

**MINUTES OF THE PEAPACK & GLADSTONE BOROUGH COUNCIL  
MARCH 8, 2016, COUNCIL CHAMBERS 7 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, March 8, 2016, at 7 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 (arrived at 7:20 p.m.)  
Royal Smith  
Anthony Suriano

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

**EXECUTIVE SESSION**

On the motion of Councilman Suriano, second by Councilman Caminiti, Council moved into executive session.

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

Resolution # 048 -16 was adopted.

A copy of resolution # 048-16 is appended to the official minutes.

Council convened in closed session at 7:05 p.m.

Councilman Simpson arrived at 7:20 p.m.

Council reconvened in open session at 7:35 p.m.

**MINUTES**

Councilman Corigliano made a motion that the reading of the minutes be dispensed with, and the minutes of the Regular Meeting of February 23, 2016, stand approved, as amended by the Borough Clerk to the Mayor and Borough Council. 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	Abstain
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 Special Budget Meeting of February 20, 2016, stand approved, as amended, by the Borough Clerk to the Mayor and Borough Council. 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

Councilman Corigliano made a motion that the reading of the minutes be dispensed with, and the minutes of the Special Joint Meeting with the Land Use Board of February 24, 2016, stand approved, as amended, by the Borough Clerk to the Mayor and Borough Council. Councilman Smith seconded that motion.

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

Councilman Caminiti	Abstain
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Councilman Corigliano	Aye
Councilman Lemma	Aye
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 Special Meeting of February 25, 2016, stand approved, as amended, by the Borough Clerk to the Mayor and Borough Council. Councilman Smith seconded that motion.

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

Councilman Caminiti	Abstain
Councilman Corigliano	Aye
Councilman Lemma	Aye
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 February 23, 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	Abstain
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 24, 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	Abstain
Councilman Corigliano	Aye
Councilman Lemma	Aye
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 February 25, 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	Abstain
Councilman Corigliano	Aye
Councilman Lemma	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Councilman Suriano	Aye

**PUBLIC COMMENT FOR NON-AGENDA ITEMS**

None

**PRESENTATIONS**

A discussion was held regarding water-quality remediation for the pond in Liberty Park. Councilman Smith introduced Dr. Stephen Souza of Princeton Hydro. Also present were Garvin Walsh and Patrick Moffit, members of the Liberty Park Association, and Borough Engineer Bill Ryden.

Mr. Walsh lead the presentation and Patrick Moffit discussed issues with the dam. Dr. Souza discussed restoration of the pond and the drilling of a well versus restoration of the dam. The benefits of Phos Lock treatment were also discussed.

Councilman Smith asked Dr. Souza about the schedule for hydro raking. Dr. Souza stated he will work with Public Works Manager Rodney McCatharn to start the process by the end of this month. Dr. Souza suggested the Phos Lock treatment should go forward and the Borough consult a hydrogeologist. Council was in consensus to have Mr. Ryden lead the search for a hydrogeologist firm.

**PUBLIC DISCUSSION**

John Smith, Branch Road, stated that he feels it would be easy to repair the dam.

John Kappler, Holland Avenue, explained that he feels the dam should be repaired. He stated that drilling a well would be dangerous because of unintended damage resulting from drilling a well.

John Skinner, Pottersville Road, agreed that repairing the dam should be considered.

Kingsley Hill stated he feels the dam should be repaired and added that bales of barley straw had been used in the past to control algae in the pond.

Council concurred to direct Engineer Ryden to provide a scope of study and the proposed cost of repair to the well and dam.

Council authorized Dr. Souza to investigate the report from Black Lagoon to determine if Phos Lock would be appropriate.

Council concurred to have the Liberty Park Association begin discussions with landscape engineers and architects.

A short recess was taken and the meeting resumed at 9:50 p.m.

**PETITIONS AND COMMUNICATIONS**

None

**REPORTS OF COMMITTEES / RESOLUTIONS**

**FINANCE**

CALENDAR YEAR 2016

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Councilman Suriano reviewed this ordinance.

