

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

1. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member John Donahue
Council Member Jeffrey Hammond
Council Member Jena McCredie
Council Member Chad McQueen
Council Member Christine Zamarra

2. STATEMENT OF PRESIDING OFFICER

Notice of this meeting was provided to the Bernardsville News, Courier News and the Star Ledger, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on December 24, 2020.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

4A. Candidates to Fill Council Vacancy

4B. Downtown Bernardsville - Fall and Winter Events

5. APPROVAL OF MINUTES

June 28, 2021

Motion:
Second:
Voice Vote:

6. OPEN SESSION (FOR ITEMS NOT ON THE AGENDA)

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

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

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

3. Telephone: Press *9.

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

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

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

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

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

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

7. **ORDINANCES** (Public Hearing)

Mayor to open public hearing on Ordinance #2021-1887, **AN ORDINANCE ALLOWING WINE TASTING AT THE FARMERS’ MARKET AND SUPPLEMENTING AND AMENDING CHAPTER 3 OF THE BOROUGH CODE ENTITLED “POLICE REGULATIONS”**

Mayor to close public hearing

I move to pass Ordinance #2021-1887 on final reading and adopt as published:

Second:

Roll call vote:

ORDINANCES (Introduction)

I move that Ordinance #2021-1889 **AN ORDINANCE REPEALING § 3-9A OF THE BOROUGH CODE ENTITLED “CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES BY MINORS ON**

PRIVATE PROPERTY”, 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. on Monday, August 9, 2021.

Second:
Voice Vote:

8. **RESOLUTIONS**

- #21-147 AUTHORIZING PAYMENT OF BILLS**
- #21-148 AUTHORIZING THE BOROUGH OF BERNARDSVILLE TO
ACCEPT FUNDS FROM THE STATE OF NEW JERSEY, OFFICE
OF THE ATTORNEY GENERAL (OAG) FOR BODY WORN
CAMERAS**
- #21-149 AUTHORIZING AN AGREEMENT WITH THE SOMERSET
HILLS REGIONAL SCHOOL DISTRICT TO PROVIDE SPECIAL
POLICE OFFICERS IN DISTRICT SCHOOLS**
- #21-150 AUTHORIZING SUPPORT FOR SENATE BILL 1010**
- #21-151 MEMORIALIZING THE SHARED SERVICES AGREEMENT
WITH BERNARDS TOWNSHIP FOR FIRE PREVENTION**
- #21-152 ACCEPTING THE POLICE DEPARTMENT’S RULES AND
REGULATIONS**

I move that Resolutions #21-147 to #21-152 be adopted

Second:

Roll call vote:

9. **REPORTS**

9A. Mayor’s Update

9B. Administrator’s Report

- **ACCEPTING DEPARTMENT MONTHLY REPORTS**

Animal Control (June)

Capital/Engineering Project Management (July)
Construction (June)
Public Works (June)
Library (June)
Property Maintenance/Landlord Registration (June)
Zoning (June)

Motion:
Second:
Voice Vote:

- 9C. Municipal Attorney
- 9D. Council Public Safety Committee
- 9E. Council Finance Committee
- 9F. Council Organization Development and Personnel Committee
- 9G. Council Engineering, Technology & Public Works Committee
- 9H. Land Use Committee
- 9I. Other committee/commission reports
 - 9I1. Council Liaison Reports

10. **ITEMS OF BUSINESS**

- 10A. Correspondence
 - 10A(1). 2021 Bike MS Country Challenge
- 10B. Fall Cyclocross Series
- 10C. Unfinished Business
- 10D. New Business

11. **OPEN SESSION (FOR ITEMS NOT ON THE AGENDA)**

See instructions in #6 first open session

12. **CLOSED SESSION**

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

Pending Litigation and Deliberation on Council Vacancy

(Collective Bargaining, Contract negotiations, Personnel Matters, Pending or Anticipated Litigation, Property Acquisition, Attorney/Client Privilege), and that the time when and circumstances under which the matter can be disclosed to the public is when it (they) are finally resolved.

