

**BOROUGH OF BERNARDSVILLE**  
Mayor & Borough Council Meeting Agenda  
October 15, 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**

4A. Downtown Bernardsville Upcoming Events

4B. 2020 Census

**5. 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.

**6. ITEMS OF BUSINESS**

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

Mayor to continue public hearing from September 23, 2019 on Ordinance #2019-1807,  
**AN ORDINANCE AUTHORIZING INSTALLATION OF A SPEED HUMP ON  
WESLEY AVENUE AND SUPPLEMENTING AND AMENDING CHAPTER VII  
OF THE BOROUGH CODE ENTITLED “TRAFFIC”**

Mayor to close public hearing

I move to amend Ordinance #2019-1807 and continue the public hearing to October 28,  
2019 at 7:00pm:

Second:

Roll call vote:

Mayor to continue public hearing from September 23, 2019 on Ordinance #2019-1810,  
**AN ORDINANCE PROHIBITING MARIJUANA FACILITIES AND  
SUPPLEMENTING AND AMENDING SECTION 12 OF THE BOROUGH LAND  
USE ORDINANCE ENTITLED “ZONING”**

Mayor to close public hearing

I move to amend Ordinance #2019-1810 and continue the public hearing to October 28,  
2019 at 7:00pm:

Second:

Voice vote:

Mayor to open public hearing on Ordinance #2019-1819, **PROHIBITING VAPE  
SHOPS AND SUPPLEMENTING AND AMENDING SECTION 12 OF THE  
BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**

Mayor to close public hearing

I move to pass Ordinance #2019-1819 on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2019-1820, **RESTRICTING RETAIL  
ELECTRONIC SMOKING DEVICE ESTABLISHMENTS AND  
SUPPLEMENTING AND AMENDING CHAPTER III OF THE BOROUGH  
CODE ENTITLED “POLICE REGULATIONS”**

Mayor to close public hearing

I move to pass Ordinance #2019-1820 on final reading and adopt as published:

Second:

Roll call vote:

**ORDINANCES (for Introduction)**

I move that 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”**, 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 28, 2019.

Second:

Voice Vote:

I move that Ordinance #2019-1822, **CONCERNING BOROUGH SHADE TREE ORDINANCE AND SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED “TREE PROTECTION”**, 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 28, 2019.

Second:

Voice Vote:

**6B. RESOLUTIONS**

**#19-194 AUTHORIZING PAYMENT OF BILLS**

**#19-195 RESOLUTION TO CANCEL CERTAIN UNEXPENDED BALANCES OF CAPITAL ORDINANCES IN THE GENERAL CAPITAL FUND**

**#19-196 AUTHORIZATION OF TAX REFUND**

**#19-197 AWARDING A CONTRACT FOR REPLACEMENT OF LIBRARY FLAT ROOF AND HVAC PACKAGE UNITS**

**#19-198 ESTABLISHING PRELIMINARY PLANNING EXPENSES FOR QUIMBY LANE PROJECT – DOWNTOWN REVITALIZATION**

**#19-199 AWARDING CONTRACT FOR GARBAGE CONTAINER REMOVAL AND DISPOSAL**

- #19-200      ESTABLISHING FORMS FOR REQUESTING FUNDS AND  
APPLYING FOR GRANT FUNDS**
- #19-201      AUTHORIZING THE CLEAN UP OF 131 MOUNT HARMONY  
ROAD AND PLACING A LIEN ON THE PROPERTY TO COVER  
THE COST OF THE CLEAN UP**
- #19-202      RAISING SLEO III PAY RATE AND AMENDING CONTRACT  
WITH SOMERSET HILLS BOARD OF EDUCATION**
- #19-203      AUTHORIZING AND DIRECTING THE BOROUGH  
PLANNING BOARD TO CONDUCT A PRELIMINARY  
INVESTIGATION TO DETERMINE WHETHER CERTAIN  
PROPERTY IDENTIFIED AS BLOCK 70, LOTS 1, 2, 3, 4, 5,  
6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 AND 6.08; BLOCK 71,  
LOTS 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12, AND 13; BLOCK 98,  
LOT 1; BLOCK 124, LOT 1 AND BLOCK 144, LOT 1 AS  
SHOWN ON THE OFFICIAL TAX MAP OF THE  
BOROUGH CONSTITUTES A NON-CONDEMNATION  
AREA IN NEED OF REDEVELOPMENT PURSUANT TO  
THE LOCAL REDEVELOPMENT AND HOUSING LAW,  
*N.J.S.A. 40A:12A-1 ET SEQ.***

I move to adopt Resolutions #19-194 to #19-203:

Second:

Roll call vote:

- 6C.    Change of Zoning Line Request for Potential Subdivision of 42 Maple Street
- 6D.    Mountain Biking at Polo Grounds
- 6E.    Draft Resolution Supporting Referendum in November for Veterans/Widows of  
Veterans Who Reside in Continuing Care Retirement Communities to be Eligible  
for Property Tax Deduction
- 6F.    Housing Committee Appointment – Poreda (Mayor's appointment w/council  
consent)
- 6G.    Deer Management, 4.4 acre parcel of Borough Springs
- 6H.    Holly Days

6I. Mayor's Update

6J. Correspondence

6K. Unfinished Business

6L. New Business

**7. CLOSED SESSION**

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

Personnel Matters, Contract Negotiations and Pending Litigation

*(Collective Bargaining, Contract negotiations, Personnel Matters, Pending or Anticipated Litigation, Property Acquisition, Attorney/Client Privilege), and that the time when and*

circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved.

Second:

Voice Vote:

**8. REOPEN AND ADJOURNMENT**

**BERNARDSVILLE BOROUGH  
ORDINANCE #2019-1807**

**AN ORDINANCE AUTHORIZING INSTALLATION OF A SPEED HUMP ON  
WESLEY AVENUE AND SUPPLEMENTING AND AMENDING CHAPTER VII OF  
THE BOROUGH CODE ENTITLED "TRAFFIC"**

**WHEREAS**, Chief of Police Kevin Valentine and the Council Public Safety Committee have recommended that a speed hump be installed on Wesley Avenue;

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

**Section 1.** There is hereby created a new Section 7-24 entitled "Speed Humps" which reads as follows:

**"7-24 SPEED HUMPS.**

**7-24.1 Speed Humps Authorized.**

Streets may be approved for the installation of speed humps in accordance with the provisions of *N.J.S.A. 39:4-8.10 ad 39:4-8.11*, if they meet the following statutory criteria:

- a. The streets are totally self-contained within the Borough and have no direct connection with any street in any other municipality.
- b. The street has a traffic volume under 3,000 vehicles per day.
- c. The street has a posted speed limit of 30 miles per hour or less.

**7-24.2 Conformance of Speed Humps to DOT Standards.**

- a. Any speed hump constructed by the Borough shall conform in design and construction to the technical standards established by the Department of Transportation.
- b. The Borough shall provide advance warning, including but not limited to, the erection of appropriate signs giving notice of the presence of speed humps before the first speed hump in a series of speed humps and provide for a pavement marker to be placed at the location of the first speed hump. The signing and

pavement markings for a speed hump shall conform to the current standards prescribed in the Manual of Uniform Traffic Control Devices for Streets and Highways as adopted by the Commissioner of Transportation.

**7-24.3 Authorized Streets.**

In accordance with subsection 7-24.1 above, the following streets are designated for the installation of speed humps:

<b>Name of Street</b>	<b>Location</b>
Wesley Avenue	[at the approximate midpoint of the road in a location that does not impact any of the driveways on the street - formal description to be inserted prior to final adoption]

**Section 2.** The Borough Clerk is directed to send a certified copy of this Ordinance after final adoption to NJDOT.

**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.** This ordinance shall become effective immediately upon final passage and adoption 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: June 24, 2019*


*1st Publication:* June 27, 2019  
*Public Hearing:* July 8, 2019 at 7:00pm, Borough Hall  
*Adoption:* \_\_\_\_\_  
*2nd Publication:* \_\_\_\_\_

C:\Users\lasuriano\Downloads\2019-06-18 BV DRAFT 1 ORD - speed hump on Wesley.wpd



**TRAFFIC CALMING STUDY**  
**for**  
**WESLEY AVENUE**

**BOROUGH OF BERNARDSVILLE**  
**SOMERSET COUNTY, NEW JERSEY**

  
**HENRY J. NEY, PE**  
**NJ Professional Engineer**  
**License Number 14513**

**Prepared by:**

**August 26, 2019**

**H NEY ASSOCIATES**  
**241 HUNT ROAD**  
**FREEHOLD N.J.**

## **Traffic Calming Devices**

Traffic calming is an art developed through trial and error which goal is principally to reduce traffic speeds and improve vehicular and pedestrian safety primarily along residential or local streets. Secondary impacts of traffic calming are a reduction in cut thru traffic. Traffic calming devices cause either vertical displacement i.e. Speed Humps; Raised Crosswalks; Platform Intersections or horizontal displacement i.e. Traffic Circles; Chicanes; Median Islands; Chokers.

In considering traffic calming for Wesley Avenue the narrow width eliminates consideration of horizontal displacement items. Both chicanes and medians islands would require right-of- way acquisition which would impact the residents on Wesley Avenue. Therefore vertical displacement methodology's are more appropriate. Of the options available speed humps are the logical option as there are no intersections or pedestrian crossing locations along the section of Wesley Avenue studied. It is my professional opinion that two speed humps would be adequate to reduce speeds

## **Recommendations**

It is recommended two speed humps be installed between Anderson Hill Road and the curve leading to Church Street. The first speed hump should be located in the vicinity of utility pole # NJ144BB, between 7-9 Wesley Avenue, and the second in the vicinity of utility pole # NJ 145 BB at 15 Wesley Avenue. The attached Figure 1 shows the recommended locations. These locations were selected to minimize impact to the residential frontages and driveways while still providing adequate spacing to impact traffic speeds. The final location is subject to a review and concurrence by the Police and Public Works Departments to insure no conflicts with manholes and other utilities.

Because of the Speed Limit of 15MPH I am recommending a 4" high by 10 ' wide speed hump. Which will provide maximum vertical displacement and effect vehicles traveling at 20 MPH or greater. That is not to say vehicles traveling below those speeds will not be impacted but their degree of discomfort will be more tolerable. A SPEED HUMP warning sign (MUTCD #W-17) with a 15 MPH Advisory Speed Plaque(MUTCD#W13-1P) should be installed at each speed hump for a total of 4 sign assemblies. The existing secondary 15 MPH Speed Limit signs should be removed as well as any other conflicting signage. In addition chevron type pavements markings should be placed on each Speed Hump. In constructing the Speed Humps they should not extend fully across the road in order to leave 6"-9" for gutter flow. The Speed Hump construction details and signing and striping details are shown on page 3.



## Scope of Study

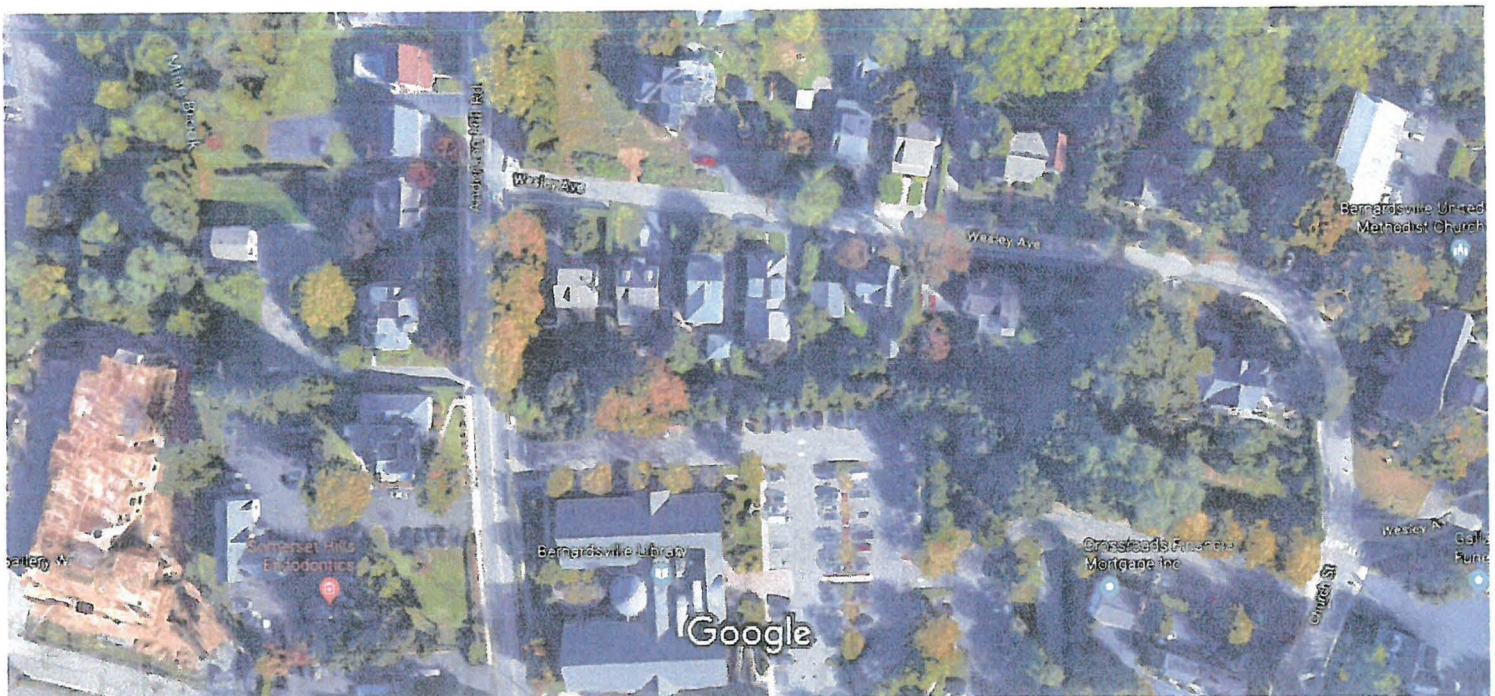
As a result of concerns of speeding, as expressed by residents, along Wesley Avenue a traffic calming investigation was authorized by the Borough. In conducting our study a field investigation was conducted of Wesley Avenue on July 11, 2019 at which time existing traffic control, street width and driveway locations were recorded. Observations were also made of traffic activity. Conversations regarding traffic concerns and traffic calming options were had with members of the Bernardsville Police and Public Works Departments. Traffic speed recordings conducted by the Bernardsville Police Department were reviewed and analyzed and a literature review of traffic calming devices and their effectiveness was conducted.

