

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
February 12, 2018 – 7:00 p.m.

1. CALL MEETING TO ORDER

Mayor Kevin Sooy
Council Member Jeffrey J. DeLeo
Council Member Thomas O'Dea
Council Member Chris Schmidt
Council Member Michael Sullivan
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 12, 2017.

3. PLEDGE OF ALLEGIANCE

4. 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 5 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.

5. PRESENTATIONS

- 5A. Well Testing Kits
- 5B. RideWise
- 5C. Moraine Crest
- 5D. Somerset County Hazard Mitigation

6. **ITEMS OF BUSINESS**

6A. **ORDINANCES**

Mayor to open public hearing on Ordinance #2018-1757, **AN ORDINANCE ESTABLISHING A CONSTRUCTION RECORDS CLEARANCE CERTIFICATE AND SUPPLEMENTING AND AMENDING CHAPTER XIII OF THE BOROUGH CODE ENTITLED "BUILDING AND HOUSING"**

Mayor to close public hearing

Motion to pass on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2018-1758, **AN ORDINANCE PROVIDING FOR IMPROVEMENT OF MINE MOUNT ROAD BY THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY, AND MAKING AN APPROPRIATION OF \$223,500 THEREFOR CONSTITUTING PROCEEDS OF A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

Mayor to close public hearing

Motion to pass on final reading and adopt as published:

Second:

Roll call vote:

Moved by _____ that Ordinance #2018-1759, **AN ORDINANCE APPROPRIATING \$100,000 FROM THE BOROUGH OPEN SPACE TRUST FUND FOR VARIOUS IMPROVEMENTS TO THE BOROUGH TURF FIELD LOCATED AT THE POLO GROUNDS**, 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, February 26, 2018.

Second:

Vote:

Moved by _____ that Ordinance #2018-1760, **AN ORDINANCE DESIGNATING THE BOROUGH ENGINEER AS THE FLOODPLAIN**

ADMINISTRATOR AND AMENDING ARTICLE 14 OF THE BOROUGH LAND USE ORDINANCE ENTITLED “ENVIRONMENTAL REQUIREMENTS”, 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, February 26, 2018.

Second:

Vote:

6B. RESOLUTIONS

- #18-33 AUTHORIZING TRANSFER OF APPROPRIATION RESERVES**
- #18-34 AUTHORIZING SUBMISSION OF A GREEN COMMUNITIES 2018 GRANT APPLICATION**
- #18-35 AUTHORIZING THE MAYOR AND CLERK TO SIGN THE 2018 RECYCLING AGREEMENT WITH SOMERSET COUNTY**
- #18-36 AUTHORIZING AN EXCHANGE OF CERTAIN HOLIDAYS FOR PUBLIC WORKS UNION EMPLOYEES**
- #18-37 AMENDING RESOLUTION #18-29, WHICH AUTHORIZED AUDITORS TO COMPLETE FINANCIAL DOCUMENTS**
- #18-38 AUTHORIZING THE SOLICITATION OF BIDS**
- #18-39 AWARDED A CONTRACT FOR LIQUID ALUM**
- #18-40 AUTHORIZING CHANGE ORDER #3 TO THE CONTRACT FOR PUBLIC WORKS STORAGE GARAGE**
- #18-41 REGARDING HIRING PRACTICES IN COMPLIANCE WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**
- #18-42 AUTHORIZING CHANGE ORDER #2 TO THE CONTRACT FOR THE DUNSTER SQUIBB PROPERTY**

- #18-43 APPROVING BURGIS ASSOCIATES PARTICIPATION IN
THE BERNARDSVILLE DOWNTOWN VISIONING
SESSION PROCESS AND SETTING A BUDGET FOR THE
PROJECT**
- #18-44 APPROVING EMERGENCY TEMPORARY
APPROPRIATIONS**
- #18-45 AUTHORIZING PAYMENT OF BILLS**
- #18-46 SETTING RECREATION FEES**
- #18-47 AUTHORIZING THE FILING OF AN APPLICATION FOR
MEMBERSHIP IN KEYSTONE PURCHASING NETWORK**
- #18-48 APPOINTING ANTHONY SURIANO AS BOROUGH
CLERK**

Moved:
Second:
Roll call vote:

