

AGENDA

REVISED

**BOROUGH OF PEAPACK AND GLADSTONE
REGULAR MEETING
MARCH 8, 2016, 7 P.M.**

The Meeting is called to order by Mayor Muller.

The adequate notice statement is read by the Borough Clerk.

SALUTE TO THE FLAG

ROLL CALL:

CAMINITI, CORIGLIANO, LEMMA, SIMPSON, SMITH, SURIANO

EXECUTIVE SESSION

MINUTES

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Special Budget Meeting of February 20, 2016, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Regular Meeting of February 23, 2016, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Special Joint Meeting with the Land Use Board of February 24, 2016, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Special Meeting of February 25, 2016, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Executive Session of February 23, 2016, for content only, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Executive Session of February 24, 2016, for content only, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Executive Session of February 25, 2016, for content only, stand approved as submitted by the Borough Clerk to the Mayor and Borough Council.

NON-AGENDA ITEMS

Opportunity for public to inquire if matters they would like discussed but which do not appear on the agenda will be discussed this evening.

PRESENTATIONS

Discussion of water quality remediation options for the pond at Liberty Park

PETITIONS AND COMMUNICATIONS

COMMITTEE REPORTS

FINANCE: (Suriano/Corigliano)

1. CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)
 - a. INTRODUCTION RESOLUTION
2. INTRODUCTION OF THE 2016 MUNICIPAL BUDGET
 - a. SET PUBLIC HEARING
3. Discussion On Dates For Budget Process
4. AMENDING BOROUGH OF PEAPACK & GLADSTONE ORDINANCE NO. 1000 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION IN THE AMOUNT OF \$85,000 TO AN AMENDED AMOUNT OF \$34,000
5. AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY PROSECUTOR'S OFFICE DWI PATROL SAFE PASSAGE GRANT – SAINT PATRICK'S DAY – FOR A MAXIMUM AMOUNT OF \$400

SANITATION/SEWER: (Lemma/Smith)

No formal report as of now, but matters may arise for discussion during the meeting.

BOROUGH PROPERTY: (Simpson/Smith)

1. APPROVING THE USE OF OPEN SPACE TRUST FUNDS FOR FILAMENTACEOUS MAT ALGAE CONTROL IN THE POND AT LIBERTY PARK IN AN AMOUNT NOT TO EXCEED \$13,000
2. An application has been received from the Somerset Hills Little League for field use for softball.

FIRE/INFORMATION SYSTEMS: (Lemma/Caminiti)

No formal report as of now, but matters may arise for discussion during the meeting.

POLICE: (Corigliano/Simpson)

Discussion on Police Overtime

ROADS/TRANSPORTATION: (Caminiti/Suriano)

No formal report as of now, but matters may arise for discussion during the meeting.

LEGAL: (John E. Bruder, Esq.)

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT NOT TO EXCEED \$12,000

MISCELLANEOUS COUNCIL BUSINESS

1. Mayor's reappointment, with the advice and consent of Council, of Richard Imossi to the Shade Tree Commission, term expiring December 31, 2020. (PLACED ON AGENDA BY DEPUTY CLERK)
2. Mayor's appointment, with the advice and consent of Council, of Jamie Murphy to the Shade Tree Commission, term expiring December 31, 2019. (PLACED ON AGENDA BY DEPUTY CLERK)
3. AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH SOMERSET COUNTY FOR PRINTING SERVICES WITH FROM MARCH 8, 2016 TO DECEMBER 31, 2021 (PLACED ON AGENDA BY ADMINISTRATOR)

4. AN ORDINANCE AMENDING CHAPTER IX ENTITLED "PERSONNEL POLICIES" APPENDIX ENTITLED "BOROUGH OF PEAPACK & GLADSTONE PERSONNEL POLICIES, PROCEDURES, AND REGULATIONS" ARTICLE VI ENTITLED "HOURS OF WORK, HOLIDAYS, VACATIONS, SICK LEAVE, HOSPITALIZATION INSURANCE AND OTHER BENEFITS" SECTION 3 ENTITLED "VACATION FOR FULL-TIME EMPLOYEES" SO AS TO THE VACATION POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT (PLACED ON AGENDA BY ADMINISTRATOR)
 - a. INTRODUCTION RESOLUTION

5. AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BEDMINSTER AND THE BOROUGH OF PEAPACK AND GLADSTONE FOR SENIOR VAN TRANSPORTATION SERVICE (PLACED ON AGENDA BY ADMINISTRATOR)

PUBLIC COMMENTS

AUDITING OF CLAIMS

Mayor, I move that the payment of Interim Claims be approved and that all vouchers submitted this date, as per voucher list, be paid after proper audit.

ADJOURNMENT

Presentation

Remediation Proposals for the Pond at Liberty Park Discussion Agenda for March 8, 2016

- I. Questions to be answered today (5 minutes)
 - a. Is Phoslock indicated for mat algae control?
 - b. Do we resume study/ initiate plans for water supply capability (e.g., well vs dam)?
 - c. Is dredging necessary?
 - d. Who will coordinate above?
- II. Presentation by LPA on status of their review (20 min)
 - a. Water supply options
 - b. Park uses
- III. Discussion with Dr. Sousa and Mr. Ryden re: "Way Forward" (20 minutes)
 - a. Resume PHS study of water supply?
 - b. Is Phoslock indicated?
 - c. Is dredging necessary?
 - d. How do we move forward? By whom?
- IV. Decision Time (20 min)
 - a. Pass Phoslock resolution to use \$ 13,000 form OSTF
 - b. Authorize final steps to implement best water supply option
 - c. Do we dredge now? 5 years? 10 year?
 - d. Use Borough Property for "in house" water quality management, LPA for redesign or turn all over to 3rd party?

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

AMENDING BOROUGH OF PEAPACK & GLADSTONE ORDINANCE NO. 1000 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION IN THE AMOUNT OF \$85,000 TO AN AMENDED AMOUNT OF \$34,000

WHEREAS, N.J.S.A.40A:4-53 provides for a municipality to adopt by ordinance special emergency appropriations for the engagement of special consultants for the preparation and re-examination of master plans when required to conform to the planning laws of the State of New Jersey; and

WHEREAS, the Borough Council of the Borough of Peapack & Gladstone originally estimated the re-examination of the Master Plan will cost \$85,000 and authorized a special emergency appropriation in the amount of \$85,000 through Borough of Peapack & Gladstone ordinance #1000 adopted May 27, 2014; and

WHEREAS, Borough Council of the Borough of Peapack & Gladstone now wishes to amend Borough of Peapack & Gladstone Ordinance #1000 so as to amend the authorization of a special emergency appropriation from \$85,000 to \$34,000.

NOW, THEREFORE, BE IT RESOLVED, that Borough of Peapack & Gladstone Ordinance #1000 that authorized a special emergency appropriation in the amount of \$85,000 for the purpose of carrying out the re-examination and revision of the Borough of Peapack and Gladstone Master Plan, as mandated by N.J.S.A. 40:55D-89, is hereby amended to the amount of \$34,000.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

BOROUGH OF PEAPACK & GLADSTONE
ORDINANCE NO.

CALENDAR YEAR 2016

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. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% 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 Mayor and Council of the Borough of Peapack & Gladstone in the County of Somerset finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations (\$4,599,451.54) amounting to \$159,580.80, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$159,580.80 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council 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 Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Peapack & Gladstone shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$159,580.80, and that the CY 2016 municipal budget for the Borough of Peapack & Gladstone be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any 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.

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY PROSECUTOR’S OFFICE DWI PATROL SAFE PASSAGE GRANT – SAINT PATRICK’S DAY – FOR A MAXIMUM AMOUNT OF \$400

WHEREAS, the Somerset County Prosecutor’s Office has made available funds for its Safe Passage Grant – Saint Patrick’s Day – providing Police Departments to conduct enhanced enforcement patrols on March 17, 2016, through March 18, 2016, looking for impaired driving violations between the hours of 6 p.m. and 2 a.m. for a total of 8 hours at \$50 per hour for a maximum amount of \$400.

WHEREAS, the Borough of Peapack & Gladstone Police Department wish to take advantage of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the submission of said grant application.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

borough property 1

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

APPROVING THE USE OF OPEN SPACE TRUST FUNDS FOR FILAMENTACEOUS MAT ALGAE CONTROL IN THE POND AT LIBERTY PARK IN AN AMOUNT NOT TO EXCEED \$13,000

WHEREAS, the Governing Body of the Borough of Peapack & Gladstone wishes to retain the services for filamentaceous mat algae control in the pond at Liberty Park; and

WHEREAS, the Governing Body has determined that this service is necessary to preserve the nature of the pond at Liberty Park; and

WHEREAS, the Borough of Peapack & Gladstone has certified that sufficient funds are available in the Open Space Trust Fund to pay for this service herein; and

WHEREAS, the Open Space Advisory Committee does not concur with the use of Open Space Trust Funds for this purpose; and

WHEREAS, the total amount of the Open Space Trust Funds for this service/application shall be for an amount not to exceed \$13,000.

NOW THEREFORE BE IT RESOLVED, by the Borough of Peapack & Gladstone, that it does ratify, confirm and approve the use of Open Space Trust Funds for the purpose of filamentaceous mat algae control in the pond at Liberty Park in an amount not to exceed \$13,000.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

legal 1

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT NOT TO EXCEED \$12,000

WHEREAS, the Borough of Peapack & Gladstone is in need of the services of a professional labor attorney to assist with legal advice relating to general employment law related issues which may include reviewing and revising existing documents and providing training on employment related; and

WHEREAS, the Borough Council recommends the appointment of the firm APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY to provide the services listed above for the year 2015 at a rate of \$175 per hour; and

WHEREAS, such award shall be made as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C., has submitted a proposal indicating he will provide legal services to the municipality in accordance with the compensation described hereinabove; and

WHEREAS, APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C., completed and submitted a Business Entity Disclosure Certification which certifies that APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C., has not made any reportable contributions to a political or candidate committee in the name of William H. Horton, Gian-Paolo Caminiti, Mark Corigliano, Gerald J. Gunning, Donald Lemma, William Muller, T. William Simpson, Royal Smith and/or Anthony Suriano in the previous one year; and

WHEREAS, a certification affirming the availability of funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Director of Finance and is attached hereto and made a part hereof, indicating that the appropriation for the within expenditure is to be funded from the 2016 Budget Current Account; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires the resolution authorizing the award of contract for "Professional Services," without competitive bids and the contract itself, must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Peapack and Gladstone, County of Somerset and State of New Jersey that it hereby authorizes the

Borough to enter into a contract with APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C., as described hereinabove.

BE IT FURTHER RESOLVED, that this Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A: 11-5(1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED, that a notice of this action shall be printed once in the Courier News.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

HECTOR HERRERA
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH SOMERSET COUNTY FOR PRINTING SERVICES FROM MARCH 8, 2016 TO DECEMBER 31, 2021

WHEREAS, the County of Somerset is a leader in the concept of shared services as evidenced by a history of Inter-local Services Agreements; and

WHEREAS, the Borough of Peapack & Gladstone is desirous of entering into a shared service agreement with the County for the purposes of providing copy and print services; and

WHEREAS, the County will provide said copy and print services at its print shop facility to municipalities based on the attached fee schedule; and

WHEREAS, the agreement is authorized pursuant to the terms of N.J.S.A. 40A:65-1 et seq; and

WHEREAS, the Borough of Peapack & Gladstone wishes to enter into this Shared Service Agreement for Printing Services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, and State of New Jersey that we do hereby authorize execution of the attached agreement by the Mayor and Clerk to accept printing services with Somerset County from March 8, 2016 to December 31, 2021, as per the terms of the Agreement.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE
ORDINANCE NO.**

AN ORDINANCE AMENDING CHAPTER IX ENTITLED “PERSONNEL POLICIES” APPENDIX ENTITLED “BOROUGH OF PEAPACK & GLADSTONE PERSONNEL POLICIES, PROCEDURES, AND REGULATIONS” ARTICLE VI ENTITLED “HOURS OF WORK, HOLIDAYS, VACATIONS, SICK LEAVE, HOSPITALIZATION INSURANCE AND OTHER BENEFITS” SECTION 3 ENTITLED “VACATION FOR FULL-TIME EMPLOYEES” SO AS TO THE VACATION POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Peapack & Gladstone in the County of Somerset and State of New Jersey that Chapter 9 of the Borough Code of the Borough of Peapack & Gladstone, appendix entitled “Borough of Peapack & Gladstone Personnel Policies, Procedures, and Regulations,” Article VI Entitled “Hours of Work, Holidays, Vacations, Sick Leave, Hospitalization Insurance and Other Benefits,” Section 3 Entitled “Vacation” is hereby amended so as to the vacation policy for employees during their first year of employment, as follows:

All additions to Section 3, of Article VI of the Appendix of Chapter 9 are set forth in boldface; all deleted language is set forth lined out, in brackets and italics; pre-existing language and fees are not highlighted in any way

ALL DELETED LANGUAGE IS REFLECTED IN BRACKETS AND ITALICS

3. Vacation for Full-Time Employees.

- (a) Employees shall be entitled to vacation leave with pay based upon length of continuous and uninterrupted service as a full-time employee. Vacation days per calendar year* are:

*[To the end of the first calendar year
in which service began ————— 0 days]*

Newly hired full-time employees will receive no vacation for the first three calendar months of employment (regardless of what date within the month they start work).

Starting at the beginning of the 4th calendar month, newly hired full-time employees will receive an accrual of vacation, awarded on the first day of

each month, for 1 vacation day for each month of the remainder of the calendar year.

Commencing on January 1 of the next calendar year until December 31 of the fifth year of service	10 days
More than 5 years but less than 15 years	15 days
More than 15 years but less than 21 years	20 days
More than 21 years but less than 22 years	21 days
More than 22 years but less than 23 years	22 days
More than 23 years but less than 24 years	23 days
More than 24 years but less than 25 years	24 days
More than 25 years of service	25 days

SECTION II

This ordinance shall take effect upon final passage and publication according to law.

SECTION III

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency, by specific action of the Council.

SECTION IV

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Introduced:

Adopted:

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO.**

AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BEDMINSTER AND THE BOROUGH OF PEAPACK AND GLADSTONE FOR SENIOR VAN TRANSPORTATION SERVICE

WHEREAS, the Borough of Peapack & Gladstone (“Borough”) and the Township of Bedminster (“Township”) entered into an interlocal agreement on June 23, 2015, for the Township to provide Senior Van Transportation Service to senior citizen residents of the Borough; and

WHEREAS, the Township of Bedminster and the Borough of Peapack & Gladstone wish to renew this agreement, a copy of which agreement is annexed to this resolution; and

WHEREAS, the shared services agreement has been reviewed and approved by both the Township of Bedminster and the Borough of Peapack & Gladstone.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement to provide Senior Van Transportation Service to the Borough of Peapack and Gladstone. Said Agreement is annexed hereto as Exhibit A.
2. Upon execution of the Agreement by the Borough of Peapack & Gladstone, the Borough Clerk shall forward said agreement to the Township of Bedminster for execution by the Township Council.
3. This agreement shall expire December 31, 2016
4. The Borough of Peapack & Gladstone shall pay the Township of Bedminster a per diem rate for this service of \$15 per day per rider to be paid on July 1, 2016, and January 1, 2017.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: March 8, 2016

**SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF PEAPACK
AND GLADSTONE AND BEDMINSTER TOWNSHIP FOR THE
PROVISION OF SENIOR VAN SERVICE**

THIS SHARED SERVICES AGREEMENT (hereinafter “Agreement”) is made on this _____ day of _____, 2016 by and between the Borough of Peapack and Gladstone, a municipal corporation of the State of New Jersey (hereinafter “Borough”), with offices located at 1 School Street, Peapack, New Jersey 07977 and the Township of Bedminster, a municipal corporation of the State of New Jersey (hereinafter “Township”), with offices located at One Miller Lane, Bedminster, New Jersey 07921.

WHEREAS the Borough desires to provide affordable local transportation services to qualifying senior citizen residents of the Borough, and the Township already has in place an effective program providing local transportation services to certain of its senior citizen residents; and

WHEREAS the Borough and the Township have considered this subject and agree that it makes financial and geographical sense for the parties hereto to enter into a Shared Services Agreement whereby the Township shall provide local transportation services to senior citizens of both the Township as well as the Borough, and the Borough shall compensate the Township for any such services provided to qualified Borough residents; and

WHEREAS the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, permits and provides for a mechanism for contracting between local units by entry into a Shared Services Agreement; and

WHEREAS the Borough and Township agree that their mutual public purposes and best interests will be promoted by the execution and delivery of this Shared Services Agreement pursuant to the powers conferred by the Uniform Shared Services and Consolidation Act;

NOW THEREFORE, in consideration of mutual promises and covenants of each to the other, and for other good and valuable consideration, the parties do hereby agree as follows:

I. SCOPE OF SERVICES. It is agreed and understood between the parties that the Township shall provide local transportation services for Township and Borough residents who are 55 years and older or are handicapped. Residents must get pre-approval from the Visiting Nurse Association (VNA) of Somerset Hills to ride the senior van.

II. PAYMENT. The Borough shall contribute \$15 per day per rider for any of the Borough's residents who ride on the Senior Van.

III. SENIOR VAN SCHEDULE.

Monday - No Van Service Available

Tuesday - Hillsborough area (ShopRite, Kohl's, and Farmers' Market)

Wednesday – Chester Area (ShopRite and Dollar Store)

Thursday – Bridgewater/Somerville Area (Wegmans and Manville Walmart)

Friday - No Van Service Available

IV. CHANGES IN SERVICE. The parties may agree at any time, in writing, to request the Township modify the van schedule.

V. TERM. This agreement shall be effective from January 1, 2016, and shall continue through December 31, 2016.

VI. ACCOUNTING. The senior van driver shall maintain all paperwork, including trip pickup lists, passenger sign-ins, trip logs, and vehicles schedules and accurate signed time-sheets. This accounting shall be provided to the Borough on a monthly basis.

VII. TERMINATION. Either party may elect to terminate this Agreement at any time. However, in the event the either party desires to terminate this agreement, 30 days written notice shall be provided.

VIII. INSURANCE AND INDEMNIFICATION.

Insurance coverage as requested here shall be obtained by the Borough of Peapack & Gladstone and shall protect its interests to this agreement, and their respective personnel, for Liability arising out of the Borough of Peapack & Gladstone's Residents' use of the Senior Van Services as their interest may appear. The Borough of Peapack & Gladstone shall procure and provide evidence of insurance to Bedminster Township via a Certificate of Insurance of General Liability coverage in an amount of not less than \$5,000,000 per occurrence for bodily injury and property damage liability, which shall include Bedminster Township as an Additional Insured as respects to any liability arising from the operations of the Borough of Peapack and Gladstone.

Bedminster Township shall obtain commercial liability insurance coverage to protect its interests to this agreement, and their respective personnel, for liability arising out of Bedminster Township's Senior Van Services. The Township of Bedminster shall procure and provide evidence of insurance to the Borough of Peapack & Gladstone via a Certificate of Insurance of General Liability coverage in an amount not less than \$5,000,000 per occurrence for bodily injury and property damage liability which shall include the Borough of Peapack & Gladstone as an Additional Insured as respect to any liability arising from the operations of the Township of Bedminster. In addition, the Township of Bedminster shall procure and maintain Commercial Automobile liability coverage in the amount of \$5,000,000 per occurrence and list

the Borough of Peapack and Gladstone as an additional insured. Commercial Automobile liability coverage is primary and non-contributory.

The Borough of Peapack & Gladstone and Bedminster Township shall also provide evidence of statutory Workers Compensation and Employers Liability coverage with Employers Liability Limits of not less than \$2,000,000. Such evidence shall be included on the above-referenced Certificate of Insurance.

The Borough of Peapack & Gladstone agrees that it shall indemnify and hold the Township of Bedminster harmless from any and all liability caused by or resulting from the negligent acts, errors or omissions of the Borough of Peapack & Gladstone or its agents, officers, employee or assigns, arising out of the provision of the services set forth in the Agreement. Bedminster Township agrees that it will indemnify and hold the Borough of Peapack & Gladstone harmless from any and all liability caused by or resulting from the negligent acts, errors or omissions of Bedminster Township or its agents, officers, employees or assigns, arising out of the provision of services set forth in this Agreement.

IX. MODIFICATIONS. Except as otherwise provided in this agreement, this agreement may be modified only by prior written agreement of all parties.

X. UNIFORM SHARED SERVICES AND CONSOLIDATION ACT. The governing bodies of Bedminster and Peapack and Gladstone are authorized to enter into this Agreement with each other pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. in accordance with the terms of that Act.

XI. NOTICE. Any notice or consent required or permitted hereunder shall be in writing and shall be delivered to the other party by registered or certified mail, return receipt requested, and addressed to the party as set out below or to such other address as the party may have specified by notice given in writing to the other party.

BOROUGH OF PEAPACK-GLADSTONE

TOWNSHIP OF BEDMINSTER

Municipal Building

Municipal Building

1 School Street, P.O. Box 218

1 Miller Lane

Peapack, NJ 07977

Bedminster, NJ 07921

ATTENTION: Borough Clerk

ATTENTION: Township Administrator

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

Attest:

TOWNSHIP OF BEDMINSTER

Judith Sullivan, Clerk

Dated: _____, 2016

By:_____

Steven E. Parker, Mayor

Attest:

BOROUGH OF PEAPACK AND
GLADSTONE

Hector Herrera, Clerk

Dated: _____, 2016

By:_____

William Muller, Mayor