

AGENDA

BOROUGH OF PEAPACK & GLADSTONE REGULAR MEETING SEPTMEBER 29, 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 September 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 September 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

PETITIONS AND COMMUNICATIONS

REPORTS OF BOROUGH OFFICERS FOR THE MONTH OF

CHIEF OF POLICE: July and August 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: July and August reports have been filed with the Borough Clerk.

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

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

TAX COLLECTOR/CFO: June and July reports have been filed with the Borough Clerk.

BOARD OF HEALTH: July 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: No minutes have been filed with the Borough Clerk.

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

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

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

IT ADVISORY COMMITTEE: April 21, 2015, minutes and June 23, 2015, have been filed with the Borough Clerk.

Council comments on the reports

COMMITTEE REPORTS

FINANCE: (Suriano/Corigliano)

1. RESOLUTION TO WAIVE INTEREST CHARGES IN THE AMOUNT OF \$46.03 ON BLOCK 1, LOT 6
2. Discussion to set 2016 Budget Meeting Dates
3. Discussion of Best Practices Inventory

SANITATION/SEWER: (Smith/Caminiti)

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

BOROUGH PROPERTY: (Corigliano/Smith)

1. An application has been received from the Recreation Commission for use of the gymnasium for Men's Basketball from November 1, 2015- November 1, 2016.
2. An application has been received from the Recreation Commission for use of the gymnasium for Youth Basketball from November 1, 2015- April 1, 2016.

FIRE/INFORMATION SYSTEMS: (Simpson/Gunning)

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

POLICE: (Gunning/Suriano)

~~Police Organization Ordinance~~

- ~~a. INTRODUCTION RESOLUTION~~

ROADS/TRANSPORTATION: (Caminiti/Simpson)

RESOLUTION AUTHORIZING TRAFFIC SIGNAL AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROUTE 206 AND POTTERSVILLE ROAD (CR-512)

LEGAL: (John E. Bruder, Esq.)

AN ORDINANCE AMENDING PORTIONS OF CHAPTER XXIII, ARTICLES I AND IV, TITLED "LAND DEVELOPMENT ORDINANCE" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK & GLADSTONE ELIMINATING CERTAIN CONDITIONAL USES IN DESIGNATED ZONES

- a. PUBLIC HEARING
- b. FINAL RESOLUTION

MISCELLANEOUS COUNCIL BUSINESS

1. Discussion of payment for flu shots for first responders. Police firefighters and Borough employees
2. Discussion of Liberty Park tree pruning proposal
3. Update on Mendham Township Mount Saint John Property application

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.

EXECUTIVE SESSION

1. Contract Negotiations
2. Personnel

ADJOURNMENT

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

RESOLUTION TO WAIVE INTEREST CHARGES IN THE AMOUNT OF \$46.03 ON BLOCK 1, LOT 6

WHEREAS, the owner of Block 1, Lot 6 sent a payment by check; and

WHEREAS, the check was made out incorrectly and returned to the owner to be corrected; and

WHEREAS, when a corrected check was issued it was past the grace period resulting in an additional charge of \$46.03 for accrued interest; and

WHEREAS, the homeowner has submitted a letter requesting that the interest be waived as previous payments have been made in a timely fashion; and

WHEREAS, the Borough Council has reviewed this letter and tax account and decided there was sufficient reason to waive the \$46.03 interest charge that has been paid by the homeowner.

NOW, THEREFORE BE IT RESOLVED, the interest charge in the amount of \$46.03 is hereby waived for Block 1, Lot 6 and the Tax Collector is authorized to apply this credit to the next quarterly installment and be relieved of the collection of same.

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

Adopted: September 29, 2015

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE STATE OF NEW JERSEY FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC CONTROL SIGNAL

WHEREAS, a traffic condition exists at the intersection of Route US 206 and Pottersville Road (CR 512), in the Borough of Peapack and Gladstone, in the County of Somerset, which requires the installation of the semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of said traffic signal.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the Borough of Peapack & Gladstone be and hereby are authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached 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: September 29, 2015

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

AN ORDINANCE AMENDING PORTIONS OF CHAPTER XXIII, ARTICLES I AND IV, TITLED “LAND DEVELOPMENT ORDINANCE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK AND GLADSTONE ELIMINATING CERTAIN CONDITIONAL USES IN DESIGNATED ZONES

WHEREAS, pursuant to the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1 et seq., a governing body of a municipality may adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon within the municipality; and

WHEREAS, consistent with the Municipal Land Use Law, a governing body of a municipality may elect to not only create, but also from time to time modify land use regulations; and

