

# **AGENDA**

## **BOROUGH OF PEAPACK AND GLADSTONE REGULAR MEETING APRIL 28, 2015, 7 P.M.**

The Meeting is called to order by Mayor Muller.

The adequate notice statement is read by the Borough Clerk.

### **SALUTE TO THE FLAG**

### **ROLL CALL:**

CAMINITI, CORIGLIANO, GUNNING, SIMPSON, SMITH, SURIANO

### **EXECUTIVE SESSION *COAH Litigation***

### **MINUTES**

Mayor, I move that the reading of minutes be dispensed with and that the minutes of the Regular Meeting of April 14, 2015, and the Special Meeting of February 17, 2015, 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**

Recreation Commission

### **PETITIONS AND COMMUNICATIONS**

### **REPORTS OF BOROUGH OFFICERS FOR THE MONTH OF**

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

CONSTRUCTION OFFICIAL: January-March 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: March report has been filed with the Borough Clerk.

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

LIBRARY ADVISORY BOARD: February 19<sup>th</sup> report has been filed with the Borough Clerk.

TAX COLLECTOR/CFO: No report has been filed with the Borough Clerk.

BOARD OF HEALTH: March report has 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: March 12<sup>th</sup> & April 9<sup>th</sup> minutes have been filed with the Borough Clerk.

OPEN SPACE COMMITTEE: No 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: January 16<sup>th</sup> and March 6<sup>th</sup> minutes have been filed with the Borough Clerk.

## **COMMITTEE REPORTS**

### **FINANCE:** (Suriano/Corigliano)

1. RESOLUTION TO REFUND LIENHOLDER FOR REDEMPTION OF LIEN #00034 ON BLOCK 29 LOT 19 LOCATED AT 57 MAIN STREET IN THE AMOUNT OF \$2,110.50
2. RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - 2015 DISTRACTED DRIVING CRACKDOWN GRANT IN THE AMOUNT OF \$2,400
3. RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - 2015 GARDEN CLUB OF SOMERSET HILLS COMMUNITY GRANT IN THE AMOUNT OF \$800
4. RESOLUTION ISSUING A CHANGE FUND TO THE MUNICIPAL CLERK IN THE AMOUNT OF \$25 AND AUTHORIZING AN INCREASE IN THE BOROUGH CHANGE FUND AND SPECIFYING THE COURT CLERK, MUNICIPAL CLERK AND TAX COLLECTOR AS CUSTODIANS OF THIS FUND FOR THE BOROUGH OF PEAPACK & GLADSTONE

### **SANITATION/SEWER:** (Smith/Caminiti)

1. RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 26, LOT 5 LOCATED AT 14 TAINTER STREET, ACCOUNT #694-0 IN THE AMOUNT OF \$173.88
2. RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 28, LOT 18.03 LOCATED AT 2 JONAH COURT, ACCOUNT #801-0 IN THE AMOUNT OF \$367.08
3. RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 20, LOT 1 LOCATED AT 32 APGAR AVENUE, ACCOUNT #573-0 IN THE AMOUNT OF \$132.50

### **BOROUGH PROPERTY:** (Corigliano/Smith)

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

### **FIRE/INFORMATION SYSTEMS:** (Simpson/Gunning)

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

### **POLICE:** (Gunning/Suriano)

1. AN ORDINANCE SUPPLEMENTING AND AMENDING SECTION 2-50 ENTITLED "MUTUAL POLICE ASSISTANCE WITH OTHER MUNICIPALITIES IN SOMERSET COUNTY" BY ADDING AND CREATING SUBSECTION 2-50.1 ENTITLED "MUTUAL POLICE AID INTERLOCAL SERVICES AGREEMENT" OF CHAPTER II ENTITLED "ADMINISTRATION"

OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK AND  
GLADSTONE, AS HERETOFORE SUPPLEMENTED AND AMENDED.

**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**

Octavia Brown          Library Advisory Board          Term expires: December 31, 2015

**PUBLIC COMMENTS**

**AUDITING OF CLAIMS**

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

**ADJOURNMENT:** TIME: \_\_\_\_\_



**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION TO REFUND LIENHOLDER FOR REDEMPTION OF LIEN #00034 ON BLOCK 29 LOT 19 LOCATED AT 57 MAIN STREET IN THE AMOUNT OF \$2,110.50

WHEREAS, lien #00034 was sold to US Bank Cust for Pro Cap 4, LLC on November 6, 2014, 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 \$100 at the tax sale held on November 6, 2014; and

WHEREAS, the servicing agent for PHH Mortgage on Block 29, Lot 19 has redeemed lien #00034 in the amount of \$2010.50 by certified check on April 7, 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 \$2,110.50 to US Bank Cust for Pro Cap 4, LLC.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - 2015 DISTRACTED DRIVING CRACKDOWN GRANT IN THE AMOUNT OF \$2,400

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county of municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Peapack and Gladstone, County of Somerset, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2015 in the sum of Twenty Four Hundred Dollars and zero cents (\$2,400) which items are now available as a revenue from

2015 Distracted Driving Crackdown Grant \$2,400

BE IT FURTHER RESOLVED that one certified copy of this Resolution together with a certification from the Borough Treasurer that funds will be made available through a reimbursable Grant from the State of New Jersey SAGE system filed with the Director of the Division of Local Government Services.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) - 2015 GARDEN CLUB OF SOMERSET HILLS COMMUNITY GRANT IN THE AMOUNT OF \$800

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Peapack and Gladstone, County of Somerset, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2015 in the sum of Eight Hundred Dollars and zero cents (\$800) which items are now available as a revenue from

2015 Garden Club of Somerset Hills Community Grant \$800

BE IT FURTHER RESOLVED that one certified copy of this Resolution together with a certification from the Borough Treasurer that funds have already been received by check from the Garden Club of Somerset Hills be filed with the Director of the Division of Local Government Services.

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

Adopted: April 28, 2015



**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION ISSUING A CHANGE FUND TO THE MUNICIPAL CLERK IN THE AMOUNT OF \$25 AND AUTHORIZING AN INCREASE IN THE BOROUGH CHANGE FUND AND SPECIFYING THE COURT CLERK, MUNICIPAL CLERK AND TAX COLLECTOR AS CUSTODIANS OF THIS FUND FOR THE BOROUGH OF PEAPACK & GLADSTONE

WHEREAS, from time to time the Court Clerk, the Municipal Clerk, and the Tax Collector are required to make change for cash payments received; and

WHEREAS, there exists a need to maintain such a fund for use of operation of the Peapack Gladstone Borough Municipal Court, Municipal Clerk's Office, and the Tax Collector's Office; and

WHEREAS, New Jersey State regulations allow change funds to be established by an initial resolution and to continue from year to year without additional governing body action until such time as they take action to have funds returned; and

WHEREAS, such fund will allow for easy separation of accounts.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone in the County of Somerset and State of New Jersey that the Court Clerk will continue to be custodian of one hundred dollars (\$100); the Tax Collector will continue to be custodian of twenty five dollars (\$25); and additional funds will be made available so that the Municipal Clerk will be custodian of twenty five dollars (\$25) totaling one hundred and fifty dollars (\$150) for the purpose of making change to insure the proper exact payment due is paid.

BE IT FURTHER RESOLVED that said change funds be safely secured in keeping with established prudent business practices; and

BE IT FURTHER RESOLVED that said change funds be used to make change only and shall not be used to purchase goods and/or services of any kind.

BE IT FINALLY RESOLVED that the Borough of Peapack & Gladstone Treasurer is hereby authorized to issue the increase to the Municipal Clerk in the amount of twenty-five dollars (\$25) for use as set forth in the resolution.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 26, LOT 5, ACCOUNT #694-0 IN THE AMOUNT OF \$173.88

WHEREAS, the daughter of the late Nancy K. Ferris, owner of Block 26, Lot 5, Laura Kouflie, has requested a review of her mother’s sewer billing for 2015; and

WHEREAS, the original sewer billing was based on the March 2014 through May 2014 water usage as there was a zero reading from August 2014 through March 2015; and

WHEREAS, the house has been vacant due to the death of Nancy Ferris since August 2014, and

WHEREAS, the sewer committee has found this to be sufficient reason for reducing the 2015 sewer billing from \$703.88 to a new total of \$530; and

WHEREAS, this reduction caused an over billing in the amount of \$173.88 for the 2015 sewer charges,

NOW, THEREFORE BE IT RESOLVED, that the 2015 sewer charges in the amount of \$173.88 are hereby cancelled against Block 26, Lot 5, Account #694-0 and that the Tax Collector is authorized to apply this credit and be relieved of the collection of same.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 28, LOT 18.03, LOCATED AT 2 JONAH COURT ACCOUNT #801-0 IN THE AMOUNT OF \$367.08

WHEREAS, the owner of Block 28, Lot 18.03, William Dietrich, has requested a review of the 2015 residential sewer billing; and

WHEREAS, sewer usage was based on the October-December water readings as normal; and

WHEREAS, the October water usage was excessive due to lawn sprinklers that were inadvertently not turned off; and

WHEREAS, this usage did not go into the sewer system; and

WHEREAS, the sewer committee has found this to be sufficient reason for adjusting the 2015 billing from \$1,302.80 to the amount used in 2014 of \$935.72; and

WHEREAS, this reduction caused an over billing in the amount of \$367.08 for the 2015 sewer charges.

NOW, THEREFORE BE IT RESOLVED, that the 2015 sewer charges in the amount of \$367.08 are hereby cancelled against Block 28, Lot 18.03, Account #801-0 and that the Tax Collector is authorized to apply this credit appropriately and be relieved of the collection of same.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

RESOLUTION TO CANCEL SEWER CHARGES ON BLOCK 20, LOT 1, LOCATED AT 32 APAGAR AVENUE ACCOUNT #573-0 IN THE AMOUNT OF \$132.50

WHEREAS, Block 20, Lot 1 is owned by the Borough of Peapack & Gladstone; and

WHEREAS, a sewer billing in the amount of \$132.50 for the 2015 1<sup>st</sup> quarter was generated on this account; and

WHEREAS, this property is no longer rented; and

WHEREAS, this billing is the Borough's responsibility and will not be enforceable through the tax sale process.

NOW, THEREFORE BE IT RESOLVED, that the 2015 1<sup>st</sup> quarter sewer charges in the amount of \$132.50 are hereby cancelled against Block 20, Lot 1, Account #573-0 and that the Tax Collector is relieved of the collection of same.

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

Adopted: April 28, 2015

**BOROUGH OF PEAPACK AND GLADSTONE  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE SUPPLEMENTING AND AMENDING SECTION 2-50 ENTITLED “MUTUAL POLICE ASSISTANCE WITH OTHER MUNICIPALITIES IN SOMERSET COUNTY” BY ADDING AND CREATING SUBSECTION 2-50.1 ENTITLED “MUTUAL POLICE AID INTERLOCAL SERVICES AGREEMENT” OF CHAPTER II ENTITLED “ADMINISTRATION” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK AND GLADSTONE, AS HERETOFORE SUPPLEMENTED AND AMENDED.**

**Section 1.** Section 2-50 entitled “Mutual Police Assistance with other Municipalities in Somerset County” of Chapter II entitled “Administration” of The Revised General Ordinances of the Borough of Peapack and Gladstone, is hereby supplemented and amended by the adding and creating of new Subsection 2-50.1 entitled “Mutual Police Aid Interlocal Services Agreement” to read as follows:

**2-50.1 Mutual Police Aid Interlocal Services Agreement.**

- a. *Findings.* The Borough of Peapack and Gladstone finds it to be in the best interests of the Borough to provide supplemental police assistance as a “participating local unit” to any “requesting local unit” for “mutual police aid,” as such terms are defined in the Mutual Police Aid Interlocal Services Agreement herein adopted.
- b. *Adoption of Agreement.* The Borough of Peapack and Gladstone does hereby approve and adopt the Mutual Police Aid Interlocal Services Agreement, and does hereby agree to provide supplemental police assistance as a “participating local unit” to any “requesting local unit” which has adopted an ordinance approving and adopting the Mutual Police Aid Interlocal Services Agreement. Any future amendments or modifications to the Mutual Police Aid Interlocal Services Agreement shall not require an amendment to this subsection, provided such amended or modified agreement is authorized by proper Resolution of the Borough.
- c. *Participation by Borough.* The participation by the Borough of Peapack and Gladstone shall be pursuant to the terms and conditions set forth in the Mutual Police Aid Interlocal Services Agreement, in conjunction with the terms and conditions of providing mutual aid as provided by N.J.S.A. 40A:14-156.1, *et seq.*

**Section 2.** Should any provisions of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of such prior ordinances are hereby repealed, but only to the extent of the inconsistencies.

**Section 3.** In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent

jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**Section 4.** This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.