The Clerk stated the public hearing for this pending ordinance will be held March 22, 2016, at 7:30 p.m., in the Council Meeting Room of the Municipal Complex located at 1 School Street, Peapack, and will be advertised in the Courier News and posted on the official bulletin board in the Municipal Complex. Copies of this ordinance are available, free of charge, to members of the public.

Councilman Suriano moved to adopt resolution #049-16. Councilman Corigliano 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
Council President Suriano	Aye

Ordinance #1019 was introduced.

A copy of Resolution #049-16/Ordinance #1019 is appended to the official minutes.

**INTRODUCTION OF THE 2016 MUNICIPAL BUDGET**

Councilman Suriano reviewed this resolution. Council directed Mr. Herrera to include the following budget message in the official minutes:

Dear Fellow Resident:

The Borough Council recently completed the 2016 Municipal Budget after four months of review and deliberations in what would best be characterized as a comprehensive exercise of due diligence conducted by Mayor Muller, Members of Council, Borough Clerk/Administrator Hector Herrera and our CFO Mary Robinson. Collectively, we solicited the input from the various department heads who were present to justify their anticipated and respective needs in order to provide the most cost effective means to maintain, or in some instances improve upon, the services that are provided to our residents. Tim Vrabel, the Borough auditor, further examined the results of that exercise for purposes of accuracy and compliancy. The resultant budget will be subject to a public hearing scheduled on April 12, 2016.

By determined necessity, the municipal tax rate has increased from .536 in 2015 to .558 in 2016, which represents a 4.1% increase. The municipal taxpayer will realize a slight increase in property taxes that is directly related to the increased tax rate. There was also a 1.78% increase in the net property values municipal-wide, with the residential component experiencing the greatest increase of 2.57%. The average residential property value in 2015 was \$640,038.00, but with the increased reassessment, that same property today is valued at \$662,642.20. The municipal tax levy apportioned to each property is the product of the calculated tax rate, multiplied by the corresponding property reassessment, which in this example has increased from \$3,462.77 (\$646,039.00 multiplied by the 2015 tax rate of .536) to \$3,697.54 (the increased reassessment of the same property to \$662,642.20 multiplied by the new tax rate of .558). In short, the average property homeowner will realize a net increase of \$234.77 in the municipal portion of the 2016 assigned taxes.

The municipal 'in-cap' appropriations (anticipated expenditures) have increased only .19%, or \$8,723.46, relative to the prior year, which is notably below the statutory 3.5% spending cap that would have otherwise allowed for an increase in spending of \$159,580.80. I share this with you to demonstrate the council's resolve to be fiscally prudent, this notwithstanding the progressively increasing health care costs that went up 5.8% this year, and the awarded salary-incentive to our deserving staff in light of the flat Cost of Living Allowance as determined this year.

The municipal portion of the assigned property taxes represents the dollar liability or levy necessary to support municipally related appropriations or expenditures for that calendar year. The levy is the difference between the sum of all approved appropriations minus the sum of miscellaneous revenue anticipated to alleviate that tax burden. Our unadjusted tax levy is \$223,272.35 higher in 2016 than last year, but the statutorily accepted method to calculate the adjusted tax levy places that figure to a more modest \$53,660.30 over the permitted tax levy limit, which in this budget translates to 3.36% over the Tax Levy Cap. Fortunately, there were reserves available from prior year Cap Banks that provided the means to come into compliance with the 2% Tax Levy Cap mandate. Unfortunately, there will be no excesses in our tax levy calculation this year to reserve in our Levy Cap Bank for utilization in future budgets.

The council invested considerable time evaluating the implications of the budgetary decisions not only with respect to the current year tax levy calculations and resulting taxes to be realized by the property owners, but more importantly with the ramifications these hard decisions will have on subsequent budgets to come. We could have chosen more palliative methods to reduce the current year taxes such as utilizing more of the available fund balance to increase the anticipated revenue and thereby reciprocally reducing our tax levy, or appropriating less to our Capital Improvement Fund so as to reduce our total expenditures and tax liability, and/or further scrutinizing and constricting the submitted departmental budgets again with the intent to reduce the summative appropriations and tax levy; but for the reasons identified below, we collectively decided to adopt a more prescient approach rather than knowingly deferring the ostensibly innocuous and potentially unexpected adversities that could be realized in future budgets.

#### Fund Balance (FB):

There was a critical assessment of the Fund Balance (aka Surplus and hereinafter referred to as FB) as a relied upon revenue source to supplement the municipal budget. The FB reflects the monetary resources in a particular year's budget that are generated from the annual closing of operations when the overall revenues received were higher than anticipated, and expenditures were less than amounts appropriated. The council subscribes to an unwritten tenant that the utilization of the FB in any one budgetary year should be no more than can be regenerated in the subsequent year through operations. Utilization of the FB in excess of the amount that can be regenerated is fiscally detrimental, and prudence would mandate a review of this matter to correct this undesired occurrence if so manifested. The difference between the resources available in the FB and the amount utilized to supplement the budgetary needs is referred to as FB reserves. Ideally, it would be desirable to have adequate FB reserves for future periods when economic difficulties may arise. Although there currently exists a small FB reserve, there is a trend developing that would perilously suggest a gradual depreciation of said reserves, which could become critical in 2020 absent any corrective means to redress. If things remain unchanged and this trend were to continue, then our ability to offset our tax levy with an adequately funded FB would translate to diminishing revenues that could inversely and substantially increase our tax levy and resultant tax rate.

The council decided, after considerable deliberation, to utilize less FB this year to preserve that precious reserve for as long as possible. Admittedly, we could have utilized more of the available FB to reduce taxes this year, but it was considered irresponsible and imprudent to further compound the declining reserves for future budget utilization.

#### Revenue:

An essential component of the municipal budget is the revenue, which reflects the amount of anticipated money to be received as necessary to offset the anticipated expenditures for that given budget year. Statutorily, estimates of revenue cannot be above the amount collected from the previous year, and they should not be overestimated even though the prior year collection may be high due to unusual circumstances. For instance, this year we recorded the anticipated court and construction revenues at \$70,000.00 each, even though we actually collected \$89,250.00 and \$105,597.00 respectively from each department in 2015. More significantly, we estimated only \$100,000.00 in anticipated receipts from uncollected taxes, this notwithstanding that we actually collected \$130,305.11 in 2015. As you can see, we intentionally remained

conservative in our estimates recognizing that any realized excesses received in revenue will eventually be deposited in our FB, which again is a relied upon revenue source that will be utilized in future budgets.

It is important to note that in 2015 the municipality sold a property-asset known as the Komline House for \$500,000.00. The proceeds of which were recorded as revenue that was deposited in our FB. It was this transaction that significantly increased the available resources in the FB, and created a more desirable reserve balance that can provide greater latitude in future budgets when determining the amount of FB to be utilized as revenue to offset growing expenditures. If not for that transaction, then we would have depleted the FB reserves to the extent that it would then adversely limit the amount to be utilized as revenue, and this scenario would have likely translated to a more demanding tax levy with a significant increase in the tax rate.

The council discussed the mechanism available to increase revenue to include the prospect of encouraging or providing for more property development and improvements with the intent to increase rateables.

#### Capital Project Plan:

The council requested and received a three-year capital plan from the various Department Heads so that we can anticipate the resources and means necessary to accommodate those future requests. Formulas were devised to calculate the impact of these larger expenditures on our debt service and the impacts to our future budgets, so that we can determine the most appropriate and least adverse means to sustain our municipal services.

The council remains resilient in our shared philosophy to conservatively reduce our dependency on debt service to satisfy future capital needs; and in that vein, there was a consistent effort to commit a sizable dollar amount to our Capital Improvement Fund. This fund serves as reserve to cover multi-year expenditures of major capital projects with the intent to stabilize debt and to reduce borrowing costs. Instead of exercising an ad hoc approach to municipal budgeting, the council-members remained not only diligent to our current needs, we were also presciently mindful of the future needs and expectations.