WHEREAS, in accordance therewith and further, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-89, a governing body of a municipality shall periodically provide for a general reexamination of its master plan and development regulations by the municipality’s Planning Board, and the governing body may thereafter elect to adopt any changes recommended as part of the general reexamination; and

WHEREAS, the governing body of the Borough of Peapack and Gladstone did so provide for a general reexamination of its master plan and development regulations by the Borough’s Land Use Board, acting in its capacity as Planning Board; and

WHEREAS, the Borough’s Land Use Board conducted a general reexamination of its master plan, and thereafter authored and adopted a Master Plan Development Regulations Periodic Reexamination Report (“Reexamination Report”) on January 29, 2015, which report made specific findings and recommendations; and

WHEREAS, the Reexamination Report set forth findings and recommended changes to the Master Plan; to wit, the elimination of particular conditional uses in certain zones; and

WHEREAS, and for the reasons as set forth therein, the Reexamination Report recommended the elimination of both public and private schools and houses of worship as permitted uses within the RR-1, RR-2, RR-3, RR-5 and the RE districts, and the elimination of a “Residential health care facilities in conjunction with a school” land use as a permitted conditional use from the RR-5 and the RE zoning districts; and

WHEREAS, the Borough Council finds that the proposed zoning changes as set forth above are supported by the findings as made by the Borough’s Land Use Board, and are otherwise

appropriate to advance the health, safety and welfare of the Borough's residents and property owners and are in the interests of good zoning and planning; and

WHEREAS, the Borough Council believes that it is in the best interests of the Borough and its residents that Chapter XXIII, Articles I and IV of the Borough of Peapack and Gladstone's Land Development Ordinance be amended as set forth herein to effectuate the recommendations as declared in the Reexamination Report; and

WHEREAS, the changes as set forth herein are consistent with the recommendations contained in the most recent periodic general reexamination of the Master Plan by the Land Use Board, thereby obviating the need for individualized notices to surrounding property owners in accordance with N.J.S.A. 40:55D-62.1

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, as follows:

Section 1. Chapter XXIII of the Land Development Ordinance of the Borough of Peapack and Gladstone, Article IV, titled "Zoning", Sections 23-39.1(d)2, 23-39.1(d)3, 23-39.2(c)2 and 23-39.2(c)3 are hereby deleted in their entirety in order to implement the recommendations in the Reexamination Report for elimination of the following uses as permitted conditional uses within the RR-1, RR-2, RR-3, RR-5 and RE Zones: (i) "public or private schools approved by the State of New Jersey, Department of Education", and (ii) "houses of worship".

Section 2. Chapter XXIII of the Land Development Ordinance of the Borough of Peapack and Gladstone, Article IV, titled "Zoning", Sections 23-39.1(d)4, 23-39.1(d)6, 23-40.10(b)2 and 23-40.10(b)3 are hereby deleted in their entirety in order to implement the recommendations in the Reexamination Report for elimination of the following uses as permitted conditional uses within the RR-5 and RE Zones: (i) "residential healthcare facilities in conjunction with a school", (ii) "assisted living residences", and (iii) "long-term care facilities including nursing care facilities and nursing homes".

Section 3. Chapter XXIII of the Land Development Ordinance of the Borough of Peapack and Gladstone, Article I, titled "General Provisions", Section 23-6.1 is hereby amended to eliminate the following definitions in their entirety: "Assisted living residence", "Long term care facility/ nursing facility/nursing home", and "Nursing facility/nursing home" in order to implement the recommendations in the Reexamination Report for elimination of the above uses as permitted conditional uses within the above-referenced zones.

Section 4. The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Somerset County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15. The Borough Clerk shall execute any necessary Proofs of Service of the notices required by this section, and shall

keep any such proofs on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 5. After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Land Use Board of the Borough of Peapack and Gladstone for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Land Use Board, acting in its capacity as Planning Board, is directed to make and transmit to the Borough Council, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. 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.

Section 7. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 8. This Ordinance shall take effect immediately upon: (i) adoption; and (ii) publication in accordance with the laws of the State of New Jersey.

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

RESOLVED that the ordinance entitled,

AN ORDINANCE AMENDING PORTIONS OF CHAPTER XXIII, ARTICLES I AND IV, TITLED “LAND DEVELOPMENT ORDINANCE” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF PEAPACK AND GLADSTONE ELIMINATING CERTAIN CONDITIONAL USES IN DESIGNATED ZONES

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: September 29, 2015

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. -15

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone that in compliance with N.J.S.A. 10:4-7 et seq, this meeting will be closed to the public to discuss the following matters:

- **PERSONNEL**
- **CONTRACT NEGOTIATIONS**

The matters considered in this Executive Session can be released to the public when the reasons for discussing and acting on it in closed session no longer exist.

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

Adopted: September 29, 2015