



**MAYOR & COUNCIL  
THE BOROUGH OF PEAPACK & GLADSTONE,  
BOROUGH COUNCIL *CLERK'S* MEETING AGENDA**

**Date: January 24, 2017: 7:00 PM Executive Session / Regular Meeting 7:30 PM**

**Location: Borough Hall Council Chambers, 1 School St. Peapack.**

*Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.*

**1. CALL TO ORDER:**

Mayor calls meeting to order

**2. SUNSHINE NOTICE**

Municipal Clerk reads the following statement: "Pursuant to the Open Public Meetings Act, Adequate notice of 2017 Meeting Dates was published in the Courier News and Bernardsville News on December 22, 2016, and posted at the Municipal Complex and the Borough Library. Action may be taken."

**3. FLAG SALUTE: LED BY MAYOR OR PRESIDING OFFICER.**

**4. ROLL CALL:**

**5. EXECUTIVE SESSION:**

Resolution 3E-2017 Executive Session – Personnel Matters General Legal Advice, Potential Litigation, Contracts,

**6. READING AND APPROVAL OF MINUTES: - REGULAR MEETING**

**7. PUBLIC COMMENTS: 5 MINUTES PER PERSON - NON-AGENDA ITEMS**

It is the policy of the Borough Council that all public comments on an issue shall be limited to five (5) minutes per person. Comments may be made on any Non-Agenda subject pertaining to Borough issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone

**8. NEW ORDINANCES**

**A. Ordinance 2017-1029 Rental Ordinance**

**Ordinance 2017-1029  
Ordinance Amending Chapter XI Building and Housing  
Sub-Chapter VII Housing and Rental Code**

<b>Purpose</b>	<i>To amend the Borough's Housing Ordinance to provide for a rental code to protect renters by providing for inspections of rental properties.</i>
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**B. Ordinance 2017-1033 Sewer Charges**

**AN ORDINANCE AMENDING CHAPTER XVII, TITLED "SEWERS" OF THE REVISED  
GENERAL ORDINANCES SUBSECTION 1.27 TITLED "SEWER CHARGE"**

<b>Purpose</b>	<i>To amend the Borough sewer ordinance providing for a rate reduction and a change in Calculation of the Residential sewer rental fee</i>
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**C. Ordinance 2017-1034 Code Enforcement Committee**

**AN ORDINANCE AMENDING CHAPTER XI, TITLED "BUILDING AND HOUSING" OF  
THE REVISED GENERAL ORDINANCES SECTION 1.1 TITLED "ENFORCEMENT  
OFFICE ESTABLISHED" ADDING SUBSECTION F "CODE ENFORCEMENT  
COMMITTEE."**

<b>Purpose</b>	<i>Creates a Council Committee to work with the Code and Zoning Official(s)</i>
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**MAYOR & COUNCIL  
THE BOROUGH OF PEAPACK & GLADSTONE,  
BOROUGH COUNCIL MEETING AGENDA**

*Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.*

**9. CONSENT AGENDA:**

All matters listed under the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separately.

<u>RESOLUTION</u> #-2017	<u>TITLE</u>	<u>PURPOSE</u>
34	Authorization to issue RFP	For emergency road repairs and snow or ice control.
35	Authorization to file for Green Acres Grant	To authorize filing of Green Acres Grant by Consultant for Open Space
36	Authorize use of library conference for children's library program	Youth librarian has planned a children's program
37	Approve Miles for Matheny event	Annual fund raiser for Matheny Medical & Educational Center
38	Fair Share Housing	To support the Legislative language and intent on Fair share housing
39	Authorization to file for grant	Super Bowl Safe Passage Grant for PD
40	Remove Officer from Probation	Adam Caruso remove probation status

**10. MISCELLANEOUS DISCUSSION**

**A.** Council President Suriano Discussion about the Open Space Advisory Committee –

**11. MAYOR AND COUNCIL REPORTS**

<u>Governing Body Member or Appointed Official</u>	<u>DEPARTMENT</u>
Councilman Suriano/Corigliano	Finance
Councilman Lemma/Suriano	Sanitation & Sewer
Councilman Simpson/Smith	Borough Property
Councilman Caminiti/Simpson	Fire/Information Systems
Councilman Corigliano/Lemma	Police
Councilman Smith/Caminiti	Roads and Transportation
Borough Attorney John Bruder	Legal
John Gregory	Administrator's Report:
Mayor Bill Muller	Mayors Report

**12. BILL LIST: RESOLUTION 41-2017**

Approval of Bills as signed and listed on the Bill Payment List. **Total Amount: \$627,392.94**

**13. PUBLIC COMMENTS AGENDA ITEMS ONLY: 3 MINUTES PER PERSON**

It is the policy of the Borough Council that all public comments on an issue shall be limited to three minutes (3) per person. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

**14. ADJOURNMENT:**

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 034-2017**

**ADOPTED: January 24, 2017**

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**Authorization to Bid or Issue Request for Proposals (RFP)**

**WHEREAS**, the Borough of Peapack & Gladstone anticipates the contract may exceed the Pay to Play threshold, and

**WHEREAS**, Local Public Contracts Law, NJSA 40A:11-1 et seq., requires authorization to issue RFP's the first time, and

**WHEREAS**, such authorization does not guarantee a RFP being issued or a contract being awarded but simply allows the Purchasing Agent to eliminate delays to advertise for an expected project.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey hereby authorizes the Purchasing Agent to advertise for RFP's for:

Snow/Ice control and/or emergency road repairs limited to the pacesetter development for when the developer fails to maintain their roads.

**BE IT FURTHER RESOLVED** all contracted work as described above shall be funded through the developers escrow for the Rock-a-Bye project.

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 35-2017**

**ADOPTED: January 24, 2017**

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**AUTHORIZING NJ CONSERVATION TO APPLY FOR GRANTS**

**WHEREAS**, the Borough of Peapack & Gladstone wishes to apply for conservation grants, and

**WHEREAS**, these grants will benefit the Borough of Peapack & Gladstone, and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, hereby authorizes NJ Conservation to apply for grants as described below on the Borough's behalf in an amount not to exceed \$????????.

Authorized Grants:

- Farmland Outreach-will help preserve farmland
- Green Acres PIG Grant-will help offset reimbursements for Komline
- Green Acres Stewardship Grant-Could offset the cost of the well being installed to clean the pond
- Sustainable NJ Grant-could benefit Open Space and Liberty Park
- ANJEC Grant-could benefit the recreation element of the Open Space Plan



**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: ???-2017**

**ADOPTED: January 24, 2017**

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**Authorize use of Library Conference Room**

**WHEREAS**, The Borough of Peapack & Gladstone has received an application from the Peapack & Gladstone Library for a children's program on February 2, 2017, and

**WHEREAS**, the application has been reviewed by the Property Chair, Administrator, and Mayor and Council and has been found to be complete.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset and State of New Jersey hereby approves the use of the Library Conference Room for a children's program.



**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: ???-2017**

**ADOPTED: January 24, 2017**

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**Authorize Miles for Matheny on June 4, 2017**

**WHEREAS**, The Borough of Peapack & Gladstone has received an application from Matheny for the use of Liberty Park for the Miles for Matheny event on June 4, 2017, and

**WHEREAS**, the application has been reviewed by the Property Chair, Administrator, and Mayor and Council and has been found to be complete.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset and State of New Jersey hereby approves the use of Liberty Park for the Miles for Matheny event on June 4, 2017.

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 038-2017**

**ADOPTED: January 24, 2017**

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**A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY  
BILL A-3821 WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE  
INTENT OF THE FAIR HOUSING ACT**

**WHEREAS**, the Borough of Peapack & Gladstone supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

**WHEREAS**, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

**WHEREAS**, in February, the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

**WHEREAS**, the Appellate Division recently in a unanimous decision overturned the February Ocean County Superior Court decision and held that municipalities are only responsible to address the ten year present and prospective need, not any “gap period” number; and

**WHEREAS**, the New Jersey Supreme Court has, for the stated purposes of, “...*judicial economy and efficiency based on the large number of actions involved. The Court makes no findings as to the reasonable probability of success on the merits, irreparable harm, or the relative hardship to the parties,*” agreed to hear an appeal of the Appellate Division ruling in late November; and

**WHEREAS** the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10- year period.” [N.J.S.A. 52:27D-307(c)]; and

**WHEREAS**, the “gap issue” arises out of the inability of the New Jersey Council on Affordable Housing to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

**WHEREAS**, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need, and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 038-2017**

**ADOPTED: January 24, 2017**

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**WHEREAS**, this issue needs a resolution which provides both certainty and an achievable path forward so municipalities can proceed with planning for and implementing their affordable housing obligations;

**WHEREAS**, Senate Bill S-2254, sponsored by Senators Greenstein and Bateman, and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the language and legislative intent of the Fair Housing Act, so as to preclude significant unfair impacts and instead further progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the actual provision of affordable housing.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, that:

1. Borough of Peapack and Gladstone strongly urges New Jersey Legislators to immediately reaffirm the language and legislative intent of the Fair Housing Act (FHA) and expressly clarify that the municipal affordable housing share is the sum of present and prospective need for the enumerated ten year period.
2. Borough of Peapack and Gladstone supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor, the Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, (insert State Senator and Assembly Representatives), Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey, the New Jersey League of Municipalities and the New Jersey Conference of Mayors.

**Distribution List**

1) **State Senator and General Assembly Representatives**

2) **The Hon. Chris Christie**

Governor, State of New Jersey

State House, PO Box 001

Trenton, NJ 08625

3) **The Hon. Kim Guadagno**

Lieutenant Governor, State of New Jersey

State House, PO Box 001

Trenton, NJ 08625

4) **The Hon. Steve Sweeney**

President, NJ Senate

935 Kings Highway, Suite 400

West Deptford, NJ 08086

SenSweeney@njleg.org



**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 038-2017**

**ADOPTED: January 24, 2017**

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**5) The Hon. Vincent Prieto**

Speaker, NJ General Assembly  
1 Hamilton Plaza, Suite 205  
Secaucus, NJ 07094  
AsmPrieto@njleg.org

**6) New Jersey State League of Municipalities**

222 West State Street  
Trenton, NJ 08608  
league@njslom.org

**7) New Jersey Conference of Mayors**

410 Riverview Plaza  
Trenton, NJ 08611

**8) Sponsors:**

**The Hon. Linda Greenstein The Hon. Christopher “Kip” Bateman**

Senator, District 14 Senator, District 16  
124 S. River Road, Suite 105 36 E. Main Street  
Cranbury, NJ 08512 Somerville, NJ 08876  
SenGreenstein@njleg.org SenBateman@njleg.org

**The Hon. Wayne DeAngelo The Hon. Daniel Benson**

Assemblyman, District 14 Assemblyman, District 16  
4621A Nottingham Way 3691A Nottingham Way  
Hamilton, NJ 08690 Hamilton Sq., NJ 08690  
AsmDeAngelo@njleg.org AsmBenson@njleg.org

**9) The Senate Community and Urban Affairs Committee**

**10) The Assembly Housing and Community Development Committee**

**SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE, 2016-2017**

**The Hon. Jeff Van Drew**

Chair, Senate Community and Urban Affairs Committee  
Senator, District 1  
21 South Main St. Suite 104  
Cape May Court House, NJ 08210  
SenVanDrew@njleg.org

**The Hon. Ronald L. Rice,**

Vice Chair, Senate Community and Urban Affairs Committee  
Senator, District 28  
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Newark, NJ 07106  
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SenRice@njleg.org

**The Hon. Jennifer Beck**

Senator, District 11

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 038-2017**

**ADOPTED: January 24, 2017**

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32 Monmouth Street, 3rd Floor.

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**The Hon. Christopher J. Connors**

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**The Hon. Brian Stack**

Senator, District 33

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**ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE,  
2016-2017**

**The Hon. Jerry Green,**

Chair, Assembly Housing and Local Gov. Committee

Assemblyman, District 22

17 Watchung Avenue

Plainfield, NJ 07060

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**The Hon. Mila M. Jasey**

Vice Chair, Assembly Housing and Local Gov. Committee

Assemblywoman, District 27

15 Village Plaza, Suite 1B,

South Orange, NJ 07079

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**The Hon. Robert D. Clifton**

Assemblyman, District 12

935 Highway 34, Suite 3B

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**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 038-2017**

**ADOPTED: January 24, 2017**

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**The Hon. Jamel C. Holley**

Assemblyman, District 20

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**The Hon. Patricia Egan Jones**

Assemblywoman, District 5

515 White Horse Pike

Audubon, NM 08106

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**The Hon. Maria Rodriguez-Gregg**

Assemblywoman, District 8

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AswRodriguezGregg@njleg.org

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 39-2017**

**ADOPTED: January 24, 2017**

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**Authorizing Borough Police Department To Participate In Somerset County Prosecutor's Office Super Bowl Safe Passage Grant- For A Maximum Amount Of \$900.00**

**WHEREAS**, the Somerset County Prosecutor's Office has made available funds for its Super Bowl Safe Passage Grant providing Police Departments for supplemental DWI patrol from 6:00pm Sunday 2/5/17 to 1:00am Monday 2/6/17. The reimbursement rate is \$60.00/hour for a total of 15 hours for a maximum amount of \$900.00.

**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 of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, hereby approves the submission of said grant application.

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 040-2017**

**ADOPTED: January 24, 2017**

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**REMOVAL OF PROBATIONARY STATUS FOR OFFICER CARUSO**

**WHEREAS**, Officer Caruso has completed his probationary period as stipulated by the Collective Bargaining Agreement between the Borough and PBA Local, and

**WHEREAS**, it is the recommendation of the Chief of Police for the Borough of Peapack & Gladstone that Officer Caruso be removed from probationary status, and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey hereby approves the removal of probationary status for Officer Caruso and welcomes him as a regular member with all right and privileges to the Borough of Peapack & Gladstone Police Force with an effective date of January 27, 2017 at a salary of \$46,692.80.

**RESOLUTION**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 041-2017**

**ADOPTED: January 24, 2017**

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**Payment of Claims (Posted)**

**WHEREAS**, The Borough Council of the Borough of Peapack & Gladstone has received bills to be paid as listed; and

**WHEREAS**, The Chief Financial Officer and the Borough Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Borough, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset and State of New Jersey hereby:

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Borough Officials are authorized to sign the checks.

I, Mary Robinson, Chief Financial Officer of the Borough of Peapack & Gladstone, do hereby certify funds are available for this contract from: various as listed.



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Mary Robinson  
Chief Financial Officer

Rcvd Batch Id Range: First to Last Rcvd Date Start: 0 End: 01/20/17 Report Format: Detail

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
01/19/17	TERRY	16-00095	1444 ATLANTIC SALT, INC. 5 TICKET#063163-DELIVERY 12/19	1,590.08	6-01-26-290-810 SAND & SALT	#INV062447	
01/19/17	TERRY	16-00095	6 TICKET#063620-DELIVERY 12/20	1,611.96	6-01-26-290-810 SAND & SALT	#INV062447	
01/19/17	TERRY	16-00095	7 TICKET#063625-DELIVERY 12/20	1,672.41	6-01-26-290-810 SAND & SALT	#INV062447	
P.O. Total:				4,874.45			
01/19/17	TERRY	16-00160	1307 ALLIED OIL COMPANY, LLC 52 INV#1070253/UNLEADED GAS 12/28	268.70	6-01-31-460-520 GASOLINE	#1070253	
01/19/17	TERRY	16-01117	0117 RECORDER PUBLISHING CO., INC. 17 PUB.FULL-TIME DPW LABORER	90.48	6-01-20-120-210 ADVERTISING		
01/19/17	TERRY	16-01377	1306 HOME DEPOT CREDIT SERVICES 6 (8) XMAS LIGHTS & DOOR KNOB	111.93	6-01-26-310-280 BUILDING & GROUNDS MAINTENANCE		
01/19/17	TERRY	16-01519	5033 DOVER BRAKE & CLUTCH CO., INC. 4 EMISSIONS SMOKE TEST ON DPW #7	96.50	6-01-26-315-951 STREETS & ROADS	#968690	
01/19/17	TERRY	16-01540	0185 DELTA DENTAL PLAN OF NJ 5 DECEMBER 2016 DENTAL BENEFITS	2,530.87	6-07-55-502-562 INS HOSPITAL, MED, SURG, DE	DEC'16/DENTAL	
01/19/17	TERRY	16-01553	2060 VERIZON WIRELESS 5 11/24-12/23 JET PACK OEM ROOM	38.01	6-01-25-252-339 IT MAINTENANCE CONTRACTS		
01/19/17	TERRY	16-01729	080781 PERFORMANCE TIRE CO., INC. 3 INV#13007/(1) TIRE FOR DPW #9	570.28	6-01-26-290-920 TIRES	#13007	
01/19/17	TERRY	16-01741	1923 STAPLES, INC. 1 ITEM#2088676 SUNPAK FLASH FOR	141.99	6-01-25-240-465 DETECTIVE SUPPLIES		
01/19/17	TERRY	16-01741	2 ITEM#373491SANDISK MEMORY CARD	26.99	6-01-25-240-465 DETECTIVE SUPPLIES		
01/19/17	TERRY	16-01741	3 ITEM#211180 LENMAR BATTERY CHG	13.69	6-01-25-240-465 DETECTIVE SUPPLIES		
01/19/17	TERRY	16-01741	4 #1052740 LENMAR BATTERY	34.99	6-01-25-240-465 DETECTIVE SUPPLIES		
P.O. Total:				217.66			

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
			1974 SAMZIE'S UNIFORMS				
01/19/17	TERRY	16-01742	1 '16 S. FERRANT 2 POCKET BDU	39.00	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	2 '16 S. FERRANTE NAME TAPE	5.00	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	3 '16 S. FERRANTE SEW ON CHARGE	3.14	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	4 '16 S. FERRANTE SGT RANK	9.00	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	5 '16 S. FERRANTE SEW ON CHARGE	2.28	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	6 '16 S. FERRANTE REV FLAG	2.00	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	7 '16 S. FERRANTE SEW ON CHARGE	2.28	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	8 '16 S. FERRANTE CLOTH BADGE	3.50	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	9 '16 S. FERRANTE SEW ON CHARGE	2.28	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	10 '16 S. FERRANTE PEAPACK	4.00	6-01-25-240-945 UNIFORMS		
01/19/17	TERRY	16-01742	11 '16 S. FERRANTE SEW ON CHARGE	2.28	6-01-25-240-945 UNIFORMS		
			P.O. Total:	<u>74.76</u>			
			06029 T.J. JABLONSKI, L.L.C.				
01/19/17	TERRY	16-01744	1 (4)PINE TREES FOR THE DPW YARD	1,200.00	6-01-26-310-280 BUILDING & GROUNDS MAINTENANCE		
			1240 ORIENTAL TRADING CO.,INC.				
01/19/17	TERRY	16-01751	1 GIFTS/SUPPLIES SANTA VISIT	79.85	T-13-56-906-320 Christmas		
			1873 VILLAGE SUPERMARKETS, INC.				
01/19/17	TERRY	16-01752	1 FOOD/SUPPLIES SANTA VISIT	97.68	T-13-56-906-320 Christmas		
			1333 BECKER, DIANE L				
01/19/17	TERRY	16-01756	1 10/30/16 REIMBRSE/MLG/SHOPRITE	5.40	T-13-56-906-610 Misc.		
01/19/17	TERRY	16-01756	2 DEC. REIMBURSE/MILEAGE/DARROWS	14.04	T-13-56-906-610 Misc.		
01/19/17	TERRY	16-01756	3 12/11/16 REIMBRSE/MLG/SHOPRITE	5.40	T-13-56-906-610 Misc.		
01/19/17	TERRY	16-01756	4 NOV.REIMBSE/MLG/WVILLE HARDWRE	12.96	T-13-56-906-610 Misc.		
			P.O. Total:	<u>37.80</u>			
			0232 GALLS, LLC				
01/19/17	TERRY	16-01775	1 '16 O.DUFF ELBECO L/S	63.98	6-01-25-240-945		



Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
01/19/17	TERRY	16-01775	2 '16 O.DUFF EMBROIDER CHARGES	10.98	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01775	3 '16 O.DUFF BATES 8' STRIKE	134.95	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01775	4 '16 O.DUFF HOPPE'S BORESNAKE	28.39	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01775	5 '16 O.DUF NIGHTSTICK SAFETY	9.98	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01775	6 '16 O. DUFF NIGHTSTICK	7.99	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01775	7 '16 O. DUFF SHIPPING CHGS	8.95	UNIFORMS 6-01-25-240-945		
			P.O. Total:	265.22			
01/19/17	TERRY	16-01776	1974 SAMZIE'S UNIFORMS 1 '16 O.DUFF TROUSERS ITEM#8819	208.77	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	2 '16 O. DUFF FLEECE ITEM#48038	89.99	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	3 '16 O.DUFF PEAPACK EMBLEM	8.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	4 '16 O.DUFF CLOTH BADGE SUBDUED	3.50	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	5 '16 O.DUFF NAMETAPE "O DUFF"	5.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	6 '16 O.DUFF SEW ON CHARGE	3.14	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	7 '16 O.DUFF SEW ON CHARGES	6.84	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	8 16' O. DUFF ROUNDTOP HAT 7 1/8	62.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	9 '16 O. DUFF LEATHER TOP STRAP	10.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01776	10 16' O.DUFF METAL FRONT STRAP	8.00	UNIFORMS 6-01-25-240-945		
			P.O. Total:	405.24			
01/19/17	TERRY	16-01810	1923 STAPLES, INC. 1 ASUS BW-12D1S LITE EXTERNAL	116.39	G-01-41-730-102 DRUNK DRIVING ENFORCEMENT FUND		
01/19/17	TERRY	16-01846	1974 SAMZIE'S UNIFORMS 1 '16 G.SKINNER ELBECO WHITE	70.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01846	2 '16 SKINNER SERVICE STRIPES	8.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01846	3 '16 G.SKINNER PGPD POLICE	8.00	UNIFORMS 6-01-25-240-945		
01/19/17	TERRY	16-01846	4 '16 G. SKINNER 1ST SEW ON CHG	3.14	UNIFORMS 6-01-25-240-945		

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
01/19/17	TERRY	16-01846	5 '16 G.SKINNER ADD'L SEW CHGS	6.84	UNIFORMS 6-01-25-240-945 UNIFORMS		
			P.O. Total:	95.98			
01/19/17	TERRY	16-01873	081002 DARROW'S SPORTING EDGE, INC 1 2017 BASKETBALL JERSEYS GR.3-8	1,254.00	T-13-56-906-260 Basketball		
01/19/17	TERRY	16-01873	2 2017 BASKETBALL JERSEYS GR.3-8	75.00	T-13-56-906-260 Basketball		
			P.O. Total:	1,329.00			
01/19/17	TERRY	16-01910	080084 R & R CONSTRUCTION CO., INC. 1 REPAIR HYDRAULIC LINE DPW #7	826.35	6-01-26-315-951 STREETS & ROADS	JOB#77-633-1	
01/19/17	TERRY	16-01932	0117 RECORDER PUBLISHING CO., INC. 1 PUB AD PART-TIME FINANCE OFFIC	90.48	6-01-20-120-210 ADVERTISING		
01/19/17	TERRY	16-01942	080679 RARITAN AGWAY 1 BLUE BIRD HOUSE/ENVIRONMENTAL	39.99	6-01-26-291-931 SHADE TREE MANAGEMENT		
01/19/17	TERRY	16-01943	1153 N.J. LEAGUE OF MUNICIPALITIES 1 ADVERTISEMENT FOR DPW	110.00	6-01-20-120-210 ADVERTISING		
01/19/17	TERRY	16-01944	1306 HOME DEPOT CREDIT SERVICES 1 SUPPLIES/DECORATIONS	390.09	6-01-20-110-421 EMPLOYEE APPRECIATION		
01/19/17	TERRY	16-01959	06027 PRINCETON HYDRO, LLC 1 (2)AERATION COMPR.LIBERTY PARK	1,575.00	T-22-56-000-001 Reserve for Open Space Fund		
01/19/17	TERRY	16-01967	0931 ESI EQUIPMENT INC. 3 SHIPPING CHARGES/EQUIP& GLOVES	29.00	6-01-25-255-491 TURNOUT GEAR		
01/19/17	TERRY	16-02005	06027 PRINCETON HYDRO, LLC 1 INV#30360/NOV'16/NATIRAR SPA	528.00	000224 #30360 VIRGIN SPA (INSP FEE ESCROW)		
01/19/17	TERRY	16-02009	080250 SOMERSET COUNTY PRINT SHOP 1 BUSINESS CARDS FOR OFC CARUSO,	125.00	6-01-25-240-660 OFFICE SUPPLIES		
01/19/17	TERRY	16-02050	080562 DEPARTMENT OF THE NAVY 1 THERMAL CAMERA LEASING PD	300.00	6-01-25-240-418		

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
					ELECTRIC EQUIPMENT		
01/19/17	TERRY	16-02052	1906 EDMUNDS & ASSOCIATES, INC. 1 EPSON TM U675 VALIDATOR	760.00	6-07-55-502-660		
01/19/17	TERRY	16-02052	2 MOTOROLA DS9208 BARCODE SCANNER	480.00	6-07-55-502-660		
			P.O. Total:	1,240.00			
01/19/17	TERRY	16-02056	0064 ANDERSON & DENZLER ASSOC INC 1 INV#4532/NOV'16/CONNOLLY	493.20	2016-011	#4532	
					CONNOLLY, MICHAEL		
01/19/17	TERRY	16-02057	0064 ANDERSON & DENZLER ASSOC INC 1 INV#4532/NOV'16/VIRGIN SPA	728.70	000224	#4532	
					VIRGIN SPA (INSP FEE ESCROW)		
01/19/17	TERRY	16-02058	0064 ANDERSON & DENZLER ASSOC INC 1 INV#4532/NOV'16/HAMILTON FARMS	343.80	000083	#4532	
					HAMILTON FARM GOLF CLUB LLC		
01/19/17	TERRY	16-02067	080147 FLEMINGTON DEPARTMENT STORE, 1 WINTER JACKET&COVERALLS-D.RUSS	69.99	6-01-26-290-945	#116999	
					UNIFORMS		
01/19/17	TERRY	16-02067	2 WINTER JACKET&COVERALLS-D.RUSS	69.99	6-01-26-310-945	#116999	
					UNIFORMS		
01/19/17	TERRY	16-02067	3 WINTER JACKET&COVERALLS-D.RUSS	70.00	6-07-55-502-945	#116999	
					UNIFORMS		
			P.O. Total:	209.98			
01/19/17	TERRY	16-02075	0064 ANDERSON & DENZLER ASSOC INC 1 INV#4527/DEC'16/GENERAL ENGINR	411.00	6-01-20-165-425		
					ENGINEERING - GENERAL		
01/19/17	TERRY	16-02075	2 INV#4529/DEC'16 MOSLE RD 1 & 3	358.80	C-04-55-910-211		
					ORD.#1021-MILL/PAVE MOSLE RD SECT. 1&3		
01/19/17	TERRY	16-02075	3 INV#4530/DEC'16 LIBT PARK WELL	493.20	6-01-20-165-425		
					ENGINEERING - GENERAL		
01/19/17	TERRY	16-02075	4 INV#4531/DEC'16 WILL AV PAVING	328.80	6-01-20-165-425		
					ENGINEERING - GENERAL		
			P.O. Total:	1,591.80			
01/19/17	TERRY	16-02079	2060 VERIZON WIRELESS 1 REPLACEMENT BLACKBERRY FOR	99.00	6-01-25-240-418		
					ELECTRIC EQUIPMENT		
01/19/17	TERRY	16-02098	0368 MCCATHARN, RODNEY 1 REIMBURSE FOR CAFE AZZURO FOOD	2,500.00	6-01-20-110-421		
					EMPLOYEE APPRECIATION		
01/19/17	TERRY	16-02098	2 REIMBURSE COCO LUX DESSERTS	252.44	6-01-20-110-421		

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
				P.O. Total:	2,752.44	EMPLOYEE APPRECIATION	
01/19/17	TERRY	16-02104	080044 TREASURER, STATE OF N.J. 1 MARRIAGE LIC. FEE 4TH QTR'16	25.00	6-01-55-000-213 DUE STATE FOR MARRIAGE LICENCES		
01/19/17	TERRY	17-00002	1163 SOMERSET HILLS BOARD OF ED 1 FEBRUARY'17/SCHOOL TAXES BORO	561,911.00	7-01-55-000-207 BOARD OF EDUCATION	FEBRUARY 2017	
01/19/17	TERRY	17-00023	0185 DELTA DENTAL PLAN OF NJ 1 JAN'17/DENTAL BENEFITS EMPLOY	2,530.87	7-07-55-502-562 INS HOSPITAL, MED, SURG, DE		
01/19/17	TERRY	17-00024	080122 P.S.E.& G. 1 DEC'16/8 BROOK STREET-SEWER	69.19	6-07-55-502-515 NATURAL GAS		
01/19/17	TERRY	17-00025	080125 P.S.E.& G. 1 DECEMBER'16/6 BROOK STREET	186.52	6-01-31-446-515 NATURAL GAS		
01/19/17	TERRY	17-00026	080284 P.S.E.& G. 1 DEC'16/FIREHOUSE-DEWEY AVE.	291.04	6-01-31-446-515 NATURAL GAS		
01/19/17	TERRY	17-00027	080285 P.S.E.& G. 1 DEC'16/ALL SCHOOL STREET	797.51	6-01-31-446-515 NATURAL GAS		
01/19/17	TERRY	17-00028	080286 P.S.E.& G. 1 DEC'16/BOY SCOUT CABIN-PARK	11.96	6-01-31-446-515 NATURAL GAS		
01/19/17	TERRY	17-00029	080200 ONE CALL CONCEPTS, INC. 1 #6125114/DEC'16/MESSAGES-SEWER	45.00	6-07-55-502-235 ANSWERING SERVICE	#6125114	
01/19/17	TERRY	17-00031	080783 N.J. AMERICAN WATER 1 12/7-1/5 EDC PAYMENT-SEWER	34,077.67	6-07-55-502-408 EDC PAYMENT	12/7-1/5	
01/19/17	TERRY	17-00032	08010011 JERSEY CENTRAL POWER & LIGHT 1 12/7/16-1/6/17 PEAPACK ROAD	16.48	6-01-31-430-420 ELECTRICITY		
01/19/17	TERRY	17-00033	08010012 JERSEY CENTRAL POWER & LIGHT 1 11/8-12/8 RT.206-POTTERSVILLE	25.19	6-01-31-430-420 ELECTRICITY		
01/19/17	TERRY	17-00033	2 11/8-12/8 RT.206-HOLLAND AVE	23.69	6-01-31-430-420		

Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
					ELECTRICITY		
			P.O. Total:	<u>48.88</u>			
			08010013 JERSEY CENTRAL POWER & LIGHT				
01/19/17	TERRY	17-00034	1 11/4-12/6SEWER AUTH 12BROOK ST	1,039.84	6-07-55-502-420		
					ELECTRICITY		
01/19/17	TERRY	17-00034	2 11/4-12/6 12 BROOK STREET	232.50	6-07-55-502-420		
					ELECTRICITY		
01/19/17	TERRY	17-00034	3 11/8-12/8 MAPLE STREET-SEWER	73.54	6-07-55-502-420		
					ELECTRICITY		
			P.O. Total:	<u>1,345.88</u>			
			080780 MONMOUTH TELECOM - ACCT.#36329				
01/19/17	TERRY	17-00035	1 INV#259457/DEC'16/PHONE CALLS	1,205.00	6-01-31-440-915	#259457	
					TELEPHONE		
01/19/17	TERRY	17-00035	2 INV#259457/DEC'16/PHONE CALLS	602.50	6-07-55-502-915	#259457	
					TELEPHONE		
			P.O. Total:	<u>1,807.50</u>			
			080557 NEW JERSEY AMERICAN WATER				
01/19/17	TERRY	17-00036	1 11/29-12/27FIRE SUPPRESSION FH	128.18	6-01-31-445-960		
					WATER		
			080558 NEW JERSEY AMERICAN WATER				
01/19/17	TERRY	17-00037	1 11/29-12/27 WATER USE@FIREHOUS	150.10	6-01-31-445-960		
					WATER		
			080560 NEW JERSEY AMERICAN WATER				
01/19/17	TERRY	17-00038	1 11/29-12/27 WATER USE@MUNI.BLD	116.64	6-01-31-445-960		
					WATER		
			0527 SOUTH JERSEY ENERGY				
01/19/17	TERRY	17-00039	1 11/30-12/23-6 BROOK STREET	233.44	6-01-31-446-515	#431672ES	
					NATURAL GAS		
01/19/17	TERRY	17-00039	2 11/30-12/23-8 BROOK STREET	77.81	6-07-55-502-515	#431673ES	
					NATURAL GAS		
01/19/17	TERRY	17-00039	3 11/30-12/23-MUNICIPAL COMPLEX	1,144.96	6-01-31-446-515	#431674ES	
					NATURAL GAS		
01/19/17	TERRY	17-00039	4 11/30-12/23-FIREHOUSE-DEWEY AV	366.83	6-01-31-446-515	#431675ES	
					NATURAL GAS		
01/19/17	TERRY	17-00039	5 11/30-12/23-BOY SCOUT CABIN	5.55	6-01-31-446-515	#431676ES	
					NATURAL GAS		
			P.O. Total:	<u>1,828.59</u>			
			0706 PETTY CASH FUND				
01/19/17	TERRY	17-00079	1 2017 PETTY CASH FOR MISC.EXPEN	125.00	7-01-55-000-103		
					PETTY CASH		
			Total for Batch: TERRY	<u>629,486.64</u>			

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Rcvd Date	Batch Id	PO #	Vendor Item Description	Amount	Charge Account Description	Invoice Number	Contract
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Total for Date: 01/19/17			Total for All Batches:	629,486.64			
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Batch Id	Batch Total
Total for Batch: TERRY	629,486.64
Total of All Batches:	<u>629,486.64</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT YEAR APPROPRIATIONS:	6-01	19,172.63	0.00	0.00	19,172.63
SEWER OPERATING FUND	6-07	<u>40,058.92</u>	<u>0.00</u>	<u>0.00</u>	<u>40,058.92</u>
Year Total:		59,231.55	0.00	0.00	59,231.55
CURRENT YEAR APPROPRIATIONS:	7-01	562,036.00	0.00	0.00	562,036.00
SEWER OPERATING FUND	7-07	<u>2,530.87</u>	<u>0.00</u>	<u>0.00</u>	<u>2,530.87</u>
Year Total:		564,566.87	0.00	0.00	564,566.87
GENRAL CAPTAL FUND	C-04	358.80	0.00	0.00	358.80
GRANT FUND	G-01	116.39	0.00	0.00	116.39
RECREATION TRUST FUND:	T-13	1,544.33	0.00	0.00	1,544.33
OPEN SPACE TRUST SAVINGS ACCT	T-22	<u>1,575.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,575.00</u>
Year Total:		3,119.33	0.00	0.00	3,119.33
Total of All Funds:		<u>627,392.94</u>	<u>0.00</u>	<u>0.00</u>	<u>627,392.94</u>



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Project Description	Project No.	Project Total
HAMILTON FARM GOLF CLUB LLC	000083	343.80
VIRGIN SPA (INSP FEE ESCROW)	000224	1,256.70
CONNOLLY, MICHAEL	2016-011	493.20
Total of All Projects:		<u>2,093.70</u>



**ORDINANCE**  
**Borough of Peapack & Gladstone**  
**County of Somerset**  
**State of New Jersey**

**NUMBER: 2017-1029**

**MEETING DATE: January 24 , 2017**

Introduced: January 24, 2017

Public Hearing: February 14, 2017

**WHEREAS**, the Borough Council of the Borough of Peapack & Gladstone believes that it is in the best interests of the Borough and its residents to set forth standards for supplied utilities and facilities and other physical things and conditions essential to ensure that residential rental dwellings in the municipality are safe, sanitary, fit for human habitation, and in compliance with all laws and zoning regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Peapack and Gladstone, in the County of Somerset and the State of New Jersey, hereby introduce the below ordinance for consideration with a public hearing date of January \_\_, 2017 at the 7:30 pm Regular Council meeting

CHAPTER XI BUILDING AND HOUSING  
SUB-CHAPTER VII RESIDENTIAL RENTAL CODE

**11-7.1 SHORT TITLE.**

Sub-Chapter 7 of this Chapter may be cited as "The Residential Rental Code" of the Borough of Peapack and Gladstone, Somerset County, New Jersey

**11-7.2 ADOPTION.**

The Residential Rental Code of the Borough is hereby adopted to read as follows.

**11-7.3 GENERAL.**

**11-7.3.1 Scope.**

This Code is to protect the public health, safety and welfare in all residential rental structures and premises as hereinafter provided by:

1. Establishing minimum maintenance standards for all residential rental structures in determining the fitness of any such structure for human habitation, use or occupancy.
2. Establishing procedures and requirements for the rental of residential structures within the Borough.
3. Providing for administration, enforcement and penalties.
4. These regulations shall not apply to a residential unit occupied by the owner or by an immediate family member of the owner.

**11-7.3.2 Responsibilities.**

Unless expressly provided to the contrary in this Code, the respective obligations and responsibilities of the owner, operator and occupant shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.



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The owner shall be primarily responsible for complying with the provisions of this Chapter unless expressly stated otherwise within any particular section herein; however, nothing herein shall prevent the Public Officer from issuing a notice pursuant to subsection 11-7.6.6 or 11-7.6.7 to the operator or occupant in addition to the owner. The owner shall be responsible for any failure of the operator or occupant to discharge a duty imposed upon the operator or occupant by this Code.

**11-7.4. ADOPTION OF NEW JERSEY STATE HOUSING CODE.**

**11-7.4.1 Code Established.**

A certain document, three (3) copies of which are on file in the Office of the Clerk of the Borough, being marked and designated as the New Jersey State Housing Code, as set forth in the New Jersey Administrative Code, N.J.A.C. 5:28-1 et seq., as amended from time to time, be and is hereby adopted as the Housing Code of the Borough of Peapack and Gladstone, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the State Housing Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes as prescribed in this chapter.

**11-7.4.2 Responsibility for Utilities.**

Where utilities and facilities (as it pertains to this section: gas, oil, electricity, sewer, water and heating systems), are not supplied directly and independently through the use of separate meters, tanks and piping to each individual dwelling unit in a building or structure, the landlord or owner is responsible for supplying same. Notwithstanding the responsibilities imposed on the owner or landlord pursuant to this section, the responsibility for paying the cost for said utilities and facilities is a matter left between the owner or landlord and tenant. Nothing in this ordinance shall be construed as determining which party shall be responsible for paying the cost of said utilities.

**11-7.4.3 Dwelling Unit Facilities.**

Every dwelling unit shall have a bathroom, containing a toilet, wash basin, bathtub or shower; shall be equipped with private kitchen facilities; and shall comply with such other requirements as are set forth elsewhere in this Code. Where there are more than eight (8) occupants, the unit shall have two (2) bathrooms. Each dwelling unit or rooming unit shall contain at least one (1) closet for each bedroom located within the dwelling unit. Every kitchen shall contain adequate storage facilities for dishes and utensils.

**11-7.4.4 Cooking.**

No cooking shall be permitted in any dwelling unit unless there be minimum sanitary facilities, which facilities shall include:

1. Kitchen sink that is connected to the hot and cold water lines and waste;
2. A waterproof washable container for garbage disposal equipped with a lid or cover to prevent infestation; and
3. Appropriate facilities for storage of food and either gas or electric refrigeration;



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**11-7.4.5 Community Cooking Facilities.**

Cooking facilities serving more than one dwelling unit or independent rooming unit or combination thereof shall not be permitted.

**11-7.5 DUTIES AND RESPONSIBILITIES OF OCCUPANTS.**

**11-7.5.1 Plumbing Maintenance.**

Every owner, occupant or operator shall maintain all plumbing fixtures used by him in a clean and sanitary condition and he shall not deposit any material in any fixture or sewer system which would result in stoppage of or damage to the fixtures or sewer system.

**11-7.5.2 Cooking.**

No occupant shall cook in any dwelling unit except where all the required sanitary facilities are installed as required under subsection 11-7.4.4

**11-7.6 ADMINISTRATIVE PROVISIONS.**

**11-7.6.1 Public Officer.**

The person charged with the responsibility of enforcement of this Code shall also be known as the Public Officer, and shall have authority as necessary in the interest of the public health, safety and general welfare, to implement the provisions of this Code. A Zoning Officer, Fire Inspector, and / or Code Enforcement Officer of the Borough shall also be considered a “Public Officer” for purposes of this Code.

**11-7.6.2 Inspections.**

All residential rental structures and premises within the Borough are subject to this Code, and shall be subject to inspections by the Public Officer of the Borough. At the time of such inspections, all rooms in the building and all parts of the premises must be available and accessible for such inspections and the owner, operator and occupant are required to provide the necessary arrangements to facilitate inspections. All such inspections undertaken pursuant to this Chapter XI shall be subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Public Officer shall pursue recourse as provided by law, including obtaining a search warrant. Inspections shall be made between 8:30 a.m. and 4:30 p.m. prevailing time, unless one of the following conditions exists:

1. The premises are not available during the foregoing hours for inspections; or,
2. There is reason to believe that violations are occurring on the premises which can only be apprehended and detected by inspections during other than the prescribed hours or which require immediate inspection after being reported, such as failure to supply heat; or,
3. There is reason to believe a violation exists of a character that is an immediate threat to health or safety requiring inspection and abatement without delay.

**11-7.6.3 Identification and Conduct of Inspectors.**

Public Officers who conduct inspections shall be supplied with official identification and upon request shall exhibit such identification when entering any dwelling unit, rooming unit, or any part of any premises subject to this Code. Inspectors shall conduct themselves so as to avoid intentional embarrassment or inconvenience to occupants.



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**11-7.6.4 Entry Refusal.**

Where the Public Officer is refused entry or access or is otherwise impeded or prevented by the owner, operator or occupant from conducting an inspection of the premises as permitted under and pursuant to the terms of this Chapter XI, such person shall be in violation of this Code.

**11-7.6.5 Search and Access Warrants.**

Where entry is refused, the Public Officer may, upon affidavit, apply to the Municipal Court Judge of the Borough for a search warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this Code exists on the premises, and if the Judge is satisfied as to the matter set forth in the affidavit, he or she shall authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation is believed to exist. Warrant for access may be issued by the Judge upon affidavit of the Public Officer establishing grounds therefore.

**11-7.6.6 Notice Procedure.**

Where a violation of this Code or the regulations hereunder is found to exist, a written notice from the Public Officer shall be served on the person or persons responsible for the correction thereof.

**11-7.6.7 Contents of Notice.**

The notice shall specify the violation(s), what must be done to correct same, a reasonable period of time not to exceed thirty (30) calendar days to correct or abate the violation(s) unless extenuating circumstances warrant otherwise, the right of the person served to request a hearing, and that the notice shall become an order of the Public Officer five (5) business days after service unless a hearing is requested pursuant to subsection 11-7.6.9.

**11-7.6.8 Service of Notice.**

Notice may be effectuated by personal service on the Owner, operator or occupant, or by posting on the premises, or by certified mail to the last known address of the person to be served, as set forth herein. In the case of an occupant, notice may be posted upon the door of his dwelling or rooming unit. When it is ascertained that the owner does not reside on the premises, the "last known address" shall be the address of the owner as shown in the office of the Tax Collector. If the last known address cannot be ascertained, the notice may be posted on the outside front entrance of the building. The Public Officer shall provide notice at any address other than the last known address provided hereunder to any such owner, operator or occupant if such other address has theretofore been filed with the Public Officer personally, or by certified mail addressed to the Public Officer. Service upon an owner, operator or occupant may also be attained by service of any notice upon a member of the family of the owner, operator or occupant. When service is by mail, the date of service of the notice shall be fixed as the day following the day of mailing for notice to addresses within the Borough, and as the second day after the day of mailing for notice to addresses outside the Borough. When the day of service falls upon a Sunday or other day when mail is not ordinarily delivered, the day of service shall be fixed as the next regular



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delivery day. Posting of notice on the property shall not be utilized as the sole form of notice except when there is no other means of providing notice.

**11-7.6.9 Notice to Become Order.**

After five (5) business days from the date of service of a notice, the notice shall constitute a final order unless any person affected by the notice requests a Hearing thereon and serves a written request for such a Hearing within the five (5) business days period, in person or by mail, on the Public Officer and Borough Administrator. Such request for a hearing shall concisely set forth the grounds or reasons on which the request for a hearing is based and the factual matters contained in the notice of violation which are to be disputed at the hearing. The Borough Administrator, upon receipt of the request, shall, prior to the notice becoming an order and upon at least five (5) business days' notice to the party aggrieved, set the matter down for hearing. The hearing shall be held before a designated Hearing Officer. The Hearing Officer shall be designated by the Mayor, upon the advice and consent of the Council.

**11-7.6.10 Hearing Determination.**

At any hearing provided hereunder, the Hearing Officer shall be vested with all the powers provided by law to compel the attendance of witnesses and parties in interest by issuance and service of subpoena, to require by subpoena the production of books, records, or other documents at any such hearing which may be pertinent to matters to be determined by him and to enforce any such subpoena as provided by law. Determination by the Hearing Officer shall be made within ten (10) days from the completion of the hearing. The Hearing Officer shall issue an order either incorporating the determinations and directions contained in the notice, modifying the same or withdrawing the notice.

**11-7.6.11 Summary Abatement in Emergency.**

Where the violation or condition existing on the premises is of such a nature as to constitute an immediate threat to life or limb or the welfare and well-being of the citizens of Peapack and Gladstone unless abated without delay, the Public Officer may order the owner, operator or occupant to correct the violation or condition within a period of time not to exceed three (3) days.

**11-7.6.12 Cost of Violation Abatement.**

Where the abatement of any nuisance as defined herein, correction of a defect in the premises or bringing the premises into compliance with the requirements of any municipal ordinance or State law applicable thereto requires expending Borough monies therefor in a manner consistent with and in adherence to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq , the Public Officer shall present a report of work done to accomplish the foregoing to the Borough Administrator along with a summary of the proceedings undertaken by the Public Officer to secure compliance. The Borough Administrator shall report to the Council of such action and request a lien be placed on the affected premises. After review of the same, the Borough Council may approve the expenditure and costs whereupon the same shall become a lien against the premises collectible as provided by law. A copy of the resolution approving the expenses and



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costs shall be certified by the Borough Council and filed with the Tax Collector of the Borough who shall be responsible for the collection thereof.

**11-7.6.13 Extension for Dispossess Actions.**

Where there exists a violation of occupancy standards hereunder, an owner or operator, upon receipt of a notice of a violation, if unable to eliminate the violation by peaceable means within the period of time specified in the notice, shall commence within such period legal action to dispossess, evict or eject the occupants who cause the violation. No further action hereunder shall then be taken against the owner or operator as long as the action aforesaid is pending in the court and is prosecuted expeditiously and in good faith. However, if the Public Officer has reason to believe the violation is the responsibility of the owner or operator, the Public Officer may proceed with a violation against said owner or operator.

**11-7.6.14 Notice and Hearing Not Required.**

Where the Public Officer shall determine that there was a violation and a notice was served upon the owner, operator or occupant whether or not the violation was abated prior to the issuance of an order, if thereafter within the space of two (2) years there shall be a second violation by the same owner, operator or occupant of the same provision of this Code discovered on the same premises, the offender may be prosecuted on the second violation without the Public Officer first giving notice and opportunity for a hearing to the owner, operator or occupant by the filing of a complaint by the Public Officer in the Municipal Court. Where the Public Officer has on two (2) different occasions found violations by the same owner, operator or occupant on the same premises and has issued notices on each, upon discovering a third or subsequent violation by the same owner, operator or occupant on the same premises within the space of two (2) years, whether of the same sections or subsections or of any other sections of this Code, he may thereupon prosecute the offender by filing a complaint in the Municipal Court for the third or subsequent violation occurring within the period of two (2) years without first providing notice and opportunity for a hearing by the Hearing Officer.

**11-7.6.15 Effect of Notice.**

For the purposes of enforcement of this Code, the service of a notice on an owner, whether or not the owner is also the operator, shall constitute notice of violations set forth therein until the violations are abated in conformity with this Code and the other applicable ordinances of the Borough.

**11-7.6.16 Appointment of Receiver.**

Where the owner, operator or lessor of any structure containing two (2) or more dwelling units, or rooming units which is let or rented to another in whole or in part violates this Code or any other municipal ordinance pertaining to the structure or fails to abate any violation of this Code, or violates an order of the Public Officer upon resolution duly approved by the Borough Council, the Public Officer may commence an action in the Superior Court seeking appointment of the Public Officer as Receiver ex officio of the rents and income from the property. The rents and income shall be collected by the Receiver and shall be expended and allotted to:



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- a. Secure compliance with the regulations of the Borough and laws of the State as set forth in the order of the Public Officer; and
- b. Be utilized to defray such costs and expenses of the receivership as may be adjudged by the Superior Court; and
- c. Be applied towards payment to the Borough of any fines or penalties with costs which may have been imposed on the owner, operator or lessor for violation of the ordinances of the Borough and which have remained unpaid.

**11-7.6.17 Fines and Penalties.**

- a. Fines. In addition to any penalties expressly set forth within this Code, a violation of any section or subsection of this Code shall be subject to the penalty provisions of Chapter 1, Section 1-5 of the Municipal Code. Nothing in this section shall prohibit the Public Officer from citing violations under the penalty provisions of the Uniform Construction Code, New Jersey Administrative Code or any other applicable statute, regulation or ordinance. Each violation of a section or subsection of this Code shall constitute a separate and distinct violation independent of any other section or subsection. Each day's failure to comply with any such section or sub-section shall constitute a separate violation. In establishing the penalty to be imposed, the Judge of the Municipal Court shall consider whether the owner, operator or occupant so charged has been convicted of a violation of this Code within the prior two (2) years.
- b. Liability of Officers and Agents. Where the defendant is other than a natural person, the above paragraph as to fines and penalties shall also apply to any agent, superintendent, officer, member or partner who shall alone or with others have charge, care or control of the premises.

**11-7.6.18 Adoption of Rules and Regulations.**

The Public Officer is hereby authorized and empowered to promulgate such written rules and regulations as may be necessary for the proper interpretation and administration of the provisions of this Code, with concurrence of the Borough Council, provided that such rules and regulations do not conflict with this Code and conform to the general standards prescribed by this Code. The Public Officer shall file copies of such rules and regulations with the Borough Clerk and shall make available in the Public Officer's office a copy for inspection by the members of the public during regular business hours.

**11-7.6.19 Variations and Modification of Provisions.**

The Public Officer shall have the power to withhold strict enforcement of the requirements of this Code upon written application therefor by an owner, operator or occupant, after making determination that:

- a. Any variation or modification of structure or use approved by the Public Officer will not in any material way alter the standards of this Code and cannot affect detrimentally the health or safety of occupants or owners of adjacent premises or of the neighborhood; and
- b. Strict enforcement would constitute an undue and unnecessary hardship on the owner, operator or occupant because it would compel expenditures on the premises which would





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be substantially disproportionate to any benefit to health, safety or welfare that might be derived therefrom.

Upon denial of any such application, the owner, operator or occupant may request a hearing which shall be held in accordance with provisions of subsection 11-7.6.9. Such application shall not constitute a defense of any violation of this Code concerning which any proceedings are pending in the Municipal Court when the application is filed nor shall any variance or modification allowed hereunder constitute a vested right against any ordinance enacted hereinafter by the Borough Council compelling strict enforcement of any provisions of this Code.

**11-7.6.20 Request for Inspections.**

Whenever an owner, operator or occupant, prospective purchaser, mortgagee or prospective occupant shall apply to the Public Officer for an inspection in order to ascertain if any section of this Code has been violated, the Public Officer shall, upon payment of the fee hereunder stated, cause an inspection to be made of the premises and issue an informational certificate or report of the inspection to the applicant, indicating therein any violations of this Code on the premises. The applicant for inspection shall state in writing his full name, residence and the reasons and basis for which the inspection is requested. The Public Officer may deny the application for failure to comply with this requirement. The fee for any inspection made under this subsection shall be fifty (\$50.00) dollars for single-family dwellings and twenty-five (\$25.00) dollars additional for each unit and twenty-five (\$25.00) dollars for each re-inspection subsequent to the first inspection.

**11-7.6.21 Transfer of Property.**

Any person who sells or conveys any dwelling or dwelling unit in the Borough shall include, as part of the agreement of sale, a statement that there is or is not any outstanding notice or order, issued by the Public Officer citing violations of the provisions of this Section. Failure of a seller or conveyor to conform to the requirements of the above statement, even if with the consent of the purchaser or transferee, shall be a violation of this Section and shall subject the seller or conveyor to the penalties as set forth in subsection 11-7.6.17. Upon written request and payment of a fee as stipulated under subsection 11-7.6.20 by persons seeking compliance with this Section, the Public Officer shall cause an inspection to be made and shall mail a report of such inspection to the person requesting it.

**11-7.7 RENTAL CERTIFICATE OF OCCUPANCY.**

**11-7.7.1 Issuance of Rental Certificate of Occupancy.**

a. Definitions.

1. Dwelling shall mean and include any building or structure rented or offered for rent to one (1) or more tenants or family units.
2. Dwelling Unit shall mean and include that portion of a building or structure rented or offered for rent to one (1) or more tenants or family units.



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3. Owner shall mean any person who owns any legally cognizable interest in any building or structure including, but not limited to, outright ownership or ownership through a partnership, corporation or limited liability company.
4. Owner-Occupied shall mean the primary residential living unit of the owner.
5. Rental Unit shall mean and include that portion of a dwelling, building or structure rented or offered for rent, for living and dwelling purposes to individuals or family units.
6. Reside shall mean to live or dwell permanently or continuously for thirty (30) or more days.
7. Tenant shall mean those persons who have leased the unit from the owner regardless of the type of tenancy under which they occupy the unit.
- b. Certificate Required. No person shall rent any dwelling unit unless a Rental Certificate of Occupancy (RCO) has been obtained by the owner or any agent acting on behalf of any owner from the Public Officer or designee. It shall henceforth be unlawful for any owner of real property to which this Section is applicable to rent or lease for occupancy any dwelling unit until a Rental Certificate of Occupancy has been obtained therefor from the Public Officer or designee. This Section shall not apply to owner - occupied properties.
- c. Applications for Certificate.
  1. Commencing April 1, 2017, any owner or any agent acting on behalf of any owner, intending to rent or lease any dwelling unit or actually renting or leasing a dwelling unit, shall apply to the Public Officer or his/her designee for an RCO. For any dwelling unit which is already actually rented or leased as of April 1, 2017, the owner or agent acting on behalf of such owner must apply for an RCO no later than April 1, 2017.
  2. Landlord shall notify the Public Officer in writing or email within five (5) business days whenever any change of occupancy occurs.
  3. All applications for such RCO shall be accompanied by an inspection fee of fifty (\$50.00) dollars and \$25 for each additional unit included in the same application submission, shall be made in writing and shall state:
    - i. The name, street address and working phone number of the owner of the property, and the name, street address and working phone number of the renting agent, if any.
    - ii. A description of the premises to be occupied, including the street address thereof, and a designation of the portion or portions of the premises or structures for which the specific application is being made;
    - iii. The number of persons older than one year of age who shall occupy any and all portions of the premises; and,
    - iv. The number of bedrooms in the dwelling unit.
  4. Within ten (10) business days after the receipt of the payment of the required inspection fee and the application form, the owner shall afford the Public Officer or his/her designee the opportunity to inspect the dwelling unit. Within ten (10) business days of the inspection, the Public Officer or his/her designee shall issue or deny the RCO, setting forth the reason(s) for such denial. Each separate dwelling unit shall require a separate RCO (i.e. three (3) rental units in a building



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require three (3) Rental Certificates of Occupancy). The Public Officer will also determine if the proposed rental would render the property to be out of compliance with the zoning regulations of the zone in which the property is situated. No RCO will be issued if the property is not in compliance with the applicable zoning regulations.

5. If the RCO is denied, the owner shall pay a fee for re-inspection in the amount of twenty-five (\$25.00) dollars per re-inspection for each RCO sought.
  6. All owners or renting agents applying for an RCO, as provided herein, shall advise the Public Officer or his/her designee of a reasonable time or times that the inspection may be made and have someone present to assist and provide entry for the inspection purposes.
  7. Commencing April 1, 2017, and continuing each year thereafter, any owner or any agent acting on behalf of any owner, who rents or leases any dwelling unit shall apply no later than January 1<sup>st</sup> of that year to the Public Officer or his/her designee for an annual re-inspection in order to obtain and maintain an annual RCO. Each rental premises containing any dwelling units shall be subject to an annual re-inspection for each such dwelling unit.
  8. The Public Officer or his/her Designee shall re-inspect the property upon receipt of the application and the fifty (\$50.00) dollar fee and prior to issuing a new RCO or the annual renewal of an RCO. All applications for the annual renewal of an RCO shall be accompanied by an inspection fee of fifty (\$50.00) dollars and \$25 for each additional unit included in the same application submission
- d. Standards for Issuance.
1. If, after a general inspection of the dwelling unit, the Public Officer or his/her designee determines that the dwelling unit complies with the Master Plan, the zoning ordinances, the provisions of this chapter and all other applicable ordinances of the Borough of Peapack and Gladstone and/or State law, the Public Officer or his/her designee shall issue the RCO.
  2. If the Public Officer or his/her designee, as a result of the general inspection of the dwelling unit, finds any violation as set forth in paragraph d(1) above, he shall notify the owner of the violation by way of written notice sent certified mail, return receipt requested and regular mail and/or by personal service of the notice, with acknowledgement of receipt to the owner or his/her agent. The Public Officer shall allow the owner fourteen (14) calendar days to correct the violation. The notice shall identify the premises and specify the violations and any necessary remedial action. The notice shall state that the failure to correct the violations within the time specified shall constitute a violation of this subsection and may be punishable in accord with Chapter I, Section 1-5 of this Code and/or applicable State law.
  3. Upon notification that the violation has been corrected, the Public Officer or his/her designee shall re-inspect the premises, subject to a twenty-five (\$25.00) dollar re-inspection fee. If the violation has been remedied, the Public Officer shall issue the RCO.



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4. Any violation of Federal, State and/or local laws, rules, regulations and/or codes shall be grounds for the denial of an RCO.
- e. Smoke Detector and Carbon Monoxide Detector Required in All Residential Buildings, in compliance with all federal, state and local rules, regulations and guidelines. No RCO shall be issued to a dwelling unit or any portion thereof unless approved smoke detectors and carbon monoxide detectors have been installed as required by applicable State statute and Borough ordinances.
- f. Failure to Comply. The Public Officer or his/her designee shall have the authority to issue any summons or complaint for any violation of any ordinance, statute, law and/or regulation against the owner and/or occupant of the residential building or portion thereof wherein the violation(s) exists and such violations shall be subject to the penalties provided herein.
- g. Illegal Units. In the event that, upon inspection by the Public Officer or his/her designee, it is determined that the property is being utilized as a multifamily dwelling in violation of the Borough Zoning Ordinance or this chapter, the following shall be required in order to satisfy the Public Officer or his/her designee that said conditions have been abated:
  1. If separate and distinct utility services are installed at the premises for the illegal units, these utility services must be removed to the satisfaction of the Public Officer or his/her designee.
  2. The owner must execute a statement, sworn to under oath and notarized, acknowledging that he/she is aware that the premises are to be used in a manner which is consistent with all Federal, State and local laws, rules and regulations and that he/she shall be subject to fines and other penalties in the event of future violations; and
  3. Additional dwelling units, which include kitchens and bathrooms, that were or have been installed by anyone in contravention of Federal, State and/or local laws, rules and regulations must be removed to the satisfaction of the Public Officer or his/her designee or brought into compliance with such laws, rules and regulations to the satisfaction of the Public Officer or his/her designee, or the applicable municipal body if such approvals are necessary. The Public Officer or his/her designee cannot give an approval where the Public Officer or his/her designee lacks the jurisdiction to do so.
- h. Contents. RCO's issued pursuant to this subsection shall set forth the maximum number of persons which may occupy the dwelling unit.
- i. Unlawful Occupancy. It shall be unlawful for the owner or any agent acting on behalf of the owner to knowingly rent, lease, or otherwise deliver up for occupancy any dwelling unit for which an RCO has been issued, to persons in excess of the number(s) of persons permitted by law to occupy the dwelling unit, as stated in the RCO. It shall be unlawful for any tenant of a dwelling unit for which an RCO has been issued to suffer or permit said dwelling unit(s) to be occupied by persons in excess of the number permitted by law.
- j. Expiration. If a dwelling unit is not occupied within six (6) months of the issuance of an RCO, the RCO shall expire and a new RCO must be obtained before occupancy.
- k. Exceptions. This Section shall not apply to:



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1. Hotels, rooming houses or motels that are generally occupied by tenants or guests for less than fourteen (14) successive calendar days;
  2. Any units not intended for human habitation; and/or
  3. New construction for which inspection and a Certificate of Occupancy is required by the Uniform Construction Code.
1. Violations and Penalties. Any person convicted of a violation of this subsection shall be subject to the penalties authorized by Chapter I, Section 1-5 of this Code. Each separate violation shall be considered separate and distinct and subject to underlying penalties. Every day a situation remains in violation of this subsection shall also constitute a separate and distinct violation and subject to individual penalties.

**11-7.8 RELOCATION ASSISTANCE AND PENALTIES FOR SUBSEQUENT VIOLATIONS.**

**11-7.8.1 Definitions and Word Usage.**

- a. Owner-landlord shall not include mortgagees in possession of a structure through foreclosure or the Borough of Peapack and Gladstone per se, if such is in possession of the ownership/management of an applicable structure.
- b. Second or subsequent violation for an illegal occupancy shall be limited to those violations that are new and shall not include any continuing violations for which citations are issued by a Public Officer or Code Enforcement Officer during the time period required for summary dispossession proceedings to conclude if the owner/landlord has initiated eviction proceedings in a court of proper jurisdiction.

**11-7.8.2 Relocation Assistance.**

In accordance with N.J.S.A. 2A:18-61.1g, any tenant who receives a notice of eviction pursuant to N.J.S.A. 2A:18-61.2 that results from zoning or code enforcement activities for illegal occupancy as set forth in paragraph 3 of subsection g. of N.J.S.A. 2A:18-61.1 shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six (6) times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this Section if it can be established that the owner-landlord was aware of the illegal occupancy yet allowed same to continue prior to the occurrence of the zoning or code enforcement activities. The Peapack and Gladstone Joint Municipal Court and the Superior Court of New Jersey shall have jurisdiction of proceeding for the enforcement of the penalty provided herein. Irrespective of any other provision of the Borough Code, the Borough shall not be responsible for paying any relocation costs regarding the provisions of this Section.

**11-7.8.3 Second or Subsequent Violations for Illegal Occupancy.**

In addition to the provisions of subsection 11-7.8.2 herein, the Borough reserves the right to enforce any additional penalties authorized pursuant to N.J.S.A. 2A:18-61.1g(c) as against any owner-landlord charged with a second or subsequent violation for an illegal occupancy as set forth in paragraph 3 of subsection g. of N.J.S.A. 2A:18-61.1. Any such fines shall be recovered in a civil action by a summary proceeding in the name of the Borough, pursuant to the "Penalty



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Enforcement Law" (N.J.S.A. 2A:58-10 et seq.). The Peapack and Gladstone Joint Municipal Court and the Superior Court of New Jersey shall have jurisdiction of proceeding for the enforcement of the penalty provided herein. For the purposes of this section, and in accordance with N.J.S.A. 2A:18-61.1g(d), "second or subsequent violation for an illegal occupancy" shall be limited to those violations that are new and are a result of distinct and separate zoning or code enforcement activities, and shall not include any continuing violations for which citations are issued by a zoning or code enforcement agent during the time period required for summary dispossession proceedings to conclude if the owner has initiated eviction proceedings in a court of proper jurisdiction. a second or subsequent violation for an illegal occupancy as set forth in N.J.S.A. 2A:18-61.1g(a)

**11-7.9 SEVERABILITY, REPEAL OF INCONSISTENT ORDINANCES, AND EFFECTIVE DATE.**

**11-7.9.1 Severability.**

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

**11-7.9.2 Repeal of Inconsistent Ordinances or Parts Thereof.**

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

**11-7.9.3 Effective Date of Ordinance.**

This Ordinance shall take effect immediately upon: (i) adoption; and (ii) publication in accordance with the laws of the State of New Jersey.

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**MEETING DATE: January 20, 2017**

Introduced: January 20, 2017

Public Hearing: February 14, 2017

**AN ORDINANCE AMENDING CHAPTER XVII, TITLED “SEWERS” OF THE  
REVISED GENERAL ORDINANCES SUBSECTION 1.27 TITLED “SEWER  
CHARGE”**

**WHEREAS** Chapter XVII, Titled “Sewers” of the revised general ordinances, Subsection 1.27 Titled “Sewer Charge” reads;

*17-1.27 Sewer Charge.*

*Each user of the sanitary sewer system shall pay an annual service charge as hereinafter set forth:*

*a..... Each single-family residence, apartment, condominium or individual dwelling unit*

*1. Borough Water Users.....*

*Service charges shall be comprised of two (2) components, i.e., (1) a fixed charge of five hundred thirty (\$530.00) dollars per year, plus, (2) a usage charge of \$0.00483 per gallon of annual water usage, as determined from the customer's fourth quarter water bill times four.*

*2. Private Water Users.....*

*Service charges shall be comprised of two (2) components, i.e., (1) a fixed base charge of five hundred thirty (\$530.00) dollars per year, plus, (2) a usage charge of \$0.00483 per gallon of annual water usage, as determined from the fourth quarter reading of a water meter installed by the Borough at the customer's private water source times four.*

*b. Each business, institutional, commercial establishment or any other nonresidential user shall pay a minimum charge of one hundred ninety (\$190.00) dollars per quarter plus a charge of nineteen (\$19.00) dollars for each one thousand (1,000) gallons of actual water usage over ten thousand (10,000) gallons.*

, and

**WHEREAS**, it is the recommendation of the Sewer Chairman that a rate reduction is possible for Calendar year 2017 and confirmed by the Finance Chairman, and

**WHEREAS**, it has been recommended by the Borough Administrator and endorsed by the Sewer Chairman that a more equitable formula be used to calculate sewer usage.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Peapack and Gladstone, in the County of Somerset and State of New Jersey, that

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Chapter XVII, Titled "Sewers" of the revised general ordinances, Subsection 1.27 Titled "Sewer Charge" is amended as follows: (Deletions ~~Crossed Out~~; Insertions in **Bold**)

*17-1.27 Sewer Charge.*

*Each user of the sanitary sewer system shall pay an annual service charge as hereinafter set forth:*

*a..... Each single-family residence, apartment, condominium or individual dwelling unit*

*1. Borough Water Users.....*

*Service charges shall be comprised of two (2) components, i.e., (1) a fixed charge of ~~five hundred thirty (\$530.00)~~ **four hundred seventy-five (\$475.00)** dollars per year, plus, (2) a usage charge of \$0.00483 per gallon of annual water usage, as determined from the customer's ~~fourth quarter~~ **average water bill for the previous year minus the lowest and the highest months usage where; average monthly water use = (w-x-y)/10 x 3, where w = total of last 12 months available water meter readings, x = highest water meter reading over last 12 available months and y = lowest water meter reading over last 12 available months times ~~four~~ three with the amount being applied to all 4 quarters.***

*2. Private Water Users.....*

*Service charges shall be comprised of two (2) components, i.e., (1) a fixed charge of ~~five hundred thirty (\$530.00)~~ **four hundred seventy-five (\$475.00)** dollars per year, plus, (2) a usage charge of \$0.00483 per gallon of annual water usage, as determined from the customer's ~~fourth quarter~~ **average usage at the water meter installed by the Borough at the customer's private water source for the previous year minus the lowest and the highest months usage where; average monthly water use = (w-x-y)/10 x 3, where w = total of last 12 months available water meter readings, x = highest water meter reading over last 12 available months and y = lowest water meter reading over last 12 available months times ~~four~~ three with the amount being applied to all 4 quarters..***

*b. Each business, institutional, commercial establishment or any other nonresidential user shall pay a minimum charge of one hundred ~~ninety-eighty (\$190.00)~~ **(\$180.00)** dollars per quarter plus a charge of nineteen (\$19.00) dollars for each one thousand (1,000) gallons of actual water usage over ten thousand (10,000) gallons*



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**NUMBER: 2017-1034**

**MEETING DATE: January 20, 2017**

Introduced: January 20, 2017

Public Hearing: February 14, 2017

**AN ORDINANCE AMENDING CHAPTER XI, TITLED “BUILDING AND HOUSING” OF THE REVISED GENERAL ORDINANCES SECTION 1.1 TITLED “ENFORCEMENT OFFICE ESTABLISHED” ADDING SUBSECTION F “CODE ENFORCEMENT COMMITTEE.”**

**WHEREAS** Chapter XI, Titled “Building and Housing” of the revised general ordinances, section 1.1 Titled “Enforcement Office Established” does not provide for a Council Committee, and

**WHEREAS**, the Borough of Council wishes to create a Code Enforcement Committee to help facilitate communication between Code and Zoning Enforcement, Mayor and Council, and the Public

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Peapack and Gladstone, in the County of Somerset and State of New Jersey, that Chapter XI, Titled “Building and Housing” Section 1.1 Enforcement Office Established of the revised general ordinances, adding Subsection “f” entitled “Code Enforcement Committee” is amended as follows:

*f. There shall be a hoc committee of the Borough Council comprised of two council members, which shall be known as the Code Enforcement Committee. The Code Enforcement Committee shall serve as liaison between the Code Enforcement Officer and/or Zoning Official and the Mayor and Council and shall assist in evaluating the Official(s), working with the Official(s) on matters of a more difficult nature when so requested by the Official(s) and participating in hearings as requested by the Official(s).*