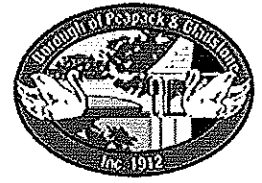




**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 24, 2017**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, October 24, 2017 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 7:32pm.

Mayor Muller called the meeting to order. Borough Clerk Nancy A. Bretzger read the Sunshine Notice "Pursuant to the Open Public Meetings Act, Adequate notice of 2017 Meeting Dates was published in the Courier News and Bernardsville News on December 22, 2016, and posted at the Municipal Complex and the Borough Library. Action may be taken."

Mayor Muller lead the Pledge of Allegiance.

Roll Call indicated the following present:

Present: Mayor Muller, Council President Suriano, Councilman Caminiti, Councilman Corigliano, Councilman Lemma, Councilman Simpson, Councilman Smith

Also present were: Mr. Randy Bahr, Acting Administrator, Mr. John Bruder, Esq., Borough Attorney and Nancy A. Bretzger, Borough Clerk

Land Use Board took Roll Call

JOINT MEETING WITH THE LAND USE BOARD IN REGARDS TO THE PUBLIC FORUM FOR SETTLEMENT AGREEMENT WITH MATHENY SCHOOL AND HOSPITAL, INC.

Mayor Muller asked for a motion and second to open the Public Forum on the Settlement Agreement with Matheny School and Hospital, Inc. Council President Suriano motioned to open the Public Forum and Councilman Caminiti seconded. Said motion was unanimously passed.

The Land Use Board opened the public forum.

Council President Suriano explained the Public Forum and stated that tonight the Mayor and Borough Council along with the Land Use Board will conduct a public forum to provide opportunity for the residents of Peapack & Gladstone to be heard with respect to the proposed Settlement Agreement with the Matheny School and Hospital.

Assuming full execution of the subject Settlement Agreement, Matheny shall dismiss with prejudice their filed action of discrimination now pending in the Federal District Court, which currently is the only remaining related litigation involving this matter.

It is important to note that the subject Settlement Agreement has not been officially executed in that it does not have the required signatures of both Mayor Muller and the designated representative of the Land Use Board.

The authorization to sign the Agreement will be contingent upon the approval from each respective board at the conclusion of this public forum, which is designed and intended to vindicate the following



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provisions: Public interest and notice; solicitation of public input as it may impact upon the final disposition of the Settlement Agreement; Public vote by both the Governing Body and Land Use Board after considering the expressed views and comments from the public; and written resolution reflecting the official action of each Board.

The Governing Body at its regularly scheduled council meeting of October 10, 2017, adopted resolution 168-2017, entitled AUTHORIZATION TO PROVIDE A PUBLIC FORUM REGARDING THE SETTLEMENT AGREEMENT WITH THE MATHENY SCHOOL AND HOSPITAL, INC., wherein the objective was to provide adequate notice and opportunity for the public to review the contents of the Settlement Agreement in anticipation of this public forum. The underlying goal was to assure that there is no disservice to the public interest in this matter and that the public has not been disenfranchised from this settlement process.

On behalf of the Governing Body and the Land Use Board, we will hear now from the public with respect to only the Settlement Agreement, for any formal discourse or deliberations involving the related Ordinance shall be deferred until the respective public hearing date scheduled for November 21, 2017.

Mayor Muller asked if anyone from the Public had any questions or comments regarding the Settlement Agreement.

Mayor Muller seeing no one commenting asked for a motion and second to close the Public Forum on the Settlement Agreement with Matheny School and Hospital, Inc. Council President Suriano motioned to Close the Public Forum and Councilman Corigliano seconded. Said motion was unanimously passed.

The Land Use Board also closed the Public Forum of their meeting.

Resolution No. 169-2017 Authorization to Execute the Settlement Agreement with Matheny School and Hospital, Inc. was read. Motion was made by Councilman Caminiti, seconded by Councilman Smith. Said motion was carried unanimously.