#### Appropriations:

A detailed analysis of past budgetary appropriations was conducted with the intent to establish a proportional trend to estimate future appropriation demands as required to either sustain or improve the current level of services provided to our residents. Those figures were then incorporated into our projection models to ascertain the impact they would have on our FB, tax levy and the statutorily imposed caps (Appropriation and Levy). That same type of historical analysis and estimated projections were applied to our tax obligations with the regional school system, county and open space taxes. Although those specific obligations are without municipal control or influence, they are nonetheless factors when calculating our total tax levy and therefore need to be included in any future projections.

The Finance Committee cannot stress enough our need to continuously examine our appropriations and services with an eye towards making them more efficient and extracting further economies of scale. This concept has been exemplified through the creation of our shared



court arrangement, which has demonstrated improved profit margins without any sacrifice in service.

#### Rateables:

The council examined the variables that affect the total assessed property valuations within the borough, in addition to the newly recognized and assessed improvements, as determined by our municipal assessor Ed Kerwin. As you know, these assigned values have a direct and inverse relationship with the establishment of our applied tax rate for any given year, so it would stand to reason that constructive efforts to improve these values, such as through creative planning and zoning, could reduce the applied tax rate and resultant property taxes. It is generally accepted that a consistent 3% increase year-to-year in total property valuations would best mitigate the tax burdens as well as to provide for budget growth. Through the exercise of a financial trend analysis dating back to 2001, we determined that the average percentage change in property valuations was only 1.09%, interpretatively affected by the aberrant decline in values in 2008 and 2009, which were -8.51% and -9.41% respectively. The council considered the empirically improved climate in real estate and assigned a modest 1.5% increase in prognosticating future tax rates and its impact on the other variables contained in our budget with both current and future application. The exercise involved a series of Excel spreadsheets that were formatted to be integrated so that a suggested change in any of the involved variables in any given year would translate to the respective year-in-question and the subsequent years to follow.

In summary, the council remains cognizant to identify and cultivate new revenue sources, while exploring new approaches to minimize rising expenditures, such as the prospect of shared services, addressing the tide of rising health care, and adhering to a philosophy that will make us less dependent and obligated on assumed debt as a means to address our capital needs. As a result of forecasting the fiscal implications and assuming a less than myopic approach to formulating the 2016 budget, the council is demonstrating a proactive posture that will allow adaptive and constructive solutions to address the budgetary needs not only for this year, but in subsequent years as well.

The council discussed various ways to mitigate the adverse implications to our tax levy to include the possibility of providing more favorable means to increase a rateable base, to cultivate improved productivity, conservation and efficiency within the various municipal departments, and to investigate and address perceived zoning transgressions. The discussions were not easy, the expressed objectives were at first mutually incompatible, but that antinomy was abated after deliberating upon the equity and balance that would be obtained when forecasting future budgets, especially when accepting that these issues will inexorably influence the budgetary determinants. We are no longer going to kick the proverbial can down the road; instead, we confidently and willingly accept the fiscal and fiduciary responsibilities entrusted to us, and we will do what is just and proper rather than what is expedient and propitiatory.

The council invites you to participate in our budget hearing discussions scheduled for the 12th of April so that you can better appreciate the budgetary objectives as outlined above and to offer your comments and suggestions before the budget is adopted. We believe that this proposed budget not only demonstrates the best approach to maintain the current level of municipal

services provided to the residents with the least possible tax burden, but also establishes a meaningful template to remain fiscally responsible moving forward.

Respectfully,

Finance Committee  
Borough Council of Peapack & Gladstone

Mr. Herrera read the following:

The Clerk stated the budget synopsis will be published in the official Borough newspaper, *The Courier News*, on Thursday, March 24, 2016. A copy of the introduced 2016 Municipal Budget will be delivered to the Somerset County Library – Peapack & Gladstone Branch upon introduction as required by law. The public hearing and adoption for the budget will be held during the Borough Council meeting on April 12, 2016, at 7:30 pm in the Council Meeting Room of the Municipal Complex located at 1 School Street, Peapack, New Jersey. Copies of the introduced 2016 Municipal Budget are available to the general public at no charge in the Municipal Clerk’s Office.

Councilman Suriano moved to adopt resolution #050-16. Councilman Corigliano 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
Council President Suriano	Aye

Resolution #050-16 was adopted.

