0110-0368	2021 MUNICIPAL ALLIANCE (21/22) - OTHER	183.75		183.75
	TOTAL				----- 183.75
Total to be paid from Fund 01 STATE & FEDERAL GRANTS			183.75		
			<u>183.75</u>		
			183.75		

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
2582	7063 - BOSWELL ENGINEERING, INC	PO 109540 BOA Consulting Water Systems Engineer		868.00	
	04-280-4013-0103	DISBURSEMENTS - BOA# 20-01 - NJAW - B5,	868.00		868.00
2583	6386 - BURGIS ASSOCIATES, INC	PO 109488 PB Planner contract & application servic		112.50	
	04-280-5003-0103	DISBURSEMENTS - PB#235 - DELLO RUSSO-GROF - B	112.50		
		PO 109541 BOA Planner contract & application servi		37.50	
	04-280-4013-0103	DISBURSEMENTS - BOA# 20-01 - NJAW - B5,	37.50		150.00
2584	1307 - FERRIERO ENGINEERING, INC	PO 109486 BOA Engineer contract & application serv		1,495.37	
	04-280-4014-0103	DISBURSEMENTS - BOA #20-02 - BV TWO - B1	70.00		
	04-280-4021-0103	DISBURSEMENTS - BOA#20-09 - SHCC-PATIO -	267.24		
	04-280-4025-0103	DISBURSEMENTS - BOA#21-04 - PHILLIPS - BLOCK	178.13		
	04-280-4026-0103	DISBURSEMENTS - BOA #21-05 - SHAVER - B28, L4	35.00		
	04-280-4028-0103	DISBURSEMENTS - BOA#21-07 - SCOTT - B6, LOT 1	315.00		
	04-280-4029-0103	DISBURSEMENTS - BOA#21-08 - INCARNATO - B46,	315.00		
	04-280-4030-0103	DISBURSEMENTS - BOA#21-09 - LIOI - B42, LOT 6	315.00		
		PO 109487 PB Engineer contract & application servi		175.00	
	04-280-5002-0103	DISBURSEMENTS - PB #SP-235 - NEW CINGULAR WIR	175.00		
		PO 109542 BOA Engineer contract & application serv		665.00	
	04-280-4013-0103	DISBURSEMENTS - BOA# 20-01 - NJAW - B5,	665.00		2,335.37
TOTAL					3,353.37
Total to be paid from Fund 04 ESCROW		3,353.37			
		<u>3,353.37</u>			

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

From 09/17/2021 to 10/02/2021

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/17/2021	2682		6225		PAYROLL ACCOUNT		10,946.52	06-101-0100-2000
				06-285-0600-2044	DOWNTOWN BERNARDSVILLE	2,096.88		
				06-285-0600-1017	CRJ	8,849.64		
9/27/2021	2811	109407	9	06-285-0600-2045	REFUND OF POLICE ESCROW FEES - RESOLUTION 2 CHIRAG & PRITI PATEL	424.48	424.48	06-101-0100-2000
10/01/2021	2829		6226		PAYROLL ACCOUNT		9,270.16	06-101-0100-2000
				06-285-0600-1017	CRJ	9,270.16		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
06-101-0100-2000	CASH - POLICE O/S DUTY				20,641.16
06-285-0600-1017	CRJ CONST. CO.		18,119.80		
06-285-0600-2044	DOWNTOWN BERNARDSVILLE INC		2,096.88		
06-285-0600-2045	PATEL, PRIVATE PARTY		424.48		
TOTALS (FOR RANGE):					20,641.16