The Land Use Board also passed a resolution at this time Authorizing the Vice Chairwoman, Susan Rubright of the Land Use Board to Execute the Settlement Agreement with Matheny School and Hospital, Inc. The said resolution was passed unanimously.

The Mayor and the Vice Chairwoman of the Land Use Board signed the Settlement Agreement.

PUBLIC COMMENTS – 5 MINUTES PER PERSON – NON-AGENDA ITEMS

Amy Dietrich, 12 Pheasant Run – Mrs. Dietrich stated that she is from the Historic Preservation Committee which is working on the preservation of the Lime Kiln which is being funded by the County. The County has requested a sign that says this project is being funded by the County. She explained that they have applied for the sign permit with the zoning office. She is asking if the \$50.00 permit fee can be waived since this is a non-profit committee. Councilman Corigliano stated that he does not think that this should be a problem. The Council concurred.



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Resolution No. 181-2017 AUTHORIZATION TO WAIVE PERMIT FEE FOR SIGN INSTALLATION FOR HISTORIC PRESERVATION COMMITTEE Authorization to Waive Permit Fee for Sign Installation by the Historic Preservation Committee was dictated. Motion was made by Councilman Corigliano, seconded by Councilman Lemma. Said motion was carried unanimously.

Mayor Muller introduced Freeholder Peter Palmer who was present in the audience. He explained that Mr. Palmer will be retiring from the Freeholders Board at the end of this year. Mr. Palmer stated that when he decided to retire he said that he was going to visit every municipality in the County before the end of the year. He wanted to thank the Mayor and Council and the residents of Peapack & Gladstone for their confidence by voting for him.

Mayor Muller stated that he feels that Somerset is a very well-run County. The Freeholders do an excellent job of running the County. He thanked Mr. Palmer for his service and wished him well in his future endeavors'.

ORDINANCES

Council President Suriano moved to open the Public Hearing for **Ordinance 2017-1046** – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Councilman Smith. Said motion was carried unanimously.

Council President Suriano stated that there was an ordinance years ago for the Liberty Park Pond. In order to broaden the usage of the monies assigned they changed the title to Liberty Park. It can still include improvements to the pond.

Seeing no one coming forward. Mayor Muller asked for a motion and second to close the public hearing.

Council President Suriano moved to close the Public Hearing for Ordinance 2017-1046 – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Councilman Corigliano. Said motion was carried unanimously.

Council President Suriano moved to Adopt Ordinance 2017-1046 – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Councilman Caminiti. Said motion was carried unanimously.

Councilman Caminiti moved to open the Public Hearing for **Ordinance 2017-1048** – Ordinance Amending Chapter XI Building and Housing Adding Sub-Chapter VI Property Maintenance, seconded by Council President Suriano. Said motion was carried unanimously.

Councilman Lemma explained that approximately 18 months ago that the first draft of this ordinance was written. The intent of this ordinance is for the Borough to be able to take care of properties that the homeowners are not taking care of that can cause a safety problem as well as an unhealthy situation. He said since the first draft of the ordinance was introduced there have been four rewrites of the ordinance with this being the most recent.



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He explained that this ordinance would be to help correct certain situations within the Borough.

Lynn Muller – 24A Pottersville Road, Gladstone – Mrs. Muller stated that she supports a minimum standard which this ordinance has. She stated a situation on Pottersville Road that the property has deteriorated and that, the owner does not live there. The owners let the grass grow long, there have been blue tarps on the roof, a window is missing. She said that the property owner only seems to mow the lawn when he sees an ordinance on property maintenance is being discussed. The homeowner is doing nothing because he doesn't have to.

Councilman Simpson stated that some of the residents say there are too many ordinances on the book already. Ordinances should only be there for a problem. He is not happy with the means to enforce this ordinance.

Gloria Gonzalez - 36 Pottersville Road, Gladstone – Mrs. Gonzalez stated that she lives next door to the property that Mrs. Muller described. She has lived in this house for 27 years. She said that she has had to deal with this neighbor when they purchased the house several years after she moved in. She stated that he lived in the house for several years before he moved out and just walked away from the property. He neglects the property unless he knows there is a property maintenance ordinance being introduced. She said that she has called the Somerset County Health Department and they said that there is nothing that they can do. She installed a fence so that we do not have to look at this property. We changed the layout of our home so that we do not have to see the property when we look out the window from our bedroom or living room. She stated that she brought pictures of what he did cut which was not the whole front yard and he did not cut the backyard. She sees animals all the time climbing in the window that does not have glass or screen on it. She stated that the ordinance is not just for her, but for everyone who can end up with a neighbor like this one. She submitted pictures of the home to show the condition of the house that she lives next to.

Councilman Simpson asked if she has ever brought this issue up before. Mrs. Gonzalez said that she has spoken to several people.

John Skinner – 20 Pottersville Road Mr. Skinner stated that he appreciates the length of time that it has taken to get to this point with the ordinance. He asked questions regarding the International Property Code and interpretation. He also asked if there was any input from the Land Use Board on this ordinance. It was stated that this ordinance does not need to go before the Land Use Board that this is a Governing Body decision.

He asked if the enforcement official would be the zoning officer.

Councilman Simpson stated that yes and if the zoning is already behind in their work, this ordinance will not be enforced fairly. Councilman Lemma explained that the backlog was due to an employee that was injured (not on the job) and the zoning officer resigning. He stated that the Borough now has an agreement with a Zoning contractor to do the work and the employee has returned from his disability.

Councilman Lemma also represented that the municipal court has reviewed the enforcement provisions contained in the ordinance and has found them to be appropriate.



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Mr. Sweeny asked about the crumbling wall on Pottersville Road and who would be responsible for that wall?

Councilman Lemma stated that there was a warning given and the homeowner has 30 days to correct or abate. It is at the discretion of the enforcement official as to whether they can work with the homeowner in correcting the situation.

Ken Tiger – 16 St. Johns Drive – Mr. Tiger stated that this doesn't really affect people in all zones within the Borough. He said that he has 4.5 acres, he takes care of his property. He said that he is concerned about the wood that he cuts.

Councilman Lemma stated that the ordinance does not mention the trees and wood.

James Heck – 6 Pheasant Run His biggest concern is section 6.8 and the definitions of rubbish and debris.

Noelle Berg – 6 Cedar Place – Ms. Berg asked if the other towns have a similar ordinance is similar to this town. Councilman Lemma stated that they had looked at several towns with similar ordinances and this is modeled after Madison. She also stated that she has had discussions with Mrs. Gonzalez regarding this issue and she brought the subject to Mayor Horton regarding the frustration that there is nothing that can be done about this.

John Sweeney – 14 Farm Cottage Road –Mr. Sweeney asked if a compost pile would constitute rubbish. He stated that his view of this ordinance as an attorney is the most scaled back version he has ever seen and recommended that they go forward with it.

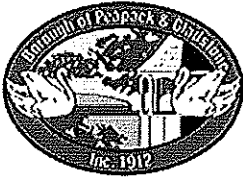
Councilman Smith stated that he wants the person that will be enforcing this ordinance to be trained and professional.

Councilman Simpson stated that he feels in section 6.8(c) is a vague definition of excessive. He feels that since it is vague that there are many properties that it can be applied to. He fears that it is too subjective. He feels that blight is a really strong word.

John Kappler - 25 Holland Ave. – Mr. Keppler asked what the definition of "rubbish" as referenced in the ordinance. He stated that he has yard clippings and debris on his property and wondered whether that would trigger a violation.

