

**MINUTES OF THE PEAPACK & GLADSTONE BOROUGH COUNCIL
JANUARY 12, 2016, COUNCIL CHAMBERS 7:30 PM
REGULAR MEETING**

The Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, convened in a regular session meeting on Tuesday, January 12, 2016, at 7:30 p.m., in Council chambers located in the Municipal Complex, located at 1 School Street, Peapack, New Jersey 07977.

NOTICE OF MEETING

The following statement was read by the Borough Clerk:

Adequate notice of this meeting of the Mayor and Borough Council of the Borough of Peapack & Gladstone was given to the Courier News, Newark Star Ledger and the Bernardsville News on December 10, 2015, was posted at the Municipal Complex, School Street, the Peapack Post Office, Main Street, Peapack & the Gladstone Post Office, Main Street, Gladstone, New Jersey on December 10, 2015, and was mailed on December 10, 2015, to all those people who have requested individual notice and paid the required fee.

FLAG SALUTE

Mayor William Muller led the salute to the flag.

ROLL CALL

On the call of the roll, the following were present:

William Muller, Mayor
Gian Paolo Caminiti
Mark Corigliano
Donald R. Lemma
T. William Simpson
Royal Smith
Anthony Suriano

Also present on the dais were Borough Clerk/Administrator Hector A. Herrera and Borough Attorney John Bruder.

MINUTES

Councilman Corigliano made a motion that the reading of the minutes be dispensed with, and the minutes of the regular meeting of December 22, 2015, stand approved, as amended, by the Borough Clerk, to the Mayor and Borough Council. Councilman Simpson seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye

Councilman Lemma	Abstain
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Councilman Corigliano made a motion that the reading of the minutes be dispensed with, and the minutes of the Executive Session of December 22, 2015, stand approved, as amended, by the Borough Clerk to the Mayor and Borough Council. Councilman Suriano seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Abstain
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

PUBLIC COMMENT FOR NON-AGENDA ITEMS

John Skinner, Pottersville Road, provided a report from the rescue squad to the Council.

PRESENTATIONS

Robert Walton, PJCP&L, provided a report to the Council regarding tree trimming, PSI Institute Degree Program, and the need to increase communications with the public.

PETITIONS AND COMMUNICATIONS:

None

REPORTS OF COMMITTEES / RESOLUTIONS

Mayor Muller revised the order of the agenda so as to move up the following matter.

LEGAL

RESOLUTION TO AUTHORIZE THE EXECUTION OF A DEVELOPER’S 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

Joshua Smith and Thomas Lynch, of KDC Solar, were present at the meeting. There was a discussion regarding the Developer’s Agreement with KDC. Council discussed whether the bond company is reliable. Mr. Bruder stated that the bond company needs only to be licensed in New Jersey.

Mr. Bruder stated he was satisfied with the requirement of KDC to notify the Borough of any changes to the bond. Mr. Bruder also stated he was satisfied with the financial requirements in the agreement. Joshua Smith stated that the amount of the bond was be determined by Borough Engineer Bill Ryden and Gladstone Design.

Council discussed potential contamination leeching into the soil under the solar panels. After discussion, Council was satisfied this was adequately addressed this in the agreement and decommissioning plan, including financial responsibility.

Councilman Suriano moved to adopt resolution #027-16. Councilman Caminiti seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #027-16 was adopted.

A copy of resolution #027-16 is appended to the official minutes.

Mayor Muller informed Council Mansion in May will not go forward in 2016 as there is renovation taking place at Natirar, which is taking longer than expected.

FINANCE

AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR SOMERSET HILLS MUNICIPAL ALLIANCE AND YOUTH SERVICES COMMISSION MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2016

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution #028-16. Councilman Smith seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #028-16 was adopted.

A copy of resolution #028-16 is appended to the official minutes.

AUTHORIZING BUDGET TRANSFERS FOR FISCAL YEAR 2015

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution #029-16. Councilman Smith seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #029-16 was adopted.

A copy of resolution #029-16 is appended to the official minutes.

SANITATION/SEWER

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

Councilman Smith reviewed this resolution.

Councilman Smith moved to adopt resolution #030-16. Councilman Lemma seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #030-16 was adopted.

A copy of resolution #030-16 is appended to the official minutes.

BOROUGH PROPERTY

A property use application was received from the Knights of Columbus for use of the gymnasium for the annual free throw contest. A request was also made for a fee waiver. The Council concurred with this fee waiver and use.

An application was received for the Miles for Matheny event for 2016. This application was tabled until such time as Property Chair, Councilman Simpson, discusses it with the Police Department.