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
62218	5098 - AA CHEMDRY OF NORTH JERSEY 10-C00-0145-0225	PO 107534 Borough Hall Carpet Cleaning BUILD. & GROUNDS - CLEANING SERVICES	686.78	686.78	686.78
62219	6311 - ACTION DATA SERVICES 10-C00-0110-0205	PO 109515 PAYROLL INVOICE PERIOD END DATE 9/11/21* FINANCE DEPT. - GENERAL EXPENSE	426.88	426.88	426.88
62220	1806 - ALLIED OIL LLC (CORP) 10-C00-0315-0220	PO 109347 GASOLINE - SEPT 2021 (ESTIMATE) GASOLINE - PREMIUM GAS	2,758.80	2,758.80	2,758.80
62221	5263 - ALPHA DOG SOLUTIONS, INC 10-C00-0112-0207	PO 108777 BOROUGH WEBSITE - JULY- DEC 2021 TECH.INF.SYSTEM - BOROUGH WEBSITE	1,420.00	1,420.00	1,420.00
62222	6063 - AMERICAN WEAR, INC 10-C00-0220-0206	PO 108027 ROAD DEPT UNIFORM CLEANING MAR-DEC 2021 STREETS & ROADS - UNIFORMS	569.20	569.20	569.20
62223	6063 - AMERICAN WEAR, INC 10-C00-0145-0225 10-C00-0145-0255	PO 109391 2021 Cleaning Walkoff Rugs and Uniforms BUILD. & GROUNDS - CLEANING SERVICES BUILD. & GROUNDS - CLOTHING	42.00 47.52	89.52	89.52
62224	5293 - ANCHOR RUBBER STAMP&PRINTING CO,INC 10-C00-0102-0205	PO 109485 Notary seal and stamp for Cindy Beringer MUNICIPAL CLERK-GEN. EXPENSE	34.45	34.45	34.45
62225	5595 - ANIMAL CONTROL SOLUTIONS, LLC 10-C00-0260-0204	PO 107498 24 HOUR ANIMAL CONTROL COVERAGE - 2021 ANIMAL CONTROL - MISCELLANEOUS	1,500.00	1,500.00	1,500.00
62226	50 - ANJEC 10-C00-0165-0202	PO 109492 ANJEC 2022 MEMBERSHIP DUES* ENVIRON. COMM. - DUES & SUBSCR	100.00	100.00	100.00
62227	4351 - APRUZZESE,McDERMOTT,MASTRO&MURPHY 10-C00-0101-0205	PO 109040 JULY-DEC 2021 GENERAL LABOR SERVICES - A HUMAN RESOURCES - GEN. EXPENSE	2,009.50	2,009.50	2,009.50
62228	239 - BERNARDS TOWNSHIP 10-C00-0250-0225	PO 109560 4TH Quarter 2021 Health Services Contra BOARD OF HEALTH - CONTRACT	23,236.58	23,236.58	23,236.58
62229	2873 - BERNARDSVILLE CAR WASH 10-C00-0246-0206	PO 109285 CAR WASH TICKETS VEHICLE MAINT. - POLICE	594.00	594.00	594.00
62230	4333 - BERNARDSVILLE HARDWARE 10-C00-0220-0205 10-C00-0145-0201	PO 109561 SEPT 2021* STREETS & ROADS - GEN. EXPENSE BUILD. & GROUNDS - BLD SUPPLY	136.60 603.52	740.12	740.12
62231	104 - BERNARDSVILLE PRINT CENTER 10-C00-0272-0214	PO 109472 Mayors Wellness Poster's RECREATION - EVENTS & ACTIVITIES	50.00	50.00	50.00
62232	6386 - BURGIS ASSOCIATES, INC 10-C00-0150-0221	PO 109488 PB Planner contract & application servic PLANNING BOARD - PLANNER	225.00	225.00	225.00
62233	6679 - CERTIFIED LABORATORIES 10-C00-0220-0205	PO 109523 Shop supplies grease STREETS & ROADS - GEN. EXPENSE	931.95	931.95	931.95
62234	4239 - COMCAST 10-C00-0305-0215	PO 109496 XFINITY TV & INTERNET - ACCT# 849905289 TELEPHONE - PHONE BILLS	203.40	203.40	203.40