## Existing Conditions

The section of Wesley Avenue under study begins at Anderson Hill Road and extends northerly to a curve on Wesley Avenue where it meets Church Street. In this area Wesley Avenue is a two lane roadway measuring approximately 18-20 feet in width. For the most part there are no curbs or sidewalk along the street. The Speed Limit is posted at 15 MPH. Parking is not practiced along Wesley Avenue due to its narrow width although there are locations along the street where the edge of pavement has been extended to provide for on street parking.

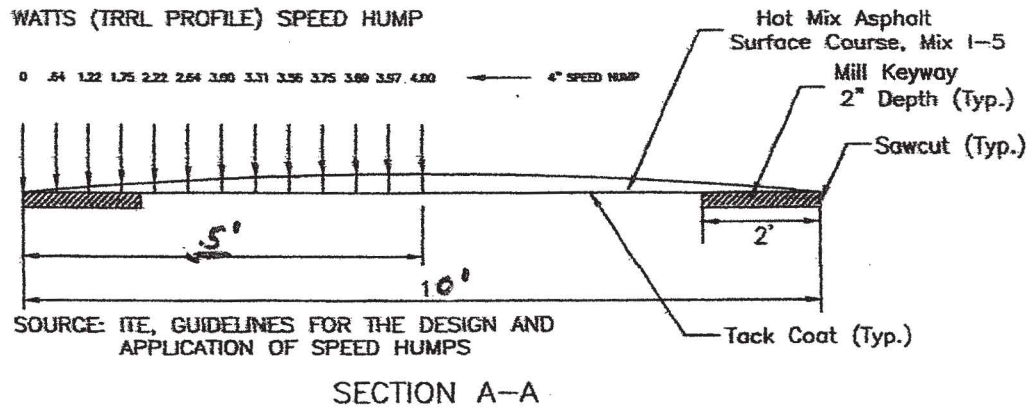
The speed data provided by the Police Department was gathered over a nine day period in January of 2019. The data shows an 85 percentile speed of 26 MPH with 14 percent of the vehicles traveling at 15 MPH or less and 59 percent exceeding 20 MPH. The highest speeds recorded were in the 41-45 MPH range and accounted for less than 0.05 percent.

## Site Location Map

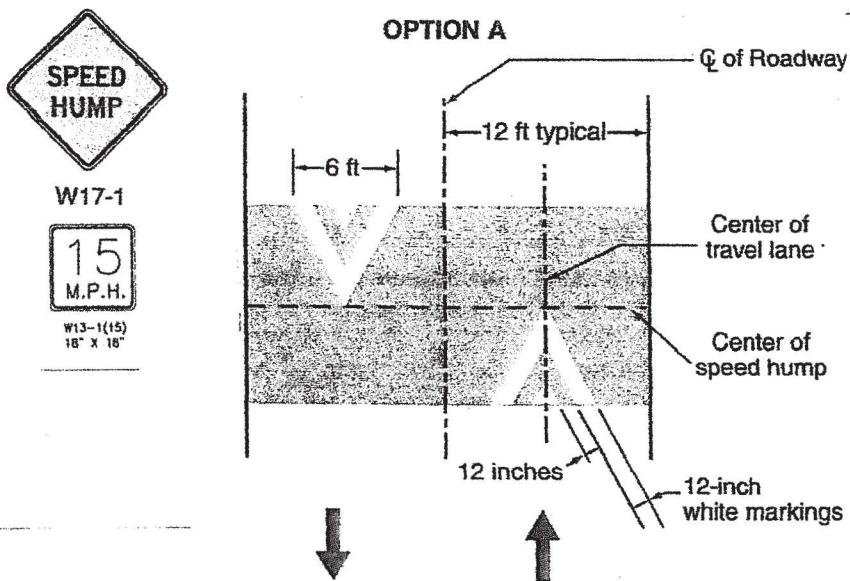


Imagery ©2019 Google, Map data ©2019 100 ft

## CONSTRUCTION DETAILS



**Figure 3B-29. Pavement Markings for Speed Humps without Crosswalks**





## Proposed Speed Humps - Bernardsville Borough



Figure 1  
Speed Hump Location Map

## Wesley Avenue Speed Hump Q&A

1) What would be the projected effect and benefit of the proposed speed humps on reducing speeding over 25 mph? Given prior experience with speed humps, what improvement in speed calming on Wesley Ave might we expect?

*Based on studies by the FHWA(Federal Highway Administration) speed humps have be shown to reduce 85th.percentile speeds by 6 to 13 % and crash reductions by 33 to 48%. Speed humps also reduce cut thru traffic although exact percentages are not available. thru FHWA. I would not expect as dramatic an 85th. %-ile speed reduction but would expect the percentage of vehicles above 20 MPH to drop.*

2) The suggestion was to install a hump with a height of four inches. What's the range of heights that are available? Is 4" considered a speed table, hump or bump?

*Four inches is the maximum recommended height for speed humps and 10 feet the minimum length recommended. Three inches is the least I seen in literature and 20 feet the longest speed hump. The higher and shorter the speed hump the greater impact on speed reduction. I chose the least dimensions because of the posted speed limit of 15 MPH so we want the maximum effect. A speed hump has a parabolic shape, A speed table is flat and "ramps" up to its height. Speed tables are usually used at pedestrian crosswalks. Speed tables can range from 3 inches to 6 inches. The higher the table the longer the ramp. Finally speed bumps are usually 6" inches high and used in parking lots. Speed bumps are not acceptable on public streets as they present real hazards for police and emergency services.*

3) What is the noise generated by a typical sedan travelling at 25mph going over a speed hump?

4) What is the noise generated by a typical sedan travelling at 35mph going over a speed hump?

5) What is the noise generated by other vehicles that frequently drive on Wesley Avenue, school buses, garbage trucks, and landscaping vehicles with trailers?

Answers to Q3, Q4, and Q5 regarding noise:

*To date, there are 2 noise studies reviewing noise levels at rounded speed humps and flat speed tables. Speed humps and tables both reduce traffic noise levels by reducing speed 5dB(A) for tables 7 dB(A) for humps. The faster a vehicle moves the higher the tire noise. Rounded speed humps do a better job of reducing noise. When considering trucks(commercial vehicles) speed tables wider than 7' increase levels by about 7dB(A) while speed humps are still able to reduce noise by 1 dB(A).*

*Both articles cite potential increase in noise by nuisance drivers rapidly accelerating or breaking at humps or tables, and mention that on poorly maintained rounds humps and tables have little impact on noise reduction. These studies were conducted in Europe several years ago.*

*If there is any additional literature for recent studies and in the USA, they will be added to this Q&A.*

6) Is there any leeway in the proposed placement of speed humps so they are not directly outside a resident's windows?

*The speed humps can be shifted couple of guidelines check for manholes, try and keep northerly one at least 75' from curve and at least 125' apart.*

**POSSIBLE AMENDMENTS FOR CONSIDERATION BY MAYOR AND COUNCIL AT  
OCTOBER 15, 2019 MEETING (revised 10/10/19)**

**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. Clarifying the exemption language to say that the provisions of this section shall not apply to licensed physicians writing prescriptions for medical marijuana and pharmacists filling prescriptions for medical marijuana.
2. The public hearing on the ordinance, as amended, is hereby continued until the October 28 Council meeting.
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 10/15/19]

**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~~ to 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.<sup>1</sup> 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

---

<sup>1</sup> 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.”

oils.

(ii) Cannabis or Marijuana Products: Cannabis or marijuana and its products unless otherwise indicated. These include products have been manufactured and contain cannabis or marijuana or an extract from cannabis or marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

(iii) 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.

**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

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

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

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

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

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

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

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

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

*Referral of Amended Ordinance to Planning Board:* \_\_\_\_\_

*Publication of the Notice of the Notice of the Continued Public Hearing:* \_\_\_\_\_

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

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

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

**BERNARDSVILLE BOROUGH  
ORDINANCE 2019-1819**

**PROHIBITING VAPE SHOPS AND SUPPLEMENTING AND AMENDING SECTION  
12 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ZONING”**

**WHEREAS**, an executive summary on the use of electronic smoking devices issued in 2016 by the United States Surgeon General indicates that such devices pose a significant health risk, especially to youth and young adults; and

**WHEREAS**, among middle and high school students, 3.62 million were current users of electronic smoking devices in 2018 according to the US Food & Drug Administration (FDA); and

**WHEREAS**, the FDA reports electronic smoking devices use, from 2017 to 2018, increased 78% among high school students, to more than 1 in 5, and 48% among middle school students from 2017 to 2018; and

**WHEREAS**, the Centers for Disease Control has issue multiple alerts in 2019 identifying a new syndrome of respiratory illness and failure related to “vaping” with e-cigarettes; and

**WHEREAS**, under the circumstances, the Borough Council has determined that it is in the best interest of the Borough and the health of its residents to ban vape shops as a principal permitted use in an zone districts;

**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 by adding a new subparagraph “d” that reads 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. The use of any land or property or any buildings or 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.
- b. Drive-in, drive-through and car hop restaurants.
- c. *[reserved - see ordinance 2019-1810 that has been introduced, but not adopted]*.
- d. Retail electronic smoking device establishments and vape shops. For purposes of this ordinance, the following definitions shall apply:

Retail Electronic Smoking Device Establishment shall mean any establishment that solely sells, distributes, gives, offers or manufactures electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

Vape Shop shall mean any commercial establishment whose principal business is the retail sale, service or use of electronic smoking devices, liquid nicotine or vapor products.

Vapor Product shall mean any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic or chemical means to produce vapor from nicotine or other inhalation agents not approved by the FDA.

**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

---

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

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

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

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

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

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

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

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

*Referral of Amended Ordinance to Planning Board:* \_\_\_\_\_

*Publication of the Notice of the Notice of the Continued Public Hearing:* \_\_\_\_\_

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

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

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

**BOROUGH OF BERNARDSVILLE  
ORDINANCE #2019-1820**

**AN ORDINANCE RESRICTING RETAIL ELECTRONIC SMOKING DEVICE  
ESTABLISHMENTS AND SUPPLEMENTING AND AMENDING CHAPTER III OF THE  
BOROUGH CODE ENTITLED "POLICE REGULATIONS"**

**WHEREAS**, an executive summary on the use of electronic smoking devices issued in 2016 by the United States Surgeon General indicates that such devices pose a significant health risk, especially to youth and young adults; and

**WHEREAS**, among middle and high school students, 3.62 million were current users of electronic smoking devices in 2018 according to the US Food & Drug Administration (FDA); and

**WHEREAS**, the FDA reports electronic smoking devices use, from 2017 to 2018, increased 78% among high school students, to more than 1 in 5, and 48% among middle school students from 2017 to 2018; and

**WHEREAS**, the Centers for Disease Control has issued multiple alerts in 2019 identifying a new syndrome of respiratory illness and failure related to "vaping" with e-cigarettes; and

**WHEREAS**, in order to ensure that electronic smoking devices, components or parts of such devices, electronic liquid, and/or liquid nicotine are not sold to persons under the age of twenty-one (21), the Borough of Bernardsville desires to license and regulate the operation of establishments that sell electronic smoking devices and related products; and

**WHEREAS**, in order to ensure that electronic smoking devices are not being sold to underage individuals, the Borough Council deems it appropriate to license the establishments



where these products are sold. The licensing by local authorities of establishments that sell electronic smoking devices is permitted by the State of New Jersey.

**WHEREAS**, licensure and regulation of said establishments will enhance the Borough of Bernardsville's ability to enforce activities relative to N.J.S.A. 2A:170-51.4 and N.J.S.A. 2C:33-13.1 that ban the sale and furnishing of tobacco products and electronic smoking devices to persons under the age of 21 and with N.J.S.A. 2A:170-51.9 et seq., that requires child-resistant packaging of refills for electronic smoking devices; and

**WHEREAS**, the Borough of Bernardsville now desires to create a licensing requirement and regulations for retail electronic smoking device establishments.

