

# **AGENDA**

**BOROUGH OF PEAPACK AND GLADSTONE  
REGULAR MEETING  
OCTOBER 13, 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 29, 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 29, 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**

1. Somerset Hills Regional School District School Board presentation on the November 3, 2015, referendum
2. Open Space Advisory Committee discussion on Blue Bird Farm acquisition.

3. Recreation Commission will make a presentation on a natural skating rink at the ballfields at the Municipal Complex (Simpson)

## **PETITIONS AND COMMUNICATIONS**

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

1. A RESOLUTION TO CANCEL THE UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATION ON ORDINANCE NO. 992 AND ORDINANCE NO. 1004
2. 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. A property use application has been received from the Recreation Commission for use of the gym and ball field for Halloween festivities on October 25, 2015.
2. A property use application has been received from the Recreation Commission for use of the gym for "Open Gym" in November.
3. Komline House Sale Update
4. Vending Machines – Municipal Building
5. County Yard Remediation Update

### **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. TO MEMORIALIZE THE INTENTION AND DESIRE OF THE BOROUGH COUNCIL FOR THE BOROUGH TO EXERCISE ADMINISTRATIVE RESTRAINT IN ZONING ENFORCEMENT AS TO ANY CONDITIONAL USES WHICH MAY BE ELIMINATED ON THE MATHENY PARCEL IN THE EVENT OF ADOPTION OF THE PENDING AMENDMENT TO THE BOROUGH'S LAND DEVELOPMENT ORDINANCE
2. A RESOLUTION TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14.17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM (SEHBP) COVERAGE OF CERTAIN RETIREES.
3. AUTHORIZING THE RENEWAL OF AN INACTIVE LIQUOR LICENSE FOR GLADSTONE LIQUORS (1815-44-004-007) FOR 2015/2016
4. Discuss usage of Open Space Trust Fund monies for tree pruning project in Liberty Park (Smith)
5. Discuss Recreation Commission road closure request for Halloween festivities
6. Employee Job Descriptions (Smith)
7. Mayor Muller recommends the following appointment:  
William Allen                      Peapack Gladstone Fire Department                      No set term
8. Discuss proposed holiday schedule for 2016

### **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**

Litigation

### **ADJOURNMENT**

**FACT SHEET  
SOMERSET HILLS REGIONAL SCHOOL DISTRICT  
NOVEMBER 3, 2015 REFERENDUM**

**What are the Projects?**

**Creation of special and general education classrooms at Bernards High School** – the driving force behind this project is to create educational space for students with multiple disabilities currently enrolled in the lower grades. The benefits of educating our students in district are immeasurable. In addition, **each** student that we educate in district saves between \$75K and \$100K every year. There are currently 12 students with multiple disabilities enrolled in the district.

**Conversion of former unused auditorium to a library/media center at BHS** – the old auditorium was no longer usable for health and safety reasons and has been vacant for the last several years. Our existing library does not meet the needs of our students. The new library/media center will become the academic center of the school and will meet the requirements of the future educational needs of our students including many spaces for small group instruction.

**Additional Parking Spaces and Lot Repair at BHS Campus** – we will be able to create 28 new parking spaces to reduce the parking shortage on campus. In addition, the parking lot between the high school and the Olcott Building has major damage.

**Bedwell Bathroom Renovations and ADA compliance** – some of the Bedwell bathrooms need to be renovated and upgraded for ADA Compliance.

**New Sidewalk at Bedwell/Bernardsville Middle School Campus** – a new sidewalk will be built connecting the sidewalk at Seney Drive to the Bernardsville Middle School. This is a final step toward the Bedwell/Middle School safety project, which was initiated several years ago by a joint Board of Education/Borough Council Committee at the request of the Bedwell/Middle School Home and School Association,

**Why Now?**

- The State has re-instituted a facilities aid program. The Board has applied for and received 40% State funding for this project. This State contribution to the project reduces the taxpayers' share to 60%. *The Board can only receive this State funding if the referendum passes.*
- Borrowing rates are currently at extremely low levels. While the interest rate has been estimated at **2.75%**, the Board anticipates that the rate will be lower, thus reducing the tax impact.
- Large capital projects are very difficult to fit within the budget cap. If we don't undertake the projects now, it will take many years of budgets to pay for the projects. In

addition, we will receive no State contribution for the projects, if we undertake it through budget appropriations.

