

AGENDA

**BOROUGH OF PEAPACK AND GLADSTONE
REGULAR MEETING
DECEMBER 22, 2015, 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, GUNNING, SIMPSON, SMITH, SURIANO

MINUTES

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Regular Meeting of December 8, 2015, 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 December 8, 2015, 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

Presentation of Resolution to Councilman Gerald Gunning

PETITIONS AND COMMUNICATIONS

Resignation of Public Works Laborer James Lovenberg

REPORTS OF BOROUGH OFFICERS FOR THE MONTH OF

CHIEF OF POLICE: October and November reports have been filed with the Borough Clerk.

CONSTRUCTION OFFICIAL: No 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: October and November reports have been filed with the Borough Clerk.

JUDGE: October report has been filed with the Borough Clerk.

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

TAX COLLECTOR/CFO: September, October and November reports have been filed with the Borough Clerk.

BOARD OF HEALTH: October and November reports have been filed with the Borough Clerk.

LAND USE BOARD: No 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: No minutes have been filed with the Borough Clerk.

OPEN SPACE COMMITTEE: July 20 and September 21 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 September 11, 2015, and the October 28, 2015, minutes have been filed with the Borough Clerk.

Visiting Nurses of Somerset Hills Quarterly report from July 1 to September 30 has been filed with the Borough Clerk.

Council comments on the reports:

COMMITTEE REPORTS

FINANCE: (Suriano/Corigliano)

1. RESOLUTION TO REFUND LIENHOLDER FOR REDEMPTION OF LIEN #00036 ON BLOCK 1.06 LOT 4
2. AUTHORIZING AN INCREASE TO THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT OF \$1,500 SO AS NOT TO EXCEED THE AGGREGATE AMOUNT OF \$11,500 FOR THE DURATION OF THE PROFESSIONAL SERVICES CONTRACT WHICH EXPIRES DECEMBER 31, 2015

SANITATION/SEWER: (Smith/Caminiti)

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

BOROUGH PROPERTY: (Corigliano/Smith)

OEM Proposed Acquisition of Surplus Military Vehicle

Borough Phone System Analysis

FIRE/INFORMATION SYSTEMS: (Simpson/Gunning)

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

POLICE: (Gunning/Suriano)

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

ROADS/TRANSPORTATION: (Caminiti/Simpson)

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 16 ENTITLED “LONGEVITY” OF THE BOROUGH CODE OF THE BOROUGH OF PEAPACK & GLADSTONE SO AS TO ELIMINATE LONGEVITY PAYMENTS FOR NONUNION BOROUGH EMPLOYEES HIRED AFTER DECEMBER 31, 2015
 - a. PUBLIC HEARING
 - b. FINAL ADOPTION

2. DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM ENABLING RESOLUTION

3. TO AUTHORIZE THE EXECUTION OF A DECOMMISSIONING PLAN AGREEMENT BETWEEN THE BOROUGH OF PEAPACK AND GLADSTONE AND KDC SOLAR PFI, LLC., DEVELOPER OF CERTAIN PROPERTY OF PFIZER, INC. AND PHARMACIA AND UPJOHN COMPANY, LLC LOCATED AT BL.20, LOTS 9,10

4. Discussion on Affordable Housing/COAH process

5. Discussion of 2016 Budget:
 - i. Audit Services 135
 - ii. Other Insurance 210,215,220
 - iii. Emergency Management 252
 - iv. LOSAP 257
 - v. FD-UFC 265
 - vi. Solid Waste 305
 - vii. Bd. of Health 330
 - viii. Animal Control 340
 - ix. Aid to Library 390
 - x. Muni. Shared Court 490
 - xi. Capital Improvement 900
 - xii. Deferred Charges 875

PUBLIC COMMENTS

EXECUTIVE SESSION

AUDITING OF CLAIMS

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

ADJOURNMENT

presentation 1

Borough Of Peapack & Gladstone

Resolution Number

Testimonial to Gerald J. Gunning, Retiring Councilman

Whereas: Councilman Gerry Gunning has served the Municipality of Peapack and Gladstone faithfully for many years; and

Whereas: He has served as a member of the Land Use Board (LUB) for a period of nineteen years; and

Whereas: During those years Gerry served as LUB Chairman, presiding over a very lengthy hearing; and

Whereas: Gerry was nominated by the local Republican Committee as a replacement candidate for a vacant Borough Council position and was selected by the then Borough Council to fill the unexpired term; and

Whereas: Councilman Gunning was reelected to a full three year term; and

Whereas: Councilman Gunning served as a member of the Council on Affordable Housing committee, Roads, Police and Shared Court committees;

Now, Therefore, Be It Resolved that this Borough Council hereby expresses its sincere thanks for the giving of many hours of volunteer work, faithful and dedicated service; and

Be It Further Resolved that this Resolution be published in the minutes of this meeting and a copy of this resolution, signed by the Mayor and Council President, be presented to Councilman Gerald J. Gunning.

Presented by:

Seconded by:

Date of Adoption:

William C. Muller, Mayor

Anthony T. Suriano, Council President

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

RESOLUTION TO REFUND US BANK CUST LLC FOR PC6 STERLING NATIONAL (LIENHOLDER) FOR REDEMPTION OF LIEN #00036 ON BLOCK 1.06 LOT 4 IN THE AMOUNT OF \$2,045.10

WHEREAS, lien #00036 was sold to US Bank Cust for PC 6 Sterling National on November 19, 2015 at a tax sale held by the Borough of Peapack & Gladstone, and

WHEREAS, the lien holder paid in addition to the lien, a premium in the amount of \$1,100.00 at the tax sale held on November 19, 2015, and

WHEREAS, the owner of Block 1.06, Lot 4 has redeemed lien #00036 in the amount of \$945.10 by certified check on December 11, 2015, and

WHEREAS, the lien holder is entitled to a refund of the redemption along with the premium in accordance with Title 54 of the New Jersey Statutes Annotated,

NOW, THEREFORE BE IT RESOLVED, that the Treasurer is hereby authorized to refund the redemption monies and the premium for a total of \$2,045.10 to US Bank Cust LLC for PC6 Sterling National.

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

Adopted: December 8, 2015

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

AUTHORIZING AN INCREASE TO THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT OF \$1,500 SO AS NOT TO EXCEED THE AGGREGATE AMOUNT OF \$11,500 FOR THE DURATION OF THE PROFESSIONAL SERVICES CONTRACT WHICH EXPIRES DECEMBER 31, 2015

WHEREAS, the Borough of Peapack & Gladstone awarded a professional services contract for the services of a professional labor attorney to the firm APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY on June 9, 2015; and

WHEREAS, such award was made as a non-fair and open contract at a rate of \$175 per hour in an amount not to exceed \$5,000; and

WHEREAS, on September 8, 2015, via resolution 121-15, the Borough approved an increase in the amount of the award in the amount of \$5,000 so as to continue to engage the labor counsel services of APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C.; and

WHEREAS, the Borough has a need to increase the amount of the award an additional \$1,500 so as to continue to engage the labor counsel services of APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C.; and

WHEREAS, a certification affirming the availability of funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Director of Finance and is attached hereto and made a part hereof, indicating that the appropriation for the within expenditure is to be funded from the 2015 Budget Current Account; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Peapack & Gladstone, County of Somerset and State of New Jersey that it hereby authorizes the Borough to increase the award of the contract with APRUZZESE, McDERMOTT, MASTRO & MURPHY, P.C., an additional \$1,500 not to exceed the aggregate amount of \$11,500 for the duration of the contract which expires December 31, 2015.

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

Adopted: December 22, 2015

miscellaneous 1

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 16 ENTITLED “LONGEVITY” OF THE BOROUGH CODE OF THE BOROUGH OF PEAPACK & GLADSTONE SO AS TO ELIMINATE LONGEVITY PAYMENTS FOR NONUNION BOROUGH EMPLOYEES HIRED AFTER DECEMBER 31, 2015

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				
		Gerald Gunning				
		T. William Simpson				
		Royal Smith				
		Anthony Suriano				

Adopted: December 22, 2015

BOROUGH OF PEAPACK & GLADSTONE
ORDINANCE NO. 1017

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 16 ENTITLED “LONGEVITY” OF THE BOROUGH CODE OF THE BOROUGH OF PEAPACK & GLADSTONE SO AS TO ELIMINATE LONGEVITY PAYMENTS FOR NONUNION BOROUGH EMPLOYEES HIRED AFTER DECEMBER 31, 2015

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 16 Entitled “Longevity” is hereby amended so as to eliminate longevity payments for nonunion borough employees hired after December 31, 2015, as follows:

All additions to Section 16, of Article VI of the Appendix of Chapter 9 are set forth in boldface; any deletions are set forth in italics; pre-existing language and fees are not highlighted in any way

16. Longevity.

Only those All full-time non-union Borough employees **hired before December 31, 2015**, shall be entitled to longevity payment as follows:

Commencing with the 7th year of service with the Borough, the employee shall receive one hundred (\$100.00) dollars and thereafter for each subsequent year of service an additional one hundred (\$100.00) dollars shall be provided to the employee. Payment shall be made in the first pay period of February in each calendar year.

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: December 8, 2015

Adopted:

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM
ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Peapack & Gladstone has previously obtained a loan of \$500,000 and a grant of \$4,975,000 from the State to fund the following project(s):

**Project #1815-99-011
Peapack & Gladstone Open Space Acquisitions**

WHEREAS, the State and the Borough of Peapack & Gladstone intend to increase Green Acres funding by \$550,000; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY the Borough Council of the Borough of Peapack & Gladstone that:

1. The Mayor (title of authorized official) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Peapack & Gladstone Open Space Acquisition, and; **[Note: Please authorize only one official to sign the project agreement on behalf of the local government or nonprofit.]**
2. The applicant has its matching share of the project, if a match is required, in the amount of \$550,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

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

Adopted: December 22, 2015

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

TO AUTHORIZE THE EXECUTION OF A DECOMMISSIONING PLAN AGREEMENT BETWEEN THE BOROUGH OF PEAPACK AND GLADSTONE AND KDC SOLAR PFI, LLC., DEVELOPER OF CERTAIN PROPERTY OF PFIZER, INC. AND PHARMACIA AND UPJOHN COMPANY, LLC LOCATED AT BL.20, LOTS 9,10

WHEREAS, Developer, KDC Solar PFI, LLC was retained by Pfizer, Inc. and Pharmacia and Upjohn Company, the owner of the property in the Borough of Peapack & Gladstone located at Block 20, Lot 1 to perform a certain type of development; namely, the installation of solar panels; and

WHEREAS, the Developer filed an application with the Land Use Board of the Borough of Peapack & Gladstone for variances and site plan approval in order to install solar panels and accessory equipment; and

WHEREAS, the Land Use Board approved the Developer’s application at its regular meeting of June 17, 2015, and subsequently memorialized that approval by written resolution dated August 5, 2015; and

WHEREAS, said resolution requires the Developer to enter into a written agreement with the Borough of Peapack & Gladstone providing for the removal / decommissioning of the solar facility and providing a performance guarantee to the Borough to secure the removal / decommissioning of the solar facility upon termination of the Developer’s lease with the property owner or upon the end of the facility use as determined by the property owner; and

WHEREAS, Developer has provided the Borough with a proposed Decommissioning Plan Agreement as well as an accompanying Bond for its review and approval and the Borough Council of the Borough of Peapack & Gladstone having reviewed said agreement and bond and finding those documents acceptable; and

WHEREAS, the Borough Council believes it is both appropriate and in the best interests for the health, safety and welfare of its citizens that the Borough execute the referenced Decommissioning Plan;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone that hereby authorizes the Mayor and / or his designee to execute and enter into the Decommissioning Plan Agreement with the Developer, KDC Solar PFI, LLC., which agreement is annexed hereto and made a part hereof.

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

Adopted: December 22, 2015