Seconded:

Vote:

13. **REOPEN AND COUNCIL APPOINTMENT**

I move to appoint _____ to fill a vacancy on the Borough Council from July 12th to when the General Election results are certified

Second:

Roll Call Vote:

(Oath of Office for the appointee)

14. **ADJOURNMENT**

**BERNARDSVILLE BOROUGH
ORDINANCE #2021-1887**

**AN ORDINANCE ALLOWING WINE TASTING AT THE Farmers' MARKET AND
SUPPLEMENTING AND AMENDING CHAPTER 3 OF THE BOROUGH CODE
ENTITLED "POLICE REGULATIONS"**

WHEREAS, Edward English, administrator of the Bernardsville Farmers' Market, has asked that a vendor be permitted to offer wine tasting at the Bernardsville Farmers' Market; and

WHEREAS, Section 3-9 of the Borough Code prohibits the consumption of alcoholic beverages "in or about any public or quasi-public place"; and

WHEREAS, the governing body has determined that the proposed wine tasting will add to the Bernardsville Farmers' Market;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 3 of the Borough Code Entitled "Police Regulations" is hereby supplemented and amended as follows:

Section 1. Section 3-9 entitled "Consumption of Alcoholic Beverages in Public Places" is hereby supplemented and amended by adding a new paragraph "d" which reads as follows:

"d. Notwithstanding the provisions contained herein, the governing body may authorize a vendor at the Bernardsville Farmers' Market to display wine products produced by its winery under the authority of its New Jersey Farm License, Plenary Winery License or out-of-state winery license, to provide gratuitous samples of those products to the public and to sell those products in original containers for off-premises consumption, subject to the following conditions:

1. The vendor shall obtain the appropriate permit from the Division of Alcoholic Beverage Control in the New Jersey Department of Law and Public Safety.
2. The vendor shall not sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage directly or indirectly to or consumption by any person under the legal age to consume alcoholic beverages nor to any person who is actually or apparently intoxicated.
3. The permit issued by the Division of Alcoholic Beverage Control must be conspicuously displayed on the permitted premises.

4. This exception is expressly subject to all limitations and conditions set forth or imposed and to all rules and regulations promulgated by the Director of the Division of Alcoholic Beverage Control.”

Section 2. In all other respects, § 3-9 shall remain unchanged. The latest version of the Housing Code as revised by this ordinance shall be annexed to Borough Code Section 11-2.4, in accordance with the terms of that section

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

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

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

ATTEST:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction:

1st Publication:

Public Hearing and Adoption:

2nd Publication:

**BERNARDSVILLE BOROUGH
ORDINANCE #2021-1889**

**AN ORDINANCE REPEALING § 3-9A OF THE BOROUGH CODE ENTITLED
“CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES
BY MINORS ON PRIVATE PROPERTY”**

WHEREAS, Ordinance 2000-1225 (codified as Borough Code § 3-9A) was adopted pursuant to Chapter 33 of the 2000 Session Laws which amended N.J.S.A. 40:40-1 to allow municipalities to enact ordinances making it unlawful for underage persons to possess or consume alcoholic beverages on private property; and

WHEREAS, Chapter 16 of the 2021 Session Laws entitled “An Act Concerning the Regulation and Use of Cannabis and Amending and Supplementing Various Parts of the Statutory Law” repealed that section of N.J.S.A.40:40-1 which permitted municipalities to enact ordinances making it unlawful for underage persons to possess or consume alcoholic beverages on private property;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 3 of the Borough Code Entitled “Police Regulations” is hereby amended as follows:

Section 1. Section 3-9A of the Borough Code entitled “Consumption or Possession of Alcoholic Beverages by Minors on Private Property” is repealed in its entirety.

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

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section

or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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

ATTEST:

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

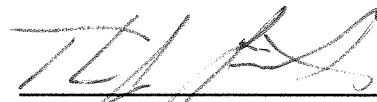
RESOLUTION 21-147

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	271.60
04 Escrow	\$	-
06 Outside Employment	\$	4,054.38
10 Current Fund	\$	18,832.07
19 Other Trusts	\$	-
20 Payroll	\$	-
33 Capital Fund	\$	1,436.33
40 Sewer Utility Fund	\$	43,270.80
55 Sewer Capital	\$	-
70 COAH Trust	\$	-
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	-
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	-
 TOTAL	 \$	 67,865.18

Administrator Approval for Payment
Per Resolution 19-174


Payment Date: 7/1/21

Council Approval at regular meeting:

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 July 12, 2021.

