



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



JULY 24, 2018

7:30 PM – REGULAR MEETING

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

2. SUNSHINE NOTICE – *Municipal Clerk reads the following statement:*

“Pursuant to the Open Public Meetings Act, Adequate notice of 2018 Meeting Dates was published in the Courier News and Bernardsville News on December 28, 2017, and posted at the Municipal Complex and the Borough Library. Action may be taken.”

3. FLAG SALUTE

4. ROLL CALL

5. 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.

6. READING AND APPROVAL OF MINUTES

Special Meeting May 10, 2018

Regular Meeting May 22, 2018

Regular Meeting June 12, 2018

7. ORDINANCES

PUBLIC HEARING FOR ORDINANCE NUMBER 1060-2018 – *An Ordinance Amending Chapter XXIII, Titled “Land Development Volume” of the Revised General Ordinances Article III, Titled “Development Procedures” Section 25, Titled “Application Requirements”, Subsection 25.1 Titled “Content”, Subsection 25.3 Titled “Additional Information”, Subsection 26, Titled “Informal Review”, Subsection 33.5 Titled “Variance Checklist”*

PUBLIC HEARING FOR ORDINANCE NUMBER 1061-2018 – *An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees*

PUBLIC HEARING FOR ORDINANCE NUMBER 1059-2018 – *An Ordinance Amending Portions of Chapter XXIII, Article IV, Titled “Land Development Ordinance” of the Revised General Ordinances of the Borough of Peapack and Gladstone Permitting a Residential Housing Community on Certain Lands in the ORL and RR-5 Zoning Districts*



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



JULY 24, 2018

7:30 PM – REGULAR MEETING

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.

8. OLD BUSINESS

9. NEW BUSINESS

10. MISCELLANEOUS DISCUSSION/APPROVALS

- Application from Griffin Connor for 3v3 Charity Basketball Game on Outdoor Basketball Court
- Application from PG Recreation Commission for use of Komline Park for Drive-In Movie

11. RESOLUTIONS

RESOLUTION NO. 145-18 – RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT FOR SHARING SOMERSET COUNTY DEPARTMENT OF PUBLIC WORKS EQUIPMENT AND PERSONNEL BETWEEN THE BOROUGH OF PEAPACK & GLADSTONE AND THE COUNTY OF SOMERSET

RESOLUTION NO. 146-18 – RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET FOR THE ST. PATRICK'S DAY DWI SAFE PASSAGE GRANT PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

RESOLUTION NO. 147-18 – RESOLUTION AUTHORIZING MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2018-2019

RESOLUTION NO. 148-18 – RESOLUTION OF GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

RESOLUTION NO. 149-18 – RESOLUTION FOR AWARD OF SERVICE CONTRACT TO CARPET MAINTENANCE OF BRIDGEWATER, NEW JERSEY FOR INSTALLATION OF CARPET WITHIN THE ADMINISTRATIVE OFFICES OF THE BOROUGH

RESOLUTION NO. 150-18 – AUTHORIZATION TO PAY ACCUMULATED LEAVE TO THERESA KELLY (RETIRED)

RESOLUTION NO. 151-18 – RESOLUTION TO EXTEND THE GRACE PERIOD ON THE 2018 THIRD QUARTER TAX INSTALLMENT

RESOLUTION NO. 152-18 – RESOLUTION TO REFUND TAX ON BLOCK 1.02, LOT 2.17

RESOLUTION NO. 153-18 – RESOLUTION AUTHORIZING AGREEMENT BETWEEN BOROUGH OF PEAPACK & GLADSTONE AND THE BOROUGH OF PEAPACK & GLADSTONE POLICE PBA LOCAL NO. 139 FOR A FOUR-YEAR CONTRACT – JANUARY 1, 2018 TO DECEMBER 31, 2021

RESOLUTION NO. 155-18 – TO AUTHORIZE EXECUTION OF A TAKEOVER AGREEMENT WITH FIRST INDEMNITY OF AMERICA INSURANCE COMPANY REGARDING THE PACESETTER DEVELOPMENT

12. BILLS LIST

Resolution No. 154-18 – Approval of Bills as signed and listed on the Bill Payment List

Total Amount: \$649,831.82



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



JULY 24, 2018

7:30 PM – REGULAR MEETING

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.