A copy of resolution #050-16 is appended to the official minutes.

AMENDING BOROUGH OF PEAPACK & GLADSTONE ORDINANCE NO. 1000 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION IN THE AMOUNT OF \$85,000 TO AN AMENDED AMOUNT OF \$34,000

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution # 051-16. Councilman Corigliano 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 # 051-16 was adopted.

A copy of resolution # 051-16 is appended to the official minutes.

AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY PROSECUTOR’S OFFICE DWI PATROL SAFE PASSAGE GRANT – SAINT PATRICK’S DAY – FOR A MAXIMUM AMOUNT OF \$400

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution # 052-16. Councilman Corigliano 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 # 052-16 was adopted.

A copy of resolution # 052-16 is appended to the official minutes.

**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

The use of the Open Space Trust Fund for algae control in the Liberty Park pond was discussed. The Open Space Advisory Committee did not approve this use. Council discussed applying this algae control now, even though there may be major renovations to the park shortly thereafter. This resolution was tabled to the March 22 Council meeting.

An application has been received from the Somerset Hills Little League for field use for softball. Council approved this application on the condition that the insurance certificate is received.

Bids for the renovation of the second floor of the Fire House are due on Wednesday, March 16<sup>th</sup>. The bid opening will take place at 10 a.m.

**FIRE/INFORMATION SYSTEMS**

The Fire Department would like acknowledgement of their efforts on the annual Easter Egg Hunt. The Gazette in the online version will be changed to note same.

**POLICE**

Discussion of Police Department overtime will be discussed at the March 22 Council meeting.

**ROADS /TRANSPORTATION**

No report

**LEGAL**

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT NOT TO EXCEED \$2,000

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution # 053-16. 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 # 053-16 was adopted.

A copy of resolution # 053-16 is appended to the official minutes.

**MISCELLANEOUS COUNCIL BUSINESS**

Mayor’s reappointment, with the advice and consent of Council, of Richard Imossi to the Shade Tree Commission, term expiring December 31, 2020.

Mayor’s appointment, with the advice and consent of Council, of Jamie Murphy to the Shade Tree Commission, term expiring December 31, 2019.

Council concurred with these appointments.

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH SOMERSET COUNTY FOR PRINTING SERVICES WITH FROM MARCH 8, 2016 TO DECEMBER 31, 2021

Councilman Lemma reviewed this resolution.

Councilman Lemma moved to adopt resolution # 054-16. Councilman Corigliano 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 # 054-16 was adopted.

A copy of resolution # 054-16 is appended to the official minutes.

AN ORDINANCE AMENDING CHAPTER IX ENTITLED "PERSONNEL POLICIES" APPENDIX ENTITLED "BOROUGH OF PEAPACK & GLADSTONE PERSONNEL POLICIES, PROCEDURES, AND REGULATIONS" ARTICLE VI ENTITLED "HOURS OF WORK, HOLIDAYS, VACATIONS, SICK LEAVE, HOSPITALIZATION INSURANCE AND OTHER BENEFITS" SECTION 3 ENTITLED "VACATION FOR FULL-TIME EMPLOYEES" SO AS TO THE VACATION POLICY FOR EMPLOYEES DURING THEIR FIRST YEAR OF EMPLOYMENT

This was tabled to the March 22 Council meeting.

AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BEDMINSTER AND THE BOROUGH OF PEAPACK AND GLADSTONE FOR SENIOR VAN TRANSPORTATION SERVICE (PLACED ON AGENDA BY ADMINISTRATOR)

Councilman Suriano reviewed this resolution.

Councilman Suriano moved to adopt resolution # 055-16. Councilman Corigliano 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 # 055-16 was adopted.

A copy of resolution # 055-16 is appended to the official minutes.

**PUBLIC COMMENTS**

John Skinner, Pottersville Road, asked whether the Borough had used a labor attorney in 2014, and if the Council sees a need for a labor attorney in 2016. Council informed him labor counsel

was not used in 2014 however, there would be a need in 2016 to work with the consultant hired to review the efficiency of the Borough Police Department.

The public session was closed.

**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.

**EXECUTIVE SESSION**

On the motion of Councilman Caminiti, second by Councilman Caminiti, Council moved into executive session.

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

Resolution # 056 -16 was adopted.

A copy of resolution # 026-16 is appended to the official minutes.

Council convened in closed session at 10:40 p.m.

Council reconvened in open session at 11:40 p.m.

A Special Council Meeting will be held on Friday, March 11, 2016 at 4 P.M.

**ADJOURNMENT**

On the motion of Councilman Smith, second by Councilman Lemma, the meeting adjourned at 11:41 p.m.

APPROVED:

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HECTOR HERRERA  
BOROUGH CLERK

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WILLIAM MULLER  
MAYOR

**BOROUGH OF PEAPACK AND GLADSTONE  
RESOLUTION NO. 048-16**

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:

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE**  
**ORDINANCE NO. 1019**

CALENDAR YEAR 2016

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Peapack & Gladstone in the County of Somerset finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations (\$4,599,451.54) amounting to \$159,580.80, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$159,580.80 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Peapack & Gladstone shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$159,580.80, and that the CY 2016 municipal budget for the Borough of Peapack & Gladstone be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: March 8, 2016

Adopted:



**BOROUGH OF PEAPACK & GLADSTONE  
RESOLUTION NO. 049-16**

RESOLVED that the annexed:

2016 COLA Ordinance

ORDINANCE is introduced and that the Clerk now reads publicly the title of the same as follows:

CALENDAR YEAR 2016 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing March 22, 2016, at 7:30 p.m. prevailing time on said day as the time and the Council Meeting Room at 1 School Street, Peapack NJ as the place for hearing and final action.

FURTHER RESOLVED that the Borough Clerk shall forthwith post on the bulletin board in the Borough Municipal Building at 1 School Street, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE  
RESOLUTION NO. 051-16**

AMENDING BOROUGH OF PEAPACK & GLADSTONE ORDINANCE NO. 1000 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION IN THE AMOUNT OF \$85,000 TO AN AMENDED AMOUNT OF \$34,000

WHEREAS, N.J.S.A.40A:4-53 provides for a municipality to adopt by ordinance special emergency appropriations for the engagement of special consultants for the preparation and re-examination of master plans when required to conform to the planning laws of the State of New Jersey; and

WHEREAS, the Borough Council of the Borough of Peapack & Gladstone originally estimated the re-examination of the Master Plan will cost \$85,000 and authorized a special emergency appropriation in the amount of \$85,000 through Borough of Peapack & Gladstone ordinance #1000 adopted May 27, 2014; and

WHEREAS, Borough Council of the Borough of Peapack & Gladstone now wishes to amend Borough of Peapack & Gladstone Ordinance #1000 so as to amend the authorization of a special emergency appropriation from \$85,000 to \$34,000.

NOW, THEREFORE, BE IT RESOLVED, that Borough of Peapack & Gladstone Ordinance #1000 that authorized a special emergency appropriation in the amount of \$85,000 for the purpose of carrying out the re-examination and revision of the Borough of Peapack and Gladstone Master Plan, as mandated by N.J.S.A. 40:55D-89, is hereby amended to the amount of \$34,000.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE  
RESOLUTION NO. 052-16**

AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY PROSECUTOR’S OFFICE DWI PATROL SAFE PASSAGE GRANT – SAINT PATRICK’S DAY – FOR A MAXIMUM AMOUNT OF \$400

WHEREAS, the Somerset County Prosecutor’s Office has made available funds for its Safe Passage Grant – Saint Patrick’s Day – providing Police Departments to conduct enhanced enforcement patrols on March 17, 2016, through March 18, 2016, looking for impaired driving violations between the hours of 6 p.m. and 2 a.m. for a total of 8 hours at \$50 per hour for a maximum amount of \$400.

WHEREAS, the Borough of Peapack & Gladstone Police Department wish to take advantage of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the submission of said grant application.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE**  
**RESOLUTION NO. 053-16**

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY FOR THE SERVICES OF LABOR COUNSEL AT THE RATE OF \$175 PER HOUR IN AN AMOUNT NOT TO EXCEED \$2,000

WHEREAS, the Borough of Peapack & Gladstone is in need of the services of a professional labor attorney to assist with legal advice relating to general employment law related issues which may include reviewing and revising existing documents and providing training on employment related; and

WHEREAS, the Borough Council recommends the appointment of the firm APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. OF LIBERTY CORNER, NEW JERSEY to provide the services listed above for the year 2015 at a rate of \$175 per hour; and

WHEREAS, such award shall be made as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C., has submitted a proposal indicating he will provide legal services to the municipality in accordance with the compensation described hereinabove; and

WHEREAS, APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C., completed and submitted a Business Entity Disclosure Certification which certifies that APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C., has not made any reportable contributions to a political or candidate committee in the name of William H. Horton, Gian-Paolo Caminiti, Mark Corigliano, Gerald J. Gunning, Donald Lemma, William Muller, T. William Simpson, Royal Smith and/or Anthony Suriano in the previous one year; and

WHEREAS, a certification affirming the availability of funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Director of Finance and is attached hereto and made a part hereof, indicating that the appropriation for the within expenditure is to be funded from the 2016 Budget Current Account; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires the resolution authorizing the award of contract for "Professional Services," without competitive bids and the contract itself, must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Peapack and Gladstone, County of Somerset and State of New Jersey that it hereby authorizes the Borough to enter into a contract with APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C., as described hereinabove.

BE IT FURTHER RESOLVED, that this Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A: 11-5(1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED, that a notice of this action shall be printed once in the Courier News.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE  
RESOLUTION NO. 054-16**

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH SOMERSET COUNTY FOR PRINTING SERVICES FROM MARCH 8, 2016 TO DECEMBER 31, 2021

WHEREAS, the County of Somerset is a leader in the concept of shared services as evidenced by a history of Inter-local Services Agreements; and

WHEREAS, the Borough of Peapack & Gladstone is desirous of entering into a shared service agreement with the County for the purposes of providing copy and print services; and

WHEREAS, the County will provide said copy and print services at its print shop facility to municipalities based on the attached fee schedule; and

WHEREAS, the agreement is authorized pursuant to the terms of N.J.S.A. 40A:65-1 et seq; and

WHEREAS, the Borough of Peapack & Gladstone wishes to enter into this Shared Service Agreement for Printing Services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, and State of New Jersey that we do hereby authorize execution of the attached agreement by the Mayor and Clerk to accept printing services with Somerset County from March 8, 2016 to December 31, 2021, as per the terms of the Agreement.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK & GLADSTONE  
RESOLUTION NO. 055-16**

AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BEDMINSTER AND THE BOROUGH OF PEAPACK AND GLADSTONE FOR SENIOR VAN TRANSPORTATION SERVICE

WHEREAS, the Borough of Peapack & Gladstone (“Borough”) and the Township of Bedminster (“Township”) entered into an interlocal agreement on June 23, 2015, for the Township to provide Senior Van Transportation Service to senior citizen residents of the Borough; and

WHEREAS, the Township of Bedminster and the Borough of Peapack & Gladstone wish to renew this agreement, a copy of which agreement is annexed to this resolution; and

WHEREAS, the shared services agreement has been reviewed and approved by both the Township of Bedminster and the Borough of Peapack & Gladstone.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Peapack and Gladstone in the County of Somerset and State of New Jersey, as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement to provide Senior Van Transportation Service to the Borough of Peapack and Gladstone. Said Agreement is annexed hereto as Exhibit A.
2. Upon execution of the Agreement by the Borough of Peapack & Gladstone, the Borough Clerk shall forward said agreement to the Township of Bedminster for execution by the Township Council.
3. This agreement shall expire December 31, 2016
4. The Borough of Peapack & Gladstone shall pay the Township of Bedminster a per diem rate for this service of \$15 per day per rider to be paid on July 1, 2016, and January 1, 2017.

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

Adopted: March 8, 2016

**BOROUGH OF PEAPACK AND GLADSTONE  
RESOLUTION NO. 056-16**

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:

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

Adopted: March 8, 2016