Anthony Suriano
Borough Clerk

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

Meeting Date: 07/12/2021 For bills from 06/29/2021 to 06/30/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
2277	4213 - SHERRIE CALISH	PO 108808 PROGRAM COORDINATOR SALARY - JUNE 2021*		271.60	
	01-G20-0110-0364	2021 MUNICIPAL ALLIANCE GRANT (20/21)	271.60		271.60
TOTAL				-----	271.60
Total to be paid from Fund 01 STATE & FEDERAL GRANTS		271.60	=====		
		271.60			

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Boro of Bernardsville

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

From 06/25/2021 to 06/30/2021

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
6/25/2021	1667		6214		PAYROLL ACCOUNT		4,054.38	06-101-0100-2000
				06-285-0600-1015	SA AND SONS	400.00		
				06-285-0600-1037	SUMMIT NUTRITIONAL	1,747.40		
				06-285-0600-2031	SILVERMEN GROUP	1,237.50		
				06-285-0600-1009	SOMERSET HILLS BOE BHS PROJECT GRAD	320.00		
				06-285-0600-1048	VALVETEK	349.48		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
06-101-0100-2000	CASH - POLICE O/S DUTY				4,054.38
06-285-0600-1009	SOMERSET HILLS BOE			320.00	
06-285-0600-1015	SA & SONS			400.00	
06-285-0600-1037	SUMMIT NUTRITIONALS			1,747.40	
06-285-0600-1048	POLICE O/S DUTY - VALVETEK UTILITY SRVS			349.48	
06-285-0600-2031	SILVERMAN			1,237.50	
TOTALS (FOR RANGE):					4,054.38
					4,054.38

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

Meeting Date: 07/12/2021 For bills from 06/29/2021 to 06/30/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-C00-0225-0202	STREET LIGHTING	6.46		698.54
61754	87 - JCP&L	PO 108790 JCP&L 5/20-6/19/21*		129.09	
	10-C00-0310-0220	ELECTRICITY - BILLS	129.09		129.09
61755	87 - JCP&L	PO 108791 JCP&L 5/19-6/22/21*		431.85	
	10-C00-0310-0220	ELECTRICITY - BILLS	431.85		431.85
61756	6247 - JOY AUTO PARTS	PO 108612 OPEN P.O. FOR VEHICLE PARTS-POLICE		178.12	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	178.12		178.12
61757	374 - LACAL EQUIPMENT	PO 108801 Cutting blades-[Roadside cutter]		649.60	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	649.60		649.60
61758	7094 - LAUREL MOUNTAIN LEASING	PO 108732 DOC FEE FOR 2021 FORD F-150 RESPONDER TR		279.00	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	279.00		279.00
61759	4185 - LIFESAVER, INC.	PO 108796 AHA CPR CERTIFICATIONS		123.50	
	10-C00-0195-0203	POLICE - EDUCATION & TRAINING EXPENSES	123.50		123.50
61760	6511 - MACKAY METERS	PO 108799 MACKAY GUARDIAN MULTI PARKING METER FOR		660.00	
	10-C00-0195-0230	POLICE - MAINTENANCE CONTRACTS	660.00		660.00
61761	322 - MGL FORMS PRINTING SOLUTIONS,LLC	PO 108713 ENVELOPES		107.00	
	10-C00-0156-0205	ZONING/HOUSE -GENERAL EXP.	107.00		107.00
61762	5168 - MORRIS BRICK AND STONE CO.	PO 108776 block+Mortar mix		1,339.70	
	10-C00-0220-0224	STREETS & ROADS - SUPPLIES	1,339.70		1,339.70
61763	6728 - NAPA OF CHESTER, INC	PO 108775 #103 fuel line + tire valve inv.459229+4		40.34	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	40.34		40.34
61764	57 - NJ AMERICAN WATER CO.	PO 108802 NJ AMERICAN WATER - 5/13/20-6/11/21*		950.40	
	10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS	950.40		950.40
61765	4926 - NJSACOP	PO 107908 ACE COMMAND CERTIFICATION PROGRAM-REMIA		295.00	
	10-C00-0195-0203	POLICE - EDUCATION & TRAINING EXPENSES	295.00		295.00
61766	31 - RECORDER PUBLISHING CO	PO 108797 LEGAL NOTICES 6/10/21 BERNARDSVILLE NEWS		14.79	
	10-C00-0102-0205	MUNICIPAL CLERK-GEN. EXPENSE	14.79		14.79
61767	5864 - REILLY SWEEPING, INC	PO 107651 Downtown + Borough Wide Sweeping 2021		768.00	
	10-C00-0220-0228	STREETS & ROADS - SWEEPER	768.00		768.00
61768	5500 - RICOH USA,INC	PO 107837 OPEN P.O. FOR MAINTENANCE, TONER AND EXT		214.65	
	10-C00-0195-0230	POLICE - MAINTENANCE CONTRACTS	214.65		214.65
61769	5761 - ROBERTS & SON	PO 108774 Roadside cutter beacon		98.14	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	98.14		98.14

