

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
December 27, 2022 – 8:00 a.m.

ZOOM ONLY (See www.bernardsvilleboro.org for joining instructions)

1. CALL MEETING TO ORDER

Mayor Mary Jane Canose
Council Member Jay Ambelang
Council Member Diane Greenfield
Council Member Jena McCredie
Council Member Chad McQueen
Council Member Al Ribeiro
Council Member Christine Zamarra

2. STATEMENT OF PRESIDING OFFICER

Notice of this meeting was provided to the Bernardsville News and Courier News, filed with the Municipal Clerk and posted on the Municipal Bulletin Board on December 27, 2021 and supplemented to change the time and Zoom only on December 15, 2022.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. APPROVAL OF MINUTES

November 28, 2022

Motion:
Second:
Voice Vote:

6. OPEN SESSION (FOR ITEMS NOT LISTED FOR A PUBLIC HEARING)

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) - None**

ORDINANCES (Introduction) - None

8. **RESOLUTIONS**

#22-249 AUTHORIZING PAYMENT OF BILLS

**#22-250 RESOLUTION OF GRATITUDE ACCEPTANCE FOR
BERNARDSVILLE BOROUGH WEST STREET &
BOYLAN TERRACE SAFE ROUTE TO TRANSIT GRANT**

**#22-251 AUTHORIZING THE SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF BEDMINSTER, BOROUGH OF PEAPACK-
GLADSTONE, AND THE TOWNSHIP OF BERNARDS FOR THE
OPERATION OF A SHARED MUNICIPAL COURT FOR THE
PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2025**

- #22-252 APPOINTING A PUBLIC DEFENDER FOR SHARED MUNICIPAL COURT FROM JANUARY 1, 2023 TO DECEMBER 31, 2023**
- #22-253 APPOINTING A MUNICIPAL PROSECUTOR FOR SHARED MUNICIPAL COURT IN 2023**
- #22-254 AUTHORIZING TRANSFER OF FUNDS**
- #22-255 AUTHORIZING THE CANCELLATION OF SMALL BALANCES ON TAX AND SEWER UTILITY ACCOUNTS**
- #22-256 APPROVING MEMBERSHIP IN THE FIRE COMPANY**
- #22-257 AUTHORIZING THE PURCHASE OF A 2022 FORD EXPLORER XLT POLICE COMMAND VEHICLE THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NJ (ESC) CO-OP**
- #22-258 AUTHORIZING EXECUTION OF AN AGREEMENT WITH NEW JERSEY TRANSIT FOR THE LEASING OF THE BERNARDSVILLE RAILROAD STATION FOR A TERM OF FIVE YEARS WITH TWO ADDITIONAL TWO-YEAR OPTIONS**
- #22-259 AUTHORIZING SUBLEASE OF THE BERNARDSVILLE RAILROAD STATION**

I move that resolutions #22-249 to #22-259 be adopted:

Second:

Roll call vote:

9. REPORTS

9A. Mayor's Update

9B. Administrator's Report

- ACCEPTING DEPARTMENT MONTHLY REPORTS

Animal Control (November)

Capital/Engineering Project Management (December)

Construction (November)

Facilities/Public Works (November)
Finance (November)
Police (September, October, November)
Zoning Applications (November)
Zoning Enforcement/Violations (November)
Rental Inspections (November)
Recreation (Annual 2022)
Tax & Sewer (November)
Housing Committee (Annual 2022)

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. Request from Madelyn English for Displaying Farmers “Market Open” Sign
- 10B. Correspondence
 - 10B (1). Planning Board Recommendation of Ordinance (in 2023) for Zoning Line Change Request for 477-1 Mine Brook Road
- 10C. Unfinished Business
- 10D. New Business

11. **OPEN SESSION (FOR ITEMS NOT LISTED FOR A PUBLIC HEARING)**

See instructions in #6 first open session

12. **CLOSED SESSION**

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

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

Seconded:

Vote:

13. **REOPEN AND ADJOURNMENT**

RESOLUTION 22-249

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	705.00
04 Escrow	\$	15,192.50
06 Outside Employment	\$	-
10 Current Fund	\$	2,625,454.66
19 Other Trusts	\$	117.00
20 Payroll	\$	-
33 Capital Fund	\$	1,396,372.47
40 Sewer Utility Fund	\$	9,513.44
55 Sewer Capital	\$	-
70 COAH Trust	\$	8,291.00
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	-
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	15,707.45
TOTAL	\$	4,071,353.52

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 December 27, 2022.

Anthony Suriano
Borough Clerk

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2368	4213 - SHERRIE CALISH	PO 112526 PROGRAM COORDINATOR SALARY - NOV 2022*		105.00	
	01-G22-0110-0367	2022 MUNICIPAL ALLIANCE (22/23)	105.00		105.00
2369	7039 - WHRMA	PO 112558 COLLABORATIVE VIRTUAL EVENT - FILM BY IN		600.00	
	01-G22-0110-0367	2022 MUNICIPAL ALLIANCE (22/23)	600.00		600.00
TOTAL					----- 705.00
Total to be paid from Fund 01 STATE & FEDERAL GRANTS		705.00			
		=====			
		705.00			