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
62235	4239 - COMCAST 10-C00-0305-0215	TELEPHONE - PHONE BILLS	PO 109497 XFINITY TV & INTERNET - ACCT#84990528900 10.36	10.36	10.36
62236	4239 - COMCAST 10-C00-0305-0215	TELEPHONE - PHONE BILLS	PO 109498 XFINITY ACCOUNT 8499052890036488 - 9/18/ 32.17	32.17	32.17
62237	4239 - COMCAST 10-C00-0305-0215	TELEPHONE - PHONE BILLS	PO 109504 XFINITY TV & INTERNET - ACCT#84990528900 14.00	14.00	14.00
62238	386 - DELTA DENTAL OF NEW JERSEY, INC 10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	PO 109548 9/1-9/31/21 DENTAL BENEFITS PAYMENT INV 2,582.59	2,582.59	2,582.59
62239	6997 - DIRECT ENERGY 10-C00-0320-0225	GAS - NATURAL	PO 109532 SENEY DR ACCT# 1706060 44.90	44.90	44.90
62240	5570 - EMR POWER SYSTEMS,LLC 10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	PO 109490 Generator Service Check - Borough Hall G 105.00	105.00	105.00
62241	1307 - FERRIERO ENGINEERING,INC 10-C00-0150-0220	PLANNING BOARD - ENGINEER	PO 109487 PB Engineer contract & application servi 140.00	140.00	140.00
62242	2487 - FLAGSHIP HEALTH SYSTEMS INC 10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	PO 109547 SEPT 2021 DENTAL BENEFITS PAYMENT INV D 127.95	127.95	127.95
62243	83 - FOLEY,INCORPORATED 10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	PO 109535 Sock mounts+belt [compacter] 97.72	97.72	97.72
62244	2933 - GLENN MILLER ELECTRICAL CONTRACTING 10-C00-0145-0228	BUILD. & GROUNDS - LIBRARY MAINT.	PO 109536 Troubleshoot and Fix Lighting in Library 430.00	430.00	430.00
62245	5718 - GOOGLE INC 10-C00-0100-0210 10-C00-0195-0232	ADMIN. & EXEC. - COMPUTER EXP. POLICE - IT EXPENSES	PO 109546 GOOGLE APPS - E-MAIL SERVICE - OCT 2021* 313.28 78.32	391.60	391.60
62246	7006 - INTERSTATE WASTE SERVICES OF NJ 10-C00-0145-0248	BUILD. & GROUNDS - SOLID WASTE REMOVAL	PO 109372 Garbage Disposal - Street Cans, Library 985.84	985.84	985.84
62247	87 - JCP&L 10-C00-0310-0220	ELECTRICITY - BILLS	PO 109525 JCP&L 8/22-9/20/21* 21.50	21.50	21.50
62248	87 - JCP&L 10-C00-0310-0220 10-C00-0145-0231	ELECTRICITY - BILLS BUILD. & GROUNDS - LIBRARY TENANTS EXP.	PO 109526 JCP&L 8/20-9/19/21* 277.84 37.78	315.62	315.62
62249	87 - JCP&L 10-C00-0225-0202 10-C00-0310-0220	STREET LIGHTING ELECTRICITY - BILLS	PO 109528 JCP&L 8/21-9/19/21* 7.22 779.98	787.20	787.20
62250	26 - JOHN MACDOWALL 10-C00-0145-0250	BUILD. & GROUNDS - TRAIN STATION	PO 109502 Reimbursement for Payment of Fire Permit 55.58	55.58	55.58

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
62251	6247 - JOY AUTO PARTS 10-C00-0246-0206	VEHICLE MAINT. - POLICE	PO 109202 OPEN P.O. FOR POLICE VEHICLE PARTS 340.90	340.90	340.90
62252	832 - KEN-RENT PARTY & TENT RENTAL 10-C00-0272-0213	RECREATION - NEW PROGRAMS	PO 109519 Tables and Chairs for Event 9/18 336.00	336.00	336.00
62253	7173 - LAURA GUTIERREZ 10-192-0810-7001	RECREATION FEES	PO 109476 REFUND - ENCORE CAMP 230.00	230.00	230.00
62254	358 - LUDLOW HEATING & COOLING CO. 10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	PO 109508 Service AC Units at Police HQ - Borough 766.39	766.39	766.39
62255	4349 - MAPLECREST FORD 10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	PO 109510 INV. 42211 + 42212 524.42	524.42	524.42
62256	322 - MGL FORMS PRINTING SOLUTIONS,LLC 10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE	PO 109402 PURCHASE ORDER FORMS - 1 PART (WHITE ONL 1,116.00	1,116.00	1,116.00
62257	98 - MJ NEILL, INC 10-C00-0315-0230	GASOLINE - DIESEL	PO 109551 DIESEL USAGE - SEPT 2021* 1,034.32	1,034.32	1,034.32
62258	57 - NJ AMERICAN WATER CO. 10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	PO 109521 NJ American Water 8/10-9/9/21* 920.50	920.50	920.50
62259	57 - NJ AMERICAN WATER CO. 10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	PO 109559 NJ AMERICAN WATER - 9/11/20-10/11/21* 983.72	983.72	983.72
62260	4680 - NJ HOUSING AND MORTGAGE FINANCE AGE 10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.	PO 109107 Mary Jane Canose attending Seminar 75.00	75.00	75.00
62261	4963 - PAYPHONE OPERATIONS INC 10-C00-0305-0215	TELEPHONE - PHONE BILLS	PO 107594 2021 CHARGES FOR PAYPHONE #917-406-1614 150.00	150.00	150.00
62262	895 - PIDGEON AND PIDGEON,P.C. 10-C00-0135-0215	LEGAL SERVICES - BORO ATTORNEY	PO 109358 SEPT 2021 LEGAL SERVICES 9,043.00	9,043.00	9,043.00
62263	5749 - POWER PLACE INC 10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	PO 109511 INV. 1015146 Bolts 37.60	37.60	37.60
62264	6042 - PSE&G 10-C00-0320-0225	GAS - NATURAL	PO 109554 PSE&G 8/26-9/24/21* 200.42	200.42	200.42
62265	6337 - R. MADDALUNA CONSTRUCTION, LLC 10-C00-0140-0205	ENGINEERING - GENERAL EXPENSES	PO 109345 Addition of Storm Basin to address flood 5,450.00	5,450.00	5,450.00
62266	31 - RECORDER PUBLISHING CO 10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	PO 109509 LEGAL NOTICES 9/16/21 BERNARDSVILLE NEWS 116.28	116.28	
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	PO 109529 LEGAL NOTICES 9/23/21 BERNARDSVILLE NEWS 20.91	20.91	
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	PO 109533 LEGAL NOTICES 9/16/21 BERNARDSVILLE NEWS 292.80	292.80	