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

Section 1. There is hereby created a new subsection 3-22 entitled "Retail Electronic Smoking Device Establishments", which reads as follows:

### **3-22 RETAIL ELECTRONIC SMOKING DEVICE ESTABLISHMENTS**

#### **3-22.1 PURPOSE.**

The purpose of this article is to protect the public's health and general welfare by licensing and regulating establishments that sell electronic smoking devices.

#### **3-22.2 DEFINITIONS.**

As used in this article, the following words shall mean:

**Business** shall mean any sole proprietorship, partnership, joint venture, corporation, association, or other entity formed for profit-making purposes.

**Characterizing Flavor** shall mean a distinguishable flavor, taste, or aroma, including but not limited to, any fruit, candy, chocolate, vanilla, honey, cocoa, wintergreen, dessert, alcoholic beverage, herb or spice flavoring, that is imparted prior to or during consumption by an electronic smoking device, tobacco product, or other related product, including electronic liquid, or any smoke, aerosol, or vapor emanating from that device or product. An electronic smoking device, any cartridge, or other component of the device or other related product, including liquid nicotine, shall be deemed to have a characterizing flavor if the device, cartridge, component, or related product is advertised or marketed as having or producing any such distinguishable flavor, taste or aroma. No tobacco product shall be determined to have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information.

**Component or Part** shall mean any software or assembly of materials intended or reasonably expected to alter or affect the electronic smoking device's performance, composition, characteristics, and ingredients.

**Distinguishable** shall mean perceivable by either the sense of smell or taste.

**Electronic liquid** shall mean ingredients, liquids, gels, waxes and powders, including but not limited to those which may contain nicotine, and which may be aerosolized or vaporized when using an electronic smoking device.

**Electronic Smoking Device** shall mean a device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any

component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

**Employee** shall mean any person who is employed or retained as an independent contractor by any employer in consideration for direct or indirect monetary wages or profit, or any person who volunteers his or her services for an employer.

**Employer** shall mean any business or nonprofit entity that retains the service of one or more Employees.

**Itinerant Establishment** means a temporary or permanent business operated from a truck, a cart, other vehicle, hand-carried portable container or device, or mobile platform or unit.

**License Year** shall mean a calendar year commencing on January 1 and ending on December 31.

**Liquid Nicotine** shall mean any solution containing nicotine, which is designed or sold for use with an electronic smoking device.

**Liquid Nicotine Container** shall mean a bottle or other container of a liquid, wax or gel, or other substance containing nicotine, where the liquid or other contained substance is sold, marketed, or intended for use in an electronic smoking device. Liquid nicotine container does not include a liquid or other substance containing nicotine in a cartridge that is sold, marketed or intended for use in an electronic smoking device, provided that such cartridge is prefilled and sealed by the manufacturer, with the seal remaining permanently intact through retail purchase

and use; is only disposable and is not refillable; and is not intended to be opened by the consumer.

**Nonprofit Entity** shall mean any entity that meets Internal Revenue Service (IRS) Internal Revenue Code section 501(c)(3) as well as any other entity created for charitable, religious, philanthropic, educational, political, social or similar purposes, the net proceeds of which are committed to the promotion of the objectives or purposes of the entity and not to private gain.

**Manufacturer** shall mean any person, including any repacker and/or relabeler, who compounds, modifies, mixes, manufactures, fabricates, assembles, processes, labels, repacks, relabels or imports electronic smoking devices or electronic liquid.

**Person** shall mean an individual, partnership, cooperative, association, corporation, personal representative, receiver, trustee, assignee or any other legal entity.

**Retail Electronic Smoking Device Establishment** shall mean any establishment that solely sells, distributes, gives, offers or manufactures electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

**Sale** shall mean every delivery of electronic smoking devices, whether the same is by direct sale or the solicitation or acceptance of an order, including the exchange, barter, keeping and exposing for sale, delivering for value, peddling and possession with intent to sell, distribute, or give.

**Smoking** shall mean inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, nicotine, or plant product intended for inhalation, including hookah and marijuana, whether natural or synthetic. Smoking also includes the use of an electronic smoking device.

**Tobacco Product** shall mean any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and substances used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration and defined in the Federal Food, Drug and Cosmetic Act.

**Vape Shop** shall mean any commercial establishment whose principal business is the retail sale, service or use of electronic smoking devices, liquid nicotine or vapor products.

**Vapor Product** shall mean any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic or chemical means to produce vapor from nicotine or other inhalation agents not approved by the FDA.

### **3-22.3 PROHIBITION ON SALES AND MANUFACTURE.**

A. Only retail electronic smoking device establishments licensed by the Borough of Bernardsville shall sell and/or manufacture electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

B. It shall be unlawful for a business which holds a license for the retail sale of motor fuel issued by the State of New Jersey, to sell and/or manufacture electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

C. A business which holds a license for the retail sale of motor fuel issued by the State of New Jersey, and which sells and/or manufactures electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine shall comply with this section within ~~sixty (60)~~ thirty (30) days of the passage of this chapter.

#### **3-22.4 EMPLOYMENT OF PERSONS UNDER THE AGE OF EIGHTEEN (18) PROHIBITED.**

A. No individual under the age of eighteen (18) shall be employed by a retail electronic smoking device establishment.

#### **3-22.5 SALE, DISTRIBUTION, OR PROVISION TO PERSON UNDER THE AGE OF EIGHTEEN (18) PROHIBITED.**

No person shall sell, distribute, gift or give electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine to any person under the age of 18 years. Each retailer selling or distributing electronic smoking devices shall verify the age of the purchaser by means of valid government-issued photographic identification that contains date of birth.

#### **3-22.5 LOCATION OF RETAIL ELECTRONIC SMOKING DEVICE ESTABLISHMENT.**

No retail electronic smoking device establishment, not presently in operation at the time of the adoption of the chapter, shall be located within one thousand (1,000') feet of any public recreational field or park, public or private elementary or secondary school.

#### **3-22.6 OPERATIONAL REQUIREMENTS.**

A. No person shall sell, distribute, gift or give electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine in the Borough of Bernardsville unless an employee of the establishment controls the sale of such product through direct, face-to-

face exchange between the retailer and the consumer. Self-service displays and vending machines for the sale of electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine shall be prohibited.

B. No retail electronic smoking device establishment shall distribute, or cause to be distributed, any samples or permit sampling of electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

C. No retail electronic smoking device establishment shall use any device to mask or conceal any characterizing flavor of any electronic liquid and/or tobacco product.

### **3-22.8 LICENSE, APPLICATION, FEES, DISPLAY AND TRANSFERABILITY.**

A. No person shall conduct, maintain, or operate a retail electronic smoking device establishment without first submitting an application for licensure on forms promulgated by the Borough of Bernardsville.

B. Fees in accordance with the following schedule shall be paid annually:

Retail Electronic Smoking Device Establishment License	\$250
Manufacturer License	\$2,500.00

C. Licenses issued under the provisions of this article shall expire annually on December 31 of the year in which the license was issued.

D. Applications for license renewal shall be submitted to the Borough of Bernardsville no less than sixty (60) days prior to expiration.

E. At the time of the initial application and any subsequent renewals, the applicant or the licensee shall:

1. Disclose if they are also a manufacturer or distributor of electronic smoking devices and if that part of their business is conducted or takes place at the retail electronic smoking device establishment or another location(s).

2. Provide contact information for the manufacturer or distributor or other business(es) electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine are purchased.

F. Licenses shall be posted in a conspicuous location where it may be readily observed at eye level by all patrons before or immediately upon entering the establishment. No portion of the license shall be obstructed from view during display.

G. It shall be unlawful for any person to erase, cancel, deface, or alter a license once it has been issued by the Division of Health.

H. The owner or person in charge of an establishment shall permit any Borough official, inspector or police officer who has presented proper identification to fully examine any license issued under this Chapter.

I. No licenses shall be issued to itinerant establishments.

J. Licenses and/or permits are not transferable and are not prorated. Any establishment that changes ownership must submit a new application and receive a new license and/or permit prior to the opening of the establishment.

### **3-22.9 USE OF LICENSE FEES.**



The funds collected by the licensing of such establishments shall be used to fund enforcement of this Ordinance and the development and maintenance of smoking and substance abuse prevention and control programs established, administered or sanctioned by the Borough of Bernardsville.

### **3-22.10 INSPECTION AND ACCESS TO PREMISES.**

A. The Code Enforcement Officer or his/her authorized agent shall have the right to inspect any retail electronic smoking device establishment as often as he/she deems it necessary.

B. Any duly appointed Borough Police Officer shall be permitted to enter and inspect the premises for compliance with this subchapter.

C. All parts of the establishment shall be made accessible to the Code Enforcement Officer or his/her designee and any duly appointed Borough Police Officer.

D. It shall be unlawful for any licensee or his/her employee to hinder, impede, or fail to allow the Code Enforcement Officer or his/her designee or any duly appointed Borough Police Officer needing to perform an inspection, access to all areas of the establishment.

### **3-22.11 REVOCATION OR SUSPENSION OF LICENSE; HEARING.**

A. Licenses issued under this Section may be revoked or suspended by the Code Enforcement Officer or his/her designee, pending a formal hearing before the Borough Council, for the following causes:

1. Fraud, misrepresentation or false statement in the application for the establishment license.

2. Fraud, misrepresentation or false statement made while operating the licensed business in the Borough.

3. Conducting the licensed business within the Borough in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.

4. An existing or threatened menace to the public health as determined by the Code Enforcement Officer.

5. The owner and/or operator or any employee refuses to permit, hinders, or obstructs, the Code Enforcement Officer or his/her designee or any duly authorized Borough Police Officer to inspect the premises or the operations therein.

B. A person, firm, corporation, or other entity whose license has been revoked shall close the establishment and request all patrons to vacate the premises.

C. The licensee shall be entitled to a hearing before the Borough Council within a reasonable time, which is not to exceed fifteen (15) days for the purpose of seeking reinstatement of a suspended or revoked license. Written notice of the time and place of such a hearing shall be served upon the licensee by the Code Enforcement Officer at least three (3) days prior to the date set for such hearing. Such notice shall contain a brief statement of the grounds to be relied upon for revoking, cancelling, or suspending such license. Notice may be given either by personal delivery thereof to the person to be notified or be deposited in the United States Post Office in a sealed envelope, postage prepaid, addressed to such person to be notified at the business address appearing upon such license by simultaneous regular mail and certified mail, return receipt requested.

D. At the hearing before the Borough Council, the licensee shall have an opportunity to answer and may thereafter be heard, and upon due consideration and deliberation by the Borough Council, the complaint may be dismissed, or if the Borough Council concludes that the charges have been sustained and substantiated, it may deny reinstatement of the license and stipulate the conditions required for reinstatement of the license.

E. If any such license shall have been revoked, neither the holder thereof nor any person acting for him, directly or indirectly, shall be entitled to another license to carry on the same business within the Borough, unless the application for such license shall be approved by the Borough Council.

### **3-22.12 VIOLATIONS AND PENALTIES.**

- A. Any person who violates any provision of this section shall be liable, upon conviction, to the penalties set forth in section 1-5 of this Code.
- B. Upon conviction for violation of any of the provisions of this section, each and every day thereafter that the violation continues shall be deemed and constitute a separate and distinct offense hereunder.
- C. These penalties are in addition to any penalties that may be imposed including but not limited to penalties imposed by N.J.S.A. 2C33-13.1 et seq.

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 #2019-1821**

**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.

ATTEST:

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

COUNCIL OF THE BOROUGH OF  
BERNARDSVILLE IN THE COUNTY  
OF SOMERSET

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.** Subsections 13-14.1 and 13.14.3 of Section 13-14 entitled "Tree Replacement and Reforestation" are 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:

<b>DBH of Existing Tree Removed</b>	<b>Number of Replacement Trees</b>
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 <sup>1</sup>
----------	--

- b. All required replacement tree(s) shall be of nursery grade quality, balled and burlapped and planted on the site from which trees were removed. Relief from any portion or all of the on-site replacement requirements may be granted by the approving authority. Any relief shall be based upon practical physical difficulties and undue hardship related to conditions of the site from which the trees are to be removed. The approving authority shall solicit the comments and recommendations of the Borough Engineer in determining whether the relief requested by the applicant should be granted.
- c. Instead of replanting trees on the removal site, an applicant may request that the approving authority permit the applicant to contribute to the Borough Tree Trust Fund as established by this chapter. The contribution, in lieu of planting trees, shall be in an amount reasonably established by the Shade Tree Committee from time-to-time as the fair market value of replacement trees which meet the standards set forth in this section. No more than seventy-five (75%) percent of tree replacement may be by way of contribution. The contribution in lieu of planting trees shall be made within one (1) calendar year from issuance of the related permit.
- d. The genus of the replacement tree(s) shall be the same as the genus removed from the site or other genera as approved by the Shade Tree Committee, except in the event that the genus of the removed tree is deemed to be non-native invasive species.
- e. The planting of all replacement trees shall be done by or supervised by a certified arborist.

\*\*\*\*

### **13-14.3 Borough Tree Trust Fund.**

a. Tree Trust Fund. All contributions to the Borough Tree Trust Fund pursuant to paragraph c. of subsection 13-14.1 above shall be deposited in a separate interest-bearing Tree Trust Fund. All interest accrued in the Tree Trust Fund shall only be used on eligible tree replacement and maintenance activities. All contributions paid into the Tree Trust Fund shall be paid within one (1) year from the date of the removal of the original trees for which the permit was issued.

b. Use of the Money.

1. The Borough may use revenues and interest collected from the Tree Trust Fund for any purpose which promotes the planting and maintenance of trees in the Borough. Such activities include, but are not limited to: planting trees in the Borough rights-of-way, in Borough

---

<sup>1</sup>For example, DBH of 36.1" to 39.0" = 13 replacement trees.



parks and on other public lands.

2. No more than twenty (20%) percent of the revenues collected from the Borough Tree Trust Fund shall be expended on consultant fees necessary to develop or implement a tree planting and maintenance program.

3. Expenditure of funds from the Borough Tree Trust Fund shall be approved by resolution of the governing body authorizing the expenditure of funds by dedication by rider pursuant to N.J.S.A. 40A:4-39. A copy of that resolution must be sent in duplicate to the Division of Local Government Services for the director's approval.

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

## RESOLUTION 19-194

### AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	3,120.78
04 Escrow	\$	4,311.00
06 Outside Employment	\$	8,627.68
10 Current Fund	\$	706,315.98
19 Other Trusts	\$	50,951.56
20 Payroll	\$	459,818.19
33 Capital Fund	\$	47,411.46
40 Sewer Utility Fund	\$	49,060.77
55 Sewer Capital	\$	-
70 COAH Trust	\$	247.00
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	342.00
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust		
<b>TOTAL</b>	<b>\$</b>	<b>1,330,206.42</b>

---

---

---

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 15, 2019

---

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2172	4214 - ATLANTIC TACTICAL OF NJ	PO 103513 BULLET PROOF VEST - BUTTEL		588.36	588.36
	01-G19-0110-0369 BODY ARMOR		588.36		588.36
2173	6738 - HVI SERVICES, LLC	PO 104388 Recycle Asphalt and Concrete from R		637.92	637.92
	01-G18-0110-0380 RECYCLING TONNAGE GRANT (2015)		637.92		637.92
2174	5864 - REILLY SWEEPING	PO 104159 Biweekly Downtown Street Sweeping		505.00	505.00
	01-G18-0110-0361 CLEAN COMMUNITIES (2018) - CHAPTER 159		505.00		
		PO 104179 Downtown Street Sweeping - 2019		1,024.00	1,024.00
	01-G19-0110-0361 CLEAN COMMUNITIES (2019) - CHAPTER 159		1,024.00		1,529.00
2175	4213 - SHERRIE CALISH	PO 104304 PROGRAM COORDINATOR SALARY - SEPT		245.00	245.00
	01-G19-0110-0364 2020 MUNICIPAL ALLIANCE GRANT (19/20)		245.00		245.00
2176	6733 - SUSTAINABLE JERSEY	PO 104336 GRANT AWARD RETURN - UNSPENT FUNDIN		120.50	120.50
	01-G19-0110-0381 SUSTAINABLE JERSEY GRANT		120.50		120.50
TOTAL					3,120.78
Total to be paid from Fund 01 STATE & FEDERAL GRANTS			3,120.78		
			<u>3,120.78</u>		

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2167	6386 - <b>BURGIS ASSOCIATES, INC</b>	PO 104373 BOA Planner contract & application		2,550.00	
	04-280-4005-0103	DISBURSEMENTS - BOA #19-07 - DIEMAR - B8	412.50		
	04-280-4002-0103	DISBURSEMENTS - GALAWAY & CRANE - 9 CHUR	1,275.00		
	04-280-4003-0103	DISBURSEMENTS - BOA #19-03 - ROGAN - B10	75.00		
	04-280-4006-0103	DISBURSEMENTS - BOA #19-08 - SOMERSET HI	787.50		2,550.00
2168	1307 - <b>FERRIERO ENGINEERING, INC</b>	PO 104394 9/23/19 Review lot development plan		137.00	
	04-280-7000-0054	ESCROW-PRESTIFILIPPO	137.00		
		PO 104396 9/11/2019 Review lot development pl		274.00	
	04-280-7003-0103	DISBURSEMENTS - STORMWATER ESCROW - 445	274.00		411.00
2169	5805 - <b>LOUIS P. RAGO, ESQ</b>	PO 104369 BOA Attorney contract & application		1,000.00	
	04-280-4005-0103	DISBURSEMENTS - BOA #19-07 - DIEMAR - B8	400.00		
	04-280-4002-0103	DISBURSEMENTS - GALAWAY & CRANE - 9 CHUR	600.00		1,000.00
2170	5632 - <b>VENTURA, MIESOWITZ, KEOUGH &amp; WARNER, P.C</b>	PO 104298 PB Attorney contract & application		350.00	
	04-280-6000-0052	ESCROW - BERNARDSVILLE CENTRE E&I ACCT	350.00		350.00
TOTAL					4,311.00
Total to be paid from Fund 04 ESCROW			4,311.00		
			<u>4,311.00</u>		
			4,311.00		

Report Printed 2019-10-09 15:43:28

Boro of Bernardsville

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

From 09/20/2019 to 10/09/2019

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/20/2019	2838		6141		PAYROLL ACCOUNT		5,855.00	06-101-0100-2000
				06-285-0600-1009	SOMERSET BOE	768.00		
				06-285-0600-1099	BERNARDSVILLE CENTER	600.00		
				06-285-0600-2023	NG GILBERT	3,887.00		
				06-285-0600-1022	DJB/GRAND FONDO	600.00		
9/23/2019	2819	104176		06-285-0600-1037	REFUND OF POLICE ESCROW FEES - RESOLUTION 1	700.00		
			5		SUMMIT NUTRITIONALS INTERNATIONAL		700.00	06-101-0100-2000
9/23/2019	2835		6140		CURRENT FUND - MILLINGTON		72.68	06-101-0100-2000
				06-191-0800-2000	CLEAR INTERFUND FOR AUGUST INTEREST	72.68		
10/04/2019	2850		6142		PAYROLL ACCOUNT		2,000.00	06-101-0100-2000
				06-285-0600-1095	NATIONAL MS SOCIETY	300.00		
				06-285-0600-1007	PSEG	800.00		
				06-285-0600-1081	FLETCHER CREAMER	900.00		

## 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				8,627.68
06-191-0800-2000	DUE CURRENT---INTEREST		72.68		
06-285-0600-1007	PSE&G		800.00		
06-285-0600-1009	SOMERSET HILLS BOE		768.00		
06-285-0600-1022	GRAND FONDO/DJB EVENT CONSULTANTS		600.00		
06-285-0600-1037	SUMMIT NUTRITIONALS		700.00		
06-285-0600-1081	2018 FLETCHER CREAMER		900.00		
06-285-0600-1095	POLICE O/S DUTY - NAT. MS SOCIETY - BIKE		300.00		
06-285-0600-1099	BERNARDSVILLE CENTER		600.00		
06-285-0600-2023	NG GILBERT		3,887.00		
TOTALS (FOR RANGE):					
				8,627.68	8,627.68
=====					

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48876	5098 - AA CHEMDRY OF NORTH JERSEY	PO 102402 2019 Carpet Cleaning Borough Hall		642.50	642.50
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	642.50		642.50
48877	6311 - ACTION DATA SERVICES	PO 104314 PAYROLL INVOICE PERIOD END DATE 9/1		439.12	439.12
	10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE	439.12		439.12
48878	179 - AIRGAS USA,LLC	PO 102982 TOOLS & SUPPLIES		45.20	45.20
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	45.20		45.20
48879	135 - ALLEN PAPER & SUPPLY CO	PO 104048 PAPER SUPPLIES BLANKET PO		146.42	146.42
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	146.42		146.42
48880	1806 - ALLIED OIL LLC (CORP)	PO 104229 GASOLINE - SEPTEMBER 2019 (ESTIMATE)		4,088.57	4,088.57
	10-C00-0315-0220	GASOLINE - PREMIUM GAS	4,088.57		4,088.57
48881	5263 - ALPHA DOG SOLUTIONS, INC	PO 104341 BOROUGH WEBSITES - NOVEMBER 2019		1,420.00	1,420.00
	10-C00-0100-0210	ADMIN. & EXEC. - COMPUTER EXP.	1,420.00		1,420.00
48882	6063 - AMERICAN WEAR, INC	PO 102503 Cleaning Walkoff Rugs and Uniforms		90.00	90.00
	10-C00-0145-0225	BUILD. & GROUNDS - CLEANING SERVICES	42.00		42.00
	10-C00-0145-0255	BUILD. & GROUNDS - CLOTHING	48.00		48.00
48883	6063 - AMERICAN WEAR, INC	PO 104361 UNIFORM CLEANING FOR ROAD DEPT. SEP		145.38	145.38
	10-C00-0220-0206	STREETS & ROADS - UNIFORMS	145.38		145.38
48884	4214 - ATLANTIC TACTICAL OF NJ	PO 102950 Replacement and additional duty hol		390.00	390.00
	10-C00-0195-0215	POLICE - FIREARMS & AMMUNITION	390.00		390.00
		PO 103544 EXTERIOR CARRIER FOR SLEO 2 WALLACE		289.79	289.79
	10-C00-0195-0226	POLICE - SPECIAL OFFICER EQUIPMENS	289.79		289.79
		PO 104129 Uniforms for new Ofc. "P. ARCHIBALD		492.64	492.64
	10-C00-0195-0228	POLICE - UNIFORMS NEW OFFICER EQUIPMENT	492.64		492.64
48885	433 - ATOMIC TROPHIES, INC.	PO 104351 Swim team trophies		174.25	174.25
	10-C00-0271-0211	SWIM POOL - SWIM TEAM	174.25		174.25
48886	6695 - BADGE COMPANY OF NEW JERSEY, LLC	PO 103912 2 RETIREMENT BADGES		169.80	169.80
	10-C00-0195-0206	POLICE - UNIFORMS	169.80		169.80
48887	239 - BERNARDS TOWNSHIP	PO 104348 4TH Quarter 2019 Health Services Co		22,780.95	22,780.95
	10-C00-0250-0225	BOARD OF HEALTH - CONTRACT	22,780.95		22,780.95
48888	761 - BERNARDSVILLE AUTO REPAIR, INC	PO 104135 VEHICLE INSPECTION		77.50	77.50
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	77.50		77.50
48889	761 - BERNARDSVILLE AUTO REPAIR, INC	PO 104322 INSPECTION OF CAR 308		77.50	77.50
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	77.50		77.50
48890	58 - BERNARDSVILLE FIRE COMPANY	PO 104311 REIMBURSEMENT OF 2018 & 2019 EQUIPM		39,665.48	39,665.48
	10-A00-0185-0205	(2018) AID TO FIRE DEPT. - OTHER EXP.	16,665.48		16,665.48
	10-C00-0185-0205	AID TO FIRE DEPT. - OTHER EXP.	23,000.00		23,000.00
					39,665.48

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48891	4333 - BERNARDSVILLE HARDWARE	PO 104377 SEPTEMBER 2019*		331.41	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	100.85		
	10-C00-0145-0201	BUILD. & GROUNDS - BLD SUPPLY	207.09		
	10-C00-0272-0203	RECREATION - GENERAL EXPENSES	23.47		331.41
48892	165 - BERNARDSVILLE PUBLIC LIBRARY	PO 104266 Reimbursement for water leak		298.48	
	10-C00-0145-0256	BUILD. & GROUNDS - IRRIGATION	298.48		298.48
48893	6731 - BRITTEN INC.	PO 104297 BRACKETS & BANDING SETS FOR VETERAN		3,334.84	
	10-C00-0100-0205	ADMIN. & EXEC. - GEN. EXPENSES	3,334.84		3,334.84
48894	6679 - NCH CORPORATION	PO 104168 SUPPLIES		195.00	
	10-C00-0220-0224	STREETS & ROADS - SUPPLIES	195.00		195.00
48895	6679 - NCH CORPORATION	PO 104193 5 GALLONS SPECTRA XTREME 0W20 OIL F		164.25	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	164.25		164.25
48896	285 - CERTIFIED SPEEDOMETER SERVICE, INC	PO 104323 CALIBRATIONS OF 6 PATROL VEHICLES,		252.00	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	252.00		252.00
48897	5550 - CEUNION	PO 104027 SEMINAR REGISTRATION - LESLIE ROBER		95.00	
	10-C00-0120-0203	TAX COLLECTOR - EDUCATION	95.00		
		PO 104184 SEMINAR OPRA AND OPMA - TINA MARKEW		95.00	
	10-C00-0110-0203	FINANCE DEPT - EDUCATION	95.00		190.00
48898	830 - CHERYL FERRANTE	PO 104392 Mileage reimbursement 7/11 - 9/30		149.64	
	10-C00-0272-0203	RECREATION - GENERAL EXPENSES	149.64		149.64
48899	4239 - COMCAST	PO 104307 XFINITY TV & INTERNET - ACCT# 8499		201.90	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	201.90		201.90
48900	4239 - COMCAST	PO 104308 XFINITY TV & INTERNET - ACCT#849905		43.32	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	43.32		43.32
48901	4239 - COMCAST	PO 104309 XFINITY ACCOUNT 8499052890036488 -		26.15	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	26.15		26.15
48902	5085 - CONSOLIDATED FIRE PROTECTON, INC	PO 103943 change batteries in wireless fire a		1,690.00	
	10-C00-0145-0217	BUILD. & GROUNDS - MAINT. CNTR	1,690.00		1,690.00
48903	5806 - D & R PLUMBING AND HEATING LLC	PO 104331 fixed leaking hose bibb connection		825.00	
	10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.	825.00		825.00
48904	4827 - D'ONOFRIO & SONS INC	PO 102987 2019 Lawn Maintenance Recreation an		5,460.00	
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	2,880.00		
	10-C00-0145-0215	BUILD. & GROUNDS - GROUND MNT.	2,580.00		5,460.00
48905	6502 - DECOTIIS LAW	PO 103316 LEGAL SERVICES RE: OLD QUARRY FACIL		507.49	
	10-C00-0135-0204	LEGAL SERVICES - MISCELLANEOUS	507.49		507.49
48906	386 - DELTA DENTAL OF NEW JERSEY, INC	PO 104319 SEPT 2019 DENTAL BENEFITS PAYMENT*		2,274.93	

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	2,274.93		2,274.93
48907	3070 - DUBLIN MAINTENANCE CONTRACTORS, INC	PO 102415 2019 Cleaning Suite 103 Constructio		500.00	
	10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE	500.00		500.00
48908	3070 - DUBLIN MAINTENANCE CONTRACTORS, INC	PO 102416 2019 Cleaning Library Lower Level C		500.00	
	10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.	500.00		500.00
48909	5570 - EMR POWER SYSTEMS, LLC	PO 104378 reset control service call 2 hours		180.00	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	180.00		180.00
48910	1307 - FERRIERO ENGINEERING, INC	PO 104284 Memorial Pond Dam; Inspection, Revi		1,107.50	
	10-C00-0140-0215	ENGINEERING - CONSULTANT	1,107.50		
		PO 104299 PB Engineer contract & application		137.00	
	10-C00-0150-0220	PLANNING BOARD - ENGINEER	137.00		
		PO 104390 Misc. Engineering September 2019		959.00	
	10-C00-0140-0215	ENGINEERING - CONSULTANT	959.00		2,203.50
48911	2487 - FLAGSHIP HEALTH SYSTEMS INC	PO 104320 OCTOBER 2019 DENTAL BENEFITS PAYMEN		225.66	
	10-C00-0175-0225	GROUP INSURANCE - DENTAL BNFTS	225.66		225.66
48912	1619 - GARDEN STATE LABORATORIES INC	PO 104368 Pool water fountain testing final f		110.00	
	10-C00-0271-0209	SWIM POOL - WATER TESTING	110.00		110.00
48913	1619 - GARDEN STATE LABORATORIES INC	PO 104370 fountain by dugout - polo grounds i		110.00	
	10-C00-0145-0260	BUILD. & GROUNDS - WATER TESTING	110.00		110.00
48914	5718 - GOOGLE INC	PO 104332 GOOGLE APPS - E-MAIL SERVICE - SEPT		414.34	
	10-C00-0100-0210	ADMIN. & EXEC. - COMPUTER EXP.	331.47		
	10-C00-0195-0232	POLICE - IT EXPENSES	82.87		414.34
48915	185 - GRAINGER	PO 102973 TOOLS AND SUPPLIES		54.62	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	54.62		54.62
48916	2777 - GRAMCO WORD PROCESSING, INC	PO 104192 SERVICE CONTRACT FOR DIGITAL INTERV		1,095.00	
	10-C00-0195-0230	POLICE - MAINTENANCE CONTRACTS	1,095.00		1,095.00
48917	1636 - HIGHVIEW GARAGE	PO 104283 VEHICLE REPAIR		176.91	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	176.91		176.91
48918	525 - HIWAY WELDING	PO 104260 EMERGENCY REPAIR TO LEAF MACHINE		3,080.00	
	10-C00-0220-0209	STREETS & ROADS - LEAF PICKUP	3,080.00		3,080.00
48919	2941 - IMAGE SYSTEMS, INC.	PO 102357 2019 SERVICE CONTRACT #006433-03 -		154.71	
	10-C00-0112-0206	TECH. INF. SYSTEM - MAINTENANCE CONTRACTS	154.71		154.71
48920	214 - INSTITUTE FOR PROF. DEVELO	PO 103810 SEMINAR - IN & OUTS OF RESOLUTIONS		125.00	
	10-C00-0120-0203	TAX COLLECTOR - EDUCATION	125.00		
		PO 104023 Ethics Seminar - Sept. 19, 2019 - J		125.00	
	10-C00-0220-0203	STREETS & ROADS - EDUCATIONS	125.00		250.00



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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48921	6140 - INTERNATIONAL PUBLIC SAFETY ASSOCIA	PO 104329 2019 - 2020 MEMBERSHIP RENEWAL		50.00	50.00
	10-C00-0195-0202	POLICE - DUES & SUBSC.	50.00		50.00
48922	6529 - J.M. KRIEGL ELECTRIC	PO 104399 short at town garage changes gfi ou		425.00	425.00
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	425.00		425.00
48923	87 - JCP&L	PO 104380 JCP&L8/22-9/20/19		5,169.36	
	10-C00-0225-0202	STREET LIGHTING	3,921.01		
	10-C00-0310-0220	ELECTRICITY - BILLS	1,248.35		5,169.36
48924	87 - JCP&L	PO 104393 JCP&L SEPTEMBER 2019*		1,180.19	
	10-C00-0310-0220	ELECTRICITY - BILLS	1,138.80		
	10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.	36.57		
	10-C00-0225-0202	STREET LIGHTING	4.82		1,180.19
48925	87 - JCP&L	PO 104398 JCP&L AUGUST 2018*		15.31	
	10-C00-0310-0220	ELECTRICITY - BILLS	15.31		15.31
48926	6734 - JEAN FLAHERTY	PO 104338 Lifeguard class 1/2 reimbursement		192.50	192.50
	10-C00-0271-0203	SWIM POOL - EDUCATION	192.50		192.50
48927	6247 - JOY AUTO PARTS	PO 103013 OPEN P.O. FOR POLICE VEHICLE PARTS		57.72	57.72
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	57.72		57.72
48928	5416 - LESLIE ROBERSON	PO 104356 MILEAGE - SEMINARS - 7/1/19-10/4/19		112.53	112.53
	10-C00-0110-0203	FINANCE DEPT - EDUCATION	112.53		112.53
48929	5805 - LOUIS P. RAGO, ESQ	PO 104369 BOA Attorney contract & application		1,600.00	1,600.00
	10-C00-0155-0215	BOARD OF ADJ. - ATTORNEY	1,600.00		
		PO 104386 PROFESSIONAL SERVICES RELATING TO O		300.00	300.00
	10-A00-0135-0225	(2018) LEGAL SERVICES - LITIGATION	300.00		1,900.00
48930	358 - LUDLOW HEATING & COOLING CO.	PO 104303 heat service changed filters and se		489.22	489.22
	10-C00-0145-0228	BUILD. & GROUNDS - LIBRARY MAINT.	489.22		
		PO 104379 police dept fall service inv 118729		209.46	209.46
	10-C00-0145-0244	BUILD. & GROUNDS - POLICE	209.46		698.68
48931	6296 - MAILFINANCE	PO 104271 LEASE PAYMENT - BOROUGH HALL METER		593.16	593.16
	10-C00-0100-0209	ADMIN. & EXEC. - POSTAGE	593.16		593.16
48932	4349 - MAPLECREST FORD	PO 103347 PARTS & REPAIRS		422.61	422.61
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	422.61		422.61
48933	322 - MGL FORMS PRINTING SOLUTIONS,LLC	PO 104231 PURCHASE ORDER FORMS - 1 PART (WHIT		222.00	222.00
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	222.00		
		PO 104243 TAX OFFICE WINDOW ENVELOPES		183.00	183.00
	10-C00-0120-0205	TAX COLLECTOR - GEN. EXPENSE	183.00		405.00
48934	98 - MJ NEILL, INC	PO 104333 DIESEL USAGE - SEPT 2019*		642.37	642.37
	10-C00-0315-0230	GASOLINE - DIESEL	642.37		642.37
48935	6728 - NAPA OF CHESTER, INC	PO 104272 PARTS & SUPPLIES		92.72	92.72

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	92.72		92.72
48936	6398 - NATURAL GREEN LAWN CARE	PO 102328 G-Max Test @ Polo Grounds Turf Fiel		500.00	
	10-A00-0145-0241	(2018) BUILD. & GROUNDS - REC. FIELD MAI	500.00		500.00
48937	6398 - NATURAL GREEN LAWN CARE	PO 103027 Turf Field Maintenance		2,150.00	
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	2,150.00		2,150.00
48938	6092 - NEIL MASTROBUONO	PO 104385 Mileage reimbursement 7/11 - 10/8		122.38	
	10-C00-0271-0204	SWIM POOL - MISCELLANEOUS	122.38		122.38
48939	57 - NJ AMERICAN WATER CO.	PO 104285 NJ AMERICAN WATER - 8/12-9/11/19*		894.28	
	10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	894.28		894.28
48940	5485 - NJ CRIMINAL INTERDICTION LLC	PO 104162 INTERDICTION MASTERMIND CLASS-ALT /		298.00	
	10-C00-0195-0203	POLICE - EDUCATION & TRAINING EXPENSES	298.00		298.00
48941	590 - NORTHEAST COMMUNICATIONS	PO 104220 OPEN PURCHASE ORDER FOR RADIO REPAI		215.00	
	10-C00-0195-0219	POLICE - RADIO REPAIR	215.00		215.00
48942	4963 - PAYPHONE OPERATIONS INC	PO 102383 2019 CHARGES FOR PAYPHONE #908-696-		150.00	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	150.00		150.00
48943	3221 - PETER RUBINETTI PRIVATE DISPOSAL	PO 102620 Solid Waste Removal Library (2) and		1,075.84	
	10-C00-0145-0248	BUILD. & GROUNDS - SOLID WASTE REMOVAL	1,075.84		1,075.84
48944	895 - PIDGEON AND PIDGEON,P.C.	PO 104354 SEPT 2019 LEGAL SERVICES*		8,963.50	
	10-C00-0135-0215	LEGAL SERVICES - BORO ATTORNEY	8,963.50		8,963.50
48945	5999 - PRAXAIR DISTRIBUTION INC	PO 103334 Co2 tanks 75701554		109.79	
	10-C00-0271-0206	SWIM POOL - CHEMICALS/WATER	109.79		109.79
48946	3738 - R&R IRRIGATION CO. INC	PO 104277 leaking pipe & backflow at evankow		430.00	
	10-C00-0145-0256	BUILD. & GROUNDS - IRRIGATION	430.00		
		PO 104278 leak at library by sidewalk rear of		162.50	
	10-C00-0145-0228	BUILD. & GROUNDS - LIBRARY MAINT.	162.50		
		PO 104279 leak at library replaced broken val		278.35	
	10-C00-0145-0228	BUILD. & GROUNDS - LIBRARY MAINT.	278.35		870.85
48947	6108 - R. MOORE & ASSOC. TREE EXPERTS, LLC	PO 104353 plant healthcare kiwanis park 8/1-9		525.00	
	10-C00-0145-0242	BUILD. & GROUNDS - PLAYGROUND MAINT.	525.00		525.00
48948	4005 - RARITAN VALLEY MIDGETS WRESTLING	PO 104290 Fees for youth wrestling league k-5		725.00	
	10-C00-0272-0209	RECREATION - SPORTS/WRESTLING	725.00		725.00
48949	6322 - RARITAN VALLEY WRESTLING LEAGUE	PO 104282 Wrestling Fees for youth wrestling		400.00	
	10-C00-0272-0209	RECREATION - SPORTS/WRESTLING	400.00		400.00
48950	1042 - READY REFRESH	PO 102527 2019 Bottled Water Borough Hall and		333.08	
	10-C00-0145-0218	BUILD. & GROUNDS - BOTTLED H2O	316.24		
	10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE	16.84		333.08