List of Bills - (0410101001000) CASH - ESCROW ESCROW

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2688	6386 - BURGIS ASSOCIATES, INC	PO 112575 PB Planner contract & application servic		4,537.50	
	04-280-5016-0103	DISBURSEMENTS - PB #SP-243 MBRURA - 18 MT AIR	3,037.50		
	04-280-5015-0103	DISBURSEMENTS - PB #SP-242 - MBRURA - MINE B	1,350.00		
	04-280-5014-0103	DISBURSEMENTS - SP-244 - MBRURA - 63 BERNARDS	150.00		4,537.50
2689	1307 - FERRIERO ENGINEERING, INC	PO 112527 10/13/2022 Field meeting with Zoning Off		140.00	
	04-280-7000-0103	ESCROW DISBURSEMENT- CARUSO (STORMWATER)	140.00		
		PO 112528 10/6/22 Review plans/letter prep. Princ		1,380.00	
	04-280-7046-0103	DISBURSEMENTS - MARIA JANOTA ZONING	1,380.00		
		PO 112574 PB Engineer contract & application servi		4,410.00	
	04-280-5016-0103	DISBURSEMENTS - PB #SP-243 MBRURA - 18 MT AIR	3,220.00		
	04-280-5014-0103	DISBURSEMENTS - SP-244 - MBRURA - 63 BERNARDS	980.00		
	04-280-5015-0103	DISBURSEMENTS - PB #SP-242 - MBRURA - MINE B	210.00		5,930.00
2690	7360 - SAVO SCHALK	PO 112573 PB Attorney contract & application servi		4,725.00	
	04-280-5014-0103	DISBURSEMENTS - SP-244 - MBRURA - 63 BERNARDS	2,275.00		
	04-280-5015-0103	DISBURSEMENTS - PB #SP-242 - MBRURA - MINE B	2,450.00		4,725.00
TOTAL					15,192.50
Total to be paid from Fund 04 ESCROW		15,192.50	=====		
		15,192.50			

List of Bills - (1010101006000) CASH - CURRENT FUND

CURRENT FUND

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
64425	6311 - ACTION DATA SERVICES	PO 112568 PAYROLL INVOICE PERIOD END DATE 12/3/22*		199.59	
	10-C00-0110-0205	FINANCE DEPT. - GENERAL EXPENSE	199.59		199.59
64426	179 - AIRGAS USA, LLC	PO 112559 Cyl. rental		59.40	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	59.40		59.40
64427	135 - ALLEN PAPER & SUPPLY CO	PO 112495 C-FOLD PAPER TOWELS FOR ROADS AND ADMIN		203.00	
	10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE	29.00		
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	58.00		
	10-C00-0285-0201	CONSTRUCTION - OFFICE SUPPLIES	116.00		
		PO 112552 OFFICE SUPPLIES		109.46	
	10-A00-0195-0201	(2021) POLICE - OFFICE SUPPLIES	109.46		312.46
64428	1806 - ALLIED OIL LLC	PO 112492 GASOLINE - DEC 2022 (ESTIMATE) ACCOUNT #		5,846.45	
	10-C00-0315-0220	GASOLINE - PREMIUM GAS	5,846.45		5,846.45
64429	7390 - AMAZON CAPITAL SERVICES	PO 112532 OFFICE SUPPLIES		19.29	
	10-C00-0140-0201	ENGINEERING - OFFICE SUPPLIES	19.29		
		PO 112533 OFFICE SUPPLIES		119.84	
	10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY	119.84		139.13
64430	4351 - APRUZZESE, McDERMOTT, MASTRO&MURPHY	PO 110566 JAN-JUNE 2022 GENERAL LABOR SERVICES - A		635.50	
	10-C00-0101-0205	HUMAN RESOURCES - GEN. EXPENSE	635.50		635.50
64431	5180 - ATLANTIC CORPORATE HEALTH	PO 112176 Fire Co. Membership - Mary Ferrante, Phy		339.00	
	10-C00-0100-0205	ADMIN. & EXEC. - GEN. EXPENSES	339.00		339.00
64432	4214 - ATLANTIC TACTICAL OF NJ	PO 109766 NEW HIRE UNIFORMS DeMAIO		506.76	
	10-A00-0195-0228	(2021) POLICE - UNIFORMS NEW OFFICER EQUIPMEN	506.76		506.76
64433	6682 - BCI TRUCK INC	PO 111313 Blanket for parts		666.44	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	666.44		
		PO 112576 #112 front end alignment		666.44	
	10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS	666.44		1,332.88
64434	7309 - BERNARDSVILLE CINEMA	PO 112507 Cheer Party		447.79	
	10-C00-0272-0214	RECREATION - EVENTS & ACTIVITIES	447.79		447.79
64435	1934 - BUREAU OF STATE USE INDUSTRIES	PO 112357 LHR7-500 Letterhead - 500 - John Remian		75.00	
	10-C00-0195-0201	POLICE - OFFICE SUPPLIES	75.00		75.00
64436	3863 - CENTRAL JERSEY CONSTRUCTION	PO 112386 Reconstruct Storm Sewer Catch Basin on S		6,750.00	
	10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR	6,750.00		6,750.00
64437	4239 - COMCAST	PO 112531 HD TV CONNECTION- POLICE DEPT-ACCT# 8499		19.26	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	19.26		19.26
64438	4239 - COMCAST	PO 112593 HIGH SPEED INTERNET - ACCT 8499052890037		111.85	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	111.85		111.85
64439	7219 - CURCIO PLUMBING	PO 112517 Repair Toilet Women's Room BH, Troublesh		606.33	
	10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.	424.00		
	10-C00-0145-0228	BUILD. & GROUNDS - LIBRARY MAINT.	182.33		606.33