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
10-C00-0220-0202	STREETS & ROADS - DUES & SUBSC		272.91		
10-C00-0155-0202	BOARD OF ADJ. - DUES & SUBSC.		19.89		
		PO 109555 LEGAL NOTICES 9/30/21 BERNARDSVILLE NEWS		126.12	
10-C00-0102-0205	MUNICIPAL CLERK-GEN. EXPENSE		126.12		556.11
62267	4955 - REEGS, INC	PO 109491 Leafer battery		107.95	
10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS		107.95		107.95
62268	3499 - RICHIE'S TIRE SERVICE INC	PO 109522 Tires for Tk.#115 and install		2,275.20	
10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE		2,275.20		2,275.20
62269	180 - SAFETY-KLEEN SYSTEMS INC	PO 109527 Parts cleaner		323.52	
10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE		323.52		323.52
62270	4961 - SAKOUTIS BROTHERS DISPOSAL	PO 108569 Garbage Container Removal and Disposal -		1,660.00	
10-C00-0235-0213	LANDFILL - DISPOSAL OF WASTE		1,660.00		1,660.00
62271	397 - SELECTIVE FLOOD	PO 109505 FLOOD INSURANCE - BORO 11/18/21-11/17/22		7,161.00	
10-C00-0170-0220	LIABILITY INSURANCE		7,161.00		7,161.00
62272	123 - SOMERSET GRAIN & FEED	PO 109565 mulch hay		20.00	
10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE		20.00		20.00
62273	6303 - SYNCE/AMAZON	PO 109501 WEBCAM FOR RON SALKO		12.99	
10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE		12.99		
		PO 109545 STIX GREEN SPOON		26.10	
10-C00-0165-0204	ENVIRON. COMM. - MISCELLANEOUS		26.10		39.09
62274	5223 - TINA MARKEWICZ	PO 109517 MILEAGE 2ND AND 3RD QTR 2021		61.60	
10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE		61.60		61.60
62275	7180 - VALERIE HOFER, ESQ TRUST ACCOUNT	PO 109524 REFUND - 2018 & 2019 PROPERTY TAXES - ST		4,388.90	
10-205-5500-0001	TAX OVERPAYMENTS		4,388.90		4,388.90
62276	61 - VERIZON	PO 109513 TELEPHONE BILLS SEPT 20- OCT 19, 2021*		2,956.87	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		2,956.87		2,956.87
62277	3488 - VERIZON	PO 109514 FIOS - ACCT# 554-658-975-0001-21 -8/21/2		169.00	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		169.00		169.00
62278	61 - VERIZON	PO 109549 908-204-3475 347 38Y - TRAIN STATION FIR		77.71	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		77.71		77.71
62279	868 - VIKING PEST CONTROL	PO 107533 Monthly Pest Control and Carpenter Ant T		148.13	
10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.		148.13		
		PO 109563 Pest Service at Pool		206.07	
10-C00-0272-0203	RECREATION - GENERAL EXPENSES		206.07		354.20
62280	5318 - W.B.MASON CO,INC	PO 109493 COPY PAPER		231.77	
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		199.96		
10-C00-0110-0201	FINANCE DEPT - OFFICE SUPPLIES		31.81		
		PO 109495 N95		51.72	
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		47.94		

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
10-C00-0110-0201	FINANCE DEPT - OFFICE SUPPLIES		3.78		283.49
62281	4682 - WINDSTREAM	PO 109553 SEPT 2021 PHONE CHARGES* INV DATE 9/27/2		879.76	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		879.76		879.76
62282	4945 - WURTH USA INC	PO 109518 Inv. 97147434 shop supplies		404.53	
10-C00-0220-0224	STREETS & ROADS - SUPPLIES		404.53		404.53
62283	5901 - Y-PERS, INC	PO 109418 UNIFORMS		197.00	
10-C00-0220-0206	STREETS & ROADS - UNIFORMS		197.00		197.00
TOTAL					84,842.41
Total to be paid from Fund 10 CURRENT FUND		84,842.41			
		84,842.41			

Checks Previously Disbursed

10791	SPHERE COMMERCE	PARKING METER FEES	60.89	10/02/2021
10792	PAYROLL ACCOUNT	CASH- CURRENT - 10/1/21	224,248.08	10/01/2021
10790	PAYROLL ACCOUNT	CASH- CURRENT - 9/17/21	216,443.81	9/17/2021
			440,752.78	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	440,752.78	84,842.41	525,595.19
BILLS LIST TOTALS	440,752.78	84,842.41	525,595.19

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
383	5595 - ANIMAL CONTROL SOLUTIONS, LLC 19-285-0500-3001 RESERVE FOR ANIMAL CONTROL	PO 109558 CAT REMOVAL	115.00	115.00	115.00
384	650 - NJ DEPT OF HEALTH & SENIOR SRVS. 19-285-0500-3002 DUE TO STATE - ANIMAL CONTROL	PO 109494 AUGUST 2021 Monthly Dog Report	3.60	3.60	3.60
TOTAL					118.60
Total to be paid from Fund 19 OTHER TRUSTS		118.60			
		<u>118.60</u>			

Checks Previously Disbursed

19177	PAYROLL ACCOUNT	PAYROLL - ACCUMULATED ABSENCES - L	3,207.24	10/01/2021

			3,207.24	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 19 OTHER TRUSTS	3,207.24	118.60	3,325.84
BILLS LIST TOTALS	3,207.24	118.60	<u>3,325.84</u>

Disbursements Journal - (20) PAYROLL AGENCY

From 10/01/2021 to 10/31/2021

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/01/2021	2831		20746		ACTION DATA SERVICES-PAYROLL		136.91	20-101-0100-2000
				20-280-5600-0850	NET PAYROLL	136.91		
10/01/2021	2832		20747		ACTION DATA SERVICES-PAYROLL		159,971.85	20-101-0100-2000
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT	159,971.85		
10/01/2021	2833		20748		ACTION DATA SERVICES-PAYROLL		85,593.96	20-101-0100-2000
				20-280-5600-0852	FEDERAL	25,079.72		
				20-280-5600-0853	FICA SS EE	8,732.71		
				20-280-5600-0854	MEDICARE EE	3,307.01		
				20-280-5600-0855	NJ STATE TAX	8,843.43		
				20-280-5600-0856	EMPLOYEE SUI/SDI	196.42		
				20-280-5600-0858	PA STATE TAX	19.59		
				20-280-5600-0870	PERS	9,322.76		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	568.79		
				20-280-5600-0872	PERS BACK DEDUCTION	539.07		
				20-280-5600-0901	EMPLOYER SS	8,732.71		
				20-280-5600-0902	MED EMPLOYER	3,307.01		
				20-280-5600-0903	EMPLOYER SUI	277.30		
				20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	426.92		
				20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	314.38		
				20-280-5600-0878	PFRS LOAN	924.56		
				20-280-5600-0877	PFRS	9,011.19		
				20-280-5600-0895	PBA DUES	320.00		
				20-280-5600-0893	DPW DUES	168.00		
				20-280-5600-0905	AFLAC POST TAX	27.89		
				20-280-5600-0906	AFLAC PRE TAX	105.45		
				20-280-5600-0871	PERS LOAN	615.67		
				20-280-5600-0898	GARNISHMENTS	50.61		
				20-280-5600-0890	DEFERRED COMP	3,734.63		
				20-280-5600-0899	VISION	393.14		
				20-280-5600-0875	PERS BACK CI	575.00		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - PAYROLL				245,702.72
20-280-5600-0850	NET PAYROLL PAYABLE			136.91	
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		25,079.72		
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		8,732.71		
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		3,307.01		
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		8,843.43		
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		196.42		
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		19.59		
20-280-5600-0870	PAYABLE - P.E.R.S.		9,322.76		
20-280-5600-0871	PAYABLE - P.E.R.S. LOAN		615.67		
20-280-5600-0872	PAYABLE - P.E.R.S. - BACK DEDUCTIONS		539.07		
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		568.79		
20-280-5600-0875	PAYABLE - P.E.R.S. - BACK C.I.		575.00		
20-280-5600-0877	PAYABLE - P.F.R.S.		9,011.19		
20-280-5600-0878	PAYABLE - P.F.R.S. - LOAN		924.56		
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		426.92		
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		314.38		