Mr. Bruder, Borough Attorney explained the procedure for a violation. He stated that the Zoning Official will issue a notice of violation, if the homeowner has taken care of the problem in timely manner, there will be fine or further action. If the homeowner does not take care of the issue and does not work with the Zoning Official, a summons will be issued and they will need to go to court.

Councilman Corigliano related that a resident called him a few years back regarding a waste pile at the edge of is adjoining neighbors property. This issue was referred to the Board of Health who determined it to be an issue and instructed the owner to have it removed.



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Mark Milan - 55 Mendham Rd - Mr. Milan stated that he thinks there needs to be a sensible approach to public safety he does not see this as a sensible approach. He sees obvious good fortune for the Borough with the fines. He stated that he does not understand where this ordinance is coming from. Mr. Milan stated that there is no respect for private property with this ordinance. He is concerned if someone is working on their home and something comes up that stops them from finishing right away due to an illness or some other financial loss, that a strict and indifferent application of the ordinance could compelled the homeowner to timely complete the unfinished project. He stated that he takes offense to this ordinance.

Peggy McFarland - 50 Mendham Road – Mrs. McFarland stated that she believes language matters. She feels the word unsightly should be left out of the ordinance. She also stated that the word overgrowth is not mentioned anywhere in the ordinance. She also mentioned that occupancy is not addressed anywhere in the ordinance.

Mr. Bruder, Borough Attorney explained the steps again for enforcement.

Councilman Smith said that what he sees as the biggest weakness in this ordinance is the code inspector. He feels that there should be a way for the homeowner to address their case to a board locally before they are issued a summons and have to appear in municipal court.

John Sweeney - 14 Farm Cottage Road – Mr. Sweeney asked when does the violation begin, is it the time that the Court hears it or from the date of warning? Mr. Bruder answered that a violation would be issued the 31st day after the homeowner has received first notice; this assuming that there has been no attempt by the homeowner to made arrangements with the zoning office with respect to remediation.

Councilman Simpson asked Mr. Sweeney as an attorney do you feel that there should be another level of summons review? Do you think it is a feasible way of doing of enforcing this? Mr. Sweeney stated that he would refer to the Police Department reviews summons and that the Police Chief does not review all the summons that are issued by his department.

Councilman Smith said that to him it is just another set of eyes before it goes to Court.

Randy Bahr, Acting Administrator said that the Administrator is generally aware when a summons is issued.

Steve Kinsey – 8 Mosle Road – Mr. Kinsey stated that his desire is to reduce any reference to the beauty of a property. He would like to see the word appearance be removed and remove any reference to cosmetic appearance.

Carol Lane – 1 Hillyard Lane – Mrs. Lane said that she would like to thank the Council for taking on such a challenging topic. She feels that the reference to appearance should be kept in the ordinance. Mrs. Lane said you have to have trust in the people who enforces such laws.

Chris Downing – 99 Main Street – Mr. Downing stated that he echo's everything Mr. Milan said. He said that this is a town where we are neighbors. There could be health or financial issues at the homes that have been referenced tonight. This ordinance could very well apply to well over 100 properties and



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health or financial issues could be the case at all of the homes you are referencing. He said that line that states 'Shall be maintained for purposes of appearance' should be removed. He stated that his property has very old structures that are well over a hundred years old. Can I be violated for these items? Can I keep the integrity of the history of the home? He says he has a feeling of obligation to maintain my property. He said that he has non-conforming pre-existing structures because of the age of the structures and so do many other homeowners and now if they are sited with a violation they will need a variance to do any type of construction on their property and increasing their cost to do so. He feels that the 30 days is not enough time for anyone to decide what needs to be done. You are not giving them time to decide what needs to be done.

Mr. Downing said that if the rental properties are the recognized offenders, then enhance the rental compliance ordinance. He also stated that a lot of people are under a lot of financial distress. They don't need to be bothered with this ordinance. He stated that you should give courtesy violation with a reasonable time frame to complete the work. This is not a town that is about to become slums. He suggested that perhaps bad neighbors could be addressed differently.