- 6C. Claremont Road Parking Restrictions
- 6D. Council Contact Info
- 6E. Correspondence
- (1) Stream Cleanup Funds

7. CLOSED SESSION

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

Attorney/Client Privilege and Contract Negotiations

(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:

8. REOPEN AND ADJOURNMENT

021218ag

**BERNARDSVILLE BOROUGH
ORDINANCE 2018- 1757**

**AN ORDINANCE ESTABLISHING A CONSTRUCTION RECORDS CLEARANCE
CERTIFICATE AND SUPPLEMENTING AND AMENDING CHAPTER XII OF THE
BOROUGH CODE ENTITLED "BUILDING AND HOUSING"**

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 Code entitled "Building and Housing" is hereby supplemented and amended as follows:

Section 1. There is hereby created a new section 12-4 entitled "Construction Records Clearance Certificate" which reads as follows:

12-4 CONSTRUCTION RECORDS CLEARANCE CERTIFICATE

12-4.1 When Required.

a. No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance (CRC). A CRC shall be required prior to the sale of any residential or commercial structure and prior to the rental of any tenant space in a commercial structure within the Borough.

b. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:

- 1 Transfer of title to correct a previously recorded deed.
- 2 Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
- 3 Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
- 4 Transfer of title relating to new construction for which a certificate of occupancy is required.
- 5 Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or the intestate laws of the state.

6. Transfer of title due to refinancing, home equity loans, second mortgages.
7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.

12-4.2 Responsibility.

No owner shall permit the sale of a residential or commercial premises or rental of a residential or commercial premises covered under this section unless the requisite CRC has been issued. No purchaser or tenant shall occupy any premises covered under this section until the requisite CRC has been issued. Owners, tenants and occupants shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership and/or occupancy on the form provided by the Borough.

12-4.3 Preoccupancy Records Inspection.

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits on subject premises. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code certificates shall be issued prior to issuance of the CRC.

12-4.4 Fees.

The applicant shall submit with the application a \$35.00 fee to cover the administrative cost:

12-4.5 Violations and Penalties.

- a. Any person, firm or corporation violating any provisions of this section shall, upon conviction, be punishable by a fine not exceeding \$1,000, imprisonment for a period not exceeding 90 days and/or a period of community service no exceeding 90 days.
- b. The issuance of a CRC shall not preclude the imposition of penalties upon subsequent discovery of violations.

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, Acting Clerk

By: _____
Kevin Sooy, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**BERNARDSVILLE BOROUGH
ORDINANCE #2018-1758**

AN ORDINANCE PROVIDING FOR IMPROVEMENT OF MINE MOUNT ROAD BY THE BOROUGH OF BERNARDSVILLE, COUNTY OF SOMERSET, NEW JERSEY, AND MAKING AN APPROPRIATION OF \$223,500 THEREFOR CONSTITUTING PROCEEDS OF A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION

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

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Bernardsville, New Jersey, and there is hereby appropriated therefor the sum of \$223,500 constituting moneys received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement.

Section 2. The improvement heretofore and hereby authorized and purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of Mine Mount Road in and by the Borough, including the construction or reconstruction thereof, together with all inlets, drainage improvements, milling, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and heretofore and hereby approved.

Section 3. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. 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 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, Acting Clerk

By: _____
Kevin Sooy, Mayor

**BERNARDSVILLE BOROUGH
ORDINANCE #2018-1759**

**AN ORDINANCE APPROPRIATING \$100,000 FROM THE BOROUGH OPEN SPACE
TRUST FUND FOR VARIOUS IMPROVEMENTS TO THE BOROUGH TURF FIELD
LOCATED AT THE POLO GROUNDS**

STATEMENT OF PURPOSE: *To appropriate \$100,000 from the Borough Open Space Trust Fund for various improvements to the Borough turf field at the Polo Grounds.*

WHEREAS, the Borough has constructed a synthetic turf field at the Polo Grounds, which was financed with a \$700,000 grant from Somerset County and the balance coming from the Borough Open Space Trust Fund; and

WHEREAS, the original project included various on-site improvements including goal posts, fences, walkways, driveways and improved site drainage; and

WHEREAS, additional improvements, including but not limited to grandstands and electrical facilities, are needed to complete the project; and

WHEREAS, up to 20% of the Borough's Open Space Trust Fund monies may be used for the development of lands acquired for recreation and conservation purposes; and

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

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

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

Section 1. One hundred thousand (\$100,000) dollars is hereby appropriated from the Borough Open Space Trust Fund to develop the synthetic turf field at the polo grounds by installing grandstands, electrical facilities and other improvements.

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, Acting Borough Clerk

By: _____
Kevin Sooy, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

**BERNARDSVILLE BOROUGH
ORDINANCE 2018-1760**

**AN ORDINANCE DESIGNATING THE BOROUGH ENGINEER AS THE
FLOODPLAIN ADMINISTRATOR AND AMENDING ARTICLE 14 OF THE
BOROUGH LAND USE ORDINANCE ENTITLED “ENVIRONMENTAL
REQUIREMENTS”**

STATEMENT OF PURPOSE: *To designate the Borough Engineer as the Borough Floodplain Administrator.*

BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Article 14 of the Revised General Ordinances of the Borough of Bernardsville, 1997, Volume II adopted May 18, 1998 as previously supplemented and amended is further amended as follows:

Section 1. The title of Subsection 14-5.4.2 in Section 14-5 entitled “The Flood Damage Prevention Ordinance” is changed to “Designation of the Local Floodplain Administrator” and that subsection as re-titled is amended to read as follows:

“14-5.4.2 Designation of the Local Floodplain Administrator.

“~~The Planning Board or Board of Adjustment consistent with the provisions of the New Jersey Municipal Land Use Law~~ Borough Engineer is hereby appointed to administer and implement this section by granting or denying development permit applications in accordance with its provisions.”

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, Acting Borough Clerk

By: _____
Kevin Soon, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____

RESOLUTION #18-33
RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATION RESERVES

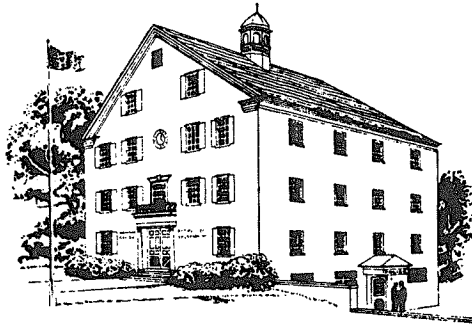
WHEREAS, it has been determined that the following appropriation reserves will be in need of additional funding and NJS 40A:4-58 and 59 permits the transfer of funds from those line items where an excess exists to those appropriations that are expected to be insufficient,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, that the following budget transfers be made effective February 12, 2018:

CURRENT FUND:	ACCT #	FROM	TO
ADMINISTRATION - S&W	10-A00-0100-0100	\$ 6,127.00	XXXXXX
LIABILITY INSURANCE	10-A00-0170-0200	\$ 20,258.00	XXXXXX
COMMUNICATIONS S&W	10-A00-0190-0100	\$ 1,245.00	XXXXXX
PURCHASE OF POLICE CARS	10-A00-0200-0250	\$ 579.00	XXXXXX
BOARD OF ADJ. - S&W	10-A00-0155-0100	\$ 69.00	XXXXXX
RECREATION - S&W	10-A00-0272-0100	\$ 1,133.00	XXXXXX
SOCIAL SECURITY	10-A00-0340-0200	\$ 2,038.00	XXXXXX
CONSTRUCTION S&W	10-A00-0285-0100	\$ 2,404.00	XXXXXX
P.E.R.S.	10-A00-0335-0200	\$ 2,785.00	XXXXXX
PLANNING BOARD - OE	10-A00-0150-0200	XXXXXX	\$ 900.00
BOARD OF ADJ - OE	10-A00-0155-0200	XXXXXX	\$ 3,700.00
CIF	10-A00-0108-0200	XXXXXX	\$ 27,038.00
STREETS & ROADS - OE	10-A00-0220-0200	XXXXXX	\$ 5,000.00
		\$ 36,638.00	\$ 36,638.00

I, Anthony Suriano, Acting Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on February 12, 2018.

Anthony Suriano
Acting Borough Clerk



Borough of Bernardsville

***166 Mine Brook Road
Bernardsville, NJ 07924
Somerset County***

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

RESOLUTION #18 - 34

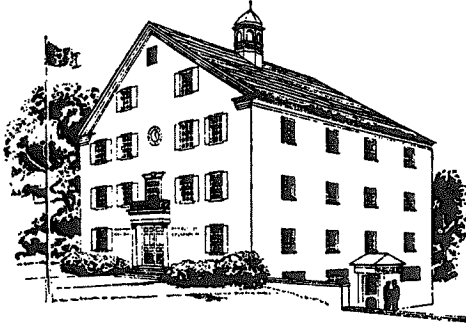
AUTHORIZING SUBMISSION OF A GREEN COMMUNITIES 2018 GRANT APPLICATION

WHEREAS, the Borough of Bernardsville is supportive of the Shade Tree Committee's application for a Green Communities Grant Application in the amount of \$3,000, matching in-kind 100% for a project total of \$6,000; and

WHEREAS, the attached application for said grant was completed by the Shade Tree Committee of the Borough of Bernardsville.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to authorize the Mayor to sign the Green Communities 2018 Application Form for a subsequent Community Forestry Management Plan, and submit same to Brian McDonald of the NJDEP Urban & Community Forestry Program.

I, Anthony Suriano, Acting 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 February 12, 2018.



Borough of Bernardsville

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RESOLUTION #18-35

AUTHORIZING THE MAYOR AND CLERK TO SIGN THE 2018 RECYCLING AGREEMENT WITH SOMERSET COUNTY

WHEREAS, the Borough of Bernardsville is desirous of contracting with the County of Somerset to provide for recycling; and

WHEREAS, Somerset County has provided a form of agreement, copy attached hereto and made a part hereof, and,

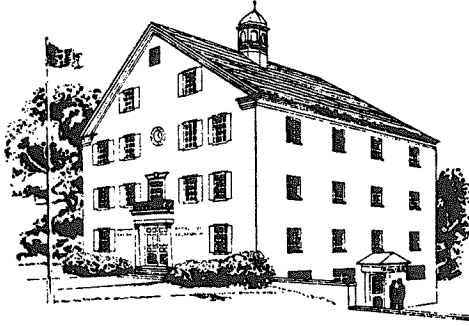
WHEREAS, the Chief Financial Officer has certified that funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to authorize the Mayor and Clerk to sign the 2018 Recycling Agreement with Somerset County at a cost of \$23.85 per household (same as 2017).

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Account # 10-C00-0240-0215.

I, Anthony Suriano, Acting 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 February 12, 2018.

RECYCLAG.RES



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 #18-36

**MEMORIALIZING AN EXCHANGE OF CERTAIN HOLIDAYS FOR
PUBLIC WORKS UNION EMPLOYEES**

WHEREAS, thirteen official holidays of the Borough of Bernardsville are designated in the Public Works Union Contract; and

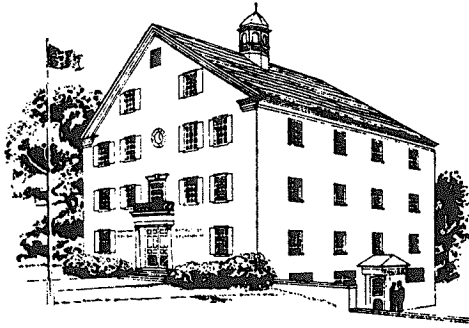
WHEREAS, on January 29th, the Public Works manager stated in an email that the Public Works Union employees of the Borough of Bernardsville have requested a “trade” as follows:

Lincoln’s Birthday, Monday, February 12, 2018, will be a normal workday, and a day off in lieu of Lincoln’s Birthday will be taken Monday, December 24, 2018; and

WHEREAS, the trade is supported by the Borough Administrator.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Bernardsville, to memorialize a trade of 2018 holidays for the Public Works Union employees of the Borough of Bernardsville, as discussed herein.

I, Anthony Suriano, Acting 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 February 12, 2018.



Borough of Bernardsville

**166 Mine Brook Road
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Somerset County**

**Administration (908) 766-3000 Fax (908) 766-2401
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RESOLUTION #18-37

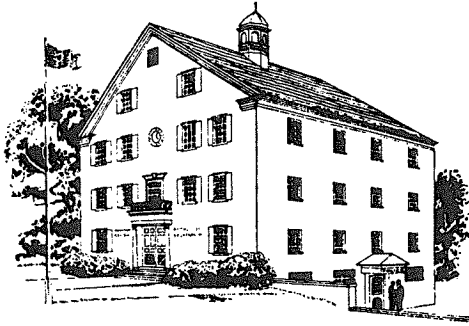
AMENDING RESOLUTION #18-29, WHICH AUTHORIZED AUDITORS TO COMPLETE FINANCIAL DOCUMENTS

WHEREAS, Resolution #18-29 authorized the firm of Suplee, Clooney & Co. to complete financial documents including the Annual Financial Statement, Annual Debt Statement, and to closeout all financial matters for 2017, for an amount not to exceed \$10,000.

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to amend the amount in Resolution #18-29 from not to exceed \$10,000 to not to exceed \$12,000.

I, Anthony Suriano, Acting 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 February 12, 2018.

auditors



Borough of Bernardsville

***166 Mine Brook Road
Bernardsville, NJ 07924
Somerset County***

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Engineering (908) 766-3850 Fax (908) 766-2788***

RESOLUTION #18-38

AUTHORIZING THE SOLICITATION OF BIDS

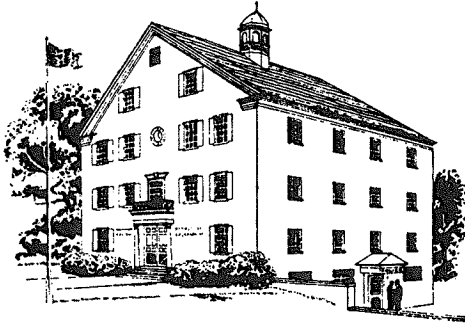
BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, to authorize solicitation of bids, as follows:

- (A) Library Roof Replacement (Flat Section)**
- (B) Library Replacement of AC Rooftop Units Supporting Lower Level**

RESOLVED FURTHER that said bids shall be publicly opened in accordance with law, by the Borough Administrator or his authorized delegate, who is hereby designated as the contracting agent for the Borough for the aforesaid purposes.

I, Anthony Suriano, Acting 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 February 12, 2018.

auth-bids



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 #18-39
AWARDING A CONTRACT FOR LIQUID ALUM

WHEREAS, bids were received on January 25, 2018 for the Borough's contract for Liquid Alum for an estimated annual quantity of 25,000 gallons for use at the Bernardsville Wastewater Treatment Plant for a two year contract; and

WHEREAS, two bids were submitted along with the required bid form, Consent Surety, Bid Bond, Non Collusion Qualification Statement, Statement of Ownership, Affirmative Action and Insurance Certificate, New Jersey Business Registration and Qualification Statement; and

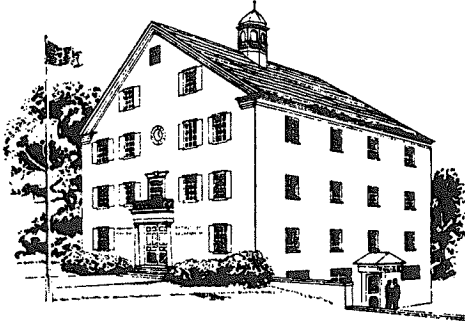
WHEREAS, it is the recommendation of the Assistant to the Public Works Manager to award a contract to ChemTrade of Parsippany, NJ, at a unit price of \$0.999 per gallon for the first year (March 1, 2018 to February 28, 2019) and \$1.0125 for the second year (March 1, 2019 to February 28, 2020); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bernardsville, to award the contract for Liquid Alum to ChemTrade of Parsippany, New Jersey, as discussed herein, and to authorize the Mayor and Borough Clerk to sign a contract for said services which has been approved as to form by the borough legal advisor.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Account No. 40-C00-0101-0216 Sewer Operations-Alum & Chlorine.

I, Anthony Suriano, Acting 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 February 12, 2018.

liquid-alum



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

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Engineering (908) 766-3850 Fax (908) 766-2788

RESOLUTION #18 - 40

**AUTHORIZING CHANGE ORDER #3 TO THE CONTRACT
FOR PUBLIC WORKS STORAGE GARAGE**

WHEREAS, the Public Works Manager recommends Change Order #3 to the contract for Public Works Storage Garage, as discussed in a memo dated January 24, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to approve Change Order #3 for the Public Works Storage Garage contract with Dutchman Construction in the amount of \$1,280.00.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Capital Ordinance No. 15-1691 (Acct No. 33-215-1400-1005).