Disbursements Journal - (20) PAYROLL AGENCY

From 10/01/2021 to 10/31/2021

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN		3,734.63		
20-280-5600-0893	PAYABLE - DPW UNION DUES		168.00		
20-280-5600-0895	PAYABLE - PBA DUES		320.00		
20-280-5600-0898	PAYABLE-GARNISHMENT		50.61		
20-280-5600-0899	PAYABLE - VISION		393.14		
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		159,971.85		
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		8,732.71		
20-280-5600-0902	PAYROLL TAXES PAYABL MED		3,307.01		
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		277.30		
20-280-5600-0905	AFLAC POST TAX		27.89		
20-280-5600-0906	AFLAC PRE TAX		105.45		
TOTALS (FOR RANGE):			245,702.72		245,702.72
			=====		=====

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
6140	5582 - MIDWEST CONSTRUCTION, INC	PO 108856 Drainage Improvements and Reconstruction		192,931.98	
	33-215-2919-1002	2021-1874 - VARIOUS ROADS - GRANTS	192,931.98		192,931.98
	TOTAL				----- 192,931.98
Total to be paid from Fund 33 CAPITAL FUND		192,931.98			
		=====			
		192,931.98			

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
10366	6676 - ADAMSVILLE MAINTENANCE, INC 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 109186 SER Air Piping Repairs	12,360.00	12,360.00	12,360.00
10367	135 - ALLEN PAPER & SUPPLY CO 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 109516 Received 9/24/21	454.10	454.10	454.10
10368	4333 - BERNARDSVILLE HARDWARE 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 109561 SEPT 2021*	234.34	234.34	234.34
10369	386 - DELTA DENTAL OF NEW JERSEY, INC 40-C00-0101-0230 SEWER - GROUP INSURANCE	PO 109548 9/1-9/31/21 DENTAL BENEFITS PAYMENT INV	432.57	432.57	432.57
10370	5570 - EMR POWER SYSTEMS,LLC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 109444 Generator Failure Power Outage	1,274.61	1,274.61	1,274.61
10371	5570 - EMR POWER SYSTEMS,LLC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 109484 Quarterly Generator Service	735.00	735.00	735.00
10372	1619 - GARDEN STATE LABORATORIES INC 40-C00-0101-0215 SEWER - TESTING	PO 109489 August 2021 Service	990.00	990.00	990.00
10373	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 109530 NJ AMERICAN WATER - 8/11-9/12/21*	25.11	25.11	25.11
10374	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 109559 NJ AMERICAN WATER - 9/11/20-10/11/21*	5,574.40	5,574.40	5,574.40
10375	666 - RAPID PUMP & METER SERVICE CO,INC 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 109475 Technician to check new SER blower motor	502.14	502.14	502.14
10376	397 - SELECTIVE FLOOD 40-C00-0101-0239 SEWER - GENERAL INSURANCE	PO 109506 FLOOD INSURANCE SEWER PLANT 11/18/21-11/	7,161.00	7,161.00	7,161.00
TOTAL					29,743.27
Total to be paid from Fund 40 SEWER UTILITY FUND		29,743.27			
		<u>29,743.27</u>			

Checks Previously Disbursed

40371	PAYROLL ACCOUNT	PAYROLL - SEWER 10/1/21	19,521.47	10/01/2021

				19,521.47

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 40 SEWER UTILITY FUND	19,521.47	29,743.27	49,264.74

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
	BILLS LIST TOTALS	19,521.47	29,743.27		<u>49,264.74</u>

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
2159	895 - PIGEON AND PIGEON, P.C. 70-286-5685-4013 COAH - ADMINISTRATIVE COSTS	PO 109358 SEPT 2021 LEGAL SERVICES		975.00	975.00
	TOTAL				----- 975.00
Total to be paid from Fund 70 COAH TRUST			975.00		
			<u>975.00</u>		

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
2119	895 - PIDGEON AND PIDGEON, P.C.	PO 109358 SEPT 2021 LEGAL SERVICES		19.50	
	72-286-5685-3001	RESERVE FOR OPEN SPACE - AQUISITION	19.50		19.50
	TOTAL				----- 19.50
Total to be paid from Fund 72 OPEN SPACE TRUST			19.50		
			=====		
			19.50		

