



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

Date: July 19, 2016: 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:

Mayor calls meeting to order

2. SUNSHINE NOTICE

Municipal Clerk reads the following statement: "Pursuant to the Open Public Meetings Act, Adequate notice of the July 19 and August 16, 2016 Meeting Dates were noticed to the Courier News, Star Ledger, and Bernardsville News on July 7, 2016, and posted at the Municipal Complex, Peapack Post Office, Peapack and Gladstone Post Office. Action may now be taken."

3. FLAG SALUTE: LED BY MAYOR OR PRESIDING OFFICER.

4. ROLL CALL:

Mayor asks the Borough Clerk Reads the Roll

Roll Call Vote									P=Present A=Absent				
Caminiti	A	Corigliano	P	Lemma	P	Simpson	P	Smith	P	Suriano	P	Mayor Muller	P

5. EXECUTIVE SESSION: NONE

6. READING AND APPROVAL OF MINUTES: - REGULAR JUNE 28, 2016

Mayor asks for a motion to dispense with the reading of the prior meeting(s) minutes

Mayor Muller asks for voice vote, then

Mayor asks if there are any corrections to the prior meeting minutes.

Councilman Suriano mentioned that Ordinance 2016-1025, due to the ordinance being tabled, needed to have the advertising section removed. The discussion for resolution 100-2016 should reflect that it was agreed that a Council representative needs to be present for any meeting with State officials and the Liberty Park Association.

Mayor asks to approve minutes (or corrected minutes)

Mayor Muller asks for a roll call vote

Motion to Dispense with reading of Prior meeting Minutes:			Corigliano				Second:			Lemma			
Roll Call Vote									Y=Yes; N=No; A=Abstain/Absent				
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Motion to Approve Minutes:			Lemma				Second:			Suriano			
Roll Call Vote									Y=Yes; N=No; A=Abstain/Absent				
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

7. 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

Next Council Meeting, August 16, 2016, 6:30 pm Executive Session; 7:30 Regular Meeting, Borough Hall



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None

8. PUBLIC HEARING ORDINANCES – SECOND READING IF ANY

A. Ordinance 2016-1024 - Mayor Asks the Clerk to read the Ordinance By Title

Amend Ordinance Chapter 15 Section 1.6 subsection b. Titled: Opening in Streets

Administrator explains the purpose of Ordinance

Purpose	<i>To preserve reconstructed and/or resurfaced Borough Streets reducing the chance of pavement failure.</i>
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Mayor Muller asks for a Motion to Open Public Hearing

Mayor asks for Roll Call Vote

Mayor opens the discussion to Council first, then the Public

Motion to Open Public Hearing	Corigliano	Second:	Lemma										
Roll Call Vote	Y=Yes; N=No; A=Abstain/Absent												
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Close Public Hearing

Motion to Close Public Hearing	Suriano	Second:	Lemma										
Roll Call Vote	Y=Yes; N=No; A=Abstain/Absent												
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Adopt Ordinance 2016-1024

Motion to Adopt Public Hearing	Suriano	Second:	Lemma										
Roll Call Vote	Y=Yes; N=No; A=Abstain/Absent												
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller states that Ordinance #2016-1024 shall be published by title only in the Bernardsville News and/or Courier News in accordance with the law.

B. Ordinance 2016-1026 - Mayor Asks the Clerk to read the Ordinance By Title

Ordinance Amending Chapter 7 Subsection 10 Stopping and Standing, Main Street

Councilman Caminiti or Borough Clerk explains the purpose of the Ordinance

Purpose	<i>To amend parking the Stopping and Standing ordinance to take into account the realignment of Main Street after the Somerset County reconstruction.</i>
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Mayor Muller asks for a Motion to Open Public Hearing

Mayor asks for Roll Call Vote

Mayor opens the discussion to Council first, then the Public

Motion to Open Public Hearing	Simpson	Second:	Suriano
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Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Councilman Suriano asked that the Administrator contact the County Engineer about the safety concern with bicyclist traveling northbound in the realigned area.

Mayor Muller asks for a Motion to Close Public Hearing

Mayor asks for Roll Call Vote

Motion to Close Public Hearing			Suriano				Second:			Smith			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Adopt Ordinance 2016-1026

Mayor asks for Roll Call Vote

Motion to Close Public Hearing			Smith				Second:			Corigliano			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller states that Ordinance #2016-1026 shall be published by title only in the Bernardsville News and/or Courier News in accordance with the law.

C. Ordinance 2016-1027 - Mayor Asks the Clerk to read the Ordinance By Title

Ordinance Amending Article III Chapter 2 Subsection 31.17 (h) Off-Duty Assignments of Police Officers

Councilman Corigliano or Borough Clerk explains the purpose of the Ordinance

Purpose	<i>To ensure proper compensation of officers, staff, and equipment use for off duty officers providing traffic control</i>
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Mayor Muller asks for a Motion to Open Public Hearing

Mayor asks for Roll Call Vote

Mayor opens the discussion to Council first then the Public

Motion to Open Public Hearing			Suriano				Second:			Smith			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Close Public Hearing

Mayor asks for Roll Call Vote

Motion to Close Public Hearing			Suriano				Second:			Lemma			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

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Mayor Muller asks for a Motion to Adopt Ordinance 2016-1027

Mayor asks for Roll Call Vote

Motion to Close Public Hearing	Corigliano				Second:				Smith				
Roll Call Vote								Y=Yes; N=No; A=Abstain/Absent					
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller states that Ordinance #2016-1027 shall be published by title only in the Bernardsville News and/or Courier News in accordance with the law.

D. Ordinance 2016-1028 - Mayor Asks the Clerk to read the Ordinance By Title

Ordinance providing for the Milling and Paving of a portion of Willow Avenue in and by the Borough of Peapack and Gladstone appropriating \$203,000 therefore, including a grant expected to be received in the amount of \$178,000 from the State of New Jersey Department of Transportation and \$25,000 from the Borough Capital Improvement Fund

Councilman Caminiti or Borough Clerk explains the purpose of the Ordinance

<i>Purpose</i>	<i>To fund the Willow Avenue Road project of which 178,000 is NJDOT Grant and \$25,000 Capital Improvement Fund</i>
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Mayor Muller asks for a Motion to Open Public Hearing

Mayor asks for Roll Call Vote

Mayor opens the discussion to Council first then the Public

Motion to Introduce	Suriano				Second:				Lemma				
Roll Call Vote								Y=Yes; N=No; A=Abstain/Absent					
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Close Public Hearing

Mayor asks for Roll Call Vote

Motion to Close Public Hearing	Suriano				Second:				Lemma				
Roll Call Vote								Y=Yes; N=No; A=Abstain/Absent					
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller asks for a Motion to Adopt Ordinance 2016-1028

Mayor asks for Roll Call Vote

Motion to Close Public Hearing	Smith				Second:				Corigliano				
Roll Call Vote								Y=Yes; N=No; A=Abstain/Absent					
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Mayor Muller states that Ordinance #2016-1028 shall be published by title only in the Bernardsville News and/or Courier News in accordance with the law.

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9. UNFINISHED BUSINESS;

- A.** Councilman Suriano Resolution 98-2016 Authorization to Issue competitive contracts (RFPs) for professionals and others.

10. MISC. DISCUSSION ITEMS

- A.** Liberty Park – Councilman Simpson & Councilman Smith
Garvin Walsh represented the Liberty Park Committee (LPC) at this meeting, and stated that it is the intention of the LPC and the Borough Council Property Committee to resolve issues in Liberty Park. The pond is algae covered, there are issues with the dam, and there is the question as to whether or not to dig a well to increase the water flow to the pond. The Borough Council previously granted permission to the LPC to communicate with the DEP in relation to these issues.