13. COUNCIL REPORTS

| | |
|---|------------------------|
| Council President Corigliano & Councilman Smith | Finance |
| Councilwoman Dietrich & Councilman Simpson | Sanitation & Sewer |
| Councilman Caminiti & Councilman Smith | Borough Property |
| Councilman Simpson & Councilman Lemma | Fire/First Aid Squad |
| Councilman Lemma, Councilman Caminiti & Councilwoman Dietrich | Police |
| Councilman Smith & Councilwoman Dietrich | Roads & Transportation |
| Mayor Muller | Zoning & Construction |
| John Bruder, Borough Attorney | Legal |
| Administrator | Administrator's Report |
| Mayor Bill Muller | Mayor's Report |

14. PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

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

17. ADJOURNMENT

**THE NEXT MEETING OF THE MAYOR & COUNCIL WILL BE HELD ON
TUESDAY, AUGUST 14, 2018 AT 7:30PM**

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 145-18

TITLE: RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT FOR SHARING SOMERSET COUNTY DEPARTMENT OF PUBLIC WORKS EQUIPMENT AND PERSONNEL BETWEEN THE BOROUGH OF PEAPACK & GLADSTONE AND THE COUNTY OF SOMERSET

WHEREAS, the Borough of Peapack & Gladstone and the County of Somerset desire to enter into a Shared Services Agreement for Sharing Department of Public Works Equipment and Personnel pursuant to N.J.S.A. 40A:65-1, et seq; and

WHEREAS, the County has the ability to provide Public Works Equipment and Services to the Municipalities as set forth in the Agreement which has been reviewed and approved by County Counsel and on file with the Deputy Clerk of the Board; and

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 are hereby authorize the Mayor and Borough Clerk to execute the Shared Services Agreement with the County of Somerset for the provision of Sharing Somerset County Department of Public Works Equipment and Personnel, a copy of which is on file with the Borough Clerk.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 146-18

TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT GRANT PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

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 & 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 2018 in the sum of Four Hundred Eighty and zero cents (\$480.00) which items are now available as a revenue from

St. Patrick's Day DWI Safe Passage Grant \$480.00

BE IT FURTHER RESOLVED that one certified copy of this Resolution together with a certification from the Somerset County Prosecutors Office that funds will be made available through a reimbursable Grant be filed with the Director of the Division of Local Government Services.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 147-18

TITLE: RESOLUTION AUTHORIZING MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2018-2019

WHEREAS, the County of Somerset has prepared a contract which would provide \$21,534.76 to Bernardsville Borough for the provision of Somerset Hills Municipal Alliance activities for prevention of alcoholism and drug abuse, and the Borough would provide a 75% match of \$16,151.07 in in-kind services, and a 25% cash match of \$5,383.69 will be raised by the Municipal Alliance Committee or provided by the municipality, and a copy of the proposed agreement is on file in the office of the Borough Clerk; and

NOW THEREFORE BE IT RESOLVED that the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey that it hereby authorizes the Mayor and Borough Clerk to sign the original of this agreement.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 148-18

TITLE: RESOLUTION FOR THE GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled " Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Peapack & Gladstone, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

DRAFT

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 149-18

TITLE: RESOLUTION FOR AWARD OF SERVICE CONTRACT TO CARPET MAINTENANCE OF BRIDGEWATER, NEW JERSEY FOR INSTALLATION OF CARPET WITHIN THE ADMINISTRATIVE OFFICES OF THE BOROUGH

WHEREAS, the governing body of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, wishes to contract Carpet Maintenance, Bridgewater, NJ for the installation of carpet within the Administrative Offices of the Borough; and

WHEREAS, defined by R.S. 40A:11-5, the quote from Carpet Maintenance falls within these guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Peapack & Gladstone that, it does hereby award the contract to Carpet Maintenance, Bridgewater, NJ for the installation of carpet for the Administrative Offices of the Borough in the amount of \$19,924.00.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**RESOLUTION
BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY**

RESOLUTION NO. 150-18

TITLED: AUTHORIZATION TO PAY ACCUMULATED LEAVE TO THERESA KELLY (RETIRED)

WHEREAS, The Borough of Peapack and Gladstone Personnel Policy stipulates that employees who retire from service from the Borough of Peapack and Gladstone are entitled to be paid for up to 90 days of unused sick time and unused vacation time earned, and

WHEREAS, Theresa Kelly earned at retirement 30.29 days of unused vacation time and 1.25 hours of comp time, and

WHEREAS, Theresa Kelly's daily rate at retirement was \$201.92 per day.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey hereby authorizes the Finance Officer to pay to Theresa Kelly a sum of \$6,152.36 for unused leave time.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY BRETZGER, RMC
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**RESOLUTION
BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY**

RESOLUTION NO. 151-18

TITLED: RESOLUTION TO EXTEND THE GRACE PERIOD ON THE 2018 THIRD QUARTER TAX INSTALLMENT

WHEREAS, the 2018 third quarter tax payment is due on August 1, 2018; and

WHEREAS, the grace period as set by resolution is for ten days, and

WHEREAS, there was a delay in obtaining a certified tax rate from the Somerset County Board of Taxation; and

WHEREAS, this subsequently caused a delay in mailing the 2018 Final/2019 Preliminary tax bills; and

