

**MINUTES OF THE PEAPACK & GLADSTONE BOROUGH COUNCIL
MARCH 10, 2015, COUNCIL CHAMBERS
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 10, 2015, at 7:30 p.m., in Council Chambers 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 and Gladstone was given to the Courier News, Newark Star Ledger and the Bernardsville News on December 25, 2014, was posted at the Municipal Complex, School Street, the Peapack Post Office, Main Street, Peapack and the Gladstone Post Office, Main Street, Gladstone, New Jersey on December 25, 2014, and was mailed on December 25, 2014, to all those people who have requested individual notice and paid the required fee.

FLAG SALUTE

Mayor 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 (absent)
Mark Corigliano
Gerald J. Gunning
T. William Simpson
Royal Smith
Anthony Suriano

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

MINUTES

Councilman Smith made a motion that the reading of the minutes be dispensed with, and that the minutes of Regular Meeting of February 10, 2015, and the Executive Session minutes of January 13, 2015, and February 24, 2015, stand approved, as submitted by the Borough Clerk, to the Mayor and Borough Council. Councilman Simpson seconded that motion.

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

Councilman Caminiti

Absent

Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye (Abstain on executive session minutes of January 13, 2015, and February 24, 2015)

Council President Suriano reiterated his request to have the minutes of the previous meeting available at the next Council meeting.

PUBLIC COMMENT FOR NON-AGENDA ITEMS

No one wished to be heard.

PRESENTATION

HISTORIC PRESERVATION COMMISSION

Luke Sladicka and Pat Delaney of the HPC addressed Council regarding a contract with Dennis Bertland Associates Historic Preservation Consultants. The HPC would like the Borough to enter into a professional services agreement for the preparation of a 2015 grant application to the Somerset County Historic Preservation Grant Program for the Peapack Limekilns. The deadline to submit the grant is April 24, 2015. The contract is in an amount not to exceed \$1,500 and there is a retainer in the amount of \$600. Ms. Delaney stated that although the Historical Society of Somerset Hills actually owns the Limekilns, they are still able to apply for this grant on the Historical Society’s behalf.

PRESENTATION AND CONSIDERATION OF ORDINANCES:

CALENDAR YEAR 2015 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Council President Suriano reviewed the purpose of this ordinance. He stated this ordinance allows the Borough to exceed its appropriation cap of 1.5% to 3.5%. He stated that although the Borough does not intend on increasing its appropriations to that amount, this ordinance allows the Borough to bank that amount for future years in case there is ever a need to increase appropriations beyond the established cap.

Councilman Gunning moved to introduce Ordinance 1008. Councilman Simpson seconded that motion.

The Clerk stated the public hearing for this pending ordinance will be held April 14, 2015, in the Council Meeting Room of the Municipal Complex located at 1 School Street, Peapack, and will be advertised in the Bernardsville News and posted on the official bulletin board in the Municipal Complex.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye

Ordinance #1008 was introduced.

A copy of ordinance #1008 is appended to the official minutes.

PRESENTATIONS

Open Space Advisory Committee

Open Space Advisory Committee Chairman John Sweeney came before Council to give a brief update on OSAC's activities. Mr. Sweeney stated the Bluebird/Villa Application has been the primary focus of OSAC for a while. Mr. Sweeney updated Council on the status of that application. He stated the primary contact, Nick Villa, is not the only owner of the property. He stated there are five other partners that will need to agree to preserve their land. Mr. Sweeney stated that Mr. Villa has been working to ensure there is a consensus by all partners when the time comes to finalize. Currently, there is still an application for Federal funds to preserve this land. If the application is approved, the cost to the Borough to preserve this land will small. If the application is not approved, the cost to the Borough will be more significant. Mr. Sweeney stated he has communicated with the State Agriculture Development Committee and has not been able to ascertain when he will receive an answer on the approval of the application.

Council asked Mr. Sweeney what type of assistance OSAC would need from the New Jersey Conservation Foundation regarding the Bluebird/Villa Application. Mr. Sweeney stated it was currently still waiting to get the results of the application.

Mr. Sweeney stated he was unclear about the protocol for interacting with NJCF on other matters is OSAC looking into. Mr. Sweeney stated the committee was looking into Green Acres grants and Municipal Planning Incentive Grant Program funds. He stated the NJCF could assist with those applications.

Council reminded Mr. Sweeney that NJCF will be at the OSAC committee this coming Monday and that the OSAC should identify the projects with which it will require assistance. If the project is something not within scope of NJCF duties, it will seek approval from the Borough Council for approval to move forward.