Mayor Muller would prefer to move forward with this issue rather than waiting to take action after further discussion at the August 16th Council. The Mayor asked for Council approval to send a letter, provided by the LPC concerning the dam, to Robert Martin, Commissioner of the DEP in Trenton. He would like to see a meeting take place with the DEP, attended by himself, Borough Engineer Bill Ryden and Garvin Walsh. Mr. Walsh was in agreement.

Councilman Simpson stated that this issue has been in the discussion phase since January 2015, and to this date there is no evidence that anything has been done to improve conditions in the Park; while Mr. Walsh noted that talks did not begin until June 2015. It was Mr. Simpson's impression that the LPC would make recommendations to the Council. Mr. Walsh reported that the LPC's intention is to have the Council recommend a landscape architect (from three submitted by the LPC) as well as a plan for the improvements Council would like to see in the Park. There was a consensus of the LPC and the Council that the railing, concrete steps, and drainage issues should be remediated.

Regarding the deterioration of the dam, Councilman Smith was in contact with the Division of Fish and Game, hoping for a reaction to the proposed modifications to the dam. Blockages have occurred due to the deterioration of the rock dam. Mr. Smith was stunned to be informed that the State is dismantling dams across New Jersey in order to reestablish fish migration back to the headwaters. Discussion ensued.

Councilman Smith advised that, per Bill Ryden, the Borough can apply for permits from the DEP to begin work on the well. Mr. Ryden had stated that the permit process as well as the work can be completed within six months.

The issue of landscaping was discussed, and Councilman Simpson remarked that the hypothetical designs to be provided by three landscape architecture firms would cost between \$300-800,000. This would represent half of the entire budget for the Property Committee; and Mr. Simpson stated that the park is not in such bad shape at this point. He would like to see a punch list created which would address the issues related to cleaning up the pond and making the park look better. A total of \$71,000 has been allocated by the Property Committee for this project in the park.

Council President Suriano questioned whether, if the Borough should send a letter to the DEP regarding the dam repair or replacement, the Borough could then be held responsible for funding all or part of the project. Would the Borough have an opportunity to choose not to go forward with the project? Attorney Bruder advised that it would be best to make that determination prior to sending a letter to the DEP, and



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he will research the issue. No letter will be sent until there is an answer to whether the Borough can be held responsible for the repairs.

In summary, the Council and the Liberty Park Committee agreed to start work on the well. The letter to the DEP will be on hold until Attorney Bruder reports to the Council at the August 16th Council meeting regarding the possibility of the Borough's responsibility to fund repairs to the dam.

B. Accept NJDOT Grant \$178,000.00 Willow Ave – discussion in retrospect of Transportation Trust Fund funding

Mayor asks for a Motion to Approve Resolutions: 107-2016

Mayor asks Clerk to do Roll Call

Motion to Approve Resolution: 107-2016			Corigliano				Second:				Smith			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent				
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller		

C. Labor Attorney Bill – Not to exceed

Agreed to add an additional \$1,000 to the authorizing PO to change “not to exceed” to \$3,000.

Mayor asks for a Motion to Approve Resolutions: 108-2016

Mayor asks Clerk to do Roll Call

Motion to Approve Resolution: 108-2016			Suriano				Second:				Corigliano			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent				
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller		

11. NEW ORDINANCES – IF ANY, (MLUL-2016-### DESIGNATES LAND USE ORDINANCE)

A. NONE

12. CONSENT AGENDA:

All matters listed under the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separately.

Mayor asks if Council would like to remove a Resolution for discussion.

Mayor asks for a Motion to Approve Resolutions: 109-113

Mayor asks Clerk to do Roll Call

RESOLUTION #	TITLE	PURPOSE
109-2016	Approval of field use	Ball field use by Mountaineer Travel Softball
110-2016	Authorize use of Liberty Park	MS Bike Tour September 17 at Liberty Park
111-2016	Authorize Mutual Aid Agreement	Request by Chester Twp FD to enter into a Mutual Aid agreement with P & G Fire
112-2016	Authorization to issue RFP's	Council Room Windows
113-2016	Accept DWI/DUI grant	Labor Day DWI enforcement grant for increased patrols

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Resolution 109-2016 pulled for a separate vote

Motion to Approve Resolutions: 110-113	Smith	Second:	Simpson										
Roll Call Vote			Y=Yes; N=No; A=Abstain/Absent										
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

Motion to Approve Resolution: 109-2016	Corigliano	Second:	Lemma										
Roll Call Vote			Y=Yes; N=No; A=Abstain/Absent										
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	A	Smith	Y	Suriano	Y	Mayor Muller	

13. COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: MONTHLY REPORT

Next Report August 16, 2016

<u>GOVERNING BODY MEMBER OR APPOINTED OFFICIAL</u>	<u>DEPARTMENT</u>
<u>Councilman Suriano/Corigliano</u> <i>BAN Note sale, Financial Advisor justification</i>	<u>Finance</u>
<u>Councilman Lemma/Smith</u> <i>Zoning issues discussed about Council Committee or Liaison, Committee was decided and Clerk to amend the Borough Code to create a Committee for Zoning and Code Enforcement.</i>	<u>Sanitation & Sewer</u>
<u>Councilman Simpson & Smith</u> <i>No additional report from Discussion item</i>	<u>Borough Property</u>
<u>Councilman Lemma/Caminiti</u> <i>No Report</i>	<u>Fire/Information Systems</u>
<u>Councilman Corigliano/Simpson</u> <i>Officer Damiano is back in the rotation and Corporal has been selected.</i>	<u>Police</u>
<u>Councilman Caminiti/Suriano</u> <i>Absent</i>	<u>Roads and Transportation</u>
<u>John Gregory</u> <i>Harassment training of all employees completed, CDL Drug and Alcohol Training complete, Bid opening for Mosle Road was on July 13th; bids ranged from \$209k-\$302k. Electronic Payment Program, Vacation from July 29-August 8,2016.</i>	<u>Administrator's Report:</u>
<u>Mayor Bill Muller</u> <i>Meeting with representative from the Governor's office regarding the new school funding formula. Signed letter of support.</i>	<u>Mayors Report</u>

14. WRITTEN COMMUNICATIONS: Listing of correspondence received.

- A.** Department Reports
- B.** Annual Audit (This will be on the agenda for the September 13th meeting for discussion and acceptance.)
- C.** Local Aid Shutdown Notice and Governor's Executive Order

15. PUBLIC COMMENTS: 3 MINUTE PER PERSON

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Doug Fagan spoke about the well drilling for the pond and the associated costs.
Ronald Hill spoke about the well pump and the associated costs.

16. NEW BUSINESS:

NJ Conservation Foundation

17. LEGAL ISSUES: ATTORNEY COMMENTS

Mentioned the appellate decision about the COAH GAP period, and how the Court reversed a lower court ruling regarding the number of affordable units municipalities were to provide. This decision gives the Borough a reduction of approximately 140 units.

18. BILL LIST:

Approval of Bills as signed and listed on the Bill Payment List. Clerk or Finance Chair reads the total amount of bills being paid. **Total Amount: \$240,251.24**

Mayor asks if any item needs to be pulled for discussion.

If not, Mayor asks for motion to approve Resolution 114-2016 payment of bills

Mayor asks for Roll Call Vote

Motion to Approve Resolution 114-2016		Corigliano				Second:				Suriano			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

19. ADJOURNMENT:

Mayor Muller or presiding officer asks if there is any further business.

Motion to Adjourn

Mayor asks for Roll Call Vote

Motion to Adjourn		Lemma				Second:				Smith			
Roll Call Vote										Y=Yes; N=No; A=Abstain/Absent			
Caminiti	A	Corigliano	Y	Lemma	Y	Simpson	Y	Smith	Y	Suriano	Y	Mayor Muller	

20. LOOKING AHEAD - NEXT MEETING AUGUST 16, 2016

A. Council Reports