

**BOROUGH OF BERNARDSVILLE
ORDINANCE #2026-2045**

**AN ORDINANCE SUPPLEMENTING AND AMENDING THE BOROUGH
CODE BY CREATING A NEW SECTION 2-27, ENTITLED “DAMAGE TO
MAILBOXES RESULTING FROM SNOW REMOVAL,” AND ESTABLISHING
A MAXIMUM REIMBURSEMENT AMOUNT**

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 supplemented and amended as follows:

Section 1. There is hereby created a new Section 2-27, which shall read as follows:

**2-27 DAMAGE TO MAILBOXES RESULTING FROM SNOW
REMOVAL.**

2-27.1 Purpose. The purpose of this section is to establish a uniform process by which the Borough may reimburse property owners for damage to mailboxes caused by Borough snow removal operations, subject to the limitations set forth herein.

2-27.2 Definitions. As used in this section:

- a. “Borough” means the Borough of Bernardsville, County of Somerset, State of New Jersey.
- b. “Mailbox” means a curbside mailbox and its supporting post installed for United States Postal Service delivery at a location abutting a public street within the Borough.
- c. “Snow removal operations” means plowing, pushing, or other mechanical removal of snow or ice performed by or on behalf of the Borough on public streets.

2-27.3 Eligibility for Reimbursement.

- a. Reimbursement may be made only where physical contact by Borough snow removal equipment directly causes damage to a mailbox or its supporting post.
- b. No reimbursement shall be made for damage caused by snow or ice discharged, thrown, cast, or pushed from snow removal equipment, or by any condition of the roadway, nor for preexisting deterioration, improper installation, or noncompliant placement of a mailbox.

- c. The mailbox must have been located and installed in accordance with applicable United States Postal Service guidelines and any Borough standards in effect at the time of installation.
- d. The property owner must be current on all Borough taxes, assessments, and charges at the time of application.

2-27.4 Claim Procedure.

- a. A claim for reimbursement shall be submitted in writing to the Borough within ten (10) days of the date of the alleged damage, on a form prescribed by the Borough Administrator or designee.
- b. The claimant shall provide: (i) claimant name, address, and contact information; (ii) the date, time, and location of the incident; (iii) a description of the damage; (iv) photographs of the damaged mailbox and surrounding area; and (v) any repair estimate, invoice, or proof of replacement cost, if available.
- c. Upon receipt of a complete claim, the Public Works Manager, or his designee, shall investigate the claim and make a written determination of eligibility pursuant to this section. The Borough Administrator, or her designee, is authorized to approve or deny claims consistent with this section.

2-27.5 Reimbursement Amount; Limitations.

- a. The maximum reimbursement per incident shall be one hundred dollars (\$100.00).
- b. Reimbursement, if approved, shall be limited to the lesser of: (i) the actual cost to repair or replace the mailbox and/or post with a standard, functional equivalent; or (ii) the maximum reimbursement amount set forth in subsection 2-27.5a.
- c. No reimbursement shall be made for decorative, nonstandard, or specialty features, including but not limited to custom materials, finishes, or accessories, beyond a standard functional mailbox and post.
- d. Reimbursement under this section shall constitute the Borough's sole and exclusive payment for such damage, and acceptance of reimbursement by the claimant shall constitute a release of the Borough and its officers, employees, and agents from any further claims arising out of the incident.

2-27.6 Denial; Appeal.

- a. A claim shall be denied if the investigation determines that: (i) the damage was not caused by direct contact with Borough snow removal equipment; (ii) the mailbox was not properly installed or maintained; (iii) the mailbox location was noncompliant; or (iv) the documentation is insufficient.
- b. A claimant may submit a written request for reconsideration to the Borough Administrator within ten (10) days of notice of denial, stating the grounds for reconsideration and including any additional supporting documentation. The Borough Administrator, or designee, shall issue a

final administrative determination within thirty (30) days of receipt of the request.

2-27.7 Administration. The Borough Administrator is authorized to adopt forms and administrative procedures to implement this section, consistent with its terms.

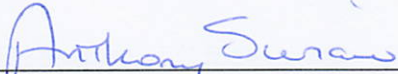
2-27.8 No Admission of Liability. Any reimbursement made pursuant to this section is a voluntary payment by the Borough as a matter of policy and shall not be construed as an admission of negligence, fault, or legal liability.

2-27.9 Severability. If any subsection, paragraph, clause, or provision of this section shall be adjudged invalid, such adjudication shall apply only to the specific provision so adjudged and the remainder shall be deemed valid and effective.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. This ordinance shall take effect upon final passage and publication as required by law.

I, Anthony Suriano, Borough Clerk of the Borough of Bernardsville, in the County of Somerset, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance duly introduced and adopted by the Borough Council at its meeting of March 23, 2026, after a public hearing thereon, and that said ordinance was approved by the Mayor on [to be determined], all in accordance with law.
April 27, 2026



Anthony Suriano, Borough Clerk

Date:

Introduced: March 23, 2026

Publication: March 24, 2026

Public Hearing and Adoption: April 27, 2026

Second Publication April 28, 2026

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano
Anthony Suriano, Borough Clerk

By: Mary Jane Canose
Mary Jane Canose, Mayor