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

Meeting Date: 07/12/2021 For bills from 06/29/2021 to 06/30/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
61737	5098 - AA CHEMDRY OF NORTH JERSEY	PO 107534 Borough Hall Carpet Cleaning		484.00	
	10-C00-0145-0225	BUILD. & GROUNDS - CLEANING SERVICES	484.00		484.00
61738	135 - ALLEN PAPER & SUPPLY CO	PO 108782 PAPER SUPPLIES SUITE 103 - 6/24/21		207.31	
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	207.31		207.31
61739	1806 - ALLIED OIL LLC (CORP)	PO 108647 GASOLINE - JUNE 2021 (ESTIMATE)		2,454.43	
	10-C00-0315-0220	GASOLINE - PREMIUM GAS	2,454.43		2,454.43
61740	5263 - ALPHA DOG SOLUTIONS, INC	PO 108777 BOROUGH WEBSITE - JULY- DEC 2021		1,420.00	
	10-C00-0112-0207	TECH.INF.SYSTEM - BOROUGH WEBSITE	1,420.00		1,420.00
61741	6682 - BCI TRUCK INC	PO 108770 #106 filter		57.90	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	57.90		57.90
61742	2873 - BERNARDSVILLE CAR WASH	PO 108405 Car wash Tickets		594.00	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	594.00		594.00
61743	4239 - COMCAST	PO 108781 XFINITY TV & INTERNET - ACCT# 849905289		203.40	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	203.40		203.40
61744	4239 - COMCAST	PO 108787 XFINITY TV & INTERNET - ACCT#84990528900		4.71	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	4.71		4.71
61745	4239 - COMCAST	PO 108788 XFINITY ACCOUNT 8499052890036488 - 6/18/		32.17	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	32.17		32.17
61746	4239 - COMCAST	PO 108789 XFINITY TV & INTERNET - ACCT#84990528900		14.00	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	14.00		14.00
61747	5570 - EMR POWER SYSTEMS,LLC	PO 108778 Generator Service Check - Borough Hall G		105.00	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	105.00		105.00
61748	83 - FOLEY,INCORPORATED	PO 108769 Shop filters [stock]		133.24	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	133.24		133.24
61749	5835 - FRESHWORKS, INC., 24888	PO 108773 2021 BLOSSOM ANNUAL PLAN - ONLINE APPLI		1,536.00	
	10-C00-0100-0210	ADMIN. & EXEC. - COMPUTER EXP.	1,536.00		1,536.00
61750	1636 - HIGHVIEW GARAGE	PO 108752 SERVICE ON VEHICLE 318		120.24	
	10-C00-0246-0206	VEHICLE MAINT. - POLICE	120.24		
	10-C00-0246-0207	PO 108768 #109 air cond. repair		108.09	
		VEHICLE MAINT.-STREETS & ROADS	108.09		228.33
61751	6140 - INTERNATIONAL PUBLIC SAFETY ASSOCIA	PO 108793 2021-2022 DUES		50.00	
	10-C00-0195-0202	POLICE - DUES & SUBSC.	50.00		50.00
61752	124 - JAEGER LUMBER	PO 107557 Blanket PO for B&G Supplies		32.52	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	32.52		32.52
61753	87 - JCP&L	PO 108784 JCP&L 5/20-6/19/21*		698.54	
	10-C00-0310-0220	ELECTRICITY - BILLS	692.08		