Councilman Caminiti said that the Borough Council is very sensitive to the public's concerns but that this is not a witch hunt. This is about the health and safety concern of the residents. There are properties that are unsafe and we need an ordinance to address them.

Mayor Muller asked what does he think that appropriate timeframe is and who makes that decision? Mr. Downing said that it will depend on the circumstances. The language is so overreaching.

Councilman Simpson said that he feels this ordinance is biased, because the only homes that will be addressed is the ones that are on the street that the zoning officer can see. What about the properties that you would have to drive up the driveway to see? It was answered that most of the complaints will be from the residents so if the zoning officer receives a call he will check it out.

Council President Suriano stated that the intent of the ordinance was to address the more egregious transgressions such as an abandoned hole in the ground. He feels that this ordinance will work on the safety and attractive nuisances and not focus on the relative appearance of the property. He then asked whether anyone thought if an esthetic improvement could be realized by addressing only the safety and/or attractive nuisances?

Mr. Downey stated that he sees the need for some of these items to be addressed, but you need to let the people make their own decisions regarding their property.

Mayor Muller stated that Mr. Downing or Mr. Milan's home will not be the subject of this ordinance because they are working on their homes.

Tom Dill – 10 Pfizer Drive – He stated that there are some properties that he sees and he would like to put blinders on. He feels that the town has an obligation to make sure that this is taken care of, it is definitely a need.



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John Skinner – 20 Pottersville Road – Mr. Skinner said to just deal with the hole in the ground. He said that the ordinance should only deal with abandoned and rental properties. He said to hold business owners and landlords to a different standard.

Mayor Muller said that it does not matter if you are a landlord or private home owner, they should all be evaluated by the same standards.

Mr. Milan – 55 Mendham Road – Mr. Milan stated that he does appreciate the people's efforts here. He thinks that in some cases addressing a public safety or nuisance is necessary, but that will not always address an improvement in appearance.

He feels that there are sensible people that live in this town. He stated that he feels some of the language used in the ordinance and the way it is approached is not the original intent of what the Council is trying to create. He thinks the Council should take another stab at it.

Councilman Caminiti moved to close the Public Hearing for Ordinance 2017-1048 – Ordinance Amending Chapter XI Building and Housing Adding Sub-Chapter VI Property Maintenance, seconded by Councilman Corigliano. Said motion was carried unanimously.

At 10:05pm the Council stated that they would take a 5-minute recess.

The meeting reconvened at 10:10pm.

Mayor Muller provided opportunity for Council to conduct their final deliberations on the subject Ordinance.

Councilman Smith stated that he is with the ordinance all the way up to the enforcement. He said that he would like to adopt the ordinance but would like to consider the adoption of a resolution for administrative restraint with respect to the enforcement of the provisions contained in the ordinance, which should be deferred until such time they have a trained employee for enforcement.

Mr. Bruder, Borough Attorney stated that it would create a problem if it does get to the municipal court level. There would be procedural problems.

Councilman Corigliano stated that the Council is making assumptions as to how to issue a policy.

Councilman Smith stated that he would be amendable to having the zoning officer tell the Administrator before he issued a summons.

Councilman Lemma stated that the enforcement officer would be from the zoning company that we are contracting with at this time. It will be up to the Council to make sure that whoever is hired is well trained in this area.

Councilman Smith asked how do we put this into the ordinance to make the public comfortable.

Councilman Caminiti was concerned with delays in adopting the subject ordinance, which could create a liability for the municipality if recognized safety issues remain uncorrected.



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Mr. Bruder stated that the Prosecutor and Court took the appeal process out of the last draft.

Councilman Corigliano indicated that the zoning inspector carries a ticket book just like a police officer. He is very well trained to do this.