Councilman Simpson led a discussion of 2015 property accomplishments and 2016 goals.

FIRE/INFORMATION SYSTEMS

Councilman Lemma read the roster of new officers for the department for 2016 into the record.

POLICE

Chief Skinner requested the appointment of Reverend Kent Walley of St. Luke's Episcopal Church as 3rd Police/Fire Chaplain. Council concurred.

Councilman Corigliano provided a brief update on the 12/31/15 police incident, and there was an inquiry as to whether the payment of overtime would be required. Council briefly discussed the need for a formal policy to notify the Mayor and Governing Body in the event of an emergency. The Police Committee will review the material and provide a recommendation on notification protocols during emergencies.

Council took a ten minute recess at 9:15 pm and the meeting resumed at 9:25 pm.

ROADS/TRANSPORTATION

No report

MISCELLANEOUS COUNCIL BUSINESS

Correction of Land Use Board Appointments (Mayor Muller)

Kingsley W. Hill, Class II – term expires 12-31-16

Mark Corigliano, Class III – term 12-31-16

Christopher Downing, Class IV – term to fill Lemma's unexpired term ending 12-31-18

Judith Silacci, Alternate # 1 – term to fill Saunders's unexpired term ending 12-31-16

Peter Sorge, Alternate # 2 – term expires 12-31-17

Lisa Saunders, Alternate #4 - term expires 12-31-17

Discussion Establishing a Communication Plan For All Residents (Smith) 10 MINUTES

There was a brief discussion regarding establishing a communication plan for all residents. Councilman Smith will move forward in researching this plan and report to Council.

Discussion of Hiring Tyler Russo as Public Works Laborer (Smith) 10 MINUTES

After a brief discussion, Council had a consensus to hire Tyler Russo as a laborer in the Department of Public Works.

RESOLUTION TO APPOINT TYLER RUSSO AS A BOROUGH DEPARTMENT OF PUBLIC WORKS LABORER IN THE AMOUNT OF \$34,670
Councilman Smith reviewed this resolution.

Councilman Smith moved to adopt resolution #031-16. Councilman Lemma seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #031-16 was adopted.

A copy of resolution #031-16 is appended to the official minutes.

Discussion began of the personnel performance evaluation policies. Councilman Smith will review the Borough Code to ensure that current evaluation procedures follow the guidelines in the Code. The Human Resources Committee will perform the evaluation for the Borough Clerk/Administrator.

A budget meeting to discuss salaries will be held on Monday, January 18th at 7 p.m..

A vehicle usage ordinance will be introduced at the January 26 Council meeting. In addition, there will be a resolution for a cash management plan on the agenda.

PUBLIC COMMENTS

OEM Coordinator Kingsley Hill asked about the monthly departmental reports. Mr. Herrera informed him monthly reports are provided at the second meeting of the month.

EXECUTIVE SESSION

RESOLUTION AUTHORIZING CLOSED SESSION TO DISCUSS CONTRACT NEGOTIATIONS

Councilman Smith moved to adopt resolution #032-16, which authorized a closed session to discuss contract negotiations. Councilman Caminiti seconded that motion.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye

Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

Resolution #032-16 was adopted.

A copy of resolution #032-16 is appended to the official minutes

Council convened in closed session at 10:10 p.m.

Council reconvened in open session at 10:35 p.m.

After discussion, Councilman Corigliano made a motion to employ the services of a police department staffing consultant. Councilman Smith seconded the motion. Council concurred.

On call of the roll, the following vote was cast:

Councilman Caminiti	Aye
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

AUDITING OF CLAIMS:

Councilman Corigliano motioned that the payment of Interim Claims be approved and that all vouchers submitted this date, as per voucher list, be paid after proper audit. Councilman Lemma seconded that motion.

ADJOURNMENT

On the motion of Councilman Suriano, second by Councilman Caminiti, the meeting adjourned at 10:37 p.m.

APPROVED:

HECTOR HERRERA
BOROUGH CLERK

WILLIAM MULLER
MAYOR

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 027-16

TO AUTHORIZE THE EXECUTION OF A DEVELOPER'S 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 installation of solar panels, and further providing for a decommissioning plan 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 Developer's Agreement, Decommissioning Plan 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 Developer's Agreement;

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 Developer's 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
	X	Gian Paolo Caminiti	X			
		Mark Corigliano	X			
		Donald Lemma	X			
		T. William Simpson	X			
		Royal Smith	X			
X		Anthony Suriano	X			

Adopted: January 12, 2016

BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 028-16

AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR SOMERSET HILLS MUNICIPAL ALLIANCE AND YOUTH SERVICES COMMISSION MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2016

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has established a Municipal Alliance Committee; and

WHEREAS, the Borough Council of the Borough of Peapack & Gladstone recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Borough Council of the Borough of Peapack and Gladstone does hereby authorize submission of a strategic plan for the SHMAYSC Municipal Alliance grant for fiscal year 2016 in the amount of :

DEDR	\$21,534.76
Cash Match	\$ 5,383.69
	<i>(Peapack & Gladstone Share, \$673.14)</i>
In-Kind	\$16,151.07

2. The Borough Council of the Borough of Peapack & Gladstone acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian Paolo Caminiti	X			
		Mark Corigliano	X			
		Donald Lemma	X			
		T. William Simpson	X			
	X	Royal Smith	X			
X		Anthony Suriano	X			

Adopted: January 12, 2016

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 029-16**

AUTHORIZING BUDGET TRANSFERS FOR FISCAL YEAR 2015

WHEREAS, there appears to be insufficient funds in the following account (exception the appropriation for Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the Prior 2015 Year:

General Engineering 5-01-20-165-425 O/E \$10,000.00

WHEREAS, there appears to be a surplus in the following accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund of Interest and Debt Redemption Charges) over and above the demand deemed to be necessary for the balance of the Prior 2015 Year:

Administration 5-01-20-100-220 O/E \$10,000.00

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be, and the same hereby transferred, to the account (excepting the appropriation for Contingent Expenses, Deferred Charges) mentioned as being insufficient, to meet the demands of the 2015 budget.

BE IT FURTHER RESOLVED that the Finance Officer be and is hereby authorized and directed to make the following transfers:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT:</u>
Administration O/E	General Engineering O/E	\$10,000.00

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian Paolo Caminiti	X			
		Mark Corigliano	X			
		Donald Lemma	X			
		T. William Simpson	X			
	X	Royal Smith	X			
X		Anthony Suriano	X			

Adopted: January 12, 2016

BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 030-16

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

WHEREAS, Block 20, Lot 1, 32 Apgar Avenue, is owned by the Borough of Peapack & Gladstone; and

WHEREAS, a sewer billing in the amount of \$132.50 for the 2015 4th 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 4th quarter sewer charges in the amount of \$132.50 are hereby cancelled against Block 20, Lot 1, Account #573-0 and the Tax Collector is relieved of the collection of same.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
X		Gian Paolo Caminiti	X			
		Mark Corigliano	X			
		Donald Lemma	X			
		T. William Simpson	X			
	X	Royal Smith	X			
		Anthony Suriano	X			

Adopted: January 12, 2016

BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 031-16

RESOLUTION TO APPOINT TYLER RUSSO AS A BOROUGH DEPARTMENT OF PUBLIC WORKS LABORER IN THE AMOUNT OF \$34,670

WHEREAS, the Borough Department of Public Works has expressed a need to replace a laborer who resigned December 18, 2015; and

WHEREAS, the Borough Property Committee has investigated this subject and concurs there exists a need for a laborer; and

WHEREAS, Tyler Russo was employed by the Borough as a laborer in the Department of Public Works from September 2012 until he resigned, in good standing, in December 2014; and

WHEREAS, Borough Administrator and Superintendent of Public Works recommend Tyler Russo be hired to fill the aforesaid position; and

WHEREAS the Borough Property Committee and Human Resources Committee Administrator concurs with that recommendation.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone that Tyler D. Russo is hereby appointed as a laborer in the Borough of Peapack & Gladstone Department of Public Works at a salary of \$34,670 per year, with an effective starting date of January 19, 2016.

BE IT FURTHER RESOLVED that in accordance with Borough Council Resolution 124-14, Mr. Russo will not be eligible for retiree health care benefits in accordance with Borough Council Resolution 041-06.

FUTHER RESOLVED that in accordance with Borough Ordinance 1017, Mr. Russo will not be eligible for longevity payments.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian Paolo Caminiti	X			
		Mark Corigliano	X			
	X	Donald Lemma	X			
		T. William Simpson	X			
X		Royal Smith	X			
		Anthony Suriano	X			

Adopted: January 12, 2016

BOROUGH OF PEAPACK AND GLADSTONE
RESOLUTION NO. 032-16

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:

- **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	X			
		Mark Corigliano	X			
	X	Donald Lemma	X			
		T. William Simpson	X			
X		Royal Smith	X			
		Anthony Suriano	X			

Adopted: January 12, 2016