

BOROUGH OF BERNARDSVILLE
Mayor & Borough Council Meeting Agenda
January 23, 2023 – 7:00 p.m.

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 15, 2022.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. APPROVAL OF MINUTES

December 12, 2022, December 27, 2022, January 3, 2023, and January 9, 2023

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)**

Spoken comments will be limited to three minutes per speaker.

Mayor to open public hearing on Ordinance #2023-1941, **ADJUSTING THE ZONE DISTRICT BOUNDARY LINE WHICH BISECTS PROPERTY LOCATED AT 477-1 MINE BROOK ROAD (BLOCK 28, LOT 46.01)**

Mayor to close public hearing

I move to pass Ordinance #2023-1941 on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2023-1942, **ADJUSTING THE ZONE DISTRICT BOUNDARY LINE WHICH BISECTS PROPERTY LOCATED AT 70 STONEFENCE ROAD (BLOCK 23, LOT 15)**

Mayor to close public hearing

I move to continue the public hearing on Ordinance #2023-1942 to February 13, 2023 at 7:00pm (awaiting Planning Board recommendation)

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2023-1943, **ORDINANCE OF THE BOROUGH OF BERNARDSVILLE, NEW JERSEY AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF THE REAL PROPERTY LOCATED AT 210 NORTH FINLEY AVENUE WHICH CONSISTS OF A PORTION OF BLOCK 125, LOT 25, BERNARDSVILLE, NEW JERSEY NOW OWNED BY ALTOMARE REALTY, LLC**

Mayor to close public hearing

I move to pass Ordinance #2023-1943 on final reading and adopt as published:

Second:

Roll call vote:

Mayor to open public hearing on Ordinance #2023-1944, **CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES AND ALLOCATION AND AMENDING CHAPTER XVI OF THE BOROUGH CODE ENTITLED “SEWER REGULATIONS”**

Mayor to close public hearing

I move to pass Ordinance #2023-1944 on final reading and adopt as published:

Second:

Roll call vote:

ORDINANCES (Introduction)

I move that Ordinance #2023-1945, **CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1946, **ORDINANCE PROVIDING FOR THE IMPROVEMENT OF SIDEWALKS IN AND BY THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, NEW JERSEY, AND APPROPRIATING \$250,000 THEREFOR CONSTITUTING PROCEEDS OF GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1947, **AN ORDINANCE CONCERNING THE BOROUGH EMERGENCY MANAGEMENT COORDINATOR AND AMENDING CHAPTER 2 OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1948, **AMENDING SECTION 11-4 OF THE BOROUGH CODE ENTITLED “REGISTRATION AND MAINTENANCE OF PROPERTIES PENDING FORECLOSURE” TO BRING IT INTO COMPLIANCE WITH P.L. 2021, c. 444**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1949, **AN ORDINANCE CONCERNING BACKGROUND CHECKS REQUIRED OF CERTAIN BOROUGH OFFICERS AND EMPLOYEES AND AMENDING CHAPTER 2 OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1950, **AN ORDINANCE CONCERNING CERTIFICATES OF INSPECTION FOR RESIDENTIAL RENTALS PROPERTIES AND AMENDING CHAPTER XI OF THE BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”**, 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 13, 2023.

Second:
Voice Vote:

I move that Ordinance #2023-1951, **REORGANIZING BOROUGH ADVISORY COMMITTEES AND AMENDING ARTICLE V ENTITLED “BOARDS, COMMITTEES AND COMMISSIONS” IN CHAPTER 2 OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**, 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 13, 2023.

Second:
Voice Vote:

8. RESOLUTIONS

#23-31 AUTHORIZING PAYMENT OF BILLS

#23-32 AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT 04-280-7001-0100 FOR SOMERSET HILLS COUNTRY CLUB FOR 180 MINE MOUNT RD.

#23-33 INCREASING THE BID THRESHOLD TO \$44,000.00 AND QUOTE THRESHOLD TO \$6,600

#23-34 AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR THE SOMERSET HILLS MUNICIPAL ALLIANCE AND YOUTH

**SERVICES COMMISSION (SHMAYSC) GRANT FOR FISCAL
YEAR 2024**

- #23-35 CORRECTING THE GRADE OF PATROLMAN COLE
RHINESMITH AND PATROLMAN ANDREW DEMAIIO**
- #23-36 AUTHORIZATION OF TAX REFUND**
- #23-37 AUTHORIZING SUBMISSION OF AN APPLICATION FOR
DMHAS GRANT FUNDING FOR THE SOMERSET HILLS
MUNICIPAL ALLIANCE AND YOUTH SERVICES
COMMISSION (SHMAYSC) FOR GRANT TERM TWO: 9/1/23 –
9/30/25**
- #23-38 AUTHORIZING THE PROVISION OF A LOAN PURSUANT TO
THE BOROUGH OF BERNARDSVILLE AFFORDABILITY
ASSISTANCE PROGRAM FOR THE OWNER OF AN
AFFORDABLE HOUSING UNIT LOCATED AT
17 E FOX HOLLOW TRAIL, BERNARDSVILLE, NJ 07924**
- #23-39 AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH SUBURBAN ENGINEERING, INC. FOR ENGINEERING
SERVICES FOR DESIGN OF A CONCEPT PARKING PLAN AND
NEW ACCESS TO MINE BROOK ROAD FROM 271 MINE
BROOK ROAD**
- #23-40 AUTHORIZING PERMISSION TO USE GRAVEL LOT AREA
ACROSS FROM BOROUGH HALL**
- #23-41 ESTABLISHING PRELIMINARY COSTS FOR AN ENGINEERING
STUDY OF A SEWER LINE EXTENSION FOR 65 MORRISTOWN
ROAD**

I move that resolutions #23-31 to #23-41 be adopted:

Second:

Roll call vote:

9. REPORTS

9A. Mayor's Update

9B. Administrator's Report

- ACCEPTING DEPARTMENT MONTHLY REPORTS

Animal Control (Annual)
Capital/Engineering Project Management (January)
Construction (December)
Facilities/Public Works (December)
Zoning Applications (December)
Zoning Enforcement/Violations (December)
Rental Inspections (December)
Tax & Sewer (December)

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. Sign Request from The Bonafides of Somerset Hills

10B. Appointments

10B(1). HPAC Members – Mayor's Appointment

- 10B(2). Housing/Property Maintenance/Zoning Compliance Advisory Committee Members– Mayor’s Appointment with Council Consent

I move to confirm the appointments of the Mayor to the Housing/Property Maintenance/Zoning Compliance Advisory Committee:

Second:
Roll call vote:

- 10B(3). Council Liaison to Housing/Property Maintenance/Zoning Compliance Advisory Committee – Council Appointment

I move to appoint Diane Greenfield as Council Liaison to the Housing/Property Maintenance/Zoning Compliance Advisory Committee

Second:
Roll call vote:

- 10C. Agreement between Borough of Bernardsville and Lowrie Auto Body for vehicles to park at 65 Morristown Road

- 10D. Correspondence

- 10D (1). Letter from Kathy Sisto

- 10D (2). Letter from Robert Richardson

- 10E. Unfinished Business

- 10E (1). Establishing Council Meeting Protocols (Zoom)

- 10F. 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:

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:

13. **REOPEN AND ADJOURNMENT**

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1941**

**ADJUSTING THE ZONE DISTRICT BOUNDARY LINE WHICH BISECTS
PROPERTY LOCATED AT 477-1 MINE BROOK ROAD (BLOCK 28, LOT 46.01)**

WHEREAS, the vacant property located at 477-1 Mine Brook Road, and known as Block 28, Lot 46.01 on the Borough tax maps, is located partially in the R-1 residential district and partially in the R-2 residential district as a result of a 1980 subdivision; and

WHEREAS, split lot zoning like this can result in a hardship to the property owner

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 12 of the Borough Land Use Code Entitled “Zoning” is hereby amended as follows:

Section 1. Section LD 12-2.2 entitled "Zoning Map" is supplemented and amended by adding a new subparagraph "14" to paragraph “a” entitled "Zoning Map Amendments" which reads as follows:

“14. The Zoning Map is amended to change the boundary line between zone district R-1 and R-2 so that all of Block 28, Lot 46.01 is zoned R-2 residential.”

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

1st Reading and Introduction: _____

1st Publication: _____

Referral to Planning Board: _____

Notice to County Planning Board Prior to Adoption: _____

Notice to Clerks of Adjoining Municipalities (if required): _____

Notice to Affected Property Owners (if required): _____

2nd Reading and Adoption: _____

2nd Publication: _____

Filing with Assessor: _____

Filing with County Planning Board: _____

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1942**

**ADJUSTING THE ZONE DISTRICT BOUNDARY LINE WHICH BISECTS
PROPERTY LOCATED AT 70 STONEFENCE ROAD (BLOCK 23, LOT 15)**

WHEREAS, the property located at 70 Stonefence Road, and known as Block 23, Lot 15 on the Borough tax maps, is located partially in the R-1 residential district and partially in the R-2 residential district; and

WHEREAS, split lot zoning like this can result in a hardship to the property owner

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 12 of the Borough Land Use Code Entitled “Zoning” is hereby amended as follows:

Section 1. Section LD 12-2.2 entitled "Zoning Map" is supplemented and amended by adding a new subparagraph "15" to paragraph “a” entitled "Zoning Map Amendments" which reads as follows:

“15. The Zoning Map is amended to change the boundary line between zone district R-1 and R-2 so that all of Block 23, Lot 15 is zoned R-2 residential.”

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

1st Reading and Introduction: _____

1st Publication: _____

Referral to Planning Board: _____

Notice to County Planning Board Prior to Adoption: _____

Notice to Clerks of Adjoining Municipalities (if required): _____

Notice to Affected Property Owners (if required): _____

2nd Reading and Adoption: _____

2nd Publication: _____

Filing with Assessor: _____

Filing with County Planning Board: _____

ORDINANCE OF THE BOROUGH OF BERNARDSVILLE, NEW JERSEY AUTHORIZING THE ACQUISITION BY PURCHASE OR CONDEMNATION OF THE REAL PROPERTY LOCATED AT 210 NORTH FINLEY WHICH CONSISTS OF A PORTION OF BLOCK 125, LOT 25, BERNARDSVILLE, NEW JERSEY NOW OWNED BY ALTOMARE REALTY, LLC

WHEREAS, the New Jersey Supreme Court, through its rulings in In re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Hous., 221 N.J. 1 (2015) (Mount Laurel IV); Hills Dev. Co. v. Twp. of Bernards 103 N.J. 1 (1986) (Mount Laurel III); S. Burlington Cty. NAACP v. Twp. of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II); . Burlington Cty. NAACP v. Twp. of Mount Laurel, 67 N.J. 151, 174 (1975) (Mount Laurel I) (the “Mount Laurel Decisions”), has determined that municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for a fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

WHEREAS, the New Jersey State Legislature, in response to the Mount Laurel Decisions, adopted the Fair Housing Act, N.J.S.A. 53:27D-301 *et seq.* to codify the obligation of municipalities to provide a realistic opportunity for housing for low- and moderate-income families; and

WHEREAS, the Borough recognizes its obligation under the State Constitution, as further set forth in the Mount Laurel Decisions and the Fair Housing Act, to provide a realistic opportunity for housing for low- and moderate-income individuals and families; and

WHEREAS, on July 6, 2015, the Borough filed a Declaratory Judgment action, in accordance with Mount Laurel IV, seeking a declaration of its compliance with the Mount Laurel Decisions and the Fair Housing Act (the “Action”); and

WHEREAS, The Fair Share Housing Center (FSHC) intervened in the Action and, with the assistance of a special master, reached a settlement with the Borough (the “Fair Share Settlement”, which is on file at the Borough Offices) which sets forth the manner in which the Borough will ensure the opportunity for housing for low- and moderate-income families; and

WHEREAS, in accordance with the Fair Share Settlement, the Borough has determined to provide for the construction of affordable housing on certain Borough-owned properties, and to acquire other properties as it deems necessary in order to provide for the construction of affordable housing; and

WHEREAS, in the Fair Share Settlement, the Borough has identified the property located at 210 North Finley Avenue and shown on the tax maps of the Borough of Bernardsville as Block 125, Lot 25 as a site for the development of Affordable Rental housing; and

WHEREAS, in accordance with N.J.S.A. 40A:12-5(a)(1) “any municipality, by ordinance, may provide for the acquisition of any real property, capital improvement, or personal property: (1) by purchase, gift, devise, lease, exchange, or condemnation;” and

WHEREAS, an appraiser retained by the Borough, Integra Realty Resources, determined the value of the Property to be \$ 650,000.00 as more fully set forth in the Appraisal entitled “Appraisal of Real Property- 210 North Finley, Bernardsville, Somerset County, New Jersey 07924” dated October 3, 2022, which is attached hereto as Exhibit A and made a part of this Ordinance; and

WHEREAS, the Borough Council wishes to authorize the Mayor and/or her designee to negotiate for the acquisition of the Property in an amount not to exceed the appraised value for the Property, and if negotiated purchase cannot be effectuated, to initiate eminent domain actions to acquire title to the Property under the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq. so long as all legal prerequisites for eminent domain are satisfied and to thereafter prosecute such eminent domain actions to completion and to arrange for the Borough to satisfy any judgments entered in such eminent domain proceedings.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF BERNARDSVILLE, NEW JERSEY THAT:

Section 1. The appraisal of the Property prepared by the firm of Integra Realty Resources, LLC on behalf of the Borough is hereby accepted and approved in its entirety, including but not limited to the appraised value of \$ 650,000.00.

Section 2. After the effective date of this Ordinance, the Borough shall reserve the sum of \$650,000.00 from the Bernardsville Affordable Housing Trust Fund and the Chief Financial Officer has certified the availability of funds for the purposes set forth herein.

Section 3. The Mayor and/or her designee are hereby authorized to negotiate for the acquisition by voluntary purchase and, if voluntary purchase cannot be effectuated, to carry out the condemnation of 210 North Finley Avenue and shown on the tax maps of the Borough of Bernardsville as a portion of Block 125, Lot 25 (the “Property”) in the amount not to exceed the appraised value of the Property for the purpose of providing an opportunity for housing for low and moderate income individuals and families.

Section 4. The Mayor and/or her designee are hereby authorized to execute any and all agreements and other legal documents necessary to accomplish the acquisition of the Property, including but not limited to a written offer for the purchase of the aforementioned property, land sale contracts and deeds for the sale of the Property and Verified Complaints, Declarations of Taking, and any other necessary documents for eminent domain proceedings for the Property in

accordance with the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq.

Section 5. In conjunction with said acquisition, the Borough hereby reserves and shall reserve any and all rights it had or may have to recover in any subsequent or pending action or by any administrative means, all costs of remediation and/or clean-up of contamination and/or removal of solid waste that have been incurred or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession of the Property in the name of the Borough, if any.

Section 6. In conjunction with said acquisition, the Borough hereby reserves and shall reserve the right to seek in its sole discretion, any and all available legal, administrative and equitable remedies to compel the record owners and/or responsible parties to remediate and/or clean up the Property in accordance with applicable state and federal statutory and regulatory provisions or to remove solid waste, if any. The Borough is not and shall not be liable for the clean-up and removal costs of any discharge which occurred or began prior to the Borough's ownership.

Section 7. The Mayor, Borough Council, and such other officials, consultants, agents, employees and professionals of the Borough as may be necessary and appropriate are hereby authorized and directed to take any and all actions necessary to effectuate the purposes of this Ordinance.

Section 8. A copy of the Ordinance and any agreements authorized herein shall be placed on file with the Borough Clerk's Office.

Section 9. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 10. This Ordinance shall take effect in accordance with the laws of the State of New Jersey after final passage and publication.

ORDINANCE #2023-1944
CONCERNING SEWER CONNECTION FEES AND SEWER USER RATES
AND ALLOCATION AND AMENDING CHAPTER XVI
OF THE BOROUGH CODE ENTITLED “SEWER REGULATIONS”

BE IT ORDAINED by the Council of the Borough of Bernardsville, in the County of Somerset, New Jersey that section 16-1 entitled “Rates, Fees and Charges for Use of Sewerage System” in Chapter XVI of the Borough Code entitled “Sewer Regulations” is hereby amended as follows:

Section 1. Subsection 16-1.4 entitled “User Charge” is hereby amended to read as follows:

16-1.4 User Charge. The following user fees are hereby established for annual use of the Sewerage System commencing January 1, 2023:

- a. A minimum annual user fee shall be charged for each residential and nonresidential connection in the amount of \$345.00
- b. Included within each user fee shall be a facility fee of \$345.00 for each connection plus a water use component of \$500.00 for each service unit or additional part thereof prorated.

In all other respects, subsection 16-1.4 shall remain unchanged.

Section 2. Subsection 16-1.3 entitled “Connection Fees” is hereby amended to read as follows:

16-1.3 Connection Fees. The following connection fees are hereby established for any direct or indirect connection to the Sewerage System commencing January 1, 2023:

- a. The connection fee for residential and nonresidential use shall be \$7,200.00 for each service unit.

In all other respects, subsection 16-1.3 shall remain unchanged.

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:

Anthony Suriano, Borough Clerk

Mary Jane Canose, Mayor

Introduced:

Published:

Adopted:

Published:

sewerfee.ord

ORDINANCE #2023-1945
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% or the cost of living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Bernardsville in the County of Somerset finds it may be advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council of the Borough of Bernardsville hereby determines at that 3.5% increase in the budget for said year, amounting to \$117,584.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary (Allowable Cost of Living Adjustment of 2.5% for 2023); and,

WHEREAS, the Borough Council of the Borough of Bernardsville hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Bernardsville, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Bernardsville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased to no more than 3.5%, amounting to \$411,547.43, and that the CY 2023 municipal budget for the Borough of Bernardsville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest: _____ Mayor

Introduced:
Published:
Adopted:
Published:

ORDINANCE #2023-1946
ORDINANCE PROVIDING FOR THE IMPROVEMENT
OF SIDEWALKS IN AND BY THE BOROUGH OF
BERNARDSVILLE, IN THE COUNTY OF SOMERSET,
NEW JERSEY, AND APPROPRIATING \$250,000
THEREFOR CONSTITUTING PROCEEDS OF GRANTS
FROM THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BERNARDSVILLE, IN THE COUNTY OF SOMERSET, 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 aggregate sum of \$250,000 constituting moneys received or expected to be received by the Borough from the New Jersey Department of Transportation as grants-in-aid of financing said improvement.

Section 2. The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of sidewalks on West Street and Boylan Terrace in and by the Borough, including the construction or reconstruction thereof, equipment, site work, structures, work, materials and other expenses 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 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. This ordinance shall take effect after publication after final passage as provided by law.

ATTEST:

BOROUGH OF BERNARDSVILLE

Anthony Suriano, Borough Clerk

Mayor, Mary Jane Canose

Introduction:

1st Publication:

Public Hearing and Adoption:

2nd Publication:

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1947**

**AN ORDINANCE CONCERNING THE BOROUGH EMERGENCY MANAGEMENT
COORDINATOR AND AMENDING CHAPTER 2 OF THE BOROUGH CODE
ENTITLED “ADMINISTRATION”**

WHEREAS, P.L. 2022, c. 111 amended N.J.S.A. App. A9-40.1 to provide that a municipal emergency management coordinator no longer needs to be a resident of the municipality; and

WHEREAS, New Jersey Office of Emergency Management Directives NJOEM-7(2022) set forth new qualifications for municipal emergency management coordinators and clarified the duties and authorities of municipal emergency management coordinators;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 2 of the Borough Code Entitled “Administration” is hereby amended as follows:

Section 1. Section 2-43 entitled “Office of Emergency Management” is amended in its entirety to read as follows:

“§ 2-43 OFFICE OF EMERGENCY MANAGEMENT.

§ 2-43.1 Establishment.

The Office of the Emergency Management is hereby established in the Borough of Bernardsville in accordance with the provisions of N.J.S.A. App. A:9-41.

§ 2-43.2 Emergency Management Coordinator.

The Mayor shall appoint a Municipal Emergency Management Coordinator. Any qualified individual appointed as Borough Emergency Management Coordinator, who is not a resident of Bernardsville Borough, shall reside within a reasonable proximity of the Borough to ensure prompt responsive coordination of municipal resources for any local incident. The Municipal Emergency Management Coordinator, subject to fulfilling the requirements of N.J.S.A. Sapp. A:90.1, shall serve for a term of three years.

1. Qualifications

- A. A municipal emergency management coordinator shall:
1. possess a high school diploma or its equivalent;
 2. satisfy the residency and other applicable position requirements of any relevant State or local statute or ordinance (including N.J.S.A. App.A:9-40.1);
 3. have a minimum of two (2) years of experience in the planning, development, and administration of emergency response activities such as those provided by emergency management, police, fire, rescue or medical personnel either in the public or private sector or in the military service;
 4. possess a valid New Jersey driver's license; and
 5. complete National Incident Management System training pursuant to Directive NJOEM-I (2021), and the following courses/continuing education requirements:
 - a. the NJOEM Basic Workshop in Emergency Management (within one (1) year of first appointment as required by N.J.S.A. App.A:9-40.1);
 - b. the FEMA Professional Development Series (within one (1) year of first appointment, in satisfaction of the Home Study Course requirement of N.J.S.A. App.A:9-40.1); and
 - c. 24-hours of continuing education every 12 months (based upon the date of appointment or re-appointment), unless extended for good cause by the NJOEM State Training Officer.
 - i. Qualifying classes include the following categories:
 1. disaster/emergency management, homeland security, incident command system courses;
 2. general management courses: principles of management, finance, organizational behavior, budgeting, community development, human resources, computer systems, MIS applications, business communications, and public speaking; or
 3. other classes approved by the NJOEM State Training Officer.
 - ii. The course participation hours for the classes identified in subparagraphs a. and b. above can be applied to satisfy the continuing education requirement within any given 12 month period.
 - iii. The NJOEM State Training Officer is authorized to develop and disseminate guidance for permitting instructor hours to satisfy a portion of the continuing education requirement up to 12 hours per 12-month reporting period.

iv. NJOEM Emergency Response Bureau personnel are responsible for verifying compliance. Any questions regarding whether or not a course shall qualify for purposes of this sub-section c. shall be determined by the NJOEM State Training Officer.

B. A deputy municipal emergency management coordinator shall also be required to meet the standards of Section I.A.

II. Duties and Authority of the Municipal Emergency Management Coordinator

The municipal emergency management coordinator shall lead the emergency management function at the municipal level. The municipal emergency management coordinator shall:

1. maintain proficiency in the profession of emergency management, and participate in appropriate federal, State and local meetings, trainings, conferences and exercises to develop and enhance subject matter expertise;
2. establish and oversee the municipal office of emergency management, and, when applicable, recruit, organize, coordinate and train deputies and staff to administer the municipal office of emergency management and oversee the functions and programs described in Section III;
3. comply with federal, State and local statutes, rules, procedures and authorities pertaining to emergency management, adhere to the guidance of the State Director and NJOEM, and maintain an active cooperative working relationship with the County Office of Emergency Management of the county in which the municipality is located, to implement all elements of the municipality's emergency management program;
4. establish and implement policies and procedures with respect to the municipality's emergency management program to ensure effective coordination and oversight of all programs and functions described in the municipal emergency operations plan (EOP);
5. coordinate the review and update of the EOP pursuant to N.J.S.A.App:A9-43.2 through 43.4, NJOEM procedures and directives issued by the State Director;
6. chair the Local Emergency Management Council (or participate in a joint emergency management council if applicable) in accordance with N.J.S.A. App.A:9-41 and directives issued by the State Director;
7. in accordance with the authority set forth in directives of the State Director and N.J.S.A. App.A:9-40.5, when warranted, proclaim (and then rescind) a municipal-level state of emergency, implementing emergency protective measures and issuing all orders required to support life safety and to facilitate preparedness, response and recovery operations;
8. attend 75% of all scheduled County Office of Emergency Management meetings for municipal coordinators and assure representation at all other

county emergency management meetings as deemed necessary by the County Coordinator; and

9. perform, or ensure the performance of, other duties and tasks necessary to administer the municipality's emergency management program.

III. Oversight of the Municipal Emergency Management Program

The municipal emergency management coordinator shall lead the municipal emergency management program and oversee the municipal office of emergency management in accordance with all relevant federal, state and local laws, regulations, procedures and authorities, including State Director directives. The municipal emergency management coordinator shall collaborate with municipal agencies and other stakeholders to ensure the efficient administration of the municipality's emergency management budget to support the following responsibilities, duties and functions:

1. equipping, staffing, operating, and maintaining a primary municipal emergency operations center, identifying an alternate site, and developing the capability to conduct emergency operations virtually in the event that the primary municipal emergency operations center is impaired or inaccessible;
2. coordinating the preparation and periodic review of an approved municipal emergency operations plan, as well as any appendices and plans in support thereof, that reflects the municipality's hazards, risks, capabilities and gaps;
3. conducting at least two (2) meetings per year with the Local Emergency Management Council in accordance with directives of the State Director, and conduct other planning meetings as necessary, providing advance notice to the County Office of Emergency Management;
4. pursuant to directives of the State Director, conducting and/or participating in emergency management exercises and training;
5. acquiring, maintaining and deploying emergency management equipment;
6. developing, coordinating and activating mutual aid emergency management plans;
7. activating emergency management facilities and services as are available from the resources of the municipal government;
8. ensuring effective programmatic support for all functions within the municipal EOP, including but not limited to:
 - a. implementing a public information and alert and warning system to disseminate timely and effective communications regarding incidents or threats to public safety, and cooperating with the National Warning System (NAWAS);

- b. facilitating public health and mass care services, including but not limited to: emergency sheltering; points of distribution (PODs) and bulk distribution of mass care and health supplies; mental health support for individuals impacted by disasters and emergencies; reunification and family assistance centers; and pandemic support;
 - c. coordinating municipal sheltering and evacuation operations, and supporting any county/regional/State sheltering and mass care response activities for affected residents of the municipalities;
 - d. implementing debris management and other public works programs necessary to support the emergency management program;
 - e. facilitating search and rescue operations in accordance with directives issued by the State Director; and f. supporting damage assessments and recovery efforts.
- 9. supporting county and local plans to provide services for at-risk individuals(N.J.S.A. App.A:9-43.18) during extreme weather conditions;
- 10. when applicable, supporting the implementation of the relevant provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) and related State statutes, regulations and executive or administrative orders, as well as guidance issued by the New Jersey State Emergency Response Commission;
- 11. securing county, state and federal technical and financial assistance as may be required for promoting and/or implementing the emergency management functions within the municipality, and if the municipality is an Emergency Management Agency Assistance (EMAA) funded agency, satisfying all program goals, work plans and guidelines established by the State for such funding;
- 12. supporting municipal hazard assessments and identifying critical infrastructure;
- 13. if applicable, developing, adopting and updating a hazard mitigation plan and ancillary plans required to comply with federal and State mitigation requirements;
- 14. interacting with the municipal, State, and federal government for preparedness, response and recovery activities in connection with the State's nuclear power plants as well as those of adjacent states;
- 15. complying with all orders and directives of the State Director, applicable policies and procedures of NJOEM; and relevant guidance and orders of the county office of emergency management in which the municipality is located.
- 16. performing all such other functions and undertaking any action necessary to support the municipality' s emergency management program.”

Section 2. 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.

Introduction:

1st Publication:

Public Hearing and Adoption:

2nd Publication:

ORDINANCE #2023-1948

**AMENDING SECTION 11-4 OF THE BOROUGH CODE ENTITLED
“REGISTRATION AND MAINTENANCE OF PROPERTIES PENDING
FORECLOSURE” TO BRING IT INTO COMPLIANCE WITH P.L. 2021, c. 444**

WHEREAS, the Borough Committee previously adopted Ordinance #396-17 making the property maintenance code applicable to properties in foreclosure in an effort to mitigate the detrimental effects caused by abandoned and vacant properties; and

WHEREAS, Ordinance #396-17 is codified as Section 11-4 of the Borough Code entitled “Registration and Maintenance of Properties Pending Foreclosure; and

WHEREAS, the adopted Legislature recently adopted 2021 NJ Sess. Law Serv. Ch. 444 based on its findings that property registration programs provide a valuable tool to municipalities in confronting the risk of blight created by properties on which foreclosure proceedings have been initiated; and

WHEREAS, the Legislature has determined that it is in the State's interest for municipalities that operate such programs to do so with certain uniformity as part of the State's overall statutory scheme addressing the risk of blight.

WHEREAS, some provisions of the existing Borough Code Section 11-4 are inconsistent with the new State law;

NOW THEREFORE, BE IT ORDAINED by the Borough Committee of the Borough of Bernardsville in the County of Somerset, State of New Jersey, that Chapter 16 of the Borough Code, entitled “Property Maintenance”, is hereby amended as follows:

Section 1. § 11-4 entitled “Registration and Maintenance of Vacant and Abandoned Residential Properties Including Those in Foreclosure” is amended in its entirety to read as follows:

11-4 Registration and Maintenance of Properties Pending Foreclosure.

11-4.1 Registration.

- A. A creditor filing a summons and complaint in an action to foreclose shall, in addition to the notice provided to the Borough pursuant to N.J.S.A. 46:10B–51 or N.J.S.A. 40:48–2.12s2, register the residential or commercial property with the Borough's property registration program as a property in foreclosure and, as part of that registration: (a) provide the Borough with the information regarding the creditor required by N.J.S.A. 46:10B–51) or N.J.S.A. 40:48–2.12s2; (b) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and (c) identify whether the property is vacant and abandoned in accordance with the definition in the ordinance required by paragraph (8) of this subsection;
- B. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within 10 days of the change in that information;
- C. The creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned in accordance with the definition in the ordinance required by paragraph (8) of this subsection after the property is initially registered with the Borough, update the property registration with the Borough to reflect the change in the property's status;

11-4.2 Responsibilities of Creditor.

- A. The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property in compliance with the applicable Borough property maintenance codes if the property is vacant and abandoned at any time while the property is registered with the property registration program;
- B. A creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor;
- C. A creditor filing a summons and complaint in an action to foreclose on a property, that is or becomes vacant and abandoned, shall secure the property against unauthorized entry, post a sign affixed to the inside of the property and visible to the public indicating the

name, address, and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving service of process, or acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property while registered with the property registration program;

11-4.3 Definition of “Vacant and Abandoned”.

- A. property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:
- (a) overgrown or neglected vegetation;
 - (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
 - (c) disconnected gas, electric, or water utility services to the property;
 - (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
 - (e) the accumulation of junk, litter, trash, or debris on the property;
 - (f) the absence of window treatments such as blinds, curtains, or shutters;
 - (g) the absence of furnishings and personal items;
 - (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
 - (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
 - (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
 - (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
 - (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
 - (m) the mortgagee or other authorized party has secured or winterized the property due

to the property being deemed vacant and unprotected or in danger of freezing;

(n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or

(o) any other reasonable indicia of abandonment.

11-4.4 Annual Fees.

A creditor required to register a property pursuant to this ordinance shall pay a registration fee of \$500 per property annually on or before February 1 of each calendar year for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned as defined in Section 11-4-3 above when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned as defined in Section 11-4-3 above at any time thereafter while the property is in foreclosure. All such annual fees and the due dates thereof shall be identified in the ordinance adopted pursuant to subsection a. of this section.

11-4.5 Notice to Abate Nuisance or Violation.

A. If the owner of a commercial property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a commercial property becomes vacant at any point subsequent to the creditor's filing the summons and complaint in an action to foreclose on a mortgage against the subject property, but prior to vesting of title in the creditor or any other third party, and the exterior of the property is found to be a nuisance or in violation of any applicable State or local code, the local public officer, municipal clerk, or other authorized municipal official shall notify the creditor or the representative or agent of an out-of-State creditor, as applicable, which shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by State law or Borough ordinance. The enforcement officer shall include a description of the conditions that gave rise to the violation with the notice of violation and shall provide a period of not less than 30 days from the creditor's receipt of the notice for the creditor to remedy the violation. If the creditor fails to remedy the violation within that time period, the Borough may impose penalties allowed for the violation of municipal ordinances.

B. If the Borough expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to the provisions of paragraph "A" of this section but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to, the recourse provided under N.J.S.A. 55:19–100.

11-4.6 Violations; Penalties.

- A. The Borough Code Enforcement officer or any other local official responsible for administration of any property maintenance or public nuisance code shall issue a notice to the creditor filing the summons and complaint in an action to foreclose, if the public officer or other authorized municipal official determines that the creditor has violated the ordinance. In the case of a violation for failure to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.
- B. An out-of-State creditor subject to this ordinance adopted pursuant to subsection a. of this section found by the Municipal Court or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to the ordinance shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in N.J.S.A. 46:10B-51) or N.J.S.A. 40:48-2.12s2 for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
- C. A creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the Municipal Court or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph (1) of this subsection, of the ordinance shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
- D. No less than 20 percent of any money collected pursuant to subsection f. or g. of this section or an ordinance adopted pursuant to subsection a. of this section shall be utilized by the Borough for municipal code enforcement purposes.

11-4.7 Definitions.

As used in this section:

“Creditor” means a mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, a State, county, or local government entity, or their agent or assignee, such as the servicer.

11-4.8 Enforcement.

The Code Enforcement Officer is hereby authorized to enforce this Ordinance.

Section 2. Any and 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 take effect immediately upon final passage and publication as required by law.

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1949**

**AN ORDINANCE CONCERNING BACKGROUND CHECKS REQUIRED OF
CERTAIN BOROUGH OFFICERS AND EMPLOYEES AND AMENDING CHAPTER 2
OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**

BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter 2 of the Borough Code Entitled “Administration” is hereby amended as follows:

Section 1. Section 2-19.1 entitled “Background Checks Required of Certain Borough Officers and Employees” is supplemented and amended by adding a new paragraph “e” which reads as follows:

§ 2-19.1 Background Checks Required of Certain Borough Officers and Employees.

Prior to the initial appointment of any person as Borough Administrator, Clerk, Chief Financial Officer, Tax Collector, Tax Assessor or to any other position which entails the handling of Borough funds or entering residents' homes during the course of their duties, the Chief of Police shall request criminal history record information from the New Jersey State Police, State Bureau of Identification, in accordance with applicable law including N.J.S.A. 53:1-20.6 and applicable regulations including N.J.A.C. 13:59-1.1, et seq. and the Opportunity to Compete Act (N.J.S.A. 34:6B-11, et seq.) and applicable regulations. No criminal history record shall be requested without the written consent of the prospective officer or employee. Such consent must be included with the application for employment. Upon receipt of the criminal history record information, the Chief of Police shall notify the prospective officer or employee in writing of the prospective officer's or employee's qualification or disqualification. An individual shall be disqualified from employment with the Borough if the individual's criminal history record reveals a record of conviction of any of the following crimes and offenses:

- a. A crime or offense bearing upon or involving a sexual offense or child molestation or endangering the welfare of children or incompetents.
- b. A crime or offense within the last 20 years involving the manufacture, transportation, sale, possession or habitual use of a "controlled dangerous substance" as defined in the New Jersey Controlled Dangerous Substance Act, N.J.S.A. 2C:35-1, et seq.

- c. A crime or offense involving the use of force or the threat of force to or upon a person or property including: armed robbery, assault, kidnapping, arson, manslaughter and murder.
- d. A crime or offense involving theft and related offenses or forgery and fraudulent practices under Chapters 26 or 27 of the Title 2C of the New Jersey Statutes.
- e. Any crime or offense which involves the possession or use of firearms, which is classified as a misdemeanor or high misdemeanor pursuant to Title 2C of the New Jersey Statutes.”

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:

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1950**

**AN ORDINANCE CONCERNING CERTIFICATES OF INSPECTION FOR
RESIDENTIAL RENTALS PROPERTIES AND AMENDING CHAPTER XI OF THE
BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”**

WHEREAS, earlier versions of the property maintenance code exempted lineal relatives from the fees charged for certificates of inspection for residential rental property; and

WHEREAS, the Housing, Property Maintenance and Zoning Compliance Advisory Committee has recommended that this exemption be re-instituted;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter XI of the Borough Code Entitled “Property Maintenance” is hereby supplemented and amended as follows:

Section 1. Section 11-2 entitled “Certificates of Inspection; Residential Rental Properties” is hereby supplemented and amended by adding a new subparagraph “8” to paragraph “f” which reads as follows:

“8. Exemptions. Residential rental units occupied by lineal relatives of the owner of that unit shall be exempt from the fees set forth above. For purposes of this section, “lineal relatives” shall mean a child, a parent, a grandchild or grandparent (by blood or adoption). All other relatives including, but not limited to, siblings, cousins, aunts and uncles do not qualify for this exemption. In order to qualify for this exemption, the owner must certify in writing that the occupant of the unit is a lineal relative, as defined above.”

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

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

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

**BERNARDSVILLE BOROUGH
ORDINANCE #2023-1951**

**REORGANIZING BOROUGH ADVISORY COMMITTEES AND AMENDING
ARTICLE V ENTITLED “BOARDS, COMMITTEES AND COMMISSIONS” IN
CHAPTER 2 OF THE BOROUGH CODE ENTITLED “ADMINISTRATION”**

WHEREAS, the governing body wishes to reorganize and streamline the various advisory committees established in the Borough;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Article V entitled “Boards, Committees and Commissions” in Chapter 2 of the Borough Code Entitled “Administration” is hereby supplemented and amended as follows:

Section 1. The following sections of Article V are hereby repealed in their entirety:

§2-38 “Shade Tree Committee” (subsections 2-38.1 through 2-38.5, inclusive)

§2-39 “Recreation Advisory Committee” (subsections 2-39.1 through 2-39.5, inclusive)

§2-40 “Cultural Arts Advisory Committee” (subsections 2-40.1 through 2-40.2, inclusive)

§2-42 “Open Space Advisory Committee” (subsections 2-42.1 through 2-42.4, inclusive)

§2-44 “Historic Preservation Advisory Committee” (subsections 2-44.1 through 2-44.5, inclusive)

§2-45 “Housing, Property Maintenance and Zoning Compliance Advisory Committee” (subsections 2-45.1 through 2-45.4, inclusive)

§2-46 “Uniform Advisory Committee Procedurals” (subsection 4-46.1 through 4-46.5, inclusive). This section is being supplemented and amended and being moved to the new §2-38 as subsection 2-38.1.

Section 2. There is hereby created a new subsection 2-38 entitled “Advisory Committees and Mayor’s Ad Hoc Committees” which reads as follows:

“2-38 ADVISORY COMMITTEES AND MAYOR’S AD HOC COMMITTEES.

2-38.1 Purpose, To create advisory committees to advise the governing body. An advisory committee, unlike a statutory board or commission, has no executive or administrative powers or duties with respect to the operation of the Borough, and all such powers and duties rest solely with the governing body. The specific purposes and tasks of the advisory committees herein created are set forth in section 2-38.3 below. In addition, this section recognizes the Mayor’s authority to create ad hoc committees to advise the Mayor and Council in areas not otherwise within the province of established boards, commissions or advisory committees. This ordinance does not apply to statutory boards and commissions.

§ 2-38.2 Definitions.

The following words and terms when used in this section shall have the following meanings unless the context clearly indicates otherwise:

Advisory Committee means any committee created by local ordinance which is not specifically authorized by State statute. The term 'Advisory Committee' shall include, but not be limited to, the Shade Tree Committee, the Recreation Advisory Committee, the Historic Preservation Advisory Committee, the Housing Property Maintenance and Zoning Compliance Advisory Committee and any other similar advisory committees created by ordinance, resolution or motion of the Governing Body.

Mayor’s Ad Hoc Committee means a committee created by the Mayor pursuant to her inherent authority for specific limited purposes and for specific terms to act in an advisory role to the Mayor and Council in areas not otherwise within the province of established boards, commissions or advisory committees due to the nature of the limited scope of the topic in terms of time or specialty area.

Statutory Board or Commission means any Borough board or commission created either by State law or by local ordinance pursuant to State law, Statutory Boards or Commissions shall include, but not be limited to, the Planning Board, the Zoning Board of Adjustment, the Board of Health, the Environmental Commission, the Library Board of Trustees, the Shade Tree Commission and the Office of Emergency Management.

2-38.3 Advisory Committees.

The following advisory committees are hereby created and shall have the duties set forth herein:

A. Shade Tree Advisory Committee.

The Shade Tree Committee shall have the following duties:

- a. Advise the Mayor and Council on all matters pertaining to the planting and care of shade and ornamental trees and shrubbery now located, or which may hereafter be planted, in any public highway, park or parkway, including the planting, trimming, spraying, care and protection thereof.
- b. Encourage arboriculture.
- c. Recommend to the governing body adoption, amendment and repeal of ordinances the Committee feels are necessary or proper for carrying out the provisions of this subsection.
- d. Study, investigate, counsel and develop and/or update annually and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks along public streets and in other public areas. Such plan will be presented annually to the Mayor and Council and upon acceptance and approval, shall constitute the official comprehensive municipal tree plan for the Borough of Bernardsville. The Shade Tree Committee shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.
- e. Perform such other tasks as may be requested by the Mayor and Council.

B. Recreation Advisory Committee.

1. Duties. The Recreation Advisory Committee shall perform the following duties:

- a. Monitor Borough parks, playgrounds and recreation areas and make recommendations to the Mayor and Council regarding the use, maintenance and improvements to those parks, playgrounds and recreation areas.
- b. Plan the recreation program for the Borough and recommend to the Mayor and Council a budget for its implementation.

c. Oversee the management of the recreation program within the budget approved by the Council.

d. Recommend to the Mayor and Council the hiring of a Recreation Director and other recreation employees. The Director shall report to the Borough Administration on an operational basis. The Director shall be accountable to the Recreation Advisory Committee for the management of the recreation program and to the Borough Chief Financial Officer for all monies received or spent in connection with the recreation function.

e. Recommend to the Mayor and Council the possible acquisition of additional parks, playgrounds, recreation areas, trails, open space and recreation equipment.

f. Draft and recommend adoption of suitable rules and regulations for the use of Borough parks and recreational facilities.

g. Monitor Borough trails and make recommendations to the Mayor and Council regarding the use, maintenance, improvements and to those trails.

h. Render general advice to the Mayor and Council regarding recreational programs and facilities in the Borough.

i. Perform such other duties as may be requested by the Mayor and Council.

2. **Subcommittees.** The Recreation Advisory Committee shall have the following subcommittees which shall report to the Recreation Advisory Committee and which shall have the following duties:

1. Trails subcommittee
2. Fields and Facilities subcommittee
3. Programs and Events subcommittee
4. Open Space subcommittee

C. Historic Preservation Advisory Committee.

1. **Responsibilities.** The Historic Preservation Advisory Committee shall have the responsibility to:

- a. Prepare a survey of historic sites in the Borough;
- b. Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements;
- c. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program;

- d. Advise the Planning Board and Board of Adjustment on applications for development pursuant to Subsection 2-44.3 below;
- e. Carry out such other advisory, educational and informational functions as will promote historic preservation in the Borough.

2. Referral of Board Applications. The Planning Board and Board of Adjustment shall refer to the Historic Preservation Advisory Committee every application for development submitted to either Board for development in historic preservation districts or on historic sites identified in any component element of the Master Plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Historic Preservation Advisory Committee may provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing on the application and to explain any written report which may have been submitted.

3. Referral of Permit Applications. All applications for issuance of permits pertaining to historic sites shall be referred to the Historic Preservation Advisory Committee for an advisory report concerning historic preservation to any of those aspects of the change proposed, which aspects were not determined by approval of any application for development by a municipal agency pursuant to the MLUL. The Historic Preservation Advisory Committee shall submit its advisory report to the Construction Official. When time does not allow the submission of a permit application to the full Committee, the Chair of the Historic Preservation Advisory Committee may act in the place of the full Committee for purposes of this subsection.

C. HOUSING, PROPERTY MAINTENANCE AND ZONING COMPLIANCE ADVISORY COMMITTEE.

Duties. The duties of the Housing, Property Maintenance and Zoning Compliance Advisory Committee shall be as follows:

- a. Monitor ongoing housing problems in the Borough including, but not limited to overcrowding and stacking, by consulting with the Code Enforcement Officer and the Housing Officer.
- b. Monitor the effectiveness of the Borough Residential Property Maintenance Code and Housing Code as set forth in §§ 11-2 and 11-3 of the Borough Code.
- c. Recommend to the Governing Body appropriate amendments to the Residential Property Maintenance and Housing Code.
- d. Monitor the effectiveness of the Borough Commercial Property Maintenance Code as set forth in § 11-1 of the Borough Code.

- e. Recommend to the Governing Body appropriate amendments to the Commercial Property Maintenance Code.
- f. Monitor zoning compliance in the Borough.
- g. Recommend to the Governing Body appropriate strategies for enforcement of the Borough Zoning Ordinance.
- h. Submit monthly status reports to the Mayor and Council and at the end of each calendar year submit a comprehensive report to the Mayor and Council concerning housing problems in the Borough and the effectiveness of the Borough Housing Code, Property Maintenance Codes and Zoning Compliance.

§ 2-38.4 Appointments; Organization of Advisory Committees; Terms.

At its annual reorganization meeting or as soon thereafter as may be practicable, the Mayor, with the consent of Borough Council, shall appoint members and a chair and vice-chair for each advisory committee covered by this section. **The Mayor shall determine the number of members that shall be appointed to each advisory committee.** All appointments to Borough advisory committees shall be for a term of one year running from January 1 to December 31 of each calendar year. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term ending December 31 of that year. Chairs and vice-chairs shall serve until the next annual Council reorganization meeting. In the case of a vacancy, the Mayor with the Council's consent may appoint a chair or vice-chair to fill the unexpired term. The Chair, or in his or her absence or disability, the vice-chair shall preside at all meetings of the advisory committee or ad hoc committee.

§ 2-38.5 Training.

The Borough shall provide mandatory, training for the members of all advisory committees so that they are familiar with parliamentary procedures and the scope of authority of their advisory committees. Advisory committee members shall be required to complete this mandatory training upon appointment and every three years thereafter. Training sessions shall be conducted via Zoom (or a similar video conferencing platform) and members of the various committees, with the permission of the Borough Administrator, may satisfy their training requirements by watching a taped training session.

§ 2-38.6 Mayor's Ad Hoc Committees.

The Mayor is hereby authorized to create ad hoc committees for specific limited purposes and for specific limited terms, to act in an advisory role to the Mayor and Council in areas not otherwise within the province of established boards or commissions due to the nature of the limited scope of the topic in terms of time or specialty area. Members shall be appointed by the Mayor, and the Council shall receive notice of the creation, term, membership and duties of each said ad hoc committee. Ad hoc committees formed pursuant **to** this section shall have only those powers as authorized therein and as set forth in the Mayor's notice submitted to the Council. Ad hoc committees shall be subject to the miscellaneous rules and regulations set forth in §2-38.

below. An ad hoc committee shall terminate at the end of the calendar year in which it is created, unless renewed by the Mayor at the following year's reorganization meeting.

§ 2-46.7 Miscellaneous Rules and Regulations.

- a. All advisory committee and ad hoc committee hearings shall be audiotaped or videotaped.
- b. Minutes shall be kept for all advisory committee and ad hoc committee meetings and copies of those minutes shall be submitted to Borough Clerk in a timely manner for distribution to the Mayor and Council and are to be included in the next Council meeting agenda packets.
- c. Except when specifically authorized by the Open Public Meetings Act (N.J.S.A. 10:4-12), all advisory committee and ad hoc committee meetings shall be conducted in public. Members of the public, however, shall only be permitted to speak when the floor is open to them by the person chairing the meeting.
- d. All advisory committees and ad hoc committees shall act only within the scope of their duties as outlined in this ordinance.
- e. No individual member shall take any action on behalf of an advisory committee or an ad hoc committee.
- f. Neither advisory committees nor ad hoc committees may not enter into contracts or expend any Borough funds.
- g. Borough employees shall not be permitted to attend advisory committee or ad hoc committee meetings, except in rare circumstances when the Administrator approves their attendance in advance.
- h. Neither advisory committees nor ad hoc committees nor any of their individual members shall communicate directly with any Borough employees or officials. All such communications shall be directed through the Borough Administrator, except that the Borough Administrator may authorize the chair or vice-chair of an advisory committee or ad hoc committee to communicate directly with a Borough employee or official with a specific question or on a particular project. “

Section 3. Any and 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 take effect immediately upon final passage and publication as required by law.

RESOLUTION 23-31

AUTHORIZING PAYMENT OF BILLS

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

01 State & Federal Grants	\$	2,222.31
04 Escrow	\$	4,826.50
06 Outside Employment	\$	-
10 Current Fund	\$	3,004,910.57
19 Other Trusts	\$	5,178.80
20 Payroll	\$	316,608.19
33 Capital Fund	\$	51,186.64
40 Sewer Utility Fund	\$	70,043.81
55 Sewer Capital	\$	4,028.75
70 COAH Trust	\$	12,646.10
71 Fire Prevention Trust	\$	-
72 Open Space Trust	\$	39.00
73 Police Law Enforcement	\$	-
74 Public Defender Trust	\$	-
85 Recreation Trust	\$	3,942.03
 TOTAL	 \$	 3,475,632.70

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 January 23, 2023.

Anthony Suriano
Borough Clerk

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
2371	7316 - BUYMAX SPE LLC	PO 112640 Dog Waste Station Header Bags		184.37	
	01-G22-0110-0361	CLEAN COMMUNITIES (2022) CHAPTER 159	184.37		184.37
2372	3742 - DRAGER SAFETY DIAGNOSTICS INC	PO 112345 12 BOTTLES CERTIFIED WET BATH SIMULATOR		120.00	
	01-G00-0110-0384	DRUNK DRIVING ENFORCEMENT FUND	120.00		120.00
2373	547 - HOME DEPOT CREDIT SERVICES	PO 112403 BUCKET		53.84	
	01-G15-0110-0362	SUSTAINABLE JERSEY 2015	53.84		53.84
2374	4213 - SHERRIE CALISH	PO 112721 PROGRAM COORDINATOR SALARY - DEC 2022*		157.50	
	01-G22-0110-0367	2022 MUNICIPAL ALLIANCE (22/23)	157.50		157.50
2375	7095 - TSS FACILITY SERVICES, INC	PO 111430 Downtown + Borough Wide Street Sweeping		1,706.60	
	01-G22-0110-0361	CLEAN COMMUNITIES (2022) CHAPTER 159	1,706.60		1,706.60
TOTAL					2,222.31
Total to be paid from Fund 01 STATE & FEDERAL GRANTS		2,222.31	=====		
		2,222.31			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
2691	6386 - BURGIS ASSOCIATES, INC	PO 112789 PB Planner contract & application servic		2,062.50	
	04-280-5011-0103	DISBURSEMENTS - PB #240 GREYFIELD MGMT B97 L3	2,062.50		2,062.50
2692	1307 - FERRIERO ENGINEERING, INC	PO 112787 BOA Engineer contract & application serv		280.00	
	04-280-4036-0103	DISBURSEMENTS - BOA#22-02 - BROWN - B40, L16	280.00		280.00
2693	7360 - SAVO SCHALK	PO 112788 PB Attorney contract & application servi		1,890.00	
	04-280-5004-0103	DISBURSEMENTS - PB#SP-241 - ESSEX BUILDING LL	350.00		
	04-280-5011-0103	DISBURSEMENTS - PB #240 GREYFIELD MGMT B97 L3	1,540.00		1,890.00
2694	6667 - SOMERSET HILLS COUNTRY CLUB	PO 112767 REFUND OF STORMWATER ESCROW		594.00	
	04-280-7001-0103	DISBURSEMENTS - SOMERSET HILLS COUNTRY C	594.00		594.00
TOTAL					4,826.50
Total to be paid from Fund 04 ESCROW		4,826.50	=====		
		4,826.50			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
64533	4059 - A & K EQUIPMENT CO	PO 112617 Snow chains		1,479.47	
	10-A00-0220-0205 (2022) STREETS & ROADS - GEN. EXPENSE		1,479.47		1,479.47
64534	6311 - ACTION DATA SERVICES	PO 112711 PAYROLL INVOICE PERIOD END DATE 12/27/22		321.45	
	10-A00-0110-0205 (2022) FINANCE - GENERAL EXPENSE		321.45		321.45
64535	179 - AIRGAS USA, LLC	PO 112795 Cyl. rental		59.40	
	10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE		59.40		59.40
64536	135 - ALLEN PAPER & SUPPLY CO	PO 112706 OFFICE SUPPLIES		175.50	
	10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLIES		65.50		
	10-C00-0220-0205 STREETS & ROADS - GEN. EXPENSE		29.00		
	10-C00-0195-0201 POLICE - OFFICE SUPPLIES		52.00		
	10-C00-0285-0201 CONSTRUCTION - OFFICE SUPPLIES		29.00		175.50
64537	1806 - ALLIED OIL LLC	PO 112492 GASOLINE - DEC 2022 (ESTIMATE) ACCOUNT #		1,682.96	
	10-A00-0315-0220 (2022) GASOLINE - PREMIUM GAS		1,682.96		
		PO 112712 GASOLINE - JAN 2023 (ESTIMATE) ACCOUNT #		4,510.48	
	10-C00-0315-0220 GASOLINE - PREMIUM GAS		4,510.48		6,193.44
64538	7390 - AMAZON CAPITAL SERVICES	PO 112586 BLINDS		16.57	
	10-A00-0110-0205 (2022) FINANCE - GENERAL EXPENSE		16.57		
		PO 112626 PHONE CASES FOR SLEO III PHONES		20.99	
	10-A00-0195-0231 (2022) POLICE - SLEO III (SCHOOL) EXPENSES		20.99		
		PO 112732 PENCIL SHARPENER		26.31	
	10-C00-0110-0201 FINANCE - OFFICE SUPPLIES		26.31		
		PO 112750 OFFICE SUPPLIES		110.54	
	10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLIES		110.54		174.41
64539	6063 - AMERICAN WEAR, INC	PO 110467 2022 Cleaning Walkoff Rugs and Uniforms		330.67	
	10-A00-0145-0255 (2022) BUILD. & GROUNDS - CLOTHING		330.67		330.67
64540	50 - ANJEC	PO 112599 ANJEC 2023 MEMBERSHIP DUES*		575.00	
	10-A00-0165-0202 (2022) ENVIRON. COMM. - DUES & SUBSCR		415.36		
	10-A00-0100-0205 (2022) ADMIN. & EXEC. - GENERAL EXPENSES		159.64		575.00
64541	5178 - ASCAP	PO 112764 ASCAP LICENSE MARCH 14, 2023 TO MARCH 14		420.00	
	10-C00-0100-0205 ADMIN. & EXEC. - GENERAL EXPENSES		420.00		420.00
64542	5180 - ATLANTIC CORPORATE HEALTH	PO 111706 Fire Co. Membership, Marcus Roberts/Soei		575.00	
	10-A00-0100-0205 (2022) ADMIN. & EXEC. - GENERAL EXPENSES		575.00		575.00
64543	4547 - ATLANTIC SALT, INC	PO 112268 Bulk Rock Salt - 220 Tons; Somerset Cou		6,502.35	
	10-A00-0220-0215 (2022) STREETS & ROADS - SNOW REMOVAL		6,502.35		6,502.35
64544	4214 - ATLANTIC TACTICAL OF NJ	PO 109766 NEW HIRE UNIFORMS DeMAIO		479.13	
	10-204-5500-0 ACCOUNTS PAYABLE		479.13		479.13
64545	761 - BERNARDSVILLE AUTO REPAIR, INC	PO 112773 2015fire insp. car [insp.]		77.50	
	10-C00-0246-0207 VEHICLE MAINT.-STREETS & ROADS		77.50		77.50
64546	4333 - BERNARDSVILLE HARDWARE	PO 111451 Misc. Supplies for B&G, Road Department		851.42	
	10-A00-0220-0205 (2022) STREETS & ROADS - GEN. EXPENSE		322.51		
	10-A00-0145-0246 (2022) BUILD. & GROUNDS - RECREATION MISC.		522.93		
	10-A00-0195-0204 (2022) POLICE - MISCELLANEOUS		5.98		851.42

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
64547	3269 - BRADY DRISCOLL 10-A00-0285-0213 (2022) CONSTRUCTION - MILEAGE	PO 112717 CONSTRUCTION - MILEAGE 10/1-12/31/2022	266.76	266.76	266.76
64548	6386 - BURGIS ASSOCIATES, INC 10-A00-0150-0221 (2022) PLANNING BOARD - PLANNER	PO 111577 PB Planner 2022 OE (non-escrow) Planning	4,085.60	4,085.60	4,085.60
64549	6239 - CHRIS DIACIK 10-A00-0285-0213 (2022) CONSTRUCTION - MILEAGE	PO 112718 CONSTRUCTION - MILEAGE 10/1-12/31/2022	327.60	327.60	327.60
64550	4239 - COMCAST 10-C00-0305-0215 TELEPHONE - PHONE BILLS	PO 112728 HD TV CONNECTION- POLICE DEPT-ACCT# 8499	20.82	20.82	20.82
64551	7430 - CROSSROADS EDUCATION 10-A00-0210-0205 (2022) EMERGENCY MGMT. - GENERAL EXP.	PO 112628 EM1 Training Course-Richard	650.00	650.00	650.00
64552	3078 - DELL MARKETING LP 10-A00-0195-0225 (2022) POLICE-COMPUTER MAINT/SOFTWARE	PO 112342 Adobe Acrobat for Police Records Dept (M	355.21	355.21	355.21
64553	6167 - DIRECT ENERGY BUSINESS 10-A00-0320-0225 (2022) GAS - NATURAL	PO 112714 GAS BILLS - NOV/DEC 2022	349.12	349.12	349.12
64554	6167 - DIRECT ENERGY BUSINESS 10-A00-0320-0225 (2022) GAS - NATURAL	PO 112755 GAS BILLS - NOV/DEC 2022	370.80	370.80	370.80
64555	6167 - DIRECT ENERGY BUSINESS 10-A00-0310-0220 (2022) ELECTRICITY - BILLS	PO 112756 GAS BILLS - 5/29/20*	331.80	331.80	331.80
64556	5597 - ENFORSYS INC 10-C00-0195-0230 POLICE - MAINTENANCE CONTRACTS	PO 112744 MAINTENANCE CONTRACT 02/2023 to 01/2024	7,600.00	7,600.00	7,600.00
64557	1025 - GANN LAW BOOKS 10-C00-0155-0202 BOARD OF ADJ. - DUES & SUBSC. 10-C00-0150-0202 PLANNING BOARD - DUES & SUBSC.	PO 112786 Annual Subscription to Gann Law Zoning &	89.50 89.50	179.00	179.00
64558	7202 - GUIDO STARICCO LLC 10-A00-0145-0233 (2022) BUILD. & GROUNDS - LIBRARY PROPERTY MN	PO 112618 REPAIR OF STEEL BRIDGE/WALKWAY AT LIBRAR	15,650.00	15,650.00	15,650.00
64559	214 - INSTITUTE FOR PROF. DEVELO 10-A00-0110-0203 (2022) FINANCE - EDUCATION 10-C00-0110-0203 FINANCE - EDUCATION	PO 112407 WEBINARS - LESLIE ROBERSON PO 112719 WEBINAR -PREVAILING WAGE ACT TINA MARKEW	50.00 50.00	50.00 50.00	100.00
64560	87 - JCP&L 10-A00-0310-0220 (2022) ELECTRICITY - BILLS 10-A00-0145-0231 (2022) BUILD. & GROUNDS - LIBRARY TENANTS EXP	PO 112757 JCP&L 1/19-12/20/22*	343.72 71.26	414.98	414.98
64561	87 - JCP&L 10-C00-0310-0220 ELECTRICITY - BILLS	PO 112758 JCP&L 11/18-12/17/22*	24.54	24.54	24.54
64562	87 - JCP&L	PO 112759 JCP&L 11/15-12/14/22*		291.06	

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
	10-A00-0310-0220	(2022) ELECTRICITY - BILLS	291.06		291.06
64563	87 - JCP&L	PO 112760 JCP&L 11/24-12/22/22*		2,204.53	
	10-C00-0310-0220	ELECTRICITY - BILLS	152.22		
	10-A00-0310-0220	(2022) ELECTRICITY - BILLS	2,052.31		2,204.53
64564	87 - JCP&L	PO 112761 JCP&L*		498.71	
	10-C00-0225-0202	STREET LIGHTING	9.25		
	10-C00-0310-0220	ELECTRICITY - BILLS	489.46		498.71
64565	87 - JCP&L	PO 112796 JCP&L 11/19-2/20/22 MASTER ACCOUNT 20000		1,057.29	
	10-C00-0225-0202	STREET LIGHTING	1,057.29		1,057.29
64566	87 - JCP&L	PO 112801 JCP&L 10/21-11/20/22*		131.98	
	10-C00-0310-0220	ELECTRICITY - BILLS	131.98		131.98
64567	6914 - KS STATEBANK	PO 112208 LEASE PAYMENT - 2020 INTERCEPTOR - PAYME		17,706.55	
	10-A00-0200-0250	(2022) PURCHASE OF POLICE CARS	17,706.55		17,706.55
64568	6914 - KS STATEBANK	PO 112209 LEASE PAYMENT - 2021 FORD F-150 RESPONDE		20,309.31	
	10-A00-0200-0250	(2022) PURCHASE OF POLICE CARS	20,309.31		20,309.31
64569	3974 - LEONARD PERRE	PO 112716 CONSTRUCTION - MILEAGE 10/1-12/31/2022		98.28	
	10-A00-0285-0213	(2022) CONSTRUCTION - MILEAGE	98.28		98.28
64570	4185 - LIFESAVER, INC.	PO 112611 First Aid Certifications for officers		399.00	
	10-A00-0195-0203	(2022) POLICE - EDUCATION & TRAINING EXPENSES	399.00		399.00
64571	7252 - MAGLOCLEN	PO 112587 ANNUAL MEMBERSHIP FEE - JANUARY 2023 TO		400.00	
	10-A00-0195-0202	(2022) POLICE - DUES & SUBSC.	400.00		400.00
64572	32 - MARY JANE CANOSE	PO 112688 Reimbursement for SC Business Partnershi		40.00	
	10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.	40.00		40.00
64573	6659 - MODERN GROUP, LTC	PO 110766 Annual Generator Maintenance Contract -		660.00	
	10-A00-0145-0231	(2022) BUILD. & GROUNDS - LIBRARY TENANTS EXP	660.00		660.00
64574	7329 - MONMOUTH TELECOM	PO 112753 PHONE CHARGES ACCT #36890		574.99	
	10-C00-0305-0215	TELEPHONE - PHONE BILLS	574.99		574.99
64575	142 - NEW JERSEY CONFERENCE OF MAYORS	PO 112762 2023 MEMBERSHIP DUES FOR MAYOR CANOSE		395.00	
	10-C00-0100-0215	ADMIN. & EXEC. - MAYOR'S EXP.	395.00		395.00
64576	4248 - NEW JERSEY MOTOR VEHICLE COMMISSION	PO 112765 Online Motor Vehicle lookups ACC #OL0086		150.00	
	10-C00-0102-0205	MUNICIPAL CLERK - GENERAL EXPENSE	150.00		150.00
64577	5258 - NEW JERSEY PRESS MEDIA SOLUTIONS	PO 112371 Ad for Road Department Truck Driver/Labo		148.78	
	10-A00-0220-0205	(2022) STREETS & ROADS - GEN. EXPENSE	148.78		148.78
64578	12 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 112687 Classified ad for Borough Administrator		115.00	
	10-C00-0102-0207	MUNICIPAL CLERK - ADVERTISING	115.00		

List of Bills - (1010101006000) CASH - CURRENT FUND

CURRENT FUND

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
		PO 112763 2023 MEMBERSHIP DUES POPULATION 7893		725.00	
10-C00-0100-0202	ADMIN. & EXEC. - DUES & SUBSCRIPTIONS		725.00		840.00
64579	5480 - NJEPA	PO 112745 NJEPA OEM Conference 2023-Richard		200.00	
10-C00-0210-0205	EMERGENCY MGMT. - GENERAL EXP.		200.00		200.00
64580	6714 - PAYBYPHONE TECHNOLOGIES INC	PO 110493 SERVICE FEES - TRAIN STATION PARKING MET		150.00	
10-A00-0145-0254	(2022) BUILD. & GROUNDS - PARKING LOTS		150.00		150.00
64581	7404 - PETER DOWNES & SON, INC	PO 112366 Tubgrind Leaves at Compost Facility		24,000.00	
10-A00-0240-0220	(2022) RECYCLING - TUB GRINDER		12,000.00		
10-A00-0235-0242	(2022) LANDFILL - DEBIS PROCESSING & DISPOSAL		12,000.00		
		PO 112692 Tubgrind Logs and Brush at Compost Facil		18,000.00	
10-C00-0235-0242	LANDFILL - DEBIS PROCESSING & DISPOSAL		12,000.00		
10-C00-0240-0220	RECYCLING - TUB GRINDER		6,000.00		42,000.00
64582	895 - PIDGEON AND PIDGEON, P.C.	PO 112494 DEC 2022 LEGAL SERVICES		6,605.50	
10-A00-0135-0215	(2022) LEGAL SERVICES - BORO ATTORNEY		6,605.50		6,605.50
64583	1608 - PREDATOR TREE SERVICE	PO 112571 Misc. Dead/Declining Tree Removals		7,350.00	
10-A00-0160-0203	(2022) SHADE TREE COMM. - GENERAL EXP.		7,350.00		7,350.00
64584	7432 - PRIORITY OF LIFE TRAINING & CONSULTING	PO 112741 SSAVEIM Training Richard/Naqvi		370.00	
10-C00-0195-0203	POLICE - EDUCATION & TRAINING EXPENSES		370.00		370.00
64585	6042 - PSE&G	PO 112743 BILL DATE 1/4/23*		1,027.01	
10-A00-0320-0225	(2022) GAS - NATURAL		1,027.01		1,027.01
64586	6042 - PSE&G	PO 112754 PSE&G 11/23-12/23/22*		1,650.78	
10-A00-0320-0225	(2022) GAS - NATURAL		1,650.78		1,650.78
64587	6884 - QUADIENIT FINANCE USA, INC	PO 111426 POSTAGE FOR BOROUGH HALL		1,000.00	
10-A00-0100-0209	(2022) ADMIN. & EXEC. - POSTAGE		1,000.00		1,000.00
64588	6849 - R & R CONSTRUCTION, INC	PO 112734 Hyd.hoses LOADER		277.98	
10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS		277.98		277.98
64589	104 - R&B PRINTING INC	PO 112683 GENERAL EXPENSE		80.08	
10-C00-0102-0205	MUNICIPAL CLERK - GENERAL EXPENSE		80.08		80.08
64590	1042 - READY REFRESH	PO 112715 2023 Bottled Water Borough Hall, DPW, Se		448.00	
10-C00-0145-0218	BUILD. & GROUNDS - BOTTLED H2O		432.32		
10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE		7.59		
10-C00-0145-0240	BUILD. & GROUNDS - REC. BUILDING MAINT.		8.09		448.00
64591	5108 - SERVICEMASTER ABSOLUTE CLEANING LLC	PO 112680 2023 Janitorial Services Borough Hall +		1,741.69	
10-C00-0145-0225	BUILD. & GROUNDS - CLEANING SERVICES		1,741.69		
		PO 112681 2023 Janitorial Services Suite 103, Suit		999.64	
10-C00-0145-0234	BUILD. & GROUNDS - CONSTRUCTION OFFICE		433.33		
10-C00-0145-0240	BUILD. & GROUNDS - REC. BUILDING MAINT.		283.15		
10-C00-0145-0231	BUILD. & GROUNDS - LIBRARY TENANTS EXP.		283.16		
		PO 112682 2023 Cleaning of Commuter Area/Restrooms		325.00	
10-C00-0145-0250	BUILD. & GROUNDS - TRAIN STATION		325.00		3,066.33

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
64592	542 - SOMERSET COUNTY GOVERNING 10-C00-0100-0215 ADMIN. & EXEC. - MAYOR'S EXP.	PO 112691 SCGOA Meeting on January 11th, 2023 (Can	35.00	35.00	35.00
64593	5463 - SOMERSET COUNTY TRANSPORTATION 10-A00-0280-0207 (2022) SENIOR CITIZEN VAN - VEHICLE	PO 112324 SENIOR VAN -NOV-DEC 2022 BLANKET*	687.15	687.15	687.15
64594	196 - SOMERSET COUNTY, TREASURER 10-A00-0145-0216 (2022) BUILD. & GROUNDS - BUILD. MNT.	PO 112785 Traffic Control for Stone Barn Masonry R	767.20	767.20	767.20
64595	1352 - SOMERSET HILLS BOARD OF ED. 10-207-5500-0000 SCHOOL TAXES PAYABLE	PO 112733 SCHOOL TAX - 1ST HALF 2023	2,330,641.00	2,330,641.00	2,330,641.00
64596	6994 - SPATIAL DATA LOGIC, INC 10-A00-0156-0206 (2022) ZONING/HOUSE - COMPUTER EXP.	PO 112572 ONE TIME SET UP FEE - LEAD ENFORCEMENT	250.00	250.00	250.00
64597	965 - SUBURBAN MUNICIPAL J. I. F. 10-A00-0170-0220 (2022) LIABILITY INSURANCE 10-A00-0171-0220 (2022) WORKERS COMPENSATION INSURANCE 10-C00-0170-0220 LIABILITY INSURANCE 10-C00-0171-0220 WORKERS COMPENSATION INSURANCE	PO 112709 4TH QUARTER 2022 & 1ST QUARTER 2023 JIF	48,435.25 46,158.00 54,501.00 46,452.00	195,546.25	195,546.25
64598	6968 - THE CANNING GROUP LLC 10-A00-0100-0205 (2022) ADMIN. & EXEC. - GENERAL EXPENSES	PO 112544 ASSISTANCE WITH HIRING OF NEW ADMINISTRA	5,000.00	5,000.00	5,000.00
64599	5223 - TINA MARKEWICZ 10-C00-0110-0205 FINANCE - GENERAL EXPENSE	PO 112775 MILEAGE 4TH QTR 2022	32.76	32.76	32.76
64600	61 - VERIZON 10-C00-0305-0215 TELEPHONE - PHONE BILLS	PO 112713 908-204-3475 347 38Y -TRAIN STATION FIRE	75.30	75.30	75.30
64601	61 - VERIZON 10-C00-0305-0215 TELEPHONE - PHONE BILLS	PO 112784 TELEPHONE BILL 908-221-9611 - 1/7-2/6/23	556.09	556.09	556.09
64602	5173 - VERIZON BUSINESS SERVICES 10-C00-0305-0215 TELEPHONE - PHONE BILLS	PO 112794 TELEPHONE BILL 908-221-9611 - invoice 12	55.43	55.43	55.43
64603	868 - VIKING PEST CONTROL 10-C00-0145-0216 BUILD. & GROUNDS - BUILD. MNT.	PO 112674 Monthly Pest Control and Carpenter Ant T	159.98	159.98	159.98
64604	90 - VILLAGE SUPER MARKETS 10-A00-0272-0203 (2022) RECREATION - GENERAL EXPENSES 10-C00-0272-0203 RECREATION - GENERAL EXPENSES	PO 111739 BLANKET REC	46.69 22.09	68.78	68.78
64605	5939 - VISUAL COMPUTER SOLUTIONS, INC 10-C00-0195-0230 POLICE - MAINTENANCE CONTRACTS	PO 112742 POSS VCS Annual Contract 03/2023 to 02/2	3,978.30	3,978.30	3,978.30
64606	5318 - W.B.MASON CO, INC 10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLIES 10-C00-0285-0201 CONSTRUCTION - OFFICE SUPPLIES 10-C00-0156-0201 ZONING/HOUSE - OFFICE SUPPLY 10-C00-0100-0201 ADMIN. & EXEC. - OFFICE SUPPLIES	PO 112690 OFFICE SUPPLIES PO 112737 OFFICE SUPPLIES - SUITE 103	278.57 58.53 52.71 27.65	278.57 138.89	417.46

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
64607	1264 - WELDON ASPHALT CO.	PO 111449 BITUMINOUS CONCRETE & STONE - MAY-DEC 20		797.28	
	10-A00-0220-0218	(2022) STREETS & ROADS - ROAD REPAIR	797.28		797.28
TOTAL					2,698,140.11
Total to be paid from Fund 10 CURRENT FUND		2,698,140.11			
		=====			
		2,698,140.11			

Checks Previously Disbursed

10912	STATE OF NJ PENSIONS & BENEFITS	PO# 112654 HEALTH BENEFITS 1/1-2/31/23 BI	86,132.96	1/13/2023
64528	ANTHONY SURIANO - PETTY CASH	PO# 112641 2023 PETTY CASH - CLERK	300.00	1/05/2023
64530	LESLIE ROBERSON - PETTY CASH	PO# 112642 2023 PETTY CASH - FINANCE	300.00	1/05/2023
64531	ROBERT MARKOWICK - PETTY CASH	PO# 112644 2023 PETTY CASH - RECREATION	150.00	1/05/2023
64532	U.S. POSTAL SERVICE	PO# 112771 POSTAGE FOR BOROUGH HALL	5,000.00	1/17/2023
231002	SPHERE COMMERCE	PARKING METER FEES	126.33	1/03/2023
231003	PAYROLL ACCOUNT	PO# 112779 1/6/23 PAYROLL*	214,327.95	1/06/2023

			306,337.24	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 10 CURRENT FUND	306,337.24	2,698,140.11	3,004,477.35
BILLS LIST TOTALS	306,337.24	2,698,140.11	3,004,477.35
			=====

From 12/29/2022 to 12/29/2022

SUMMARY BY ACCOUNT FOR RANGE:					
ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
10-101-0100-6000	CASH - CURRENT FUND				433.22
10-C00-0102-0206	MUNICIPAL CLERK- ELECTIONS		77.83		
10-C00-0195-0204	POLICE - MISCELLANEOUS		295.39		
10-C00-0246-0207	VEHICLE MAINT.-STREETS & ROADS		60.00		
TOTALS (FOR RANGE):			433.22		433.22

List of Bills - (1910101001000) CASH - OTHER TRUSTS

OTHER TRUSTS

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
444	650 - NJ DEPT OF HEALTH & SENIOR SRVS.	PO 112770 October & December 2022 Monthly Dog Repo		139.80	
	19-285-0500-3002 DUE TO STATE - ANIMAL CONTROL		139.80		139.80
445	2186 - TREASURER-STATE OF NEW JERSEY	PO 112723 4TH QUARTER 2022 CONSTRUCTION DCA FEES*		5,039.00	
	19-285-0500-2002 DUE TO STATE - DCA		5,039.00		5,039.00
TOTAL					5,178.80
Total to be paid from Fund 19 OTHER TRUSTS		5,178.80			
		=====			
		5,178.80			

Checks Previously Disbursed

19233	CURRENT FUND - MILLINGTON	Multiple:	20,278.00 12/31/2022

			20,278.00
Totals by fund	Previous Checks/Voids	Current Payments	Total

Fund 19 OTHER TRUSTS		5,178.80	5,178.80

BILLS LIST TOTALS		5,178.80	5,178.80
			=====

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Boro of Bernardsville

Disbursements Journal - (20) PAYROLL AGENCY

From 01/05/2023 to 01/06/2023

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
1/05/2023	82	112655		20-260-0500-1001	EE MEDICAL FROM PAYROLL (DUE TO CURRENT FUN	17,556.26		
				20-260-0500-1003	EMPLOYEE MEDICAL FROM PAYROLL (DUE TO CURRE	1,780.10		
			232002		CURRENT ACCOUNT		19,336.36	20-101-0100-2000
1/06/2023	73		20884		ACTION DATA SERVICES-PAYROLL		215,167.54	20-101-0100-2000
				20-280-5600-0900	PAYROLL DIRECT DEPOSIT 1/6/23	215,167.54		
1/06/2023	75		232001		ACTION DATA SERVICES-PAYROLL		82,104.29	20-101-0100-2000
				20-280-5600-0852	FEDERAL	23,434.51		
				20-280-5600-0853	FICA SS EE	8,299.70		
				20-280-5600-0854	MEDICARE EE	3,079.92		
				20-280-5600-0901	ER SS	8,299.70		
				20-280-5600-0902	MED EMPLOYER	3,079.92		
				20-280-5600-0855	NJ STATE TAX	8,409.28		
				20-280-5600-0856	EMPLOYEE SUI/SDI	950.28		
				20-280-5600-0903	EMPLOYER SUI	1,341.58		
				20-280-5600-0858	PA STATE TAX	20.17		
				20-280-5600-0870	PERS	9,298.32		
				20-280-5600-0871	PERS LOAN	775.55		
				20-280-5600-0874	PERS CONTRIBUTORY INS	576.92		
				20-280-5600-0877	PFRS	8,397.80		
				20-280-5600-0878	PFRS LOAN	924.56		
				20-280-5600-0883	DCRP ER CONTRIBUTION 3%	210.98		
				20-280-5600-0882	DCRP EE CONTRIBUTION 5.5%	286.53		
				20-280-5600-0898	GARNISHMENT	50.61		
				20-280-5600-0895	PBA	340.00		
				20-280-5600-0905	AFLAX POST TAX	27.89		
				20-280-5600-0893	DPW DUES	188.00		
				20-280-5600-0890	DEFERRED COMP TSA 457	3,437.32		
				20-280-5600-0906	AFLAX PRE TAX	94.79		
				20-280-5600-0872	PERS BACK DEDUCTION	146.89		
				20-280-5600-0899	VISION	433.07		

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-101-0100-2000	CASH - PAYROLL				316,608.19
20-260-0500-1001	PAYABLE - CURRENT - MEDICAL INSURANCE		17,556.26		
20-260-0500-1003	PAYABLE - SEWER - MEDICAL INSURANCE		1,780.10		
20-280-5600-0852	PAYROLL TAXES PAYABLE - FEDERAL		23,434.51		
20-280-5600-0853	PAYROLL TAXES PAYABLE - FICA		8,299.70		
20-280-5600-0854	PAYROLL TAXES PAYABLE - MEDICARE		3,079.92		
20-280-5600-0855	PAYROLL TAXES PAYABLE - NJ STATE TAX		8,409.28		
20-280-5600-0856	PAYROLL TAXES PAYABLE - EMPLOYEE SUI /SD		950.28		
20-280-5600-0858	PAYROLL TAXES PAYABLE - PA TAX		20.17		
20-280-5600-0870	PAYABLE - P.E.R.S.		9,298.32		
20-280-5600-0871	PAYABLE - P.E.R.S. LOAN		775.55		
20-280-5600-0872	PAYABLE - P.E.R.S. - BACK DEDUCTIONS		146.89		
20-280-5600-0874	PAYABLE - P.E.R.S. - CONTRIBUTORY INS.		576.92		
20-280-5600-0877	PAYABLE - P.F.R.S.		8,397.80		
20-280-5600-0878	PAYABLE - P.F.R.S. - LOAN		924.56		
20-280-5600-0882	DCRP-5.5% (EMPLOYEE CONTRIBUTION)		286.53		
20-280-5600-0883	DCRP-3%(EMPLOYER CONTRIBUTION)		210.98		

Disbursements Journal - (20) PAYROLL AGENCY

From 01/05/2023 to 01/06/2023

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
20-280-5600-0890	PAYABLE - DEFERRED COMPENSATION PLAN			3,437.32	
20-280-5600-0893	PAYABLE - DPW UNION DUES			188.00	
20-280-5600-0895	PAYABLE - PBA DUES			340.00	
20-280-5600-0898	PAYABLE-GARNISHMENT			50.61	
20-280-5600-0899	PAYABLE - VISION			433.07	
20-280-5600-0900	PAYABLE - DIRECT DEPOSIT		215,167.54		
20-280-5600-0901	PAYROLL TAXES PAYABLE - EMPLOYER S.S		8,299.70		
20-280-5600-0902	PAYROLL TAXES PAYABL MED		3,079.92		
20-280-5600-0903	PAYROLL TAXES PAYABLE - EMPLOYER SUI		1,341.58		
20-280-5600-0905	AFLAC POST TAX		27.89		
20-280-5600-0906	AFLAC PRE TAX		94.79		

TOTALS (FOR RANGE):			316,608.19		316,608.19
=====					=====

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
6260	3078 - DELL MARKETING LP	PO 112375 Compact wallmount rack enclosure cabinet		666.98	
	33-215-2926-1020	CAP ORD 2022-1917 - SERVER/NETWORK EQUIPMENT	666.98		666.98
6261	6491 - MESSERCOLA EXCAVATING INC.	PO 112165 Mountain Top Road Supplemental Drainage		45,274.00	
	33-215-2925-1000	BOND ORD 2022-1914 - BERNARDS AVE/VARIOUS RDS	45,274.00		45,274.00
6262	31 - NEW JERSEY HILLS MEDIA GROUP	PO 112720 Ad for Bernards Ave Neighborhood Project		46.41	
	33-215-2929-1001	BOND ORD 2022-1932 - BERNARDS NBRHOOD - FUNDE	46.41		46.41
6263	7074 - RIPPLED WATERS ENGINEERING, LLC	PO 108586 Testing - Dam Remediation Project (Profe		4,680.00	
	33-215-2920-1001	2021-1875 - DAM REMEDIATION - FUNDED	4,680.00		4,680.00
6264	7250 - SUBURBAN CONSULTING ENGINEERS	PO 111730 Polo Grounds Utility Study/Preliminary P		519.25	
	33-215-2922-1000	O/S ORD 2021-1898 - O/S MASTER PLAN IMP.	519.25		519.25
TOTAL					51,186.64
Total to be paid from Fund 33 CAPITAL FUND		51,186.64	=====		
		51,186.64			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
10749	135 - ALLEN PAPER & SUPPLY CO	PO 112706 OFFICE SUPPLIES		58.00	
	40-C00-0101-0205 SEWER - GENERAL EXPENSES		58.00		58.00
10750	4333 - BERNARDSVILLE HARDWARE	PO 111594 2022 BLANKET		74.94	
	40-A00-0101-0205 (2022) SEWER - GENERAL EXPENSES		74.94		74.94
10751	5776 - COPPOLA SERVICES INC	PO 112554 2 days of Pump Station Bypass Pill Hill		5,775.00	
	40-A00-0101-0214 (2022) SEWER - PUMP STATION MAINT.		5,775.00		5,775.00
10752	6167 - DIRECT ENERGY BUSINESS	PO 112756 GAS BILLS - 5/29/20*		162.33	
	40-A00-0101-0224 (2022) SEWER - NATURAL GAS/DIESEL		162.33		162.33
10753	1619 - GARDEN STATE LABORATORIES INC	PO 112446 2022 Laboratory Testing		1,440.00	
	40-A00-0101-0215 (2022) SEWER - TESTING		1,440.00		1,440.00
10754	87 - JCP&L	PO 112799 JCP& L 9/24-10/22/22*		17,851.05	
	40-A00-0101-0227 (2022) SEWER - ELECTRICITY		17,851.05		17,851.05
10755	1322 - JESCO, INC.	PO 112730 Air Compressor Part		255.70	
	40-C00-0101-0213 SEWER - PLANT MAINTENANCE		255.70		255.70
10756	3071 - NJ WATER ASSOCIATION	PO 112778 2023 Annual Membership		570.00	
	40-C00-0101-0202 SEWER - DUES & SUBSC.		570.00		570.00
10757	4835 - ONE CALL CONCEPTS	PO 112751 December 2022 Service		78.65	
	40-A00-0101-0204 (2022) SEWER - MISCELLANEOUS		78.65		78.65
10758	4335 - PASSAIC VALLEY SEWERAGE COMISSION	PO 111988 Open PO		2,476.80	
	40-A00-0101-0226 (2022) SEWER - SLUDGE REMOVAL		2,476.80		2,476.80
10759	6042 - PSE&G	PO 112743 BILL DATE 1/4/23*		82.63	
	40-A00-0101-0224 (2022) SEWER - NATURAL GAS/DIESEL		82.63		82.63
10760	1994 - RUSSELL REID	PO 112793 Sludge hauling		4,862.17	
	40-A00-0101-0226 (2022) SEWER - SLUDGE REMOVAL		4,862.17		4,862.17
10761	61 - VERIZON	PO 112752 TELEPHONE BILLS - DEC 2022 - 201 X52-128		340.50	
	40-C00-0101-0301 SEWER -TELEPHONE		340.50		340.50
TOTAL					34,027.77
Total to be paid from Fund 40 SEWER UTILITY FUND		34,027.77			
		=====			
		34,027.77			

Checks Previously Disbursed

40424	PAYROLL ACCOUNT	Multiple:	22,068.28	12/31/2022
234001	PAYROLL ACCOUNT	PAYROLL - SEWER 1/6/23	22,197.69	1/06/2023
234002	CURRENT ACCOUNT	PO# 112656 REIMBURSE 1/1-2/31/23 HB TO CURRE	7,780.48	1/05/2023

List of Bills - (4010101002000) CASH - SEWER UTILITY

SEWER UTILITY FUND

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total

					52,046.45
Totals by fund		Previous Checks/Voids	Current Payments	Total	

Fund 40 SEWER UTILITY FUND		29,978.17	34,027.77	64,005.94	

BILLS LIST TOTALS		29,978.17	34,027.77	64,005.94	
=====					

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Boro of Bernardsville

Disbursements Journal - (40) SEWER UTILITY FUND (Accounting

From 12/05/2022 to 12/05/2022

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
12/05/2022	3399	112472		40-C00-0101-0230	HEALTH BENEFITS 12/1-12/31/22 BILLING DA	6,037.87		
			40421		CURRENT ACCOUNT		6,037.87	40-101-0100-2000

DECEMBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
40-101-0100-2000	CASH - SEWER UTILITY				6,037.87
40-C00-0101-0230	SEWER - GROUP INSURANCE		6,037.87		
DECEMBER TOTALS (FOR RANGE):			6,037.87		6,037.87
			=====	=====	=====

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
40-101-0100-2000	CASH - SEWER UTILITY				6,037.87
40-C00-0101-0230	SEWER - GROUP INSURANCE		6,037.87		
TOTALS (FOR RANGE):			6,037.87		6,037.87
			=====	=====	=====

List of Bills - (5510101002000) CASH - SEWER CAPITAL

SEWER CAPITAL

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
50	6180 - PAULUS, SOKOLOWSKI & SARTOR, LLC	PO 112274 Consultant Engineering for WWTP Electric		4,028.75	
	55-215-0256-1000	ORD 2022-1928 - IMP. TO WWTP FACILITIES	4,028.75		4,028.75
TOTAL					----- 4,028.75
Total to be paid from Fund 55 SEWER CAPITAL		4,028.75	=====		
		4,028.75			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
2222	5366 - CGP&H, LLC	PO 110323 ADMINISTRATIVE AGENT & PLANNING SERVICES		6,835.10	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	6,835.10		6,835.10
2223	6830 - MARAZITI FALCON, LLP	PO 110320 PROFESSIONAL SERVICES CONTRACT - 210 NO		5,401.50	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	5,401.50		5,401.50
2224	895 - PIDGEON AND PIDGEON,P.C.	PO 112494 DEC 2022 LEGAL SERVICES		409.50	
	70-286-5685-4013	COAH - ADMINISTRATIVE COSTS	409.50		409.50
TOTAL					----- 12,646.10
Total to be paid from Fund 70 COAH TRUST		12,646.10			
		=====			
		12,646.10			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
2134	895 - PIDGEON AND PIDGEON,P.C.	PO 112494 DEC 2022 LEGAL SERVICES		39.00	
	72-286-5685-3001	RESERVE FOR OPEN SPACE - AQUISITION	39.00		39.00
TOTAL					----- 39.00
Total to be paid from Fund 72 OPEN SPACE TRUST		39.00			
		=====			
		39.00			

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

Meeting Date: 01/23/2023 For bills from 01/10/2023 to 01/18/2023

Check#	Vendor	Description	Account	PO Payment	Check Total
479	7431 - ACADEMY EXPRESS LLC 85-286-5685-4007 SHAWNEE SKI TRIP	PO 112630 Bus Transportation to Shawnee Mtn	3,825.00	3,825.00	3,825.00
TOTAL					3,825.00
Total to be paid from Fund 85 RECREATION TRUST		3,825.00			
		=====			
		3,825.00			

Checks Previously Disbursed

238501	GATEWAY	CREDIT CARD FEES	20.00	1/03/2023
238502	CAPTUREPOINT	CREDIT CARD FEES	97.03	1/05/2023

117.03

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 85 RECREATION TRUST	117.03	3,825.00	3,942.03
BILLS LIST TOTALS	117.03	3,825.00	3,942.03
			=====

RESOLUTION #23-32
AUTHORIZING REFUND OF STORMWATER ESCROW ACCOUNT
04-280-7001-0100
FOR SOMERSET HILLS COUNTRY CLUB
FOR 180 MINE MOUNT RD.

WHEREAS, A STORMWATER MANAGEMENT ACCOUNT WAS STARTED ON 06/10/19 FOR BLOCK 30 LOT 11, ALSO KNOWN AS 180 MINE MOUNT RD.; AND

WHEREAS, THE PROJECT HAS BEEN FINISHED AND THE CO HAS BEEN ISSUED. IT HAS BEEN REQUESTED BY THE OWNER THAT THE REMAINING BALANCE OF THEIR STORMWATER ESCROW ACCOUNT BE REFUNDED TO THEM, THE BALANCE OF WHICH IS \$594.00.

WHEREAS, IT HAS BEEN CONFIRMED BY THE ZONING OFFICER RENEE APUZZO THAT THE APPLICANTS SHOULD RECEIVE A REFUND FOR THE REMAINING BALANCE, \$594.00.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, NJ that the CFO is hereby authorized to refund the following Stormwater escrow account balance:

BLOCK, LOT	RECIPIENT	REFUND AMOUNT
Block 30 Lot 11	Somerset Hills Country Club 180 Mine Mount Rd. Bernardsville, NJ 07924	\$594.00

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be true and exact copy of a resolution adopted by the Borough Council at a duly convened Meeting held on January 23, 2023

RESOLUTION #23-33
INCREASING THE BID THRESHOLD TO \$44,000.00
AND QUOTE THRESHOLD TO \$6,600

WHEREAS, effective July 1, 2020, Governor Phil Murphy has exercised the statutory authority pursuant to N.J.S.A. 52:34-7 to adjust the bid threshold for awarding contracts by governmental contracting units; and

WHEREAS, N.J.S.A. 40A: 11-9 (b) provides that a government unit which employs a Qualified Purchasing Agent can take advantage of the adjusted bid threshold of \$44,000.00 pursuant to N.J.S.A. 40A: 11-3a and grants the authorization to negotiate and award such contracts below the bid threshold, as well as the quote threshold from \$6000 to \$6600(15% of the \$44,000 QPA bid threshold); and

WHEREAS, N.J.A.C.5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Tina Markewicz, Qualified Purchasing Agent possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5.4; and

WHEREAS, the Borough of Bernardsville desires to take advantage of the adjusted bid threshold.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, County of Somerset, in the State of New Jersey, to hereby increase the bid threshold from \$40,000.00 to \$44,000.00, as well as the quote threshold from \$6000 to \$6600; and

BE IT FURTHER RESOLVED, that governing body hereby recognizes Tina Markewicz as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

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 January 23, 2023.

RESOLUTION #23-34
AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR THE
SOMERSET HILLS MUNICIPAL ALLIANCE AND YOUTH SERVICES
COMMISSION (SHMAYSC) GRANT FOR FISCAL YEAR 2024

FORM 1B (Bernardsville)

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of Bernardsville, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Bernardsville, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) grant for fiscal year 2024 in the amount of:

DEDR	\$ 7,717.28
Cash Match	\$ 1,929.45
<u>In-Kind</u>	<u>\$ 5,788.33</u>
Total	\$15,435.56

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Borough Council accepts subsequent award of this grant.

APPROVED: _____
Mary Jane Canose, *Mayor*

CERTIFICATION

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 23rd day of January, 2023.

Anthony Suriano, *Borough Clerk*

RESOLUTION #23-35

**CORRECTING THE GRADE OF PATROLMAN COLE RHINESMITH AND
PATROLMAN ANDREW DEMAIO**

WHEREAS, per Council Resolution #21-244, Cole Rhinesmith was appointed as Patrolman to the Bernardsville Police Department on November 8, 2021 at Step 8A; and

WHEREAS, per Council Resolution #21-238, Andrew DeMaio was appointed as Patrolman to the Bernardsville Police Department on November 8, 2021 at Step 8A; and

WHEREAS, Patrolman Rhinesmith and Patrolman DeMaio each signed a conditional offer of employment indicating they would start at Step 8; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, to correct the starting grade of Patrolman Rhinesmith and Patrolman DeMaio from Step 8A to Step 8.

BE IT FURTHER RESOLVED, to adjust their salaries as indicated in the current PBA Collective Bargaining Agreement to reflect the correct Step.

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 January 23, 2023.

BOROUGH OF BERNARDSVILLE, NJ

**RESOLUTION #23-36
AUTHORIZATION OF TAX REFUND**

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

Block & Lot	Quarter & Year	Amount	Reason for Refund	Issue Refund To
31/15 177 Mine Mount Rd	2022/4	\$1,922.36	County Tax Board Appeal Judgment on 2022 Added Assessment	Christopher & Alyssa Ridente 177 Mine Mount Road Bernardsville, NJ 07924

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bernardsville, NJ that the Tax Collector is hereby authorized to refund the aforementioned tax overpayment(s)

I, Anthony Suriano, Clerk of the Borough of Bernardsville, hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on January 23, 2023.

redemption.res

RESOLUTION #23-37
AUTHORIZING SUBMISSION OF AN APPLICATION FOR DMHAS GRANT
FUNDING FOR THE SOMERSET HILLS MUNICIPAL ALLIANCE AND YOUTH
SERVICES COMMISSION (SHMAYSC) FOR GRANT TERM TWO: 9/1/23 – 9/30/25

FORM 1B – DMHAS Youth Leadership Grant (Bernardsville)

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, the Borough Council of the Borough of Bernardsville, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) has applied for DMHAS Youth Leadership funding through the Governor’s Council on Alcoholism and Drug Abuse;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Bernardsville, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for DMHAS Grant funding for the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) for Grant Term Two: 9/1/23 – 9/30/25 in the amount of:

DEDR	\$ 7,717.28
Cash Match	\$ 1,929.45
<u>In-Kind</u>	<u>\$ 5,788.33</u>
Total	\$15,435.56

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Borough Council accepts subsequent award of this grant.

APPROVED: _____
Mary Jane Canose, *Mayor*

CERTIFICATION

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 23rd day of January, 2023.

Anthony Suriano, *Borough Clerk*

**BOROUGH OF BERNARDSVILLE
RESOLUTION #23-38**

**AUTHORIZING THE PROVISION OF A LOAN
PURSUANT TO THE BOROUGH OF BERNARDSVILLE
AFFORDABILITY ASSISTANCE PROGRAM FOR THE OWNER OF AN
AFFORDABLE HOUSING UNIT LOCATED AT
17 E FOX HOLLOW TRAIL, BERNARDSVILLE, NJ 07924**

WHEREAS, Diane M Papa (“Owner”) whose address is 17 E Fox Hollow Trail, Bernardsville, NJ 07924, a property governed by the statuses, ordinances, rules and regulations restricting occupancy and use of the property as an affordable housing unit; and

WHEREAS, the Owner has requested an Energy Efficiency assistance loan through Borough of Bernardsville Affordability Assistance Program towards the home at 17 E Fox Hollow Trail, Bernardsville, NJ 07924; and

WHEREAS, the Borough’s Affordable Housing Administrative Agent, CGP&H, LLC, has reviewed the Owner’s application and qualified the Owner for the requested assistance; and

WHEREAS, the Borough is willing, pursuant to the Affordable Assistance Program, to extend a Loan to the Owner in the amount of \$6,500.00; and

WHEREAS, the funding for the Loan will be from the Bernardsville Borough Affordable Housing Trust Fund.

NOW THEREFORE BE IT RESOLVED on this 23rd day of January, 2023, by the Borough Council of Bernardsville, County of Somerset, State of New Jersey, that:

1. The Mayor and Clerk are hereby authorized, pursuant to the Borough’s Affordability Assistance Program, to enter into an Affordability Assistance Program Repayment Agreement with Owner and provide Owner with a Forgivable Loan, payable directly to the Title Company.
2. The Mayor, Administrator, Clerk, Borough Attorney, CFO, and such other staff and officials as may be appropriate are authorized to take such steps as may be reasonably required to implement this resolution, including issuance of the Grant amount.
3. The Treasurer is hereby authorized to process a payment in the amount of \$6,500.00 to the owner.

CERTIFICATION

I, Anthony Suriano, Clerk of the Borough of Bernardsville, certify that the foregoing resolution was adopted by the Borough Council of the Borough of Bernardsville at its meeting held on the 23rd day of January, 2023.

Anthony Suriano, Clerk

RESOLUTION #23-39

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH SUBURBAN ENGINEERING, INC. FOR ENGINEERING SERVICES FOR
DESIGN OF A CONCEPT PARKING PLAN AND NEW ACCESS TO MINE BROOK
ROAD FROM 271 MINE BROOK ROAD**

WHEREAS, The Public Works Council Committee recommends Suburban Engineering, Inc. be awarded a Professional Services Contract to fulfill the need for Engineering Services in support of a Concept Plan for Parking and New Driveway Access to Mine Brook Road.

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

1. The Mayor and Clerk are hereby authorized to sign a Professional Services Contract with Suburban Engineering, Inc. to fulfill the need for Engineering Services in support of a Concept Plan for Parking and New Driveway Access to Mine Brook Road.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law.
3. The amount of this contract shall be for an amount not to exceed \$19,200

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 Bond Ordinance 2022-1925 Account #33-215-2927-1000

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 January 23, 2023.

RESOLUTION #23-40

**AUTHORIZING PERMISSION TO USE GRAVEL LOT AREA
ACROSS FROM BOROUGH HALL**

WHEREAS, the Project Manager has received a request from Crossroads Construction LLC to store vehicles and/or equipment at the gravel lot area across from Borough Hall from March 1, 2023 to July 28, 2023 while they work on the Borough's Bernards Avenue Reconstruction Project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council to authorize permission to use the gravel lot area across from Borough Hall pursuant to the following conditions:

- Crossroads Construction LLC must submit a hold harmless agreement and certificate of insurance naming the Borough of Bernardsville as additional insured (with limits as required by the JIF)
- The dates for use are March 1, 2023 to July 28, 2023.
- After use is complete, the gravel lot across from Borough Hall must be restored to its pre-use condition or better.

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 on January 23, 2023.

Anthony Suriano, RMC

RESOLUTION #23-41

ESTABLISHING PRELIMINARY COSTS FOR AN ENGINEERING STUDY
OF A SEWER LINE EXTENSION FOR 65 MORRISTOWN ROAD

WHEREAS, the Borough Council of Bernardsville hereby acknowledges a need for preliminary costs for an engineering study of a sewer line extension for 65 Morristown Road.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the amount appropriated for preliminary costs shall not exceed \$12,000 and the treasurer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

BE IT FURTHER RESOLVED to authorize the Mayor and Clerk to sign a professional services agreement with Paulus, Sokolowski, and Sartor, LLC, of Warren, NJ.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, hereby certify the forgoing to be true and exact copy of a resolution adopted by the Borough Council at a duly convened meeting held on January 23, 2023.