Councilman Simpson said that he thought this ordinance was just going to be a safety issue. He feels that Section 6 (c) needs to be removed completely from the ordinance. He wanted to know who will have the right to tell a zoning officer to visit a property.

Councilman Lemma stated that the zoning officer will have some judgment as to whether a property is a problem at the time.

Councilman Simpson said that he would like to see an abandoned property clause in the ordinance.

Councilman Lemma agrees that the wording could be inconsistent and he can be persuaded either way. He would move forward with the adoption of the ordinance and see how the Council votes. Councilman Simpson says he would like to get rid of the negatives in the ordinance. Councilman Smith would like to do the ordinance with administrative restraints. Councilman Simpson said that he would like to put the adoption on hold and wait to have the zoning officer attend a meeting.

Councilman Lemma stated that a summons would only be given if there is willful disregard to the warning that they are issued. Councilman Lemma said that he would move forward with the vote tonight and invite the Zoning Officer to the next meeting to get his view and how he would be handling this ordinance.

Councilman Simpson said to wait on the vote until they hear from the Zoning Officer.

Councilman Caminiti asked the Borough Attorney what the Borough's liability is by holding off on this Ordinance. Mr. Bruder said that the Borough could be held liable. Councilman Caminiti stated that he has concerns on safety issues vs. aesthetics concerns.

Council President Suriano stated that he feels adopting this ordinance with a provision that we then advance a resolution mandating "administrative restraint" with respect to the enforcement powers as contained in the ordinance would be convoluted. He said that the ordinance either stands on its own or we hold off on the vote until we hear from the Zoning Officer. He then referred back to the pictures submitted by Mrs. Gonzalez and pointed out that any considered deletion of the esthetic provisions within the subject ordinance would leave the municipality powerless to offer proper redress in that regard. He felt that properties that were neglected, as in this case, could adversely and unfairly affect the surrounding property values.

Councilman Lemma says that he can make more changes to some of the esthetics concerns, but is concerned about language that will encompass Mrs. Gonzalez's problem of her neighbor.

Councilman Simpson stated that if there is a vote he feels that they are violating the rights of the residents with regard to the 4th amendment. He said that he does not feel this is the right thing at this moment. Councilman Lemma stated that Councilman Simpson thinks this ordinance was done behind closed doors and the residents did not have a say in it.



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Council President Suriano said that he does not believe that this was done behind the close doors. This is the third presentation of this ordinance; the ordinance was tabled two times before and reworked after hearing from the residents.

The Council decided to take a vote to adopt the ordinance at this time.

Councilman Lemma moved to Adopt Ordinance 2017-1048 – Ordinance Amending Chapter XI Building and Housing Adding Sub-Chapter VI Property Maintenance, seconded by Councilman Corigliano. Said motion was passed with a vote of 5-1 with Councilman Caminiti voting 'Yes with reservations' and Councilman Simpson voted 'NO'.

Council President Suriano introduced Ordinance 2017-1049 – An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees. Council President Suriano moved to pass the Ordinance at first reading, seconded by Councilman Caminiti. Said motion was carried unanimously. Mayor Muller stated that Ordinance 2017-1049 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on November 21, 2017 at 7:30pm or shortly thereafter.

OLD BUSINESS

Councilman Smith stated that the Environmental Commission and several volunteers planted 350 native trees and shrubs in Rockabye Meadow Park. The plants were donated by the Raritan Headwaters Association. Councilman Smith thanked the Environmental Commission and Raritan Headwaters Association for the planting of the trees. He also thanked the DPW for their help with this project.

NEW BUSINESS

Resolution No. 170-2017 Authorizing the Execution of a Shared Services Agreement between Bernard's Township Health Department and the Borough of Peapack & Gladstone for Public Health Services was read. Motion was made by Council President Suriano, seconded by Councilman Simpson. Said motion was carried unanimously.

Resolution No 172-2017 Authorization of Employee Health Benefits Waiver was read.

