

BOROUGH OF PEAPACK AND GLADSTONE REGULAR MEETING MARCH 22, 2016, 7:30 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

MINUTES

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Regular Meeting of March 8, 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 March 11, 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 March 16, 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 March 8, 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

PETITIONS AND COMMUNICATIONS

The Peapack & Gladstone Rescue Squad is requesting authorization to hang a banner over Main Street from April 17-May 1, 2016 to announce the annual town-wide garage sale on April 30, 2016.

The Matheny School is requesting authorization to hang a banner over Main Street from May 23-June 6, 2016, to announce the Miles for Matheny event on June 5, 2016.

REPORTS OF BOROUGH OFFICERS:

CHIEF OF POLICE: February report has been filed with the Borough Clerk.

CONSTRUCTION OFFICIAL: February report has been filed with the Borough Clerk.

ZONING OFFICIAL: No report has been filed with the Borough Clerk.

PUBLIC WORKS/SANITARY SEWER: No report has been filed with the Borough Clerk.

FIRE CHIEF: February report has been filed with the Borough Clerk.

JUDGE: No report has been filed with the Borough Clerk.

LIBRARY ADVISORY BOARD: No report has been filed with the Borough Clerk.

TAX COLLECTOR/CFO: 2015 Annual report has been filed with the Borough Clerk.

BOARD OF HEALTH: February report has been filed with the Borough Clerk.

LAND USE BOARD: October 21, 2015, January 6th and January 20th minutes have been filed with the Borough Clerk.

HISTORICAL PRESERVATION COMMISSION: Minutes have not been filed with the Borough Clerk.

ENVIRONMENTAL COMMISSION: Minutes have not been filed with the Borough Clerk.

GREEN TEAM ADVISORY COMMITTEE: No minutes have been filed with the Borough Clerk.

SHADE TREE COMMISSION: No minutes have been filed with the Borough Clerk.

OFFICE OF EMERGENCY MANAGEMENT: No report has been filed with the Borough Clerk.

RECREATION COMMISSION: December 10th, January 7th and February 4th minutes have been filed with the Borough Clerk.

OPEN SPACE COMMITTEE: No minutes have been filed with the Borough Clerk.

TRAILS ADVISORY COMMITTEE: April 13th minutes have been filed with the Borough Clerk.

FARMLAND PRESERVATION AND AGRICULTURAL COMMITTEE: No minutes have been filed with the Borough Clerk.

IT ADVISORY COMMITTEE: The minutes of the January 29, 2016, meeting has been filed with the Borough Clerk.

Council comments on the reports:

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. PUBLIC HEARING
 - b. FINAL ADOPTION
- 2. BOND ORDINANCE PROVIDING FOR THE MILLING AND PAVING OF SECTIONS 1 AND 3 OF MOSLE ROAD BY THE BOROUGH OF PEAPACK AND GLADSTONE, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF
 - A. INTRODUCTION

SANITATION/SEWER: (Lemma/Smith)

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

BOROUGH PROPERTY: (Simpson/Smith)

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

FIRE/INFORMATION SYSTEMS: (Lemma/Caminiti)

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

POLICE: (Corigliano/Simpson)

APPLICATION FOR AN ALCOHOLIC BEVERAGE COMMISSION SOCIAL AFFAIRS PERMIT FROM ST. LUKE'S EPISCOPAL CHURCH FOR AN EVENT TO BE HELD AT ST. LUKE'S EPISCOPAL CHURCH, 182 MAIN STREET, ON MAY 14, 2016

ROADS/TRANSPORTATION: (Caminiti/Suriano)

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

LEGAL: (John E. Bruder, Esq.)

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

MISCELLANEOUS COUNCIL BUSINESS

- 1. 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 AMEND THE VACATION POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT AND SECTION 15 ENTITLED "PERSONAL DAYS: SO AS TO SO AS TO AMEND THE PERSONAL DAY LEAVE POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT
 - a. INTRODUCTION RESOLUTION
- 2. Completed applications for membership the Borough of Peapack & Gladstone Fire Department have been received for approval from the following:
 - a. Ryan Lucas
 - b. George Lird
- 3. AUTHORIZING THE APPOINTMENT OF TERESA VAN ALLEN AS THE CERTIFIED MUNICIPAL COURT ADMINISTRATOR FOR THE NEW SHARED MUNICIPAL COURT BEGINNING MARCH 1, 2016
- 4. Appointing john gregory as borough administrator for a term expiring december 31,2016
- 5. APPOINTING JOHN GREGORY AS BOROUGH CLERK FOR A TERM EXPIRING MAY 2, 2019

PUBLIC COMMENTS

EXECUTIVE SESSION

Personnel Litigation

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

BOROUGH OF PEAPACK & GLADSTONE ORDINANCE NO.1019

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.
Introduced: March 22, 2016
Adopted:

BOROUGH OF PEAPACK AND GLADSTONE ORDINANCE BOND NO. 1021

BOND ORDINANCE PROVIDING FOR THE MILLING AND PAVING OF SECTIONS 1 AND 3 OF MOSLE ROAD BY THE BOROUGH OF PEAPACK AND GLADSTONE, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK AND GLADSTONE (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

- Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Peapack and Gladstone, a municipal corporation of the State of New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$295,000, including a grant in the amount of \$175,000 expected to be received from the State of New Jersey Department of Transportation and the sum of \$6,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.
- Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$114,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.
- Section 3. (a) The improvement or purpose hereby authorized for which bonds or notes are to be issued is the milling and paving of sections 1 and 3 of Mosle Road in the Borough, including all work and materials necessary therefor or incidental thereto.
- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance.
- Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation

note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 20 years.
- (c) An aggregate amount not exceeding \$38,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.
- (d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$114,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond

ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduced: March 22, 2016

BOROUGH OF PEAPACK & GLADSTONE RESOLUTION NO.

RESOLVED that the ordinance entitled,

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 AMEND THE VACATION POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT AND SECTION 15 ENTITLED "PERSONAL DAYS: SO AS TO SO AS TO AMEND THE PERSONAL DAY LEAVE POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT

now pending before this governing body be adopted and advertised as required by statute.

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

police

BOROUGH OF PEAPACK & GLADSTONE RESOLUTION NO.

APPLICATION FOR AN ALCOHOLIC BEVERAGE COMMISSION SOCIAL AFFAIRS PERMIT FROM ST. LUKE'S EPISCOPAL CHURCH FOR AN EVENT TO BE HELD AT ST. LUKE'S EPISCOPAL CHURCH, 182 MAIN STREET, ON MAY 14, 2016

WHEREAS, application has been received from St. Luke's Episcopal Church with the required fee of: \$100 for a special permit liquor license for a social affair to be held on May 14, 2016, at the premises of: St. Luke's Episcopal Church, 182 Main Street, Peapack, NJ; and

WHEREAS, approval of the Governing Body is necessary before said permit can be issued by the Division of Alcoholic Beverage Control.

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 the license issuing authority of this municipality has no objection to the granting of a special permit herein applied for and consents thereto and further certifies that the issuance of said permit is not contrary to any local ordinance, resolution, regulation or policy which would prohibit same and further certifies that not more than twenty-five special permits have been authorized for these premises during the calendar year.

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

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: March 22, 2016

Adopted:

BOROUGH OF PEAPACK & GLADSTONE RESOLUTION NO.

AUTHORIZING THE APPOINTMENT OF TERESA VAN ALLEN AS THE CERTIFIED MUNICIPAL COURT ADMINISTRATOR FOR THE NEW SHARED MUNICIPAL COURT BEGINNING MARCH 1, 2016

WHEREAS, the Borough of Peapack & Gladstone, the Borough of Bernardsville ("Boroughs") and the Township of Bedminster ("Township") have expressed an interest in identifying ways to share services for the mutual benefit of their respective communities; and

WHEREAS, the Boroughs and the Township have identified the sharing of the municipal court as an area which could provide such a benefit to both municipalities; and

WHEREAS the Borough of Peapack & Gladstone desires the services of a Certified Municipal Court Administrator to serve its new Shared Municipal Court between the Boroughs and the Township; 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 Boroughs and Township agree that it makes financial and geographical sense for the parties hereto to enter into a Shared Services Agreement for the provision of such services; and

WHEREAS the Boroughs 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, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Peapack & Gladstone, Somerset County, in consideration of mutual promises and covenants of each to the other, and for other good and valuable consideration, do hereby agree to appoint Teresa Van Allen as the Certified Municipal Court Administrator with an Annual Salary of \$57,583.

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

miscellaneous 3

BOROUGH OF PEAPACK & GLADSTONE RESOLUTION NO.

APPOINTING JOHN GREGORY AS BOROUGH ADMINISTRATOR FOR A TERM EXPIRING DECEMBER 31, 2016

WHEREAS, a vacancy for the position of Borough Administrator has occurred with the resignation of Borough Administrator Hector Herrera effective March 31, 2016; and

WHEREAS, John Gregory has been found to be fully qualified to fill the requirements of this position.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Peapack & Gladstone confirms the appointment of John Gregory to the position of Borough Administrator effective May 2, 2016, for a term ending December 31, 2016.

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

miscellaneous 4

BOROUGH OF PEAPACK & GLADSTONE RESOLUTION NO.

APPOINTING JOHN GREGORY AS BOROUGH CLERK FOR A TERM EXPIRING MAY 2, 2019

WHEREAS, a vacancy for the position of Borough Clerk has occurred with the resignation of Borough Clerk Hector Herrera effective March 31, 2016; and

WHEREAS, John Gregory has been found to be fully qualified to fill the requirements of this position.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Peapack & Gladstone confirms the three-year appointment of John Gregory, RMC, to the position of Borough Clerk effective May 2, 2016, for a term ending May 2, 2019.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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