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

Meeting Date: 10/12/2021 For bills from 09/28/2021 to 10/06/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
298	6438 - ALEXANDRA RASMUSSEN 85-286-5685-4032 FUN N GAMES 85-286-0200-0002 DUE TO CURRENT - ADMIN FEES	PO 109477 REFUND - FUN N' GAMES CAMP (CANCELLED)		120.00	
			102.00		
			18.00		120.00
299	7174 - ERICA WASSERMAN 85-286-5685-4002 RECREATION TRUST-1ST-4TH USA SOCCER	PO 109478 REFUND - 3RD & 4TH GRADE SOCCER (\$190 LE		161.50	
			161.50		161.50
300	7175 - JENNIFER CARUSO 85-286-5685-4022 CREATIVE MOVEMENT	PO 109479 REFUND - PRESCHOOL CREATIVE MOVEMENT (\$6		51.00	
			51.00		51.00
301	6705 - JESSICA COLLINS 85-286-5685-4014 EXPLORATION SPORT 85-286-0200-0002 DUE TO CURRENT - ADMIN FEES	PO 109544 REFUND - EXPLORATION SPORT		170.00	
			130.00		
			40.00		170.00
302	7177 - LORI MORRIS 85-286-5685-4008 CYCLOCROSS - BIKE	PO 109481 REFUND - CYCLOCROSS (RACE CHANGED)		70.00	
			70.00		70.00
303	6879 - MEGAN KANE 85-286-5685-3003 RECREATION TRUST - TENNIS	PO 109500 REFUND - SPRING TENNIS (2 CLASSES)		45.00	
			45.00		45.00
304	7176 - MEGHAN SOELL 85-286-5685-4022 CREATIVE MOVEMENT	PO 109480 REFUND - K/1ST/2ND AFTER SCHOOL CREATIVE		51.00	
			51.00		51.00
305	7178 - ROBERT ABRAMSOM 85-286-5685-4008 CYCLOCROSS - BIKE	PO 109482 REFUND - CYCLOCROSS (RACE CHANGED)		70.00	
			70.00		70.00
306	6458 - SHARON GABRIELE 85-286-5685-4002 RECREATION TRUST-1ST-4TH USA SOCCER	PO 109543 REFUND - 3RD & 4TH GRADE SOCCER		137.75	
			137.75		137.75
	TOTAL				876.25
	Total to be paid from Fund 85 RECREATION TRUST	876.25			
		<u>876.25</u>			
		876.25			

Checks Previously Disbursed

85197	GATEWAY	CREDIT CARD FEES	20.00	10/02/2021

			20.00	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 85 RECREATION TRUST	20.00	876.25	896.25
BILLS LIST TOTALS	20.00	876.25	<u>896.25</u>

BOROUGH OF BERNARDSVILLE, NJ

RESOLUTION #21-212
AUTHORIZING REFUND OF OVERPAYMENT OF
2018 & 2019 TAXES
TAX COURT OF NJ APPEAL
191 MINE MOUNT ROAD

WHEREAS, the Tax Court of NJ has issued appeal judgments dated September 23, 2021 on Block 31, Lot 16, also known as 191 Mine Mount Road which has reduced the 2018 Assessed Value from 1,266,100 to 1,160,000 and the 2019 Assessed Value from 1,271,700 to 1,160,000 and;

WHEREAS, the Tax Collector has calculated the new tax figures for the 2018 tax year based on the adjusted assessed value and the 2018 tax rate of 1.991% to be \$23,095.60, a difference of \$2,112.45 and;

WHEREAS, the Tax Collector has calculated the new tax figures for the 2019 tax year based on the adjusted assessed value and the 2019 tax rate of 2.038% to be \$23,640.80, a difference of \$2,276.45 and;

WHEREAS, all 2018 & 2019 taxes, as originally billed prior to the appeal judgment, have been paid in full, causing an overpayment in the amount of \$4,388.90 and;

WHEREAS, per the stipulation of settlement, interest will be waived if refund is paid within 60 days from date of judgment;

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 tax overpayment

BLOCK, LOT & QUALIFIER	RECIPIENT	REFUND AMOUNT
Block 31, Lot 16	Valerie Hofer, Esq. Trust Account PO Box 787 Montville, NJ 07045	\$4,388.90

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 12, 2021.

RESOLUTION #21-213

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITH VAN CLEEF ENGINEERING FOR QUIET ZONE ENGINEERING**

WHEREAS, the Public Works Committee, recommends the need for Engineering Support in the Creation of a Quiet Zone at Meeker Road and Whitenack Road.

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

1. The Mayor and Clerk are hereby authorized to sign a Professional Services Agreement with Van Cleef Engineering for engineering services in support of the Quiet Zone at Whitenack Road Application and Meeker Road Application.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law.
3. The amount of this contract shall be for an amount not to exceed \$7,600.00

I, Leslie Roberson, 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 Engineering Consulting, Acct# 10-C00-0140-0215

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 12, 2021.

RESOLUTION #21-214

**AUTHORIZING THE BOROUGH ENGINEER TO ENGINEER PICKLEBALL
COURTS AT SENEY DRIVE**

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, to authorize the Borough Engineer to provide Engineering of the Pickleball Courts (3) and parking area at Seney Drive.

I, Leslie Roberson, 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 the Open Space Trust Fund.

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 September 27, 2021.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-215**

**RATIFYING THE MEMORANDUM OF AGREEMENT FOR THE
LOCAL 1158 (DISPATCHER BARGAINING UNIT) CONTRACT FOR 2020 AND 2021**

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville to approve the ratification of Local 1158 (Dispatcher Bargaining Unit) contract for 2020 and 2021 as noted on the attached Memorandum of Agreement.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held October 12, 2021.

MEMORANDUM OF AGREEMENT
BETWEEN
BOROUGH OF BERNARDSVILLE
AND
LOCAL 1158, IBEW
(DISPATCHER BARGAINING UNIT)

The representatives for the above-captioned parties hereby agree to recommend for ratification the following changes to the parties AGREEMENT:

- 1. Duration January 1, 2020 through December 31, 2021

- 2. Wages January 1, 2020 - 2.5% increase

 January 1, 2021 - 2% increase

For the Borough of Bernardsville:

_____ Date: _____

For Local 1158, IBEW (Dispatchers)

_____ Date: _____

RESOLUTION #21-216

**AUTHORIZING RETURN OF STREET OPENING PERMIT ESCROW
TO SANDRA WHELAN AT 39 SYCAMORE HILL ROAD**

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, to release \$1,500 escrow to Sandra Whelan, 39 Sycamore Hill Road, Bernardsville, NJ 07924 as discussed in a memo from the Public Works Manager dated October 6, 2021.

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 12, 2021.

RESOLUTION #21-217

APPOINTING A NIMS COMPLIANCE OFFICER

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that the appointment of the Borough Administrator or his designee as NIMS (National Incident Management System) Compliance Officer, effective immediately, is hereby approved.

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 12, 2021.

RESOLUTION #21-218

REAFFIRMING THE DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE BOROUGH OF BERNARDSVILLE

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the Boroughs ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes.

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the Borough, including current emergency management training programs;

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

WHEREAS, on August 16th, 2006, the Borough Council of the Borough of Bernardsville previously established the National Interagency Incident Management System (NIMS) as Bernardsville's standard for incident management by Resolution # 06-160;

WHEREAS, on May 16th, 2015 the Somerset County Board of Chosen Freeholders passed Resolution # R15-330 establishing the Somerset County NIMS Committee as the authorized agent to facilitate the implementation of the NIMS Program for the County of Somerset;

WHEREAS, Eligibility for federal preparedness grants shall be contingent upon compliance with any NJOEM directives issued pursuant State Executive Order, and lastly

WHEREAS, Executive Order #248 issued on July 20th, 2021 continues NIMS as the standard for incident management for all planned events and incidents in New Jersey.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, that the National Interagency Incident Management System (NIMS) shall continue as Bernardsville's standard for incident management as previously established by Resolution in 2006..

EXPLANATION STATEMENT

In 2005, Acting Governor Richard J. Codey issued Executive Order #50 adopting NIMS as the standard for all incidents and emergency response events in New Jersey, and prescribing particular training requirements for emergency response providers. On July 20th, 2021 Governor Phillip D. Murphy issued Executive Order 248 rescinding Executive Order #50, and continuing NIMS as the standard for incident management for all planned events and incidents in New Jersey.

EO #248 also authorizes the NJOEM to issue a comprehensive emergency management directive that includes the establishment of minimum requirements and qualifications for NIMS-compliant trainings for emergency response providers, other personnel, and government officials as required by FEMA's NIMS training program. In addition to the training, EO #248 also authorizes all State, county, and municipal agencies to issue such directives, administrative orders, regulations and other guidance as may be necessary to mandate the use of NIMS at all planned events and incidents by personnel within their subject areas of responsibility, in coordination and compliance with the directives of the State Director of Emergency Management. The Executive Order also directs all State, county, and municipal agencies to maintain compliance with federal emergency management training requirements and NJOEM directives. Eligibility for federal preparedness grants shall be contingent upon compliance with any NJOEM directives issued pursuant to this EO#248.

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 12, 2021.

RESOLUTION #21-219

**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 6, 2021.

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

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

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

I, Leslie Roberson, 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 12, 2021.

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

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

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

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

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

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

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

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

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

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

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

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body at a duly convened meeting held Tuesday, October 12, 2021.

Anthony Suriano, Clerk