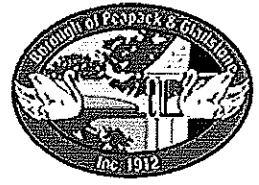
Acting Administrator Randy Bahr explained the reason behind this resolution. If an employee does not take Health Benefits through the Borough because they have health benefits with someone else they would receive a waiver payment. He said that the state says to take the lowest cost of the plans, he has taken an average of the highest and lowest and came with an amount in the middle and is fair to the employee as well as the Borough.

Motion was made by Councilman Smith, seconded by Councilman Caminiti. Said motion was carried unanimously.

Resolution No 173-2017 Appointing Christopher Tietjen as Assistant Administrator for the Borough of Peapack & Gladstone was read. Motion was made by Councilman Smith, seconded by Councilman Simpson. Said motion was carried unanimously.



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Mayor Muller said that Christopher would be starting on November 20, 2017.

Resolution No. 174-2017 Authorization to Accept Personal Protective Equipment and Medical Gear for the Peapack and Gladstone Police and Fire Departments from the Peapack and Gladstone Rescue Squad was read. Motion was made by Councilman Caminiti, seconded by Councilman Corigliano. Said motion was carried unanimously.

Resolution No. 175-2017 Award of Bid for Generator Installation at the Brook Street and Trimmer Lane Pump Stations was read. Motion was made by Councilman Lemma, seconded by Councilman Caminiti. Said motion was carried unanimously.

Resolution No. 176-2017 Authorizing the Borough Police Department to Participate in Somerset County Halloween Weekend & Thanksgiving Weekend DWI Safe Passage Grant was read. Motion was made by Councilman Caminiti, seconded by Councilman Corigliano. Said motion was carried unanimously.

Resolution No. 177-2017 Resolution Providing for the Insertion of a Special Item of Revenue in the 2017 Budget Pursuant to N.J.S.A. 40A:4-87(Chapter 159, P.L. 1948) was read. Motion was made by Councilman President Suriano, seconded by Councilman Caminiti. Said motion was carried unanimously.

Resolution No. 179-2017 Authorizing the Borough to Apply to the New Jersey Healthy Communities Network for a Grant was read. Motion was made by Council President Suriano, seconded by Councilman Caminiti. Said motion was carried unanimously.

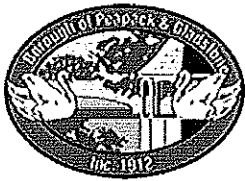
MISCELLANEOUS DISCUSSION/APPROVALS

Best Practices – Council President Suriano stated that he, the CFO and Administrator reviewed and answered the questions as presented by the state. The questionnaire is annually presented to each municipality. The amount of affirmative answers sets the amount of state aid that you will receive. Peapack & Gladstone answered more than enough in the affirmative to receive the full 5% of aid from the state.

COUNCIL REPORTS

Finance – Council President Suriano stated that an email was sent from the Administrator to the Departments to start working on their budget for 2018. This way the Council can start to prepare the 2018 budget. He also stated that a letter will be going out to the Professionals for the contract for 2018.

Council President Suriano also stated that Amy Detrich of the Open Space Advisory Committee is coordinating a meeting with one or two representatives from several committees to see what projects the committees are working on. Mrs. Detrich is seeking council concurrence to invite Beth Davison to the meeting so that she can ascertain their collective interests and advise the participants of possible grant availability and the means for procurement. The council provided its concurrence with the stipulation that should additional meetings be required, then OSAC will have to advise the council of the projected costs/benefit analysis to justify the continued engagement of Beth Davison. The council also requested that all inter-committee meetings be properly noticed.



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Sanitation & Sewer – Councilman Lemma stated that there is going to be a STAB meeting this Friday for recommendations for capital improvements and 2018 sewer rates.