WHEREAS, New Jersey statutes require 25 days from the date of mailing the tax bills before interest can be charged

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey that the grace period for the 2018 third quarter tax installment is extended to 25 days from the date of the mailing of the tax bills.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY BRETZGER, RMC
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**RESOLUTION
BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY**

RESOLUTION NO. 152-18

TITLED: RESOLUTION TO REFUND TAX ON BLOCK 1.02, LOT 2.17

WHEREAS, the owner of Block 1.02, Lot 2.17, Robert Fall, has been granted a Homestead Rebate in the amount of \$250.00; and

WHEREAS, Mr. Fall overlooked this credit on the adjusted bill and paid the incorrect amount of the 2018 2nd quarter due to this rebate on the property tax; and

WHEREAS, the State of New Jersey has deposited this rebate into the Borough's account; and

WHEREAS, this payment has created a tax overpayment on the 2nd quarterly taxes in the amount of \$250.00; and

WHEREAS, the owner, Robert Fall, has requested that this overpayment be refunded to him,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey that the finance officer is hereby authorized to refund the 2nd quarter overpayment in the amount of \$250.00 to Robert Fall.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY BRETZGER, RMC
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

**BOROUGH OF PEAPACK & GLADSTONE
SOMERSET COUNTY, NEW JERSEY**

RESOLUTION NO. 153-18

TITLE: RESOLUTION AUTHORIZING AGREEMENT BETWEEN BOROUGH OF PEAPACK & GLADSTONE AND BOROUGH OF PEAPACK & GLADSTONE POLICE PBA LOCAL NO. 139 FOR A FOUR-YEAR CONTRACT JANUARY 1, 2018 TO DECEMBER 31, 2021

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey that the Borough of Peapack & Gladstone is authorized to enter into an agreement with Borough of Peapack & Gladstone Police PBA Local No. 139 for a four (4) year contract beginning January 1, 2018 through December 31, 2021.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018

NANCY A. BREZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 154-18

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.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|------------|----------|---------------------|-----|-----|---------|--------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY
RESOLUTION NO. 155-18**

TITLED: TO AUTHORIZE EXECUTION OF A TAKEOVER AGREEMENT WITH FIRST INDEMNITY OF AMERICA INSURANCE COMPANY REGARDING THE PACESETTER DEVELOPMENT

WHEREAS, Developer, Pacesetter Custom Homes, Inc. applied for and received both preliminary and final site plan approvals for a major subdivision in the Borough of Peapack and Gladstone (hereinafter "Borough") of Lots 4 and 19, Block 1, also known as "Rockabye Valley", which approvals were memorialized in Resolutions of the Peapack and Gladstone Land Use Board dated October 19, 2011 (Preliminary) and January 2, 2013 (final) respectively; and

WHEREAS, in furtherance thereof, the Developer, Pacesetter Custom Homes, Inc. and the Borough of Peapack and Gladstone entered into a Developer's Agreement on or about March 26, 2013, which agreement obligated the Developer to perform various improvements in order to complete the development project; and

WHEREAS, as a requirement of the Developer's Agreement, the Developer was required to post certain performance guarantees, of which the Developer was required to post a cash portion of 10% and a surety or Performance Bond portion of 90%; and

WHEREAS, the Developer did post a 10 % cash portion of performance guarantee, and also did obtain and post a Performance Bond inuring to the benefit of the Borough; specifically, Bond Number S0014037 from First Indemnity of America Insurance Company of Parsippany, New Jersey ("First Indemnity"); and

WHEREAS, the Developer failed to timely perform the improvements it was obligated to perform in accordance with the Developer's Agreement and related documents and was therefore declared in Default of its obligations by Resolution of the Borough Council dated December 19, 2017; and

WHEREAS, upon the Declaration of Default, the Borough has been in negotiations with First Indemnity, for performance and completion of the Pacesetter development in accordance with the terms of the bond posted by First Indemnity; and

WHEREAS, in connection therewith, First Indemnity has prepared a Takeover Agreement, upon the execution of which the bonding company shall assume responsibility in taking over completion of the development project.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack and Gladstone that it hereby authorizes the Mayor to execute on behalf of the Borough

of Peapack and Gladstone the Takeover Agreement with First Indemnity of America Insurance Company, subject to attorney review and approval of said agreement.

| Introduced | Seconded | Borough Council | Aye | Nay | Abstain | Absent |
|-------------------|-----------------|------------------------|------------|------------|----------------|---------------|
| | | Gian-Paolo Caminiti | | | | |
| | | Mark Corigliano | | | | |
| | | Amy Dietrich | | | | |
| | | Donald Lemma | | | | |
| | | T. William Simpson | | | | |
| | | Royal Smith | | | | |

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON JULY 24, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR