

**MINUTES OF THE PEAPACK & GLADSTONE BOROUGH COUNCIL
FEBRUARY 23, 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, February 23, 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
Royal Smith
Anthony Suriano

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

T. William Simpson was absent.

MINUTES

Councilman Corigliano made a motion that the reading of the minutes be dispensed with, and the minutes of the budget meeting of January 18, 2016, 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	Aye

Councilman Simpson	Absent
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 Regular Meeting of February 9, 2016, 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	Aye
Councilman Simpson	Absent
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 February 9, 2016, 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	Aye
Councilman Simpson	Absent
Councilman Smith	Aye
Councilman Suriano	Aye

PUBLIC COMMENT FOR NON-AGENDA ITEMS

Dean Lurker, Lenape Trail, stated that he has been made aware of recent changes for Borough employees in regard to future health benefits and longevity pay.

Council responded that the Borough is complying with Best Practices Program set forth by the New Jersey Department of Community Affairs. Council informed Mr. Lurker this adherence to items in the checklist is beneficial to the Borough as the more items in which Council complies, the larger the amount of State aid the Borough receives.

Mr. Lurker also inquired about Administrator Herrera leaving the Borough’s employ. Mr. Herrera stated he was not leaving the Borough because he was unhappy with the working conditions.

Mr. Lurker asked Mr. Bruder about violating Rice requirements. Mr. Bruder stated there was no violation of Rice Notice requirements at the January 18, 2016, Borough Council meeting.

Tom Scanlon clarified the change in the longevity policy.

PRESENTATIONS

None

PETITIONS AND COMMUNICATIONS

Mayor Muller reported he received a thank you note from the Acting Chief of Police in Bedminster, for the Borough's assistance regarding Bedminster Chief Meyer's funeral, which was held in Peapack.

REPORTS OF BOROUGH OFFICERS:

CHIEF OF POLICE: January report has 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: January 2016 report has been filed with the Borough Clerk.

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

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

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

BOARD OF HEALTH: January report has been filed with the Borough Clerk.

LAND USE BOARD: September 16 and December 2, 2015 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: November 16, 2015 and January 18, 2016 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: December 2, 2015 has been filed with the Borough Clerk.

REPORTS OF COMMITTEES / RESOLUTIONS

FINANCE

The Borough's budget for 2016 will be introduced at the March 8th Council meeting.

SANITATION/SEWER

No report

BOROUGH PROPERTY

APPROVING THE USE OF OPEN SPACE TRUST FUNDS FOR FILAMENTACEOUS MAT ALGAE CONTROL IN THE POND AT LIBERTY PARK IN AN AMOUNT NOT TO EXCEED \$13,000

This resolution was tabled to the March 8 Council meeting.

Councilman Smith suggested that the Liberty Park Association and Borough Engineer Bill Ryden attend the next Council meeting.

FIRE/INFORMATION SYSTEMS

Councilman Lemma advised that James Heck is now the Chair of the IT committee.

Councilman Lemma will attend the next Fire Company meeting and review grant possibilities.

POLICE

Councilman Corigliano stated Richard Lynch, the consultant hired to study the efficiency of the police department, would like to contact labor attorney Arthur Thibault, Esq. Council was in consensus to renew Mr. Thibault's contract with the Borough for 2016. Council directed Mr. Bruder will speak to Mr. Lynch and address his questions.

ROADS /TRANSPORTATION

Councilman Caminiti reported the Roads Committee will discuss micro surfacing with Public Works Manager Rodney McCatharn.

LEGAL

A RESOLUTION GRANTING FINAL APPROVAL OF THE VILLA APPLICATION TO SELL DEVELOPMENT EASEMENT

Councilman Suriano recused himself from this discussion.

Councilman Corigliano reviewed this resolution.

Councilman Corigliano moved to adopt resolution #044-16. 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	Absent
Councilman Smith	Aye
Councilman Suriano	Abstain (due to conflict of interest)

Resolution # 044 -16 was adopted.

A copy of resolution # 044-16 is appended to the official minutes.

The Council discussed the status of the contract of sale. Mr. Bruder advised that he will continue to negotiate with Mr. Villa about one issue that is unresolved; the responsibility for costs if the agreement of sale cannot be closed.

MISCELLANEOUS COUNCIL BUSINESS

Mayor’s appointment, with the advice and consent of Council, of Louis Palma to the Municipal Alliance, term expiring December 31, 2016.

Mayor’s reappointment, with the advice and consent of Council, of Greg Morris to the Agricultural Advisory Committee, term expiring December 31, 2018.

The Mayor and Council accepted, with regret, a resignation from the Historic Preservation Commission from Ed Edelson.

Mayor's appointment, with the advice and consent of Council, of Sujin Beckerman to the Recreation Commission, term expiring December 31, 2016.

Mayor's appointment, with the advice and consent of Council, of Sama Habibi to the Recreation Commission, term expiring December 31, 2016.

Councilman Corigliano asked whether the Council would like to move forward with a snow removal ordinance. Council discussed the issues involved and the need to confer with Borough emergency services. No action was taken at this time.

Councilman Corigliano reported the IT Committee will review the idea of developing a Mayor and Council blog.

Councilman Corigliano stated that at the February 9, 2016, Council meeting, a Councilmember misspoke and made a statement that Council would not be enforcing a recently adopted ordinance regarding Borough vehicle use. Councilman Corigliano stated the Borough enforces all of its ordinances.

Councilman Smith advised that interviews are being conducted for the Clerk/Administrator position in the Borough and semi-final candidates have been identified.

Councilman Lemma reviewed his draft for an amendment of the vacation policy for Borough employees. Council directed Mr. Bruder to draft an ordinance to be introduced at the next future Council meeting.

Council had a brief discussion on the lack of recognition by the U.S. Postal Service of physical addresses of homes in the Peapack section of the Borough.

Councilman Lemma will review landlord registrations of rental properties with the Borough Clerk.

Council discussed looking into using an outside vendor to clean Borough trails and use the collected wood as the compensation. Mr. Bruder stated he will provide the necessary indemnification language before any contract is signed.

PUBLIC COMMENTS

Diane Close, Ridge Road, asked whether any Council members had attended the February 19, 2016, New Jersey Transportation meeting. No Council member had attended. Ms. Close stated that some residents will not approve of a snow removal ordinance. Ms. Close feels that a blog is a good idea to increase communication.

Pia Hamlin, Holland Avenue, thanked the Council for all of its efforts. She suggested the formation of a small business association and the Mayor asked her to contact him for further discussion. Ms. Hamlin asked about the Borough policy for removing snow from in front of businesses in the Borough.

Ron Hill, Old Chester Road, stated that there is a problem with overcrowding in rental units in the Borough.

Louis Palma, Valley View Avenue, shared that Bernards Township recently decided not to pursue a snow removal ordinance.

EXECUTIVE SESSION

Council convened in closed session at 9:30 p.m.
Council reconvened in open session at 10:56 p.m.

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 Caminiti seconded that motion.

ADJOURNMENT

On the motion of Councilman Suriano, second by Councilman Caminiti the meeting adjourned at 10:56 p.m.

APPROVED:

HECTOR HERRERA
BOROUGH CLERK

WILLIAM MULLER
MAYOR

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 044-16**

A RESOLUTION GRANTING FINAL APPROVAL OF THE VILLA APPLICATION TO SELL DEVELOPMENT EASEMENT

WHEREAS, the Borough of Peapack & Gladstone submitted a Planning Incentive Grant (PIG) Application to the State Agriculture Development Committee pursuant to the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 *et seq.*, the Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1 *et seq.*, and the regulations thereunder; and

WHEREAS, the application provided for the proposed acquisition of a Development Easement on property owned and / or contracted to be owned by Nicholas Villa and known as Block 26, Lots 16.08 and a portion of Lot 16.02; and

WHEREAS, the State Agriculture Development Committee certified the fair market value (CMV) of the aforementioned development easement pursuant to N.J.A.C. 2:76-7.14 at \$28,000 per acre (for an approximate total of \$720,160); and

WHEREAS, the landowner has accepted the Borough's offer of \$28,000 per acre for an approximate total of \$720,160; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 25.72± net eligible acres), subject to the actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements:

	Total	
SADC	\$432,096	(\$16,800 per acre)
Somerset County	\$ 144,032	(\$5,600 per acre)
Borough of Peapack Gladstone	\$ 144,032	(\$5,600 per acre)
Total Easement Purchase	\$ 720,160	(\$28,000 per acre)

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Peapack & Gladstone that it hereby gives final approval to the proposed acquisition of a development easement to be held by the County of Somerset on the Bluebird Farm, Block 26, Lots 16.08 and a portion of Lot 16.02 in the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, on approximately 28 acres pursuant to the County's Planning Incentive Grant application subject to the following:

1. The conveyance of a development easement which shall provide for the following:
 - a. One 1.5 acre non-severable exception area which contains one (1) existing single family residential unit;
 - b. One 1 acre non-severable exception area;

- c. Owner of premises shall be permitted to build one (1) additional single family residential unit of no more than 2,000 square feet of heated living space on one of the above-referenced exception areas.
- d. No dwelling units on premises as described in Schedule A of the Standard Deed of Easement;
- e. No non-agricultural uses;
- f. No Residual Dwelling Site Opportunities.

IT IS FURTHER RESOLVED that this resolution be sent to the Somerset County Agriculture Development Board, Somerset County Board of Chosen Freeholders and to the State Agriculture Development Committee for their final approval;

FINAL APPROVAL and ACCEPTANCE of this application is contingent upon the approval and acceptance of the County of Somerset and the State Agriculture Development Committee.

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

Adopted February 23, 2016

**BOROUGH OF PEAPACK & GLADSTONE
RESOLUTION NO. 045-16**

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
	X	Gian-Paolo Caminiti	X			
		Mark Corigliano	X			
		Donald Lemma	X			
		T. William Simpson				X
X		Royal Smith	X			
		Anthony Suriano	X			

Adopted: February 23, 2016