Councilman Suriano stated that so far, Council has not given any consideration to the Bluebird/Villa application. Mr. Sweeney agreed with Council President Suriano that Council has not discussed the merits of the Bluebird/Villa application. Mr. Sweeney stated that in 2014, OSAC requested the Borough accept funds from the Lamington Conservancy to pay for the appraisals of the parcel. Mr. Sweeney acknowledged that at the time, he made it clear to the

Council stated that moving forward with the appraisals did not obligate the Council to any transaction with the Bluebird/Villa application.

Council stated that it is waiting to find out if the grant will be approved to determine what will be the Borough’s obligation to the project before having a discussion on the merits of this project.

PETITIONS AND COMMUNICATIONS:

The Borough received a letter from the Bernards High School Project Graduation Committee asking for a donation for Project Graduation 2015. Council requested Mr. Herrera to inquire if the other communities provide a donation.

Council had a brief discussion on the recent New Jersey Supreme Court ruling on Council on Affordable Housing. Councilman Gunning stated he had not finished reading the entire decision but provided a brief overview of his understanding. He stated he reached out to Borough Planner John Szabo to set up a meeting to discuss the implications of the ruling to the Borough. He also stated he Council may have to budget \$15,000 in the 2015 Budget for legal fees associated with COAH.

Council was in consensus to consult with the Mr. Szabo before taking any action in response to the ruling.

REPORTS OF COMMITTEES / RESOLUTIONS

FINANCE: *(Suriano/Corigliano)*

INTRODUCTION OF THE 2015 MUNICIPAL BUDGET

**Resolution appended to this agenda*

Councilman Suriano moved to adopt resolution #046-15. Councilman Corigliano seconded that motion.

The Clerk stated the budget synopsis will be published in the official Borough newspaper, *The Bernardsville News*, on Thursday, March 26, 2015. A copy of the introduced 2015 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 14, 2015, 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 2015 Municipal Budget are available to the general public at no charge in the Municipal Clerk’s Office.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye

Councilman Smith	Aye
Council President Suriano	Aye

Resolution #046-15 was adopted.
 A copy of resolution #046-15 is appended to the official minutes.

A RESOLUTION TO REFUND TAX ON BLOCK 999, LOT 98 (NJ Bell c/o VERIZON) IN THE AMOUNT OF \$11,517

**Resolution appended to this agenda*

Councilman Corigliano made a motion to table this resolution to the March 24, 2015, Council meeting. Councilman Gunning seconded that motion.

A RESOLUTION TO AMEND 2015 TEMPORARY BUDGET TO PROVIDE AN APPROPRIATION FOR SOCIAL SECURITY THE AMOUNT OF \$40,000

**Resolution appended to this agenda*

Councilman Suriano moved to adopt resolution #047-15. Councilman Gunning seconded that motion.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye

Resolution #047-15 was adopted.
 A copy of resolution #047-15 is appended to the official minutes.

SANITATION/SEWER: *(Smith/Caminiti)*
 No report

BOROUGH PROPERTY: *(Corigliano/Smith)*
 Councilman Corigliano reported he is working with the fire company to get more information on the fixtures that were donated and then taken back.

FIRE/ INFORMATION SYSTEMS: *(Simpson/Gunning)*
 Councilman Simpson reported the fire response vehicle (2015 Ford Expedition) has been delivered. The fire company is still waiting on some equipment for the vehicle.

Councilman Simpson reported the fire company is currently working on a vehicle-use policy. He stated the fire company will present the policy to Council when it is complete.

POLICE: (Gunning/Suriano)

A RESOLUTION AUTHORIZING ROAD CLOSINGS FOR THE MILES FOR MATHENY EVENT ON MAY 31, 2015

**Resolution appended to this agenda*

Councilman Gunning stated Matheny directly reimburses the Borough for DPW and Police costs associated with this event.

Councilman Gunning moved to adopt resolution #048-15. Councilman Corigliano seconded that motion.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye

Resolution #048-15 was adopted.

A copy of resolution #048-15 is appended to the official minutes.

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF HIGHWAY TRAFFIC SAFETY DISTRACTED DRIVER CRACKDOWN GRANT

**Resolution appended to this agenda*

Councilman Gunning stated this resolution is similar to those done in previous years. This grant reimburses overtime funds expended to support this program.

Councilman Gunning moved to adopt resolution #049-15. Councilman Corigliano seconded that motion.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye

Resolution #049-15 was adopted.
A copy of resolution #049-15 is appended to the official minutes.