I, Anthony Suriano, Acting 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 February 12, 2018.

change order storage garage

BOROUGH OF BERNARDSVILLE
SOMERSET COUNTY, NEW JERSEY

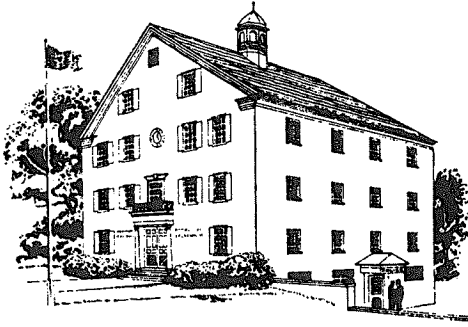
RESOLUTION #18-41
REGARDING HIRING PRACTICES IN COMPLIANCE WITH THE
U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto

NOW, THEREFORE BE IT RESOLVED, That the Council of the Borough of Bernardsville, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I, Anthony Suriano, Acting 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 February 12, 2018.



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 #18 - 42

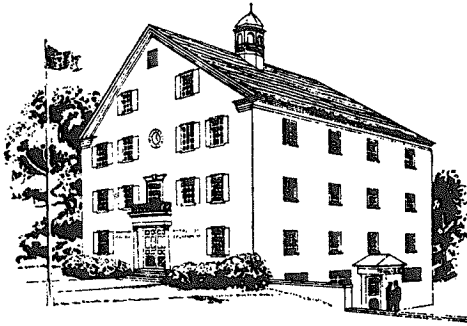
**AUTHORIZING CHANGE ORDER #2 TO THE CONTRACT
FOR THE DUNSTER SQUIBB PROPERTY**

WHEREAS, Michael Calafati, Architect, recommends Change Order #2 to the contract for the Dunster Squibb property, as discussed in a memo dated December 21, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to approve Change Order #2 for the Dunster Squibb property contract in the amount \$3,302.

I, Ralph A. Maresca, Jr., C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in the 2015 Dunster Squibb Grant #6 - Account number 72-286-5685-3068.

I, Anthony Suriano, Acting 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 February 12, 2018.



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RESOLUTION #18 - 43

**APPROVING BURGIS ASSOCIATES PARTICIPATION IN THE
BERNARDSVILLE DOWNTOWN VISIONING SESSION PROCESS
AND SETTING A BUDGET FOR THE PROJECT**

BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville to authorize the Borough Planner (Burgis Associates) to participate in the Bernardsville Downtown Visioning Session Process as discussed in memo from John P. Szabo, Jr., dated January 24, 2018.

BE IT FURTHER RESOLVED, to set a budget for Burgis Associates for this project in an amount not to exceed \$6,500.

I, Anthony Suriano, Acting 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 February 12, 2018.

RESOLUTION #18-44
APPROVING EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, it has been determined that certain appropriations excluded from the temporary budget calculation will be needed prior to the adoption of the final budget,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, that the following emergency temporary appropriations be approved:

	ACCT #	DEBIT	CREDIT
<u>CURRENT FUND:</u>			
AMOUNT TO BE RAISED BY TAXATION	10-190-0700-0000	\$165,631.25	
DEBT - BOND INTEREST	10-C00-0420-0250		\$163,631.25
GAS - OE	10-C00-0320-0200		\$ 2,000.00
<u>SEWER UTILITY FUND</u>			
CURRENT YEAR USER REVENUE	40-192-0700-0213	\$ 17,430.63	
SEWER - BOND INTEREST	40-C00-0108-0250		\$17,430.63

I, Anthony Suriano, Acting Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on February 12, 2018.