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48951	31 - RECORDER PUBLISHING CO	PO 104328 9/19/19 PUBLICATIONS - ACCT 000142		39.92	39.92
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	39.92		
		PO 104334 Publications in Bernardsville News		340.68	
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	297.33		
	10-C00-0140-0205	ENGINEERING - GENERAL EXPENSES	43.35		
		PO 104389 Publications in Bernardsville News		134.19	
	10-C00-0155-0210	BOARD OF ADJ. - ADVERTISING	48.96		
	10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING	85.23		514.79
48952	5500 - RICOH USA, INC	PO 102581 RICOH OPEN P.O. FOR 2019 MAINTENANC		186.65	186.65
	10-C00-0195-0230	POLICE - MAINTENANCE CONTRACTS	186.65		186.65
48953	180 - SAFETY-KLEEN SYSTEMS INC	PO 102891 PARTS CLEANER SERVICE		323.52	323.52
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	323.52		323.52
48954	4961 - SAKOUTIS BROTHERS DISPOSAL	PO 102577 Garbage Container Removal and Dispo		585.21	585.21
	10-C00-0235-0213	LANDFILL - DISPOSAL OF WASTE	585.21		
		PO 104102 Garbage Container Removal and Dispo		190.00	
	10-C00-0235-0213	LANDFILL - DISPOSAL OF WASTE	190.00		775.21
48955	397 - SELECTIVE FLOOD	PO 104306 FLOOD INSURANCE - BORO 11/18/19-11/		6,781.00	6,781.00
	10-C00-0170-0220	LIABILITY INSURANCE	6,781.00		6,781.00
48956	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC	PO 103836 Cleaning of pool bathrooms		2,567.34	2,567.34
	10-C00-0271-0204	SWIM POOL - MISCELLANEOUS	2,567.34		2,567.34
48957	5463 - SOMERSET COUNTY TRANSPORTATION	PO 104280 SENIOR VAN - JUNE-AUG 2019		1,377.35	1,377.35
	10-C00-0280-0207	SENIOR CITIZEN VAN - VEHICLE	1,377.35		1,377.35
48958	3104 - SOMERSET CTY BUSINESS PARTNERSHIP	PO 104138 Mayor attending September Luncheon		30.00	30.00
	10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.	30.00		30.00
48959	5304 - SUBURBAN PROPANE, LP	PO 104275 PROPANE TANK RENTAL GENERATOR #2347		200.00	200.00
	10-C00-0320-0225	GAS - NATURAL	200.00		200.00
48960	5741 - THE LAND CONSERVANCY OF NJ	PO 104300 invoice 3061 reimbursement purchase		77.00	77.00
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	77.00		77.00
48961	6049 - THE RODGERS GROUP, LLC	PO 104326 19 SUBSCRIPTIONS FOR ON LINE TRAINI		3,648.00	3,648.00
	10-C00-0195-0203	POLICE - EDUCATION & TRAINING EXPENSES	3,648.00		3,648.00
48962	5223 - TINA MARKEWICZ	PO 104360 MILEAGE 3RD QTR 2019		37.99	37.99
	10-C00-0110-0203	FINANCE DEPT - EDUCATION	37.99		37.99
48963	1552 - TOWNSHIP OF BEDMINISTER	PO 104363 SHARED SERVICES - MUNICIPAL COURT -		24,295.80	24,295.80
	10-C00-0357-0201	Municipal Court Shared Service-OE	24,295.80		24,295.80
48964	3141 - TRAFFIC SAFETY SERVICE LLC	PO 104183 4 Hour Parking Signs		264.00	264.00
	10-C00-0220-0229	STREETS & ROADS - SIGNS	264.00		264.00

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
48965	649 - <b>TREASURER, STATE OF NJ</b>	PO 104350 3rd Q 2019 Marriage License Report		350.00	
	<b>10-214-5500-0000</b>	DUE TO STATE-- MARRIAGE LIC.	350.00		<b>350.00</b>
48966	388 - <b>TREE TECH, INC</b>	PO 104267 PoHaz Tree Pruning - Borough Tree a		855.00	
	<b>10-C00-0160-0203</b>	SHADE TREE COMM. - GENERAL EXP.	855.00		<b>855.00</b>
48967	5802 - <b>TRUGREEN</b>	PO 102930 Organic Lawn Treatment @ Library		98.00	
	<b>10-C00-0145-0233</b>	BUILD. & GROUNDS - LIBRARY PROPERTY MNT.	98.00		
		PO 102931 2019 Lawn Service Borough Hall		187.00	
	<b>10-C00-0145-0215</b>	BUILD. & GROUNDS - GROUND MNT.	187.00		
		PO 102933 2019 Claremont Park Lawn Maintenance		2,628.00	
	<b>10-C00-0145-0241</b>	BUILD. & GROUNDS - REC. FIELD MAINT.	2,628.00		
		PO 102936 2019 Rose Bowl Lawn Maintenance		2,628.00	
	<b>10-C00-0145-0241</b>	BUILD. & GROUNDS - REC. FIELD MAINT.	2,628.00		
		PO 102937 Kiwanis Baseball Fields-Playing Are		5,509.00	
	<b>10-C00-0145-0241</b>	BUILD. & GROUNDS - REC. FIELD MAINT.	5,509.00		
		PO 102938 Organic 2019 Lawn Maint Thomas Pete		905.00	
	<b>10-C00-0145-0242</b>	BUILD. & GROUNDS - PLAYGROUND MAINT.	905.00		<b>11,955.00</b>
48968	2865 - <b>V. E. RALPH &amp; SON, INC</b>	PO 103455 2 QA PACKS, 10 QUIKLOT COMBAT GAUZ		961.00	
	<b>10-C00-0195-0205</b>	POLICE - GENERAL EQUIPMENT	961.00		<b>961.00</b>
48969	5632 - <b>VENTURA,MIESOWITZ,KEOUGH&amp;WARNER,P.C</b>	PO 104298 PB Attorney contract & application		700.00	
	<b>10-C00-0150-0215</b>	PLANNING BOARD - ATTORNEY	700.00		<b>700.00</b>
48970	61 - <b>VERIZON</b>	PO 104276 TELEPHONE BILLS SEPT 13 - OCT 12*		164.28	
	<b>10-C00-0305-0215</b>	TELEPHONE - PHONE BILLS	164.28		<b>164.28</b>
48971	61 - <b>VERIZON</b>	PO 104310 TELEPHONE BILLS SEPT 20-OCT 19*		2,063.80	
	<b>10-C00-0305-0215</b>	TELEPHONE - PHONE BILLS	2,063.80		<b>2,063.80</b>
48972	3488 - <b>VERIZON</b>	PO 104315 FIOS - ACCT# 554-658-975-0001-21 -		129.99	
	<b>10-C00-0305-0215</b>	TELEPHONE - PHONE BILLS	129.99		<b>129.99</b>
48973	61 - <b>VERIZON</b>	PO 104317 FAX LINE - SUITE 103 - ACCOUNT 908		42.74	
	<b>10-C00-0305-0215</b>	TELEPHONE - PHONE BILLS	42.74		<b>42.74</b>
48974	1632 - <b>VERIZON WIRELESS (NEWARK)</b>	PO 104345 WIRELESS PHONES 8/26/19-9/25/19*		783.96	
	<b>10-C00-0305-0225</b>	TELEPHONE - MOBILE PHONES	375.77		
	<b>10-C00-0100-0205</b>	ADMIN. & EXEC. - GEN. EXPENSES	408.19		<b>783.96</b>
48975	6345 - <b>VIGILANT SOLUTIONS LLC</b>	PO 104191 LPR LICENSE AGREEMENT SERVICE 2/19		2,500.00	
	<b>10-C00-0195-0230</b>	POLICE - MAINTENANCE CONTRACTS	2,500.00		<b>2,500.00</b>
48976	868 - <b>VIKING TERMITE &amp; PEST CONTROL INC</b>	PO 104143 hornets nest 29 windwood rd in stor		389.00	
	<b>10-C00-0220-0205</b>	STREETS & ROADS - GEN. EXPENSE	389.00		
		PO 104367 viking.monthly pest control 10/1 11		129.38	
	<b>10-C00-0145-0216</b>	BUILD. & GROUNDS - BUILD. MNT.	129.38		<b>518.38</b>
48977	1462 - <b>VNA of SOMERSET HILLS COMMUNITY</b>	PO 104374 4TH Quarter Contract 2019*		1,276.50	
	<b>10-C00-0250-0215</b>	BOARD OF HEALTH-VISITING NURSE	1,276.50		<b>1,276.50</b>
48978	5318 - <b>W.B.MASON CO,INC</b>	PO 104215 OFFICE SUPPLIES - S095121876		429.84	

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/10/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
10-C00-0145-0201	BUILD. & GROUNDS - BLD SUPPLY		29.16		
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		375.86		
10-C00-0115-0201	TAX ASSESSOR - OFFICE SUPPLIES		24.82		
	PO 104270 OFFICE SUPPLIES - S095452993			113.22	
10-C00-0220-0224	STREETS & ROADS - SUPPLIES		39.84		
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		45.61		
10-C00-0115-0201	TAX ASSESSOR - OFFICE SUPPLIES		15.21		
10-C00-0140-0201	ENGINEERING - OFFICE SUPPLIES		12.56		
	PO 104344 OFFICE SUPPLIES - S095740256*			183.35	
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		170.36		
10-C00-0145-0205	BUILD. & GROUNDS - GENERAL EXP		12.99		<b>726.41</b>
48979	396 - WALTERS GARDEN CENTER	PO 104362 fall wreathes flowers and pumpkins		401.54	
10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.		401.54		<b>401.54</b>
48980	1264 - WELDON ASPHALT CO.	PO 104391 BITUMINOUS CONCRETE & STONE - SEPTE		6,836.53	
10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR		6,836.53		<b>6,836.53</b>
48981	4397 - WELSH'S MOTOR SALES INC	PO 104305 FILTERS		75.00	
10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS		75.00		<b>75.00</b>
48982	4682 - WINDSTREAM	PO 104335 SEPT 2019 PHONE CHARGES*		876.32	
10-C00-0305-0215	TELEPHONE - PHONE BILLS		876.32		<b>876.32</b>
TOTAL					<b>197,719.22</b>
Total to be paid from Fund 10 CURRENT FUND		197,719.22			
		<u>197,719.22</u>			

## Checks Previously Disbursed

10581	STATE OF NJ PENSIONS & BENEFITS	PO# 104355 HEALTH BENEFITS OCT 2019*	102,750.31	10/14/2019
10580	PAYROLL ACCOUNT	PO# 104340 10/4/19 PAYROLL*	203,228.53	10/04/2019
10579	PAYROLL ACCOUNT	PO# 104274 9/20/19 PAYROLL*	202,067.92	9/20/2019
48875	TITLE LINES, LLC	PO# 104269 TAX REFUND - HOMESTEAD CREDIT (PR	550.00	9/24/2019
			508,596.76	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	508,596.76	197,719.22	<b>706,315.98</b>
BILLS LIST TOTALS	508,596.76	197,719.22	<b>706,315.98</b>

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
109	5595 - ANIMAL CONTROL SOLUTIONS, LLC 19-285-0500-3001	PO 104347 9/24/19 RABIES PREP AND DISPOSAL OF RESERVE FOR ANIMAL CONTROL	100.00	100.00	100.00
110	6043 - JCP&L 19-285-0500-5001	PO 104397 JCP&L SEPT 2019* RESERVE FOR RAILROAD STATION	5.76	5.76	5.76
111	650 - NJ DEPT OF HEALTH & SENIOR SRVS. 19-285-0500-3002	PO 104349 September 2019 Monthly Dog Report DUE TO STATE - ANIMAL CONTROL	1.20	1.20	1.20
112	4442 - PARK FINANCE II, LLC 19-285-0500-6002 19-285-0500-6001	PO 104371 REDEMPTION - TSC 19-00004 - BLOCK 8 RESERVE FOR TAX SALE REDEMPTION RESERVE FOR TAX SALE PREMIUM	12,674.54 22,000.00	34,674.54	34,674.54
113	4442 - PARK FINANCE II, LLC 19-285-0500-6002 19-285-0500-6001	PO 104372 REDEMPTION - TSC 19-00001 - BLOCK 3 RESERVE FOR TAX SALE REDEMPTION RESERVE FOR TAX SALE PREMIUM	6,854.58 7,500.00	14,354.58	14,354.58
114	6714 - PAYBYPHONE TECHNOLOGIES INC 19-285-0500-5001	PO 104352 SERVICE FEES - TRAIN STATION PARKIN RESERVE FOR RAILROAD STATION	150.00	150.00	150.00
115	3221 - PETER RUBINETTI PRIVATE DISPOSAL 19-285-0500-5006	PO 104330 October 2019 disposal service and r RR STATION EXPENSES DUE FROM TENANT	178.66	178.66	178.66
116	895 - PIDGEON AND PIDGEON, P.C. 19-285-0500-5001	PO 104354 SEPT 2019 LEGAL SERVICES* RESERVE FOR RAILROAD STATION	684.00	684.00	684.00
117	3488 - VERIZON 19-285-0500-5001	PO 104273 INTERNET SERVICE AT TRAIN STATION A RESERVE FOR RAILROAD STATION	151.99	151.99	151.99
118	61 - VERIZON 19-285-0500-5001	PO 104316 908-204-3475 347 38Y - TRAIN STATI RESERVE FOR RAILROAD STATION	72.62	72.62	72.62
TOTAL					50,373.35
Total to be paid from Fund 19 OTHER TRUSTS			50,373.35		
			50,373.35		

**Checks Previously Disbursed**

19057	PAYROLL ACCOUNT	PAYROLL - RAILROAD - 10/4/19	578.21	10/04/2019
				578.21

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 19 OTHER TRUSTS	578.21	50,373.35	50,951.56
BILLS LIST TOTALS	578.21	50,373.35	50,951.56

Report Printed 2019-10-09 15:45:47

Boro of Bernardsville

# Disbursements Journal - (20) PAYROLL AGENCY

From 09/20/2019 to 10/09/2019

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/20/2019	2681		20529		ACTION DATA SERVICES-PAYROLL		127.27	20-101-0100-2000
				20-280-5600-0850	NET PAYROLL	127.27		
9/20/2019	2683		20530		ACTION DATA SERVICES-PAYROLL		141,926.84	20-101-0100-2000
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT	141,926.84		
9/20/2019	2684		20531		ACTION DATA SERVICES-PAYROLL		74,096.61	20-101-0100-2000
				20-280-5600-0852	FEDERAL	20,678.97		
				20-280-5600-0853	FICA SS EE	7,490.08		
				20-280-5600-0854	MEDICARE EE	2,915.62		
				20-280-5600-0855	NJ STATE TAX	7,077.76		
				20-280-5600-0856	EMPLOYEE SUI/SDI	142.67		
				20-280-5600-0858	PA STATE TAX	18.82		
				20-280-5600-0870	PERS	8,590.84		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	540.33		
				20-280-5600-0890	DEFERRED COMP	3,219.24		
				20-280-5600-0898	GARNISHMENTS	775.49		
				20-280-5600-0901	EMPLOYER SS	7,490.08		
				20-280-5600-0902	MED EMPLOYER	2,915.62		
				20-280-5600-0903	EMPLOYER SUI	234.91		
				20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	542.67		
				20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	399.60		
				20-280-5600-0871	PERS LOAN	1,285.10		
				20-280-5600-0877	PFRS	7,864.78		
				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		
9/23/2019	2833		20532		CURRENT FUND - MILLINGTON		357.77	20-101-0100-2000
				20-285-0500-1001	CLEAR INTERFUND FOR AUGUST INTEREST	357.77		
10/04/2019	2845		20533		ACTION DATA SERVICES-PAYROLL		1,966.59	20-101-0100-2000
				20-280-5600-0850	NET PAYROLL	1,966.59		
10/04/2019	2846		20534		ACTION DATA SERVICES-PAYROLL		137,009.42	20-101-0100-2000
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT	137,009.42		
10/04/2019	2849		20535		ACTION DATA SERVICES-PAYROLL		73,724.40	20-101-0100-2000
				20-280-5600-0852	FEDERAL	20,277.84		
				20-280-5600-0853	FICA SS EE	7,621.56		
				20-280-5600-0854	MEDICARE EE	2,849.60		
				20-280-5600-0855	NJ STATE TAX	6,864.75		
				20-280-5600-0856	EMPLOYEE SUI/SDI	151.90		
				20-280-5600-0858	PA STATE TAX	18.82		
				20-280-5600-0870	PERS	8,641.33		
				20-280-5600-0874	PERS CONTRIBUTORY INSURANCE	543.70		
				20-280-5600-0890	DEFERRED COMP	3,069.24		
				20-280-5600-0898	GARNISHMENTS	775.49		
				20-280-5600-0901	EMPLOYER SS	7,621.56		
				20-280-5600-0902	MED EMPLOYER	2,849.60		
				20-280-5600-0903	EMPLOYER SUI	249.92		

# Disbursements Journal - (20) PAYROLL AGENCY

From 09/20/2019 to 10/09/2019

			20-280-5600-0882	DCRP EE CONTRIBUTION - 5%	668.27		
			20-280-5600-0883	DCRP EMPLOYER CONTRIBUTION - 3%	492.10		
			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		
			20-280-5600-0899	VISION	416.18		
10/07/2019	2854	104357	20-260-0500-1001	EMPLOYEE MEDICAL FROM PAYROLL (DUE TO CURRE	20,192.62		
			20-260-0500-1003		1,511.90		
		20536		CURRENT ACCOUNT		21,704.52	20-101-0100-2000
10/08/2019	2856	20537		ACTION DATA SERVICES-PAYROLL		8,904.77	20-101-0100-2000
			20-280-5600-0870	PENSION BILL - LIBRARY PORTION - 3RD QUARTE	8,327.57		
			20-280-5600-0874	PENSION BILL - CONT INS - LIBRARY PORTION -	577.20		

## SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - MILLINGTON - PAYROLL				459,818.19
20-260-0500-1001	PAYABLE - CURRENT - MEDICAL INSURANCE		20,192.62		
20-260-0500-1003	PAYABLE - SEWER - MEDICAL INSURANCE		1,511.90		
20-280-5600-0850	NET PAYROLL PAYABLE		2,093.86		
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		40,956.81		
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		15,111.64		
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		5,765.22		
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		13,942.51		
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		294.57		
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		37.64		
20-280-5600-0870	PAYABLE - P.E.R.S.		25,559.74		
20-280-5600-0871	PAYABLE - P.E.R.S. LOAN		2,570.20		
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		1,661.23		
20-280-5600-0877	PAYABLE - P.F.R.S.		15,278.19		
20-280-5600-0878	PAYABLE - P.F.R.S. - LOAN		2,247.36		
20-280-5600-0879	PAYABLE - P.F.R.S. - BACK DEDUCTIONS		391.10		
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		1,210.94		
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		891.70		
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN		6,288.48		
20-280-5600-0893	PAYABLE - DPW UNION DUES		264.00		
20-280-5600-0895	PAYABLE - PBA DUES		664.00		
20-280-5600-0898	PAYABLE-GARNISHMENT		1,550.98		
20-280-5600-0899	PAYABLE - VISION		416.18		
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		278,936.26		
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		15,111.64		
20-280-5600-0902	PAYROLL TAXES PAYABL MED		5,765.22		
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		484.83		
20-280-5600-0905	AFLAC POST TAX		50.70		
20-280-5600-0906	AFLAC PRE TAX		210.90		
20-285-0500-1001	DUE TO CURRENT - INTEREST		357.77		
TOTALS (FOR RANGE):					459,818.19
					459,818.19



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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
5469	4214 - ATLANTIC TACTICAL OF NJ	PO 103513 BULLET PROOF VEST - BUTTEL		627.47	627.47
	33-215-2200-1004	ORD. 17-1743 - POLICE - BODY ARMOR	627.47		627.47
5470	6726 - BILL AND MAUREEN O'LOUGHLIN	PO 104264 Repair of Damaged Flood Lighting -		586.44	586.44
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	586.44		586.44
5471	6702 - CAMOOSO INSULATION LLC	PO 103930 remove fiberglass & spray closed c		24,154.00	24,154.00
	33-215-2700-1003	18-1761 - FACILITIES - INSULATE GARAGE	24,154.00		24,154.00
5472	1307 - FERRIERO ENGINEERING, INC	PO 102287 Lloyd Road Improvements - Survey an		2,082.75	2,082.75
	33-215-1400-1004	Ord. 15-1691DrainageVarious Roads	2,082.75		
		PO 104390 Misc. Engineering September 2019		6,137.90	
	33-215-1400-1004	Ord. 15-1691DrainageVarious Roads	3,242.65		
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	548.00		
	33-215-2903-1000	CAP ORD 19-1801 - WHITENACK ROAD	2,347.25		8,220.65
5473	5820 - JTG CONSTRUCTION INC	PO 102264 Slope Section Improvements - Public		8,138.90	8,138.90
	33-215-1400-1004	Ord. 15-1691DrainageVarious Roads	8,138.90		8,138.90
5474	358 - LUDLOW HEATING & COOLING CO.	PO 104265 part of Roof and ac replacement- ne		4,684.00	4,684.00
	33-215-2800-1028	18-1760 - FACIL - LIBRARY ROOF - UNFUND	4,684.00		4,684.00
5475	4360 - RESEARCH & DESIGN LANDSCAPE LLC	PO 104249 Masonry and RR Tie Step Repair - 15		1,000.00	1,000.00
	33-215-1400-1002	Ord. 15-1691Improvements VariousRoads	1,000.00		1,000.00
TOTAL					47,411.46
Total to be paid from Fund 33 CAPITAL FUND			47,411.46		
			<u>47,411.46</u>		
			47,411.46		

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
9044	6676 - ADAMSVILLE MAINTENANCE, INC 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 104286 Expose and Repair SRB Air Pipe	3,800.00	3,800.00	3,800.00
9045	4333 - BERNARDSVILLE HARDWARE 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 104377 SEPTEMBER 2019*	167.76	167.76	167.76
9046	6160 - CONSTELLATION NEW ENERGY INC 40-C00-0101-0224 SEWER - NATURAL GAS/DIESEL	PO 104375 CONSTELLATION NEW ENERGY 8/24-9/24/	6.73	6.73	6.73
9047	386 - DELTA DENTAL OF NEW JERSEY, INC 40-C00-0101-0230 SEWER - GROUP INSURANCE	PO 104319 SEPT 2019 DENTAL BENEFITS PAYMENT*	295.31	295.31	295.31
9048	2253 - EUROFINIS QC, INC 40-C00-0101-0215 SEWER - TESTING	PO 104337 Laboratory Testing 8/21/19 - 9/18/1	1,389.99	1,389.99	1,389.99
9049	444 - FISHER SCIENTIFIC CO 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 104200 Lab Supplies	453.65	453.65	453.65
9050	2780 - KEN KELEHER 40-C00-0101-0202 SEWER - DUES & SUBSC.	PO 104339 WEF Membership	107.00	107.00	107.00
9051	4133 - LA MOTTE CO 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 104207 LAB SUPPLIES	92.21	92.21	92.21
9052	4289 - NICK DIGHT 40-C00-0101-0203 SEWER - EDUCATION	PO 104289 Advanced Wastewater Class	415.00	415.00	415.00
9053	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 104285 NJ AMERICAN WATER - 8/12-9/11/19*	5,067.56	5,067.56	5,067.56
9054	4835 - ONE CALL CONCEPTS 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 102658 ONE CALL SERVICES FOR JANUARY - DEC	168.64	168.64	168.64
9055	1994 - RUSSELL REID 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 104263 8/6/19 - 8/27/19 Sludge Hauling	2,231.04	2,231.04	2,231.04
9056	397 - SELECTIVE FLOOD 40-C00-0101-0239 SEWER - GENERAL INSURANCE	PO 104342 FLOOD INSURANCE SEWER PLANT 11/18/1	6,781.00	6,781.00	6,781.00
9057	547 - HOME DEPOT CREDIT SERVICES 40-C00-0101-0216 SEWER - ALUM & CHLORINE	PO 104221 Concentrated Bleach for Disc-Filter	223.50	223.50	223.50
9058	183 - TOWNSHIP OF PARSIPPANY-TROY HILLS 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 104222 7/1/19 - 7/31/19 Billing Period	2,254.00	2,254.00	
	40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 104287 8/01/19 - 8/31/19	1,323.00	1,323.00	
					3,577.00
9059	1518 - USA BLUE BOOK 40-C00-0101-0235 SEWER - MACHINERY REPAIRS	PO 104288 Laboratory Supplies	266.87	266.87	266.87

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
9060	90 - VILLAGE SUPER MARKETS	PO 104346 Supplies 9/13/19		110.06	
	40-C00-0101-0205	SEWER - GENERAL EXPENSES	110.06		110.06
TOTAL					25,153.32
Total to be paid from Fund 40 SEWER UTILITY FUND		25,153.32			
		<u>25,153.32</u>			

## Checks Previously Disbursed

40285	CURRENT ACCOUNT	PO# 104358 REIMBURSE OCT 2019 HB TO CURRENT	7,083.04 10/07/2019
40284	PAYROLL ACCOUNT	PAYROLL - SEWER 10/4/19	16,824.41 10/04/2019
			23,907.45

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 40 SEWER UTILITY FUND	23,907.45	25,153.32	49,060.77
BILLS LIST TOTALS	23,907.45	25,153.32	<u>49,060.77</u>

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Payment	Check Total
2069	895 - PIDGEON AND PIDGEON, P.C.	PO 104354 SEPT 2019 LEGAL SERVICES*	247.00	247.00
	TOTAL			247.00

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
70-101-0100-2000	CASH - MILLINGTON - COAH			0.00	247.00
70-286-5685-4000	RESERVE FOR COAH			247.00	
TOTALS FOR	COAH TRUST	0.00	0.00	247.00	247.00

Total to be paid from Fund 70 COAH TRUST

247.00

247.00

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

Meeting Date: 10/15/2019 For bills from 09/24/2019 to 10/09/2019

Check#	Vendor	Description	Account	PO Payment	Check Total
2057	895 - PIDGEON AND PIDGEON, P.C.	PO 104354 SEPT 2019 LEGAL SERVICES*		342.00	342.00
	72-286-5685-3001	RESERVE FOR OPEN SPACE	342.00		342.00
TOTAL					----- 342.00
Total to be paid from Fund 72 OPEN SPACE TRUST		342.00			
		<u>342.00</u>			
		342.00			

RESOLUTION 19-195

RESOLUTION TO CANCEL CERTAIN UNEXPENDED BALANCES OF  
CAPITAL ORDINANCES IN THE GENERAL CAPITAL FUND

WHEREAS, after reviewing the unexpended balances in the General Capital Fund; and

WHEREAS, it has been determined that the unexpended balances in these projects and/or ordinances are no longer needed for the original purpose intended;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bernardsville that the following ordinances be cancelled to the following accounts as follows:

ORDINANCE #	TITLE	AMOUNT	CANCELLED TO:
14-1664	Peters Track	\$ 820.00	Capital Improvement Fund
14-1671	Drainage @ Claremont	\$ 8,201.00	Capital Improvement Fund
17-1743	Various Equip/Improvements	\$ 14.11	Capital Improvement Fund

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 15, 2019.

---

**BOROUGH OF BERNARDSVILLE, NJ**

**RESOLUTION #19-196  
AUTHORIZATION OF TAX REFUND**

WHEREAS, the following tax overpayment exists due to a billing adjustment, duplicate payment and/or an incorrect figure paid for the following parcel(s); and

Block & Lot	Quarter & Year	Amount	Reason for Refund	Issue Refund To
28/5	2019/3	\$7,895.31	Overbill due to Farmland Assessment	Veronica Goldberg 20 Post Kennel Road Far Hills, NJ 07931
68/9/X	2019/3	\$10,950.50	Overbill due to Subdivision	NGC Development LLC 80 Morristown Road PMB 335 Bernardsville, NJ 07924
69/39.01- 39.23/ Condo	2019/3	\$22,906.46 (See attached breakdown)	Overbill due to consolidation to Block 69, Lot 39	DCL Holdings LLC 9 Mt. Bethel Road Suite 211 Warren, NJ 07059
5/3.05/Q0057	2019/3	\$45.80	Overbill due to Farmland Change (New Owner/New Application)	Tyler E. & Brittany B. Nelson 20 Jockey Hollow Road Bernardsville, NJ 07924

WHEREAS, the tax collector is recommending a refund be issued.

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 aforementioned tax overpayment(s)

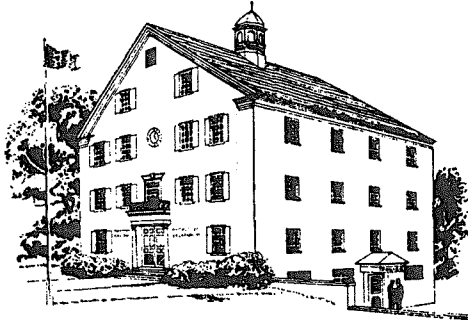
I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on October 15, 2019.

redemption.res

---

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Amount</u>
69	39.01	Condo	\$ 1,005.46
69	39.02	Condo	\$ 995.50
69	39.03	Condo	\$ 995.50
69	39.04	Condo	\$ 995.50
69	39.05	Condo	\$ 995.50
69	39.06	Condo	\$ 995.50
69	39.07	Condo	\$ 995.50
69	39.08	Condo	\$ 995.50
69	39.09	Condo	\$ 995.50
69	39.10	Condo	\$ 995.50
69	39.11	Condo	\$ 995.50
69	39.12	Condo	\$ 995.50
69	39.13	Condo	\$ 995.50
69	39.14	Condo	\$ 995.50
69	39.15	Condo	\$ 995.50
69	39.16	Condo	\$ 995.50
69	39.17	Condo	\$ 995.50
69	39.18	Condo	\$ 995.50
69	39.19	Condo	\$ 995.50
69	39.20	Condo	\$ 995.50
69	39.21	Condo	\$ 995.50
69	39.22	Condo	\$ 995.50
69	39.23	Condo	\$ <u>995.50</u>
			\$ 22,906.46





## ***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 #19-197**

#### **AWARDING A CONTRACT FOR REPLACEMENT OF LIBRARY FLAT ROOF AND HVAC PACKAGE UNITS**

**WHEREAS**, bids were received, supported by the required documentation, for the Replacement of Library Flat Roof and HVAC Package Units; and

**WHEREAS**, the Facilities Manager, in a report dated September 26, 2019, recommends an award, and that recommendation is supported by the Borough Administrator; and

**WHEREAS**, a certification of availability of adequate funds is hereby filed by the Chief Financial Officer, in accordance with the requirements of N.J.A.C. 5:30-14.5.

**NOW, THEREFORE, BE IT RESOLVED** to award a contract to Echelon Services, 270 Sparta Ave., Suite 104 PMB 224, Sparta, NJ 07871 in the amount of \$133,800.00.

**RESOLVED FURTHER** that the Mayor and Clerk are hereby authorized to sign a contract for these services which has been approved in form by the Borough Attorney.

I, Ralph A. Maresca, Jr., CMFO, hereby certify that funds for these services are available in Capital Ord #2018-1760, Acct# 33-215-2800-1028

---

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 15, 2019.

---

bid-award-library hvac

**BOROUGH OF BERNARDSVILLE**

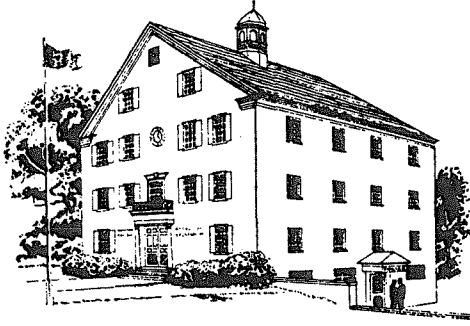
**RESOLUTION #19-198  
ESTABLISHING PRELIMINARY PLANNING EXPENSES FOR  
QUIMBY LANE PROJECT – DOWNTOWN REVITALIZATION**

WHEREAS, the Borough Council of Bernardsville hereby acknowledges the requirement of preliminary costs to determine the scope and cost of the proposed undertaking. The purpose of these preliminary costs is for the contracting of Professional Planners for the Downtown Revitalization Project and that the amount to be charged is for a purpose for which bonds may be issued under Chapter 2 of Title 40A.

NOW THEREFORE BE IT RESOLVED that the amount appropriated for preliminary costs shall not exceed \$22,000 and the treasurer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the forgoing to be true and exact copy of resolution adopted by the Borough Council at a duly convened meeting held on October 15, 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 #19-199**

#### **AWARDING CONTRACT FOR GARBAGE CONTAINER REMOVAL AND DISPOSAL**

**WHEREAS**, bids were received, supported by the required documentation, for the September 30, 2019 to September 30, 2021 Garbage Container Removal and Disposal Contract; and

**WHEREAS**, the Public Works Manager, in a report dated September 26, 2019, recommends awarding a contract to Sakoutis Brothers Disposal, Inc., and that recommendation is supported by the Borough Administrator; and

**WHEREAS**, a certification of availability of adequate funds has been filed by the Chief Financial Officer, in accordance with the requirements of N.J.A.C. 5:30-14.5.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body as follows:

(1) A contract for 2019- 2021 Garbage Container Removal, Transportation, and Replacement is hereby awarded to Sakoutis Brothers Disposal, Inc., at the price of \$190.00 per container for transportation and \$95.00 per ton tipping fee for Year 1 and at the price of \$195.00 per container for transportation and \$100.00 per ton tipping fee for Year 2.

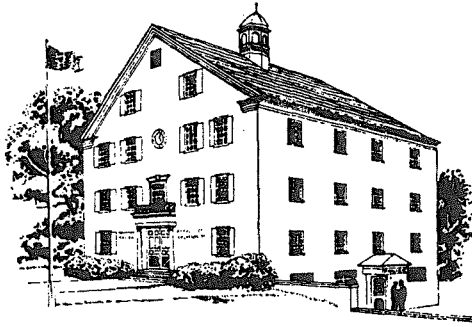
(2) The Mayor and Clerk are hereby authorized to sign a contract for these services which has been approved in form by the Borough Attorney.

I, Ralph A. Maresca, Jr., CMFO, hereby certify that funds for these services are available in the 2019 Budget, Buildings & Grounds, other expenses.

---

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 15, 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 #19-200**

**ESTABLISHING FORMS FOR REQUESTING FUNDS  
AND APPLYING FOR GRANT FUNDS**

**WHEREAS**, there is a need to establish forms in order to make sure all necessary information is provided before any departments or organizations request funds or apply for grant funds; and

**WHEREAS**, the forms will contain information such as total anticipated cost of the full scope of the project, required grant matches, whether the Borough will need to put out any cash upfront, and contact information for the person in charge of the grant/project; and

**WHEREAS**, this information will be reviewed by the finance officer prior to the Borough Council Meeting where the request is to be made so that the Council can have all relevant information prior to making a decision; and

**WHEREAS**, the forms will be used by the Finance Officer to process and report the project/grant properly; and

**WHEREAS**, the Finance Committee has reviewed said forms and finds them acceptable; and

**BE IT RESOLVED** by the Borough Council of the Borough of Bernardsville to require the attached forms to be included in the agenda packet with any necessary resolutions and/or contracts when a department or organization will be requesting funds and/or applying for grant funds.

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 15, 2019.

---

Grant form

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #19-201**

**AUTHORIZING THE CLEAN UP OF 131 MOUNT HARMONY ROAD AND PLACING  
A LIEN ON THE PROPERTY TO COVER THE COST OF THE CLEAN UP**

**WHEREAS**, Ordinance 2019-1813 amended the Property Maintenance Code to allow the Borough to abate property maintenance violations when the owner has not done so after notice; and

**WHEREAS**, Section 2 of Ordinance 2019-1813 is codified in Borough Code Section 11-2 entitled “Residential Property Maintenance”; and

**WHEREAS**, Borough Code subsection 11-2.6 entitled “Enforcement” provides that:

“6. In all cases where property maintenance code violations are abated or materials are removed from any lands, under this section by or under the direction of the Borough official to effect such abatement or removal, such officer shall certify the cost thereof to the governing body, who shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rates as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. The above cost of abatement or removal shall be additional to any other penalties which may be imposed under this section.””; and

**WHEREAS**, Borough Zoning Enforcement Officer Renee Apuzzio, in a September 24, 2019 memorandum, indicated that U.S. Bank, the owner of property located at 131 Mount Harmony Road, has not abated property maintenance code violations at the property despite notice having been given as required by the Code;

**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. In accordance with the provisions of section 11-2 of the Borough Code, the Borough Zoning Enforcement Officer is hereby authorized to abate the property maintenance violations at 131 Mount Harmony Road.

2. The Zoning Enforcement Officer shall then certify the cost thereof to the governing body which shall examine the certificate and if found correct, cause the cost as shown thereon to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

**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 15, 2019.

---

Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #19-202**

**RAISING SLEO III PAY RATE AND AMENDING CONTRACT WITH SOMERSET  
HILLS BOARD OF EDUCATION**

**WHEREAS**, Resolution #18-164, adopted June 25, 2018, authorized a SLEO III (Special Law Enforcement Officer) contract with the Somerset Hills Board of Education (“School District”); and

**WHEREAS**, Resolution #18-246 adopted November 3, 2018 revised the payment schedule set forth in the contract; and

**WHEREAS**, the current contract provides that “The rate of pay paid by the Borough for the SLEO III shall be \$27.58 per hour for each SLEO III”; and

**WHEREAS**, Chief of Police Kevin Valentine has recommended increasing the hourly rate to \$30.00;

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

1. Paragraph 1 of the agreement between the Borough of Bernardsville and the School District concerning the hiring and placement of SLEO III’s in the schools is hereby amended by increasing the rate of pay paid by the Borough from \$27.58 per hour to \$30.00 per hour for each SLEO III.

I, **Anthony Suriano**, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Governing Body at a duly convened meeting held Tuesday, October 15, 2019.

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

**BOROUGH OF BERNARDSVILLE  
RESOLUTION #19-203**

**AUTHORIZING AND DIRECTING THE BOROUGH PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY IDENTIFIED AS BLOCK 70, LOTS 1, 2, 3, 4, 5, 6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 AND 6.08; BLOCK 71, LOTS 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12, AND 13; BLOCK 98, LOT 1; BLOCK 124, LOT 1 AND BLOCK 144, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERNARDSVILLE WITHIN THE BOROUGH CONSTITUTES A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.***

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act; and

**WHEREAS**, *N.J.S.A. 40A:12A-6* authorizes the governing body of any municipality, by resolution, to have its Planning Board conduct a preliminary investigation to determine whether an area of the municipality is a non-condemnation “area in need of redevelopment” pursuant to the criteria contained in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the Mayor and Borough Council consider it to be in the best interest of the Borough to have the Planning Board of the Borough (the “**Planning Board**”) conduct such an investigation to determine if certain property identified as Block 70, Lots 1, 2, 3, 4, 5, 6, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07 and 6.08; Block 71 Lots 4, 5, 5.01, 6, 7, 8, 9, 10, 11, 12, and 13, Block 98 Lot 1; Block 124, Lot 1 and Block 144, Lot 1 as shown on the official Tax Map of the Borough (the “**Study Area**”), constitute a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

**WHEREAS**, the preliminary investigation will be designed to evaluate the area to determine whether designation of the Study Area as a non-condemnation “area in need of redevelopment” is appropriate and in conformance with the statutory criteria contained in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the Borough Council is desirous of continuing revitalization and redevelopment efforts in the Borough.

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

**I.     GENERAL**

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



## **II. INVESTIGATION OF STUDY AREA AUTHORIZED**

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.40A:12A-6* to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Act, including *N.J.S.A.40A:12A-5*, to be designated as a **non-condemnation** area in need of redevelopment.

## **III. MAP TO BE PREPARED**

As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment areas and the location of the various parcels contained therein.

## **IV. PUBLIC HEARING REQUIRED**

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a non-condemnation redevelopment area.

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

## **V. PLANNING BOARD TO MAKE RECOMMENDATIONS**

After conducting its investigation, preparing a map of the proposed non-condemnation redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Borough as to whether the Borough should designate all or part of the Study Area as a non-condemnation area in need of redevelopment.

## **VI. SEVERABILITY**

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

## **VII. AVAILABILITY OF THE RESOLUTION**

A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

**VIII. EFFECTIVE DATE**

This Resolution shall take effect immediately.

**Exhibit A**

**Tax Map of Study Area**