**What Is The Total Capital Cost Of The Project?** The estimated total project cost, before considering the 40% state contribution is \$5,829,094. After deducting the 40% the net cost would be \$3,497,456. This number is an “all in” capital cost, including all construction and related costs.

**What is the Estimated Tax Impact of the Project?** Assuming a 15 year amortization of the bond, the tax impact would be \$8.03 per year, on average, per \$100,000 of assessed home valuation.

**When And How Will The School District Present The Proposed Project To The School District Voters?** The School District will present the proposed project to the School District voters at the annual election to be held on November 3, 2015. Prior to the election, the District will hold numerous informational meetings and share the proposed referendum information on the District Web Site.

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

A RESOLUTION TO CANCEL THE UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATION ON ORDINANCE NO. 992 AND ORDINANCE NO. 1004

WHEREAS, the Borough of Peapack & Gladstone did adopt Ordinance No. 992, to resurface Willow Avenue and to purchase a backhoe on July 23, 2013; and

WHEREAS, the Borough of Peapack & Gladstone did adopt Ordinance No. 1004 to mill and pave Holland Avenue & Todd Avenue on July 22, 2014; and

WHEREAS, all purchases, projects, and agreements have been completed and there remains unexpended balances of \$32,000 on Ordinance No. 992, and \$14,000 on Ordinance No. 1004.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Peapack & Gladstone that the unexpended balances in the total amount of \$46,000 on Ordinances Nos. 992 and 1004 be cancelled as follows:

<u>Ordinance</u>	<u>Purpose</u>	<u>Cancelled to / or Against</u>	<u>Amount</u>
992	Willow Avenue Resurfacing	Deferred Charges to Future Taxation	\$25,000
992	Purchase of a backhoe	Deferred Charges to Future Taxation	\$7,000
1004	Milling & Paving of Holland Road & Todd Avenue	Deferred Charges to Future Taxation	\$14,000

This Resolution shall be effective immediately upon proper adoption by the Borough Council.

<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: October 13, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

TO MEMORIALIZE THE INTENTION AND DESIRE OF THE BOROUGH COUNCIL FOR THE BOROUGH TO EXERCISE ADMINISTRATIVE RESTRAINT IN ZONING ENFORCEMENT AS TO ANY CONDITIONAL USES WHICH MAY BE ELIMINATED ON THE MATHENY PARCEL IN THE EVENT OF ADOPTION OF THE PENDING AMENDMENT TO THE BOROUGH'S LAND DEVELOPMENT ORDINANCE

WHEREAS, there is now pending before the Governing Body of the Borough of Peapack and Gladstone a land use ordinance, Ordinance Number 1015, amending the Borough's Land Development Ordinance to eliminate certain conditional uses in designated zones; and

WHEREAS, if that land use ordinance is adopted, it will eliminate certain conditional uses at various properties in designated zones, including the Matheny Parcel; and

WHEREAS, the Land Use Board of the Borough of Peapack & Gladstone recently performed its statutorily mandated reexamination of the Borough Master Plan and, as part thereof, recommended to the Borough Council that certain conditional uses be eliminated in designated zones; and

WHEREAS, when the Land Use Board recommended the removal of certain conditional uses in designated zone, that Board also recognized that, given the complexities of the land issues specifically concerning the Matheny parcel, further analysis was warranted; and

WHEREAS, the Borough Council determined that it was both appropriate and beneficial to ensure that the further analysis of this issue be conducted in a timely manner, and in furtherance thereof, the Borough Council encouraged the formation of a subcommittee of the Land Use Board in accordance with N.J.S.A. 40:55D-25(b)2 to study this issue; and

WHEREAS, in accordance therewith, a subcommittee has been formed which is presently studying the land use issues pertaining to the Matheny property; and

WHEREAS, the Borough Council having determined that it is desirous and prudent to await the study by the aforementioned subcommittee before determining the appropriate manner in which to proceed regarding those conditional uses as it pertains to the Matheny parcel.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone that it wishes to express its intent that Borough exercise administrative restraint with respect to zoning enforcement regarding the certain conditional uses on the Matheny parcel as eliminated by the referenced land use ordinance if adopted; and

BE IT FURTHER RESOLVED that it is the intention of the Borough Council that the Borough exercise such administrative restraint with respect to said zoning enforcement while the Land Use Board subcommittee is working in an expeditious and timely manner to formulate reasonable conditional standards for those existing and complex uses on the Matheny parcel; and

BE IT FURTHER RESOLVED that the this Resolution shall take effect immediately and extend for a period of six months, or until the Land Use Board subcommittee presents its findings and recommendations to both the Land Use Board and the Borough Council, whichever date shall first occur. If, after the expiration of six months, reasonable conditional standards have not yet been determined for approval by the Land Use Board and Governing Body, the Borough Council may in its sole discretion review this matter and consider extending this resolution for an additional period of time if the Council deems such extension reasonable and appropriate.

<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: October 13, 2015



**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

A RESOLUTION TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14.17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM (SEHBP) COVERAGE OF CERTAIN RETIREES.

**BE IT RESOLVED:**

1. The Borough of Peapack & Gladstone (County ID Number 1815 / SHBP ID Number 018800) hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
2. This resolution affects employees as shown on the attached Chapter 48 *Resolution Addendum*. It is effective on the 1st day of December 2014.
3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.
4. We agree that this *Resolution* will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this *Resolution* is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this *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: October 13, 2015

**BOROUGH OF PEAPACK AND GLADSTONE**

**RESOLUTION NO.**

AUTHORIZING THE RENEWAL OF AN INACTIVE LIQUOR LICENSE FOR GLADSTONE LIQUORS (1815-44-004-007) FOR 2015/2016

WHEREAS, Gladstone Liquors, LLC (1815-44-004-007) has applied to the Mayor and Borough Council of the Borough of Peapack & Gladstone, County of Somerset, for renewal of its Plenary Retail Distribution License for the licensing period beginning July 1, 2015, and ending June 30, 2016; and

WHEREAS, the corporation listed below has submitted their renewal application and fees to the Municipal Clerk's Office in in the amount of \$2,500 in accordance with the State Statute; and

WHEREAS, Gladstone Liquors, LLC filed an amendment to is renewal application on September 25, 2015, so as to indicate the license is currently inactive and stopped business operations on June 7, 2015; and

WHEREAS, the Mayor and Borough Council of the Borough of Peapack & Gladstone, County of Somerset and State of New Jersey, the licensing authority, has affirmatively found that:

1. No objection(s) has/have been received by the Borough Clerk of the Borough of the Borough of Peapack & Gladstone to the re-issuance of said license.
2. The Borough Police Department Board of Health have no objection to the renewal of these licenses and are not aware of any circumstances that would prohibit the renewal of said.
3. The Borough Clerk has proof of tax clearance as issued by the New Jersey Division of Taxation for said licenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack & Gladstone, County of Somerset and State of New Jersey, that the aforesaid applications be approved and that the Borough Clerk be authorized and directed to issue said license forthwith.

<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: October 13, 2015

**BOROUGH OF PEAPACK & GLADSTONE**

**RESOLUTION NO.**

APPROVING THE USE OF OPEN SPACE TRUST FUNDS FOR TREE TRIMMING IN LIBERTY PARK IN AN AMOUNT NOT TO EXCEED \$15,000

WHEREAS, the Governing Body of the Borough of Peapack & Gladstone wishes to retain the services of a tree trimming service; and

WHEREAS, the Governing Body has determined that this service is necessary to preserve the nature of the pond at Liberty Park; and

WHEREAS, the Borough of Peapack & Gladstone has certified that sufficient funds are available in the Open Space Trust Fund to pay for this service herein; and

WHEREAS, the total amount of this contract shall be for an amount not to exceed \$15,000.

NOW THEREFORE BE IT RESOLVED, by the Borough of Peapack & Gladstone, that it does ratify, confirm and approve the use of Open Space Trust Funds for the purpose of trimming trees in Liberty Park in an amount not to exceed \$15,000.

<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: October 13, 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**

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.

<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: October 13, 2015

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HECTOR HERRERA  
BOROUGH CLERK

\_\_\_\_\_  
WILLIAM C. MULLER  
MAYOR

Miscellaneous 6

Proposed Holiday Schedule for 2016

January 1	New Year's Day (Friday)
February 15	Presidents' Day (Monday)
March 25	Good Friday (Friday)
May 30	Memorial Day (Monday)
July 4	Independence Day (Monday)
September 5	Labor Day (Monday)
October 10	Columbus Day (Monday)
November 24 - 25	Thanksgiving (Thursday & Friday)
December 26	Christmas (Monday)

\*plus one floating Holiday