Anthony Suriano
Acting Borough Clerk

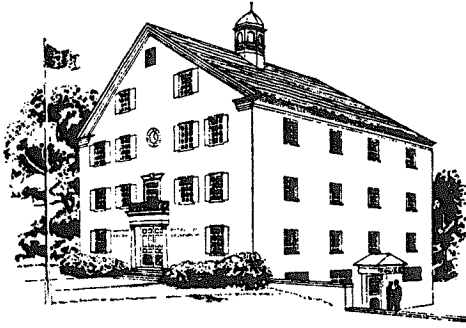
RESOLUTION 18-45

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	21,325.00
04 Escrow	\$	4,465.00
05 Construction Trust	\$	-
06 Outside Employment	\$	25,112.50
10 Current Fund	\$	5,296,312.26
12 Animal Control Trust	\$	650.00
20 Payroll	\$	225,730.72
33 Capital Fund	\$	55,609.99
40 Sewer Utility Fund	\$	49,461.33
55 Sewer Capital	\$	92,612.50
70 COAH Trust	\$	4,927.20
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	3,000.00
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
76 Shade Tree Trust	\$	-
77 Railroad Trust	\$	4,051.74
78 General Trust	\$	-
79 Bernardsville Community Garden Trust	\$	-
81 Snow Removal Trust Fund	\$	2,590.65
82 Accumulated Absences Trust Fund	\$	4,459.00
85 Recreation Trust	\$	590.00
 TOTAL	 \$	 5,790,897.89

I, Anthony J. Suriano, Acting 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 February 12, 2018



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RESOLUTION #18 - 46

AMENDING FEES FOR RECREATION/POOL PROGRAMS

WHEREAS, the Recreation Director and/or Recreation Committee recommends changes, deletions or additions to the existing schedule of fees, as discussed in a memo dated February 1, 2018, copy attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council to authorize an amendment of the Recreation/Pool Schedule of Fees, as noted in said memo.

I, Anthony Suriano, Acting 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 February 12, 2018.

Memo to: Anthony Suriano, Borough Clerk

From: Cheryl Ferrante, Recreation Director

Date: 2/1/2018

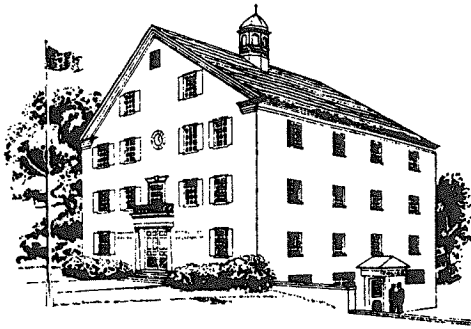
Re: Setting of Fees

Please include the following fees to the Recreation Fee Resolution.

Change:

Pool Parties \$175 per hour

Red Cross Babysitting Program \$95



Borough of Bernardsville

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RESOLUTION #18-47

AUTHORIZING THE FILING OF AN APPLICATION FOR MEMBERSHIP IN KEYSTONE PURCHASING NETWORK

WHEREAS, N.J.S.A. 5:34-7.6 provides that “[a] contracting unit may apply for membership in an approved cooperative purchasing system by passage of a resolution and executing a formal agreement with the lead agency”.

BE IT RESOLVED, by the Borough Council to authorize the Administrator to sign a membership application to allow the Borough of Bernardsville to join Keystone Purchasing Network.

I, Anthony Suriano, Acting 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 February 12, 2018.

national coop

**BOROUGH OF BERNARDSVILLE
RESOLUTION #18-48**

RESOLUTION APPOINTING ANTHONY SURIANO AS BOROUGH CLERK

WHEREAS, N.J.S.A. 40A:9-133 provides that, "In every municipality there shall be a municipal clerk appointed for a three-year term by the governing body of the municipality . . . "; and

WHEREAS, long time Borough Clerk Sandra G. Jones retired with an effective date of February 1, 2018 and a last-day-worked of June 29, 2017; and

WHEREAS, Anthony Suriano, who is a registered municipal clerk (RMC) and who has served as Deputy Clerk for many years, was appointed Acting Clerk on August 14, 2017 (Resolution #17-152); and

WHEREAS, the governing body wishes to appoint Anthony Suriano as Borough Clerk now that Sandra Jones is officially retired;

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 N.J.S.A. 40A:9-133, Anthony Suriano is hereby appointed Borough Clerk for a three-year term commencing February 12, 2018 and ending February 11, 2021, at an annual salary of \$85,000, which shall be prorated for the balance of 2018.

I, Anthony Suriano, Acting 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, February 12, 2018.

Anthony Suriano, Acting Clerk