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

Meeting Date: 07/12/2021 For bills from 06/29/2021 to 06/30/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
61770	6525 - TOPOLOGY NJ LLC	PO 108025 PROFESSIONAL SERVICES - ADMINISTERING RF		675.00	
	10-C00-0100-0221	ADMIN. & EXEC. - DOWNTOWN REVITALIZATION	675.00		675.00
61771	61 - VERIZON	PO 108780 TELEPHONE BILLS JUNE 20- JULY 19, 2021*		3,272.33	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	3,272.33		3,272.33
61772	3488 - VERIZON	PO 108786 FIOS - ACCT# 554-658-975-0001-21 -6/21/2		169.00	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	169.00		169.00
61773	5318 - W.B.MASON CO,INC	PO 108772 S115239682 CINDY		181.01	
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	135.59		
	10-C00-0115-0201	TAX ASSESSOR - OFFICE SUPPLIES	45.42		181.01
TOTAL					----- 18,832.07
Total to be paid from Fund 10 CURRENT FUND		18,832.07			
		=====			
		18,832.07			

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Boro of Bernardsville

Disbursements Journal - (33) CAPITAL FUND

From 06/25/2021 to 06/25/2021

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
6/25/2021	1668		33166		PAYROLL ACCOUNT		1,436.33	33-101-0100-4000
				33-215-1400-1004	6/25/21 PAYROLL ROAD JOB WASHINGTON CORNER	1,436.33		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
33-101-0100-4000	CASH - CAPITAL				1,436.33
33-215-1400-1004	Ord. 15-1691DrainageVarious Roads			1,436.33	
TOTALS (FOR RANGE):					
					1,436.33
					1,436.33

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

Meeting Date: 07/12/2021 For bills from 06/29/2021 to 06/30/2021

Check#	Vendor	Description	Account	PO Payment	Check Total
10282	6045 - DEMAIO ELECTRICAL COMPANY, INC 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 108800 Installed Conduit & Wiring for lighting	3,800.00	3,800.00	3,800.00
10283	5570 - EMR POWER SYSTEMS,LLC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 108785 Quarterly Generator Service 6/15/21	735.00	735.00	735.00
10284	4289 - NICK DIGHT 40-C00-0101-0202 SEWER - DUES & SUBSC.	PO 108753 WEF Membership	167.00	167.00	167.00
10285	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 108802 NJ AMERICAN WATER - 5/13/20-6/11/21*	5,385.61	5,385.61	5,385.61
10286	6323 - OSWALD ENTERPRISES, INC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 108792 Jet-Vac Service June 8,9 &10	6,650.00	6,650.00	6,650.00
10287	872 - PUMPING SERVICE CO. 40-C00-0101-0213 SEWER - PLANT MAINTENANCE	PO 108783 Service 6/18/21	420.00	420.00	420.00
10288	6238 - SE ROSE TRUCKING & EXCAVATING, INC 40-C00-0101-0214 SEWER - PUMP STATION MAINT.	PO 108763 Maple Village P.S.	4,600.00	4,600.00	4,600.00
10289	7098 - STEADYFLOW SERVICES INC 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 108476 Serviced 5/14/21	583.00	583.00	583.00
10290	5901 - Y-PERS, INC 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 108695 Item #SANS92600x1	445.00	445.00	445.00
TOTAL					22,785.61
Total to be paid from Fund 40 SEWER UTILITY FUND		22,785.61	=====		
		22,785.61			

Checks Previously Disbursed

40359	PAYROLL ACCOUNT	PAYROLL - SEWER 6/25/21	20,485.19	6/25/2021

				20,485.19

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 40 SEWER UTILITY FUND	20,485.19	22,785.61	43,270.80
BILLS LIST TOTALS	20,485.19	22,785.61	43,270.80
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**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-148**

**AUTHORIZING THE BOROUGH OF BERNARDSVILLE TO ACCEPT FUNDS FROM
THE STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL (OAG) FOR
BODY WORN CAMERAS**

WHEREAS, the name of the Recipient's Unit of Government is the Borough of Bernardsville;
and

WHEREAS, the name of the State Grant Program is SFY21 Body-Worn Camera Grant
Program; and

WHEREAS, the Award number is 21-BWC-042; and

WHEREAS, the Award period is January 1, 2021 to December 31, 2025; and

WHEREAS, the total amount of the award is \$50,950 (State \$50,950 and Match \$0)

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, that the Borough
of Bernardsville is authorized to accept and does accept the award of \$50,950 as noted above;
and

FURTHER RESOLVED, the Borough of Bernardsville is accepting the SFY21 Body-Worn
Camera Grant Program of funds for the purpose described in the application.

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 July 12, 2021

RESOLUTION #21-149
AUTHORIZING AN AGREEMENT WITH THE SOMERSET HILLS REGIONAL
SCHOOL DISTRICT TO PROVIDE SPECIAL POLICE OFFICERS
IN DISTRICT SCHOOLS

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

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

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

WHEREAS, the agreement further provides that the District will reimburse the Borough \$50,150 for these SLEO IIIs for six months (payable in monthly installments of \$8,358.33; and

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

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with the Somerset Hills Regional School District to place two SLEO IIIs in the District schools as outlined in the preamble.
2. The form of the agreement shall be subject to the approval of the Borough Attorney.
3. The term of the agreement shall run from July 1, 2021 through December 31, 2021.

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

Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-150**

AUTHORIZING SUPPORT FOR SENATE BILL 1010

WHEREAS, at the present time, municipalities are not permitted to bond for passenger vehicles;
and

WHEREAS, the attached Senate Bill 1010, if signed into law, would allow municipalities to
bond for any type of electronic vehicle.

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, that the Borough
of Bernardsville strongly supports Senate Bill 1010 and encourages the Governor to sign the bill.

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 July 12, 2021.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-151**

**MEMORIALIZING THE SHARED SERVICES AGREEMENT WITH
BERNARDS TOWNSHIP FOR FIRE PREVENTION**

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, to memorialize the attached Shared Services Agreement with Bernards Township for Fire Prevention.

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 July 12, 2021

**SHARED SERVICES AGREEMENT FOR
MUNICIPAL FIRE PREVENTION BUREAU SERVICES
BETWEEN THE TOWNSHIP OF BERNARDS AND THE BOROUGH OF BERNARDSVILLE
N.J.S.A. 52:27D-192 ET. SEQ.**

THIS AGREEMENT IS BETWEEN:

THE TOWNSHIP OF BERNARDS, a municipal corporation of the State of New Jersey, whose address is One Collyer Lane, Basking Ridge, New Jersey 07920, hereinafter referred to as "Bernards".

AND

THE BOROUGH OF BERNARDSVILLE, a municipal corporation of the State of New Jersey, whose address is 166 Mine Brook Road, Bernardsville, New Jersey 07924, hereinafter referred to as "Bernardsville",

AND

WITNESSETH:

WHEREAS, Bernards employs a licensed Fire Prevention Official, pursuant to the Uniform Fire Safety Act, P.L. 1983, C. 383 to enforce the provisions of the Uniform Fire Safety code within its jurisdiction; and

WHEREAS, Bernardsville is in need of a licensed Fire Prevention Official to enforce the provisions of the Uniform Fire Safety Code within its jurisdiction; and

WHEREAS, pursuant to **N.J.S.A. 40A:65-1**, any municipality of the State of New Jersey may contract with any other municipality or municipalities for the shared provision within their several jurisdictions of any service that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, pursuant to **N.J.S.A 40A:65-4 (a) (3) (b)**, any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to **N.J.S.A. 40A:65-5**, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure that a copy of the agreement shall be open to public inspection at the office of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to **N.J.S.A. 40A:65-5 (c)**, the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, Bernards and Bernardsville desire to enter into a Shared Services Agreement to establish all obligations in connection with the use

of shared fire prevention staff and provide for the performance of all Bernardsville and Bernards fire prevention functions.

NOW THEREFORE, in consideration of the mutual covenants, agreements and considerations contained herein, Bernards and Bernardsville do hereby mutually agree as follows:

ARTICLE I — SCOPE OF SERVICES:

- A. Bernards agrees to provide those services necessary for the operation of a municipal fire prevention bureau and serve as Bernardsville's Local Enforcing Agency (LEA), including but not limited to a fire prevention staff, inspections, origin and cause fire investigations, public education, sharing of equipment, to serve as Bernardsville's and Bernards' Municipal Fire Prevention Bureau. Bernardsville shall provide Bernards with compensation for this shared service as provided in Article III below.
- B. Fire Official. Bernardsville and Bernards agree the current Bernards Township Fire Official shall act as Fire Official for Bernardsville. The Fire Official shall perform all duties of the office in strict accordance with the Fire Prevention Code and all applicable regulations including Fire Investigations prescribed by N.J.A.C. 5:71-3.3. Bernards Fire Inspector(s) shall assist Bernards Fire official with fire investigations as needed and compensated by Bernardsville as provided in Article III below.
- C. Bernardsville's records, revenues, fees, and fines collected pursuant to **N.J.S.A. 52:27D-192 ET. SEQ.**, shall be administered, reported, deposited and audited by Bernards.

ARTICLE II - EXCLUDED SERVICES

- A. Bernards will not be responsible to provide services related to smoke detector inspections. Bernardsville will supply, at its own cost, appropriate staffing and/or professionals, and supplies and equipment, to accommodate all services and functions related to smoke detector inspections.

ARTICLE III - TERM OF CONTRACT

- A. This Agreement shall commence on or about July 1, 2021 and remain in effect until June 30, 2022. This Agreement may be terminated at the end of a calendar year by any party by providing written notice of termination no later than September 1 of the calendar year in which the Shared Services Agreement will terminate. Billing retroactive to July 1, 2021 for time spent prior to the signing of this agreement shall be permissible.

ARTICLE IV - RENEWAL

- A. Upon expiration of its term, the parties may extend the term of this Agreement upon such terms and conditions, including compensation, as they agree and incorporate into a written agreement.

ARTICLE V - PAYMENT BY BERNARDSVILLE TO BERNARDS

- A. Bernardsville agrees to pay for the shared fire prevention services by turning over to Bernards all fees related to the inspections of and permits issued for Bernardsville's property locations. At minimum, the dollar amount of such fees turned over to Bernards shall be no less than \$95,000 during the twelve (12) month contract term. Should a minimum of \$95,000 in fees not be turned over to Bernards during the contract term, Bernardsville agrees to compensate Bernards for the deficit balance within 30 days of written notification of the balance due. Additionally, should fees turned over to Bernards exceed \$95,000 during the twelve (12) month contract term, Bernards agrees to return to Bernardsville the amount exceeding \$95,000 within 30 days following the close of the twelve (12) month contract term.
- B. Bernards shall provide monthly revenue statements to Bernardsville to include any and all fees turned over to Bernards for the inspection and/or permitting of Bernardsville property locations.
- C. Bernardsville additionally agrees to pay for the cost of fire inspector(s) as needed after normal business hours to assist the Fire Official during emergency callouts and/or fire investigations. Bernards will bill Bernardsville quarterly for such services at a rate of \$40.00 per hour.

ARTICLE VI - RECORDS

- A. Bernards Fire Official shall maintain records of all current activity and collection as required by State statutes. The records for services provided to Bernardsville shall be made available to Bernardsville's Manager and governing Body as requested.
- B. Storage of inactive files shall be the responsibility of Bernardsville and shall be kept at Bernardsville's offices.

ARTICLE VII - Equipment & Technology

- A. Responsibility to provide the Fire Prevention Official with traditional office equipment, i.e., office/office space, computer, copying facilities, telephone, etc., while at Bernardsville's offices will be the sole responsibility of Bernardsville, as may be needed.
- B. Any and all costs associated with technological hardware or software required to service new Spatial Data Logic (SDL) system license(s) to be utilized by Bernards for its reporting on behalf of Bernardsville shall be the responsibility of Bernardsville. These costs will include purchase of the additional new license(s), annual renewal cost of the license(s), costs related to the conversion of data from Bernardsville's current system and set up of same by Bernards, and any IT maintenance costs related to Bernardsville's portion of the system. The SDL system itself will be housed and hosted by Bernards; however, all licenses and data on Bernardsville permits/inspections shall be the property of Bernardsville.
- C. Bernardsville shall provide their Fire prevention vehicle for use by the Bernards Fire Prevention Official for normal use and to take home to respond to after hour callouts for both Municipalities.