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
64440	6167 - DIRECT ENERGY BUSINESS 10-C00-0320-0225 GAS - NATURAL	PO 112538 GAS BILLS - 10/27/22*	100.00	100.00	100.00
64441	6167 - DIRECT ENERGY BUSINESS 10-C00-0320-0225 GAS - NATURAL	PO 112539 GAS BILLS - invoice 5/30/22*	115.59	115.59	115.59
64442	7048 - DOWNTOWN BERNARDSVILLE, INC 10-C00-0100-0221 ADMIN. & EXEC. - DOWNTOWN REVITALIZATION	PO 112543 ANNUAL COMMITMENT TO MAIN STREET/DOWNTOW	12,000.00	12,000.00	12,000.00
64443	15 - EDWARD KERWIN 10-C00-0115-0205 TAX ASSESSOR - GENERAL EXP.	PO 112590 REIMBURSEMENT FOR 2022 EXPENSES	1,355.16	1,355.16	1,355.16
64444	120 - FOSTER & COMPANY, INC. 10-C00-0220-0224 STREETS & ROADS - SUPPLIES	PO 112192 Plow+Spreaders couplers	389.61	389.61	389.61
64445	2933 - GLENN MILLER ELECTRICAL CONTRACTING 10-C00-0145-0251 BUILD. & GROUNDS - STREET LIGHTS	PO 112490 Replace Bulbs and Outlets in Downtown St	1,158.30	1,158.30	1,158.30
64446	7141 - GRACIE AND HARRIGAN CONSULTING FORESTERS 10-C00-0115-0205 TAX ASSESSOR - GENERAL EXP.	PO 112542 ARSENIS FARM INSPECTION	455.00	455.00	455.00
64447	185 - GRAINGER 10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE	PO 112534 Hyd. press	1,719.00	1,719.00	1,719.00
64448	3651 - ICC, INC 10-C00-0285-0201 CONSTRUCTION - OFFICE SUPPLIES	PO 112459 2021 IBC® Code and Commentary Combo, Vo	778.05	778.05	778.05
64449	214 - INSTITUTE FOR PROF. DEVELO 10-C00-0110-0203 FINANCE DEPT - EDUCATION	PO 112515 WEBINAR - SICK LEAVE TINA MARKIEWICZ 12/7	50.00	50.00	50.00
64450	124 - JAEGER LUMBER 10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE	PO 112530 peri.caps cedar	110.16	110.16	110.16
64451	87 - JCP&L 10-C00-0310-0220 ELECTRICITY - BILLS	PO 112569 JCP&L 11/12-12/12/22*	112.31	112.31	112.31
64452	87 - JCP&L 10-C00-0225-0202 STREET LIGHTING	PO 112595 JCP&L 11/20-12/17/22*	3,270.20	3,270.20	3,270.20
64453	6247 - JOY AUTO PARTS 10-C00-0246-0207 VEHICLE MAINT.-STREETS & ROADS	PO 111738 Parts Blanket	582.72	582.72	582.72
64454	6223 - JP MONZO MUNICIPAL CONSULTING 10-C00-0110-0203 FINANCE DEPT - EDUCATION	PO 112236 CASH MANAGEMENT WEBINAR - 12/7/22	50.00	50.00	50.00
64455	374 - LACAL EQUIPMENT 10-C00-0220-0209 STREETS & ROADS - LEAF PICKUP	PO 112448 Clutch-kit leaf-machine	827.58	827.58	827.58
64456	358 - LUDLOW HEATING & COOLING CO. 10-C00-0145-0216 BUILD. & GROUNDS - BUILD. MNT.	PO 110252 2022 HVAC Service - Borough Hall, DPW an	270.00	270.00	270.00

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 110934 2022 HVAC Service - Library Tenant Space		1,420.70	
10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.		1,420.70		
		PO 112488 2022 HVAC Service - Borough Hall, DPW an		426.42	
10-C00-0145-0216	BUILD. & GROUNDS - BUILD. MNT.		426.42		2,117.12
64457	6799 - MARCO TECHNOLOGIES	PO 111408 2022 SERVICE CONTRACT #006433-07 - BLANK		201.81	
10-C00-0112-0206	TECH. INF. SYSTEM - MAINTENANCE CONTRACTS		134.73		
10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY		67.08		201.81
64458	32 - MARY JANE CANOSE	PO 112570 Mayor Canose hotel & mileage reimburseme		429.25	
10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.		429.25		429.25
64459	2423 - MES- LAWREN	PO 106832 9MM Handgun ammo and Trade of 45 Ammo		91.73	
10-204-5500-0	ACCOUNTS PAYABLE		91.73		
		PO 106965 Handgun and rifle ammo		1,868.58	
10-204-5500-0	ACCOUNTS PAYABLE		1,868.58		1,960.31
64460	98 - MJ NEILL, INC	PO 112594 DIESEL USAGE - NOV 2022*		1,340.62	
10-C00-0315-0230	GASOLINE - DIESEL		1,340.62		1,340.62
64461	6659 - MODERN GROUP, LTC	PO 112499 Generator Service - Lower Level Library		782.50	
10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.		782.50		782.50
64462	31 - NEW JERSEY HILLS MEDIA GROUP	PO 111215 Bernardsville News Legal Notices 2022 BL		83.64	
10-C00-0102-0207	MUNICIPAL CLERK-ADVERTISING		83.64		83.64
64463	5258 - NEW JERSEY PRESS MEDIA SOLUTIONS	PO 112371 Ad for Road Department Truck Driver/Labo		44.60	
10-C00-0220-0205	STREETS & ROADS - GEN. EXPENSE		44.60		44.60
64464	57 - NJ AMERICAN WATER CO.	PO 111363 NJ American Water MAY-DEC 2022* BLANKET		28.09	
10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS		28.09		28.09
64465	57 - NJ AMERICAN WATER CO.	PO 112588 NJ American Water 11/9-12/8/22*		7,437.28	
10-C00-0145-0219	BUILD. & GROUNDS - WATER BILLS		537.28		
10-C00-0180-0220	FIRE HYDRANT SERVICE		6,900.00		7,437.28
64466	6714 - PAYBYPHONE TECHNOLOGIES INC	PO 110493 SERVICE FEES - TRAIN STATION PARKING MET		150.00	
10-C00-0145-0254	BUILD. & GROUNDS - PARKING LOTS		150.00		150.00
64467	6042 - PSE&G	PO 112536 BILL DATE 12/2/22*		380.73	
10-C00-0320-0225	GAS - NATURAL		380.73		380.73
64468	3738 - R&R IRRIGATION CO. INC	PO 111557 Sprinkler Repairs - Polo Grounds Soccer		880.00	
10-C00-0145-0240	BUILD. & GROUNDS - REC. BUILDING MAINT.		880.00		880.00
64469	1042 - READY REFRESH	PO 110202 2022 Bottled Water Borough Hall, DPW, Se		345.78	
10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE		212.27		
10-C00-0145-0240	BUILD. & GROUNDS - REC. BUILDING MAINT.		11.37		
10-C00-0145-0218	BUILD. & GROUNDS - BOTTLED H2O		122.14		345.78
64470	4360 - RESEARCH & DESIGN LANDSCAPE LLC	PO 112173 Municipal Parking Lot Plowing and Sidewa		4,830.00	
10-C00-0220-0215	STREETS & ROADS - SNOW REMOVAL		4,830.00		4,830.00

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Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
64471	3499 - RICHIE'S TIRE SERVICE INC 10-C00-0246-0207	PO 112529 #115 tires + mounting VEHICLE MAINT.-STREETS & ROADS	3,649.92	3,649.92	3,649.92
64472	2602 - RYDIN DECAL CO. 10-C00-0102-0205	PO 112341 2022 Parking Decals MUNICIPAL CLERK-GEN. EXPENSE	757.62	757.62	757.62
64473	7312 - SAMUELS, INC 10-C00-0246-0207	PO 112582 #116 pads+rotors VEHICLE MAINT.-STREETS & ROADS	198.92	198.92	198.92
64474	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC 10-C00-0145-0225	PO 110185 2022 Janitorial Services Borough Hall + BUILD. & GROUNDS - CLEANING SERVICES	1,645.02	1,645.02	
		PO 110196 2022 Janitorial Services Suite 103, Suit	999.67		
	10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE	433.37		
	10-C00-0145-0240	BUILD. & GROUNDS - REC. BUILDING MAINT.	283.15		
	10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.	283.15		
		PO 110197 2022 Cleaning of Commuter Area/Restrooms	377.55		
	10-C00-0145-0250	BUILD. & GROUNDS - TRAIN STATION	377.55		3,022.24
64475	6762 - SOME'S UNIFORMS, INC 10-C00-0195-0223	PO 112283 Under Armour 137349 1/2 Zip with Embroid POLICE - DETECTIVE SUPPLIES	546.55	546.55	546.55
64476	38 - STAPLES BUSINESS ADVANTAGE 10-C00-0195-0201	PO 112410 OPEN P.O. FOR OFFICE SUPPLIES POLICE - OFFICE SUPPLIES	462.49	462.49	462.49
64477	5880 - THERESA VAUGHN 10-C00-0285-0203	PO 112519 TA Meeting- December 7, 2022 CONSTRUCTION - EDUCATION	25.00	25.00	25.00
64478	6525 - TOPOLOGY NJ LLC 10-C00-0100-0221	PO 111655 PROFESSIONAL SERVICES - GENERAL REDEVELO ADMIN. & EXEC. - DOWNTOWN REVITALIZATION	962.50	962.50	962.50
64479	5802 - TRUGREEN 10-C00-0145-0241	PO 110237 2022 Claremont Lawn Maintenance - Somers BUILD. & GROUNDS - REC. FIELD MAINT.	87.46	87.46	
		PO 110240 2022 Pool Complex and Skate Park - Somer	87.46		
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	87.46		
		PO 110241 2022 Polo Grounds Lawn Maintenance - Som	465.28		
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	465.28		
		PO 110242 2022 Evankow Soccer Lawn Maint. - Somers	393.57		
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	393.57		
		PO 110244 2022 Kiwanis Field Lawn Maintenance - So	139.93		
	10-C00-0145-0241	BUILD. & GROUNDS - REC. FIELD MAINT.	139.93		1,173.70
64480	5632 - VENTURA,MIESOWITZ,KEOUGH&WARNER,P.C 10-C00-0150-0215	PO 111571 PB Attorney contract & application servi PLANNING BOARD - ATTORNEY	665.00	665.00	665.00
64481	3488 - VERIZON 10-C00-0305-0215	PO 112562 FIOS - ACCT# 354-642-517-0001-63 - 12/10 TELEPHONE - PHONE BILLS	129.99	129.99	129.99
64482	61 - VERIZON 10-C00-0305-0215	PO 112565 TELEPHONE BILL 908-221-9611 - 12/7-1/6/2 TELEPHONE - PHONE BILLS	553.66	553.66	553.66
64483	5173 - VERIZON BUSINESS SERVICES 10-C00-0305-0215	PO 112564 TELEPHONE BILL 908-221-9611 - invoice 12 TELEPHONE - PHONE BILLS	49.53	49.53	49.53

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
64484	1632 - VERIZON WIRELESS (NEWARK) 10-C00-0305-0225	TELEPHONE - MOBILE PHONES	PO 112563 ACC #442265347 - 00004 WIRELESS PHONES 202.95	202.95	202.95
64485	868 - VIKING PEST CONTROL 10-C00-0145-0244	BUILD. & GROUNDS - POLICE	PO 112135 Mice Control at Police Radio Shed - 150 696.00	696.00	696.00
64486	5318 - W.B.MASON CO, INC 10-C00-0100-0201 10-C00-0285-0201 10-C00-0220-0204 10-C00-0100-0201	ADMIN. & EXEC. - OFFICE SUPPLY CONSTRUCTION - OFFICE SUPPLIES STREETS & ROADS - MISC. ADMIN. & EXEC. - OFFICE SUPPLY	PO 112513 OFFICE SUPPLIES S130232406 59.59 77.00 110.14 PO 112551 OFFICE SUPPLIES 137.66	246.73 137.66	384.39
64487	1264 - WELDON ASPHALT CO. 10-C00-0220-0218	STREETS & ROADS - ROAD REPAIR	PO 111449 BITUMINOUS CONCRETE & STONE - MAY-DEC 20 223.22	223.22	223.22
TOTAL					75,170.49
Total to be paid from Fund 10 CURRENT FUND		75,170.49			
		75,170.49			

Checks Previously Disbursed

10908	SPHERE COMMERCE	PARKING METER FEES	89.65 12/02/2022
10909	SOMERSET HILLS BOARD OF ED.	PO# 112525 SCHOOL TAX - DECEMBER 2022	2,321,798.40 12/09/2022
10910	PAYROLL ACCOUNT	CASH- CURRENT - 12/9/22	225,632.41 12/09/2022
64167	NAPA OF CHESTER, INC	Multiple:	981.71 11/08/2022
64424	BISTRO SEVEN THREE	PO# 112585 BOROUGH HOLIDAY PARTY - 12/21/22	1,782.00 12/21/2022
			2,550,284.17

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	2,550,284.17	75,170.49	2,625,454.66
BILLS LIST TOTALS	2,550,284.17	75,170.49	2,625,454.66

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
441	6727 - CLEARPOINT DESIGNS	PO 112556 VETERANS' BANNERS		117.00	
	19-285-0500-9101	RESERVE FOR VETERANS' BANNERS	117.00		117.00
TOTAL					----- 117.00
Total to be paid from Fund 19 OTHER TRUSTS		117.00			
		=====			
		117.00			

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
6256	7277 - JAG PAVING CORP	PO 110985 Construction of Pickle Ball Courts on Se		122,649.47	
	33-215-2923-1000 OS ORD 2021-1906 - PICKELBALL COURT		122,649.47		122,649.47
6257	6277 - SA AND SONS CONSTRUCTION CO.	PO 112524 Emergency Repair (Icing/Ponding) Mt Harm		6,000.00	
	33-215-2919-1001 2021-1874 - VARIOUS ROADS - FUNDED		6,000.00		6,000.00
6258	7250 - SUBURBAN CONSULTING ENGINEERS	PO 111730 Polo Grounds Utility Study/Preliminary P		870.25	
	33-215-2922-1000 O/S ORD 2021-1898 - O/S MASTER PLAN IMP.		870.25		870.25
TOTAL					----- 129,519.72
Total to be paid from Fund 33 CAPITAL FUND		129,519.72	=====		
		129,519.72			

Checks Previously Disbursed

10910	TRIDENT ABSTRACT TITLE AGENCY	PO# 112523 FINAL PAYMENT FOR PURCHASE OF 65	1,266,852.75 12/09/2022

			1,266,852.75

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 33 CAPITAL FUND	1,266,852.75	129,519.72	1,396,372.47
BILLS LIST TOTALS	1,266,852.75	129,519.72	1,396,372.47 =====

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
10728	6158 - AMERICAN AQUATIC TESTING, INC 40-C00-0101-0215 SEWER - TESTING	PO 111398 2022 IC25 Testing	2,000.00	2,000.00	2,000.00
10729	6760 - EDWARD KRISTOFF 40-C00-0101-0206 SEWER - UNIFORMS	PO 112491 BOOTS KRISTOFF NEXT ALLOWANCE 6/12/2023	150.00	150.00	150.00
10730	1619 - GARDEN STATE LABORATORIES INC 40-C00-0101-0215 SEWER - TESTING	PO 112446 2022 Laboratory Testing	2,020.00	2,020.00	2,020.00
10731	87 - JCP&L 40-C00-0101-0227 SEWER - ELECTRICITY	PO 112566 JCP& L 10/22-11/18/22*	1,454.17	1,454.17	1,454.17
10732	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 111364 NJ AMERICAN WATER - MAY-DEC 2022* BLANKE	8.24	8.24	8.24
10733	57 - NJ AMERICAN WATER CO. 40-C00-0101-0229 SEWER - WATER BILLS	PO 112591 NJ AMERICAN WATER - 11/13-12/10/22*	28.09	28.09	28.09
10734	4835 - ONE CALL CONCEPTS 40-C00-0101-0207 SEWER - EQUIP. PARTS & SUPPLY	PO 112553 November 2022 Service	77.22	77.22	77.22
10735	4335 - PASSAIC VALLEY SEWERAGE COMISSION 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 111988 Open PO	1,056.00	1,056.00	1,056.00
10736	6042 - PSE&G 40-C00-0101-0224 SEWER - NATURAL GAS/DIESEL	PO 112536 BILL DATE 12/2/22*	80.26	80.26	80.26
10737	6987 - R-D TRUCKING, INC 40-C00-0101-0226 SEWER - SLUDGE REMOVAL	PO 111687 Sludge Removal 8/22 - 12/22	2,208.48	2,208.48	2,208.48
10738	61 - VERIZON 40-C00-0101-0301 SEWER -TELEPHONE	PO 112567 TELEPHONE BILLS - NOV 2022 - 201 X52-128	335.68	335.68	335.68
10739	1920 - VILLAGE OFFICE SUPPLY 40-C00-0101-0205 SEWER - GENERAL EXPENSES	PO 112467 CALENDARS	95.30	95.30	95.30
TOTAL					9,513.44
Total to be paid from Fund 40 SEWER UTILITY FUND		9,513.44	=====		
		9,513.44			

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
2216	7401 - BARBARA BEAM	PO 112312 REIMBURSEMENT FOR CODE COMPLIANCE ASSIST		4,968.00	
	70-286-5685-4011	COAH - AFFORDABILITY ASSISTANCE PROGRAMS	4,968.00		4,968.00
2217	5366 - CGP&H, LLC	PO 110323 ADMINISTRATIVE AGENT & PLANNING SERVICES		1,696.50	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	1,696.50		1,696.50
2218	7006 - INTERSTATE WASTE SERVICES OF NJ	PO 112460 WASTE REMOVAL SERVICES - 63-73 BERNARDS		164.00	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	164.00		164.00
2219	6830 - MARAZITI FALCON, LLP	PO 110320 PROFESSIONAL SERVICES CONTRACT - 210 NO		1,462.50	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	1,462.50		1,462.50
TOTAL				-----	8,291.00

Total to be paid from Fund 70 COAH TRUST

8,291.00

=====

8,291.00

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

Meeting Date: 12/27/2022 For bills from 12/27/2022 to 12/22/2022

Check#	Vendor	Description	Account	PO Payment	Check Total
475	6866 - NAMASTE 4 KIDS	PO 111968 Yoga and Mindfulness participants		960.00	
	85-286-5685-2022	RECREATION TRUST - CREATIVE FLOW	960.00		960.00
476	7037 - US SPORTS INSTITUTE	PO 112514 Various US Sports Programs		13,765.00	
	85-286-5685-4036	SOCCER	3,984.00		
	85-286-5685-4018	USA MULTISPORT PM	1,720.00		
	85-286-5685-4020	USA MULTISPORT AM	1,086.00		
	85-286-5685-4033	TENNIS FOUNDATION	6,975.00		13,765.00
TOTAL					14,725.00
Total to be paid from Fund 85 RECREATION TRUST		14,725.00			
		=====			
		14,725.00			

Checks Previously Disbursed

85258	GATEWAY	CREDIT CARD FEES	20.00 12/02/2022
85259	CAPTUREPOINT	CREDIT CARD FEES	962.45 12/05/2022

			982.45

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 85 RECREATION TRUST	982.45	14,725.00	15,707.45
BILLS LIST TOTALS	982.45	14,725.00	15,707.45
			=====

BOROUGH OF BERNARDSVILLE
RESOLUTION #22-250
RESOLUTION OF GRATITUDE ACCEPTANCE FOR
BERNARDSVILLE BOROUGH WEST STREET &
BOYLAN TERRACE SAFE ROUTE TO TRANSIT GRANT

WHEREAS, the Borough of Bernardsville had filed application - LA-2023 SST Bernardsville Borough West Street & Boylan Terrace Safe Route to Transit 18 -SST-2023-West Street & Boylan Terrace Safe R-00038; and

WHEREAS, the Governing Body of the Borough of Bernardsville received notification from the NJDOT via the PMRS system regarding its eligibility to receive a grant in the amount of \$250,000 for West Street & Boylan Terrace Safe Route to Transit; and

WHEREAS, the purpose of the project involves the construction of a pedestrian sidewalk along West Street and Boylan Terrace in the Borough of Bernardsville; the West Street and Boylan Terrace sidewalk will provide a pedestrian connection from a section of Bernardsville commonly; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Bernardsville that the Governing Body does hereby accept the award of \$250,000, to fund West Street & Boylan Terrace Safe Route to Transit.

BE IT FURTHER RESOLVED, that the Chief Executive Officer of the Borough of Bernardsville be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Transportation (NJDOT) and the Borough of Bernardsville does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

CERTIFICATION

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville in the County of Somerset, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Governing Body at its meeting of December 27, 2022.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-251**

**AUTHORIZING THE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP
OF BEDMINSTER, BOROUGH OF PEAPACK-GLADSTONE, AND THE TOWNSHIP
OF BERNARDS FOR THE OPERATION OF A SHARED MUNICIPAL COURT FOR
THE PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2025**

WHEREAS, the Township of Bedminster (“Bedminster”), the Borough of Peapack and Gladstone (“Peapack-Gladstone”), the Borough of Bernardsville (“Bernardsville”), and the Township of Bernards (“Bernards”) have reviewed their needs, resources and personnel and have found that they can assist each other at considerable savings to the tax payers of each municipality by establishing and operating a shared municipal court; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other municipality 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. 2B:12-1(c), two or more municipalities, by resolution, may agree jointly to provide for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, in a Shared Municipal Court, each Court retains its own identity; and

WHEREAS, the Shared Municipal Court shall be operated as four separate courts, pursuant to which Bedminster is the host municipality and provides the services described in this Agreement to Peapack and Gladstone, Bernardsville, and Bernards; and

WHEREAS, the Shared Services Agreement, in the form attached hereto and made a part hereof, was negotiated and agreed to by Bedminster, Peapack-Gladstone, Bernardsville, and Bernards, which establishes a municipal court and provides for the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel; and

WHEREAS, the Shared Services Agreement has been reviewed by the Borough Attorney, along with representatives of the Borough of Bernardsville; and

WHEREAS, the Borough Council of the Borough of Bernardsville finds it to be in the best interest of the borough and its residents to renew this Shared Services Agreement with Bedminster, Peapack-Gladstone, and Bernards for the establishment and operation of a shared municipal court.

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

1. There shall be established a shared municipal court servicing the Township of Bedminster, Borough of Peapack-Gladstone, Borough of Bernardsville, and Bernards Township subject to compliance with the terms and conditions of the Honorable Kevin M. Shanahan, A.J.S.C.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached Shared Services Agreement with the Borough of Peapack and Gladstone, the Township of Bedminster, and Township of Bernards, which Agreement sets forth the terms and conditions for the operation of the shared municipal court, including the sharing of court facilities and court staff including the municipal judge, court administrators, other court employees, prosecutors, public defenders and security personnel.
3. The Borough Clerk, Borough Administrator, and Borough Attorney and other appropriate borough officials are further authorized to take any and all action required to comply with this Agreement.
4. This Resolution shall take effect immediately upon adoption, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Borough of Bernardsville.

I, Anthony Suriano, Clerk of the Borough of Bernardsville, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a Regular Meeting held on December 27, 2022.

Anthony Suriano, Borough Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-252**

**APPOINTING A PUBLIC DEFENDER FOR SHARED MUNICIPAL
COURT FROM JANUARY 1, 2023 TO DECEMBER 31, 2023**

WHEREAS, the current term for the Public Defender expired December 31, 2022 and there is a need for the appointment of a Public Defender for the Bedminster Township, Borough of Peapack and Gladstone, Bernards Township, and Borough of Bernardsville Shared Municipal Court; and

WHEREAS, the Shared Municipal Court Services Advisory Committee recommends the following appointment to the position of Public Defender to the Shared Court for the period of January 1, 2023 – December 31, 2023.

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

<u>NAME</u>	<u>POSITION</u>
Scott Mitzner Mitzner & Mitzner 786 Mountain Blvd. , #101a Watchung, NJ 07069	Public Defender Annual Compensation: \$30,000

NOW THEREFORE, BE IT FURTHER RESOLVED that the appointment of Mr. Mitzner is expressly contingent upon the continuation of a shared court agreement between Bedminster Township, Peapack-Gladstone Borough, Bernards Township, and Bernardsville Borough and the appointment of Mitzner & Mitzner as Public Defender by the Borough of Peapack-Gladstone, Bernards Township, and the Township of Bedminster.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held December 27, 2022.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-253**

**APPOINTING A MUNICIPAL PROSECUTOR
FOR SHARED MUNICIPAL COURT IN 2023**

WHEREAS, there is a need for the appointment of a Municipal Prosecutor for the Bedminster Township, Borough of Peapack and Gladstone, Borough of Bernardsville and Bernards Township Shared Municipal Court; and

WHEREAS, the Shared Municipal Court Services Advisory Committee recommends the following appointment to the position of Municipal Prosecutor to the Shared Court for the period of January 1, 2023 to December 31, 2023.

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

NAME

Stephen O. Davis, Esq.
DiFrancesco, Bateman, Kunzman,
Davis, Lehrer & Flaum, P.C.
15 Mountain Boulevard
Warren, NJ 07059

POSITION

Municipal Prosecutor

Annual Compensation: \$95,888.06
Full Tuesday + Full Thursday

Legal services in response to any Post-Conviction Relief Applications generated by the State v. Cassidy litigation will be billed separately at the rate of \$125.00 per hour.

NOW THEREFORE, BE IT FURTHER RESOLVED that the appointment of Mr. Davis is expressly contingent upon the continuation of a shared court agreement between Bedminster Township, Peapack-Gladstone Borough, Bernardsville Borough and Bernards Township and the appointment of Mr. Davis as Prosecutor by the Borough of Peapack-Gladstone, the Township of Bedminster, and the Township of Bernards.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on December 27, 2022.

Anthony Suriano
Borough Clerk

RESOLUTION #22-254
RESOLUTION AUTHORIZING TRANSFER OF FUNDS

WHEREAS, it has been determined that the following appropriations will be in need of additional funding prior to December 31, 2022 and NJSA 40A:4-58 and 59 permits the transfer of funds from those line items where an excess exists to those appropriations that are expected to be insufficient,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, that the following budget transfers be made effective December 27, 2022:

<u>Account Number</u>	<u>Account Name</u>	<u>S&W/OE</u>	<u>FROM</u>	<u>TO</u>
CURRENT FUND:				
10-C00-0101-0200	HUMAN RESOURCES	OE	\$ 10,000.00	XXXXXX
10-C00-0135-0200	LEGAL SERVICES	OE	\$ 20,000.00	XXXXXX
10-C00-0145-0100	BUILDINGS & GROUNDS	S&W	\$ 10,000.00	XXXXXX
10-C00-0156-0100	ZONING/HOUSING	S&W	\$ 10,000.00	XXXXXX
10-C00-0175-0100	HB WAIVER	OE	\$ 3,000.00	XXXXXX
10-C00-0175-0200	GROUP HEALTH BENEFITS	OE	\$ 20,000.00	XXXXXX
10-C00-0190-0100	COMMUNICATIONS	S&W	\$ 5,000.00	XXXXXX
10-C00-0195-0100	POLICE	S&W	\$ 60,000.00	XXXXXX
10-C00-0310-0200	ELECTRICITY	OE	\$ 8,000.00	XXXXXX
10-C00-0100-0200	ADMIN & EXEC	OE	XXXXXX	\$ 55,000.00
10-C00-0145-0200	BUILDINGS & GROUNDS	OE	XXXXXX	\$ 20,000.00
10-C00-0305-0200	TELEPHONE	OE	XXXXXX	\$ 5,000.00
10-C00-0315-0200	GASOLINE	OE	XXXXXX	\$ 3,000.00
10-C00-0340-0200	SOCIAL SECURITY	OE	XXXXXX	\$ 4,000.00
10-C00-0108-0200	CAPITAL IMPROVEMENT FUND	OE	XXXXXX	\$ 50,000.00
10-C00-0180-0200	FIRE HYDRANT SERVICES	OE	XXXXXX	\$ 3,000.00
10-C00-0246-0200	VEHCILE MAINTENANCE	OE	XXXXXX	\$ 6,000.00
			\$ 146,000.00	\$ 146,000.00
SEWER UTILITY:				
<u>Account Number</u>	<u>Account Name</u>	<u>S&W/OE</u>	<u>FROM</u>	<u>TO</u>
40-C00-0101-0200	SEWER	OE	\$ 3,500.00	XXXXXX
40-C00-0107-3001	SEWER - SOCIAL SECURITY	OE	XXXXXX	\$ 3,500.00
			\$ 3,500.00	\$ 3,500.00

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville in the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough Council of the Borough of Bernardsville in the County of Somerset in the State of New Jersey on December 27, 2022.

Anthony Suriano
Borough Clerk

BOROUGH OF BERNARDSVILLE, NJ

RESOLUTION #22-255
AUTHORIZING THE CANCELLATION OF SMALL BALANCES
ON TAX AND SEWER UTILITY ACCOUNTS

WHEREAS, NJSA 40A:5-17.1 provides that a municipality may authorize the cancellation of tax refund or delinquency of less than ten (\$10.00) dollars.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, New Jersey that authorization is hereby given to the Borough Tax Collector to process the cancellation of such balances.

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 December 27, 2022.

RESOLUTION #22-256

APPROVING MEMBERSHIP IN THE FIRE COMPANY

BE IT RESOLVED by the Borough Council of the Borough of Bernardsville to approve a membership application to the Bernardsville Fire Company for the following:

Soleil Meiner
19B Fox Hollow Trail
Bernardsville, NJ 07924

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 December 27, 2022.

RESOLUTION #22-257

**AUTHORIZING THE PURCHASE OF A 2022 FORD EXPLORER XLT POLICE
COMMAND VEHICLE THROUGH THE EDUCATIONAL SERVICES COMMISSION
OF NJ (ESC) CO-OP**

WHEREAS, the Borough of Bernardsville has the need to purchase a new 2022 Ford Explorer XLT Police Command Vehicle,

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

(1) The police department is authorized to purchase a 2022 Ford Explorer XLT Police Command Vehicle from Nielsen Ford, 170 Ridgedale Ave. Morristown, NJ 07960 in the amount of \$53,040.16.

(2) The purchase is authorized through the Educational Services Commission of NJ Co-Op, Contract #65MCESCCPS.

(3) The Chief of Police, and if necessary, Mayor & Clerk, and/or CFO are hereby authorized to sign any necessary documents for execution.

I, Leslie Roberson, C.M.F.O., hereby certify, in accordance with requirements of N.J.A.C. 5:30-14.5, that funds for the project discussed herein are available in Account# 33-215-2926-1023.

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 December 27, 2022.

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-258**

**AUTHORIZING EXECUTION OF A LEASE EXTENSION WITH NEW JERSEY
TRANSIT FOR THE LEASING OF THE BERNARDSVILLE RAILROAD STATION
FOR A TERM OF FIVE YEARS WITH TWO ADDITIONAL TWO-YEAR OPTIONS**

WHEREAS, New Jersey Transit Corporation (“NJ Transit”) is the owner of the Bernardsville Railroad Station parcel, which is located on Mine Brook Road, and known as Block 144, Lot 1 on the Borough tax maps; and

WHEREAS, NJ Transit and the Borough of Bernardsville (the "Borough") entered into a Lease Agreement (hereinafter, “Lease”) on November 7, 2006, for the lease to The Borough of portions of a station parcel situated on Block 144, Lot 1 on the Official Tax Map of the Borough of Bernardsville, also known as the Bernardsville Railroad Station. A copy of said Lease is attached hereto as Exhibit A; and

WHEREAS, NJ Transit and The Borough entered into a Lease Amendment Agreement on May 13, 2015, which, inter alia, extended the Term of the Lease to December 31, 2025; and

WHEREAS, the Amended Term of the Lease will expire on December 31, 2025 (hereinafter, “Expiration Date”); and

WHEREAS, NJ Transit desires to continue to rent this station parcel beyond the Expiration Date; and

WHEREAS, NJ Transit and The Borough have agreed to extend the Lease (the "Second Lease Amendment") to provide for a five (5) year extension of the Expiration Date, for a revised expiration date of December 31, 2030, with two (2) additional option terms of two (2) years each (through December 31, 2034) (the “Option Terms”).

WHEREAS, the lease gives the Borough the right to sublet the premises with the consent of NJ Transit, which consent shall not be unreasonably withheld; and

WHEREAS, the lease requires the Borough, in the case of a sublease, to comply with the provisions of N.J.S.A 40A:12-24 which provides that:

“Every . . . municipality may lease for fixed and upon prescribed terms and for private purposes any land or building or any part thereof not presently needed for public use to the person who will pay the highest rent therefor. The use by the Borough shall be of such character as not to be detrimental to the building or the use of the building or the use of the unleased part of the building;” and

WHEREAS, the Bernardsville Railroad Station is on the National Register of Historic Places and is an important part of downtown Bernardsville; and

WHEREAS, leasing the railroad station from NJ Transit will allow the Borough to regulate the use of the building and to monitor its upkeep and maintenance;

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

1. The Mayor and Clerk are hereby authorized and to the execute Second Lease Amendment with NJ Transit as described in the preamble.
2. This resolution supersedes and replaces Resolution 22-177, adopted September 12, 2022.
3. The Borough Attorney is authorized to negotiate the terms of a proposed sublease with Pizzeria Tatôn By MV in accordance with its October 6, 2021, proposal.

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, December 27, 2022.

Anthony Suriano, Clerk

**BOROUGH OF BERNARDSVILLE
RESOLUTION #22-259**

AUTHORIZING SUBLEASE OF THE BERNARDSVILLE RAILROAD STATION

WHEREAS, contemporaneously herewith the governing body is authorizing a lease extension with New Jersey Transit Corporation (“NJ Transit”) for the Bernardsville Train Station to provide for a five (5) year extension of the Expiration Date, for a revised expiration date of December 31, 2030, with two (2) additional terms of two (2) years each (through December 31, 2034) (the “Option Terms”), subject to certain conditions; and

WHEREAS, the Borough received two proposals in response to its RFP; and

WHEREAS, after considering those proposals, the governing body determined that the proposal submitted by Pizzeria Tatôn By MV to operate a pizza restaurant utilizing an authentic volcanic clay oven to create Neapolitan pizzas is most advantageous to the Borough and its residents inasmuch as it will be an attractive restaurant business occupying the historic Bernardsville Train Station and as such will contribute to the redevelopment of the downtown; and

WHEREAS, Pizzeria Tatôn By MV has asked for a rent concession of seven months of lease payments to cover the large scale renovations that will be needed; and

WHEREAS, Pizzeria Tatôn By MV has also asked the Borough to apply to the Director of the Division of Alcoholic Beverage Control for a special concessionaire permit pursuant to the provisions of N.J.A.C. 132-5.2, which will allow it to sell alcoholic beverages for consumption in the Railroad Station building; and

WHEREAS, this approval of the sublease agreement with Pizzeria Tatôn By MV is subject to the approval of NJ Transit in accordance with the terms of the underlying lease agreement between the Borough and NJ Transit; and

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 sublease agreement with Pizzeria Tatôn By MV in a form acceptable to the Borough Attorney.
2. The term of the sublease shall be concurrent with that of the underlying lease between the Borough and NJ Transit, that is for a term of five years with two two-year renewal options.
3. The sublease agreement may include a seven-month rent concession as requested by Pizzeria Tatôn By MV .
4. The rents during years one and two of the sublease agreement shall be \$1,500 a month commencing in the eighth month and ending in the twenty-fourth month.
5. In accordance with Pizzeria Tatôn By MV 's proposal, the monthly rents for years three through nine shall be as follows:
 - Years three and four: \$2,000
 - Year five: \$3,000
 - Year six: \$3,500
 - Year seven: \$4,000
 - Years eight and nine: \$4,500
6. Pizzeria Tatôn By MV shall post a security deposit of \$3,000 (two months' rent) upon execution of the sublease agreement. The amount of the security deposit will be increased

whenever the rent is increased so that the Borough is always holding two months' rent security deposit during the term of the sublease.

7.Pizzeria Tatôn By MV shall renovate the train station building in accordance with its proposal at the approximate cost of \$650,000.

8.The Borough will work with Pizzeria Tatôn By MV to obtain a concessionaire [alcoholic beverage] permit for the site.

9.The effectiveness of this resolution is contingent upon the Borough's receiving NJ Transit's approval of the proposed sublease as required by the underlying lease.

10. This resolution supersedes and replaces Resolution 22-193, adopted September 26, 2022

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, December 27, 2022.

Anthony Suriano, Clerk