ROADS/TRANSPORTATION: (Caminiti/Simpson)

LEGAL: (John E. Bruder, Esq.)

MISCELLANEOUS COUNCIL BUSINESS

The Mayor recommends the following appointment:

James Lovenberg Peapack & Gladstone Fire Dept. no set term

The Council concurred with this appointment.

PUBLIC COMMENT

John Sweeney the asked Council for clarification on the *RESOLUTION TO AMEND 2015 TEMPORARY BUDGET TO PROVIDE AN APPROPRIATION FOR SOCIAL SECURITY*. Council President Suriano stated there were required payments that caused the shortfall in social security.

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 Smith seconded that motion.

On call of the roll the following vote was cast:

Councilman Caminiti	Absent
Councilman Corigliano	Aye
Councilman Gunning	Aye
Councilman Simpson	Aye
Councilman Smith	Aye
Council President Suriano	Aye

ADJOURNMENT:

On the motion of Councilman Gunning, second by Councilman Simpson, the meeting adjourned at 9:06 p.m.

APPROVED:

HECTOR HERRERA
BOROUGH CLERK

WILLIAM MULLER
MAYOR

**BOROUGH OF PEAPACK AND GLADSTONE
ORDINANCE NO. 1008**

CALENDAR YEAR 2015

MODEL 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 up to 1.5% 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 and Gladstone in the County of Somerset finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$90,524.60 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 and Gladstone, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Peapack and Gladstone shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$158,418.05, and that the CY 2015 municipal budget for the Borough of Peapack and 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.

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.

RESOLVED that the annexed:

2015 COLA Ordinance

ORDINANCE be introduced and that the Clerk now read publicly the title of the same as follows:

CALENDAR YEAR 2015 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 April 14, 2015, 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.

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

Adopted: March 10, 2015

BOROUGH OF PEAPACK AND GLADSTONE
RESOLUTION NO. 046-15

INTRODUCTION OF THE 2015 MUNICIPAL BUDGET

See following pages

<http://pgboro.com/files/budgets/pgbudget2015.pdf>

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO.047-15

RESOLUTION TO AMEND 2015 TEMPORARY BUDGET TO PROVIDE AN APPROPRIATION FOR SOCIAL SECURITY THE AMOUNT OF \$40,000

WHEREAS, an emergent condition has arisen with respect to general appropriations to meet invoices and no adequate provision has been made in the 2015 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergent temporary resolutions adopted in the year 2015 pursuant to the provisions of Chapter 96, P.L. 1951, (N.J.S.A. 40A:4-20) including this Resolution total \$50,000.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergent temporary appropriation be and the same is hereby made for the following appropriations in the stated amounts:

Social Security – O&E \$40,000

for a total of \$40,000

2. That said emergency temporary appropriation will be provided in the 2015 budget under the title of:

Social Security

3. That one (1) certified copy of this Resolution be filed with the Director of the Division of Local Government Services.

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

Adopted: March 10, 2015

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. 048-15

RESOLUTION AUTHORIZING ROAD CLOSINGS FOR THE MILES FOR MATHENY EVENT ON MAY 31, 2015

WHEREAS, Matheny School and Hospital "Miles for Matheny" is being held on Sunday, May 31, 2015, between noon and 2 p.m. on Park Avenue and Lackawanna Avenue, Peapack; and

WHEREAS, the Matheny School and Hospital has requested that Park Avenue, Dewey Avenue and Lackawanna Avenue be closed prior to and for the duration of the event; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Park Avenue, and Lackawanna Avenue in Peapack and Gladstone are hereby authorized to be closed to vehicular traffic between the hours of 8 a.m. and 2 p.m. Dewey Avenue will be closed between the hours of 11:45 a.m. and 2 p.m.

BE IT FURTHER RESOLVED that appropriate barriers shall be erected by the Police Department.

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

Adopted: March 10, 2015

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 049-14

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF HIGHWAY TRAFFIC SAFETY DISTRACTED DRIVER CRACKDOWN GRANT

BE IT RESOLVED that the Borough of Peapack and Gladstone formally approves the application for the above stated grant.

BE IT FURTHER RESOLVED that the Finance Officer is hereby authorized to submit the grant application to the New Jersey Department of Highway Traffic Safety for the Distracted Driver Crackdown Grant on behalf of the Borough of Peapack and Gladstone.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Peapack and Gladstone and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approval of the execution of the grant agreement.

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

Adopted: March 10, 2015

 HECTOR HERRERA
 BOROUGH CLERK

 WILLIAM C. MULLER
 MAYOR