ARTICLE VIII - INSURANCE, INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

- A. Bernardsville Borough shall maintain its own insurance protection as respects its operations, including Workers Compensation coverage as respects any of its employees, including those activities being performed on behalf of the Municipal Fire Prevention Shared Service.
- B. Bernards Township shall maintain its own insurance protection as respects its operations, including Workers Compensation coverage as respects any of its employees, including those activities being performed on behalf of the Municipal Fire Prevention Shared Service. Bernards Township, as the provider of the service outlined in this agreement, agrees to include Bernardsville as an Additional Insured on its General Liability coverage as respects the municipal Fire Prevention Shared Services being performed.
- C. As both Bernards Township and Bernardsville Borough are members of the Suburban Municipal Joint Insurance Fund, it is hereby agreed that each party shall indemnify, defend, protect, hold harmless, and release the other, its officers, agents, and employees, from and against any and all claims, loss, proceedings, damages, causes of action, liability, costs, or expense (including attorneys' fees and witness costs) arising from or in connection with, or caused by any act, omission, or negligence of such indemnifying party or its agents, employees, contractors, subcontractors, or invitees. This indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages or compensation payable to or for the indemnifying party under workers' compensation acts, disability benefit acts, or other employee benefit acts. This indemnity provision survives the agreement.

ARTICLE IX - UNIFORM SHARED SERVICES AND CONSOLIDATION ACT

The governing bodies of Bernardsville and Bernards are authorized to enter into this Agreement with each other pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. in accordance with the terms of that Act.

ARTICLE X - MISCELLANEOUS

- A. Whenever, pursuant to the terms of this Agreement, written notice is required or permitted to be given by one party to the other party, such notice shall be deemed to have been sufficiently given if personally delivered to the appropriate Municipal Clerk or if mailed by way of certified or registered mail, return receipt requested, and addressed to the party to whom notice is to be given, as set forth below:

Bernards:

Bernardsville:

Attention: Ms. Rhonda Pisano
Clerk, Township of Bernards
One Collyer Lane
Basking Ridge, NJ 07920

Attention: Mr. Anthony Suriano
Clerk, Brough of Bernardsville
166 Mine Hill Road
Bernardsville, NJ 07924

- B. In the event that any fire prevention official of competent jurisdiction shall declare any section of this Agreement invalid for any reason, or if the laws of the State of New Jersey relied upon to enter this Agreement or amend it to forbid such Agreements, all other sections of the Agreement shall remain in full force and effect.
- C. This Agreement may be modified from time-to-time by mutual agreement and authorizing resolutions of the respective municipalities.

ARTICLE XI - GRANTS

- A. Should Bernards or Bernardsville be the direct beneficiary of any fire prevention related grants, the proceeds of said grants shall be applied to the municipality that applied for the grant and not shared.

ARTICLE XII - COMPLETE AGREEMENT

- A. This Agreement contains the complete understanding as to the operation of the Shared Municipal Fire prevention between Bernardsville and Bernards and no other promises or agreements shall be binding unless signed by the parties. In signing this Agreement, the parties are not relying on any fact, statement or assumption not set forth in this Agreement. By signing below, Bernardsville and Bernards each indicate that they have carefully read and understand the terms of this Agreement, enter into this Agreement knowingly, voluntarily and of their own free will, understand its terms and significance and intend to abide by its provisions without exception.

IN WITNESS WHEREOF, the Borough of Bernardsville, and the Township of Bernards have caused this Shared Services Agreement to be executed by their duly authorized representatives as of the day and year first written above.

Attest:

BOROUGH OF BERNARDSVILLE

Anthony Suriano, Clerk
Dated: _____, 2021

Mary Jane Canose, Mayor
Dated: _____, 2021

Attest:

TOWNSHIP OF BERNARDS

Rhonda Pisano, Clerk
Dated: _____, 2021

Janice Fields, Mayor
Dated: _____, 2021

**BOROUGH OF BERNARDSVILLE
RESOLUTION #21-152**

ACCEPTING THE POLICE DEPARTMENT'S RULES AND REGULATIONS

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, to accept the attached rules and regulations of the Bernardsville Police Department.

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

The Police Department Rules and Regulations is a large document and available upon request. Email asuriano@bernardsvilleboro.org to request a copy