Borough Property – Councilman Smith stated that Beth Davison claims that an assessment report needs to be completed regarding Liberty Park for the Green Acres grant from the state. They received two quotes for this report, the lower quote is from PK for \$2,800 and Princeton Hydro for \$3,500. Council Smith said he would like to use Princeton Hydro for this report because they have been involved with the application since the beginning. There will be a resolution at the next meeting reflecting the council's selection of Princeton Hydro to complete the assessment report.

Councilman Smith stated that all of the fieldwork involving the Liberty Park pond has been completed for purposes of preparing a Letter of Interpretation to be submitted to the DEP.

Fire – Councilman Caminiti stated that Chief McDermott stated that all of the hydrants located within the Borough are working properly. He also stated that Chief McDermott is looking for a new doctor to do the physicals of all the firemen since Dr. Campbell is retiring. It was asked if this new Doctor would accept health insurance so as to defer some of the cost away from the Borough. He also said that the Fire Department did exceedingly well at the Boonton Labor Day parade.

Police & Information Systems – Councilman Corigliano stated that the police department has received new furniture for their office. Sanofi donated all of the furniture. The officers, led by Anthony Damiano picked up the furniture and they retrofitted the pieces to work in their office. They completed this on their own time. He also mentioned that negotiations have started for the new PBA contract. Councilman Corigliano also stated that the police are doing traffic mitigation on Mendham Road as a follow up to a resident request at the last meeting.

Acting Administrator Randy Bahr explained that he received a phone call from Mr. McCall of the County that there is nothing that they can do regarding the weight limits on Mendham Road. He said that they can do a speed study but that 90% of the time the speed increases.

Roads & Transportation – Councilman Smith stated that he had no report at this time.

Zoning & Construction - Councilman Lemma said that the Borough has contracted with a new Zoning Company to handle the zoning for the town. He stated that he went to see the offices in Bernardsville where this company works full time.

Legal – Borough Attorney John Bruder explained that a certifying letter was sent to Mr. Shiller urging him to take advantage of open enrollment period with the other municipality that he is working for. Mr. Bruder said that he has filed for a default judgement.

In regards to the Rockaway Meadow development and the work needed to complete the infrastructure improvements, Mr. Bruder said that he has tracked down the spouse of Tom Flath. He has sent a letter to the Principal and Surety, there is now a 30-day period of necessity. The surety company has the option of finding a replacement contractor or it is up to the Borough to hire a replacement contractor.



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
BOROUGH COUNCIL MEETING MINUTES
OCTOBER 24, 2017**



Administrator's Report – Mr. Bahr stated that he has reached out to PSE&G to see if they had a date for the meeting with the residents, PSE&G is getting the materials together and they would like to set a date in November for the meeting.

Mayor's Report – Mayor Muller stated that he is pleased that Chris Tietjen has been hired. He also gave kudos to the Environmental Committee and DPW for the work on planting the trees.

BILLS LIST

Resolution No. 178-2017 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$913,841.52 was read. Motioned by Council President Suriano, seconded by Councilman Caminiti. Said motion was carried unanimously.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Mr. Hill – 8 West Drive - He asked what the salary of the Assistant Administrator would be? Mayor Muller stated that it will be \$62,500.00.

He also stated that new members are needed for the Fire Department. They need to increase the membership with younger people so that they can replace the older generation of fireman.

EXECUTIVE SESSION

Resolution No. 180-2017 – Authorization for Executive Session for Certified Specified Purposes – Personnel – Health Benefits was read. Motion was made by Council President Suriano, seconded by Councilman Corigliano. Said motion was carried unanimously.

The public portion of the meeting was opened again at 11:50pm.

Resolution No. 171-2017 - A Resolution for Borough of Peapack and Gladstone to Offer an Incentive Plan under the State Health Benefits Program was read. Motion was made by Councilman Smith, seconded by Councilman Corigliano. Said motion was carried unanimously.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Smith, seconded by Councilman Simpson, that this meeting be adjourned at 11:53pm. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk