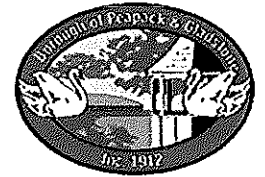




**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
BOROUGH COUNCIL MEETING MINUTES
MARCH 27, 2018**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, March 27, 2018 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 7:32 p.m.

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 2018 Meeting Dates was published in the Courier News and Bernardsville News on December 28, 2017, and posted at the Municipal Complex and the Borough Library. Action may be taken."

Mayor Muller led the Pledge of Allegiance.

Roll Call indicated the following present:

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

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

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

Robert Walton, Summit –representing JCP&L. Wanted to give overview on storm damage numbers from two storms in early March. Total of 530,000 of their customers were without power; 5,400 incidents regarding trees. Major event for JCP&L.

Mayor Muller asked Mr. Walton about out-of-state line crews who he had heard made comments about the quality of the infrastructure, mostly regarding the trees along the lines. He asked if the tree management conforms with other states and was told it does not. Other states have a wider tree trimming standard than New Jersey's, which is 15 feet radius around the wires. A committee after Hurricane Sandy wanted to do a ground to sky clearance of 15 feet but there was push back from municipalities. New Jersey also uses spacer cables, which are used in many tree dense areas. Trees that fall on the lines will cause the entire pole to break instead of just the cross-arm that is used in many other locations. This results in more outages.

Councilman Smith commented that approximately one year ago JCP&L gave the Borough a grid with fairly aggressive tree management and his observation is that the trimming that was done was very light. Mr. Walton explained that they only have the right to remove trees and to trim 15 feet from the wire and some residents do not want them to touch the trees on their properties. Councilman Smith asked if JCP&L could do more intensive trimming on the three main routes into Borough, including Mosie.

Councilman Smith asked what we can do as a governing body. Mr. Walton stated that the BPU will be having five public hearings to hear what can be done and will conduct an audit of JCP&L, which is standard after a storm of this magnitude. The hearings will be in Morris, Sussex and Hunterdon Counties



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and he will provide the dates to the governing body. They would provide a good opportunity to make comments.

Councilman Corigliano stated that line men had claimed that the infrastructure is poor. He asked what will your employer be doing to improve the infrastructure in this town and what are they doing to report outages correctly. Mr. Walton stated that the reporting system works well with small scale outages but during this storm and other multi-region incidences it does not and they need to address this. They are dedicated to fix this. Regarding infrastructure, their poles and wires meet the requirements of the BPU and following these storms they had designers and engineers patrol every circuit. He stated that when they find things they fix them. Mr. Walton said that he will drive around with Councilman Corigliano and look at the things that are of concern to the Council.

MINUTES

Councilman Smith moved to accept the minutes from the Executive Session of February 27, 2018, seconded by Councilman Lemma. Said motion was passed unanimously.

ORDINANCES

Mayor Muller introduced Ordinance 1054-2018 – An Ordinance to set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees. Councilman Simpson moved to pass the Ordinance at first reading, seconded by Councilman Smith. Said motion was carried unanimously. Mayor Muller stated that Ordinance 1054-2018 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on April 24, 2018 at 7:30 p.m. or shortly thereafter.

OLD BUSINESS

Mayor Muller asked Mr. Bruder, Borough Attorney, about his legal report on the Pacesetter development. Mayor Muller identified that Mr. Mazzarano is present to deal with the roads and paving related to this. Mr. Bruder stated that sometime last year the Borough was notified that Summit Capital, the bank that financed the project for the developer, Pacesetter Custom Homes, was looking for a CO. At that time the Borough was advised and our engineer was aware that there were a number of improvements under the terms of the developer's agreement that needed to be completed. Mr. Bruder reached out to the legal counsel for Summit Capital and explained that they needed to finish the outstanding required improvements. Summit Capital at some point in these talks took the position that they did not step in as the developers; instead they're just finishing off their obligations as the financier of the project. Mr. Bruder discussed this with Council and then reached out to bonding company and advised them that the developer had not finished their obligations. We were required to notify the principal, Pacesetter's Custom Homes, and co-principal, the wife, with a formal notice to complete project. It took much tracking to find the co-principal. Both the bonding company and the co-principal were served a notice of intent to declare default sometime in the fall and given a required amount of time to complete the work. Since nothing happened, Mr. Bruder filed a formal notice of default against the bonding company, which generated some response. The company did their due diligence on the claim. Borough representatives met to review bonding company's response and compiled what was being requested. In addition, our Engineer did a site inspection of the development to come up with a



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list of what had and had not been done from the developer's agreement. We will meet with the bonding company next week. Outcome of the meeting will determine our next move and whether there will need to be litigation. A timeframe is difficult to determine but if we proceed with litigation it will take at least several months if not longer to resolve. Mr. Bruder said the performance bond is put up to cover this type of scenario. Discussion ensued about road paving and whether it could be done soon. The Borough has plowed roads and the HOA has taken over the detention basins from the developer.

Mayor Muller asked Mr. Bruder if he's in communication with the HOA president, Mr. Bell, and Mr. Bruder confirmed that he is.

MISCELLANEOUS DISCUSSION/APPROVALS

Application for Facilities Usage of Baseball/Softball Fields from Somerset Hills Little League for Softball.

Table to the April 10 meeting to obtain specific dates and times for field usage from Diane Becker.

Solid Waste Bid.

Mr. Tietjen noted that bid for solid waste collection will be considered by Council tonight. Current contract expires on June 30th. Advertising for bid will go in paper starting April 2nd. Changes from previous bid include section 5.19, related to contractor violations in response to one citizen's feedback. Comments from Council included in 5.5 "holidays if observed by contractor" doesn't make sense; 5.10 "failure to collect due to weather" asked how the residents will be notified. Mr. Tietjen stated that it can go on PG Notify and the Borough website. 5.19 6 a.m. start time should be moved so that it's easy to find. Mayor Muller noted that in the past on Next Door there would be questions as to whether there would be garbage pickup, while with Rubinetti he observed that they did as well as could be expected even during storms where pickups were delayed but not canceled.

Hazard Mitigation.

Kingsley Hill said that the County's plan is done every four to five years and is due to be updated. He presented a slide show showing the updates to the Borough's natural hazards mitigation plan which roll into Somerset County's plan. These will be submitted to FEMA for approval. He wants to prioritize power resilience as a hazard mitigation.

Councilwoman Dietrich stated that she is looking for a way of communicating and educating the community. Mr. Hill brought up the siren and the a.m. station. Also, there are PG Notify and the website. Councilwoman Dietrich thinks that the Borough needs a structured approach to notify people of emergencies.

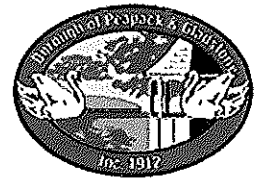
Ron Hill had questions regarding the fire department man-power and what their part is in disaster mitigation.

Disappointed that the a.m. station is not being used. He thinks that everyone has access to the a.m. radio in their cars.

Mr. Hill will be sending this to the County for their mitigation program.



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Raffle License Application No. 01-2018 for The Westmont Montessori School for a 50/50 Raffle to be held at 91 Mosle Road on April 21, 2018.

Ms. Bretzger requested a consensus from the Council to allow the raffle to take place in Peapack & Gladstone. The Council agreed for the application to go forward.

NEW BUSINESS

Resolution No. 74-18 – Authorizing the Borough of Peapack & Gladstone to Fix a Penalty on Residential Sewer Accounts and Allowing for a Ten-Day Grace Period for Each Quarterly Due Date of Residential Sewer Account Payment (Amended) was read. Motion was made by Council President Corigliano, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No 75-18 Sewer Charges on Block 1, Lot 4.10, Account #942-0 was read. Discussed appeals that were made in the past and believe that these need to be handled case by case. Motion was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No 76-18 Resolution Appointing Christopher Tietjen as Administrator for the Borough of Peapack & Gladstone was read. Motion was made by Councilman Simpson, seconded by Council President Corigliano. Said motion was passed unanimously.

Resolution No. 77-18 Resolution Supporting the 2018 UDrive, UText, UPay Distracted Driving Crackdown April 1 – 21, 2018 was read. Motion was made by Councilman Simpson, seconded by Councilman Lemma. Said motion was passed unanimously.

Resolution No. 78-18 Authorizing Borough Police Department to Participate in Somerset County 2018 UDrive, UText, UPay Distracted Driving Crackdown April 1 – 21, 2018 was read. Motion was made by Councilman Lemma, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 79-18 Authorize Use of Fields for Somerset Hills Little League for Softball was read. This was tabled.

Resolution No. 80-18 Authorize to Advertise for Competitive Bids for Solid Waste Collection was read. Motioned was made by Councilman Smith, seconded by Councilman Simpson. Said motion was passed unanimously.

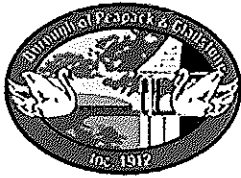
Resolution No. 82-18 Resolution Requesting for an Extension of Award for the Willow Road Construction Project was read. Motioned was made by Councilman Smith, seconded by Councilman Simpson. Said motion was passed unanimously.

BILLS LIST

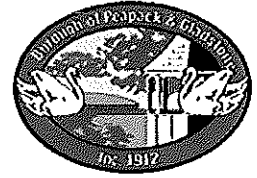
Resolution No. 81-18 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$682,785.08 was read. Motioned by Councilwoman Dietrich, seconded by Councilman Caminiti. Said motion was passed unanimously.

COUNCIL REPORTS

Finance – Council President Corigliano stated that the budget is in process. The second reading is scheduled on April 10. Councilwoman Dietrich and I went to a meeting of the Chamber of Commerce and listened to a presentation about a program called Shop Bedminster. The program gives you on average 7.5 to ten percent back on your property taxes. They would like to extend the program to



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Peapack & Gladstone where residents would still be part of the Shop Bedminster program and would note that they're "renters" in Bedminster in order to get rebate checks.

Sanitation & Sewer – Councilwoman Dietrich received a packet of information from Natirar for the next phase of build out of sewer facilities.

Borough Property – Councilman Caminiti gave update on some items in process. There are a couple of upcoming meetings regarding the roof repair on the municipal building and a meeting with the library on their renovations. We have one yearling swan left to catch. We are making progress on clearing out the Scout cabin. Councilman Smith wants to give a quick update on the park. Carter Vandyke has been employed by the borough and they're waiting for a letter from NJDEP. Princeton Hydro who submitted the application expects that we'll hear from the NJDEP by April 30. The environmental assessment report has come back with a question for Beth Davidson, our conservation coordinator, regarding why the dentist's office is part of the property. She will discuss with the DEP whether this needs to be removed from the parcel in order to get the grant money from NJDEP's Green Acres division. Later in the spring we want to have our first public meeting to discuss plans for park. In addition, the NJDEP noticed an ancient building on the site and they want to determine whether there are underground tanks on the property. If necessary, Beth Davidson may be asked to come to the next meeting.

Councilman Caminiti stated we have been receiving information on the fire department's replacement rescue vehicle and he would like to compile comments and questions from the Council to keep the information centralized.

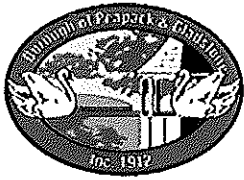
Councilman Caminiti wants to continue discussion about government energy aggregation and being able to have the Council negotiate good deals from electricity generation vendors on behalf of residents. He'd like to expand that to energy backup and onsite generation in order to address power outages and the public safety issue they cause. He would like to form a sub committee to get some options on the table. He wants the Council's concurrence to research this further.

Mayor Muller asked about the cameras in the gym. The unit came in and we are waiting on DPW to run the cables.

Fire – Councilman Simpson stated Councilman Lemma and I had meeting with the Fire Department's committee to purchase a new truck. He asked if everyone had seen the presentation on the truck. Mr. Simpson would like to see the committee make a presentation at a Mayor & Council meeting.

The fire report from January and February showed six responses to Matheny and one to Gill and this seems high. Kingsley Hill stated that the number of false alarms at Matheny are significantly lower in the last two years and that the fire department goes on calls for culinary mishaps because they can be worse than they look. It was stated that the employees' buildings at Matheny are living quarters only so the people there should not be cooking.

Police & Information Systems – Councilman Lemma stated that the PBA contract is being prepared. The contract will be ready for their review next week. We are continuing to discuss with them. The OIC will be taking over as of April 1. The Prosecutor's office has done a tremendous job with the transition over the last few months.



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Roads & Transportation – Councilman Smith commented earlier regarding Willow Ave.

Zoning & Construction - Mayor Muller stated we are in the process of reorganizing the construction and zoning office. We are looking into the possibility of a shared service. This is being prompted by retirement of staff. Marijuana Retailer Association of NJ asked if the Borough would like to support their efforts to set up shop.

Legal – Mr. Bruder, Borough Attorney, stated that tax appeals are being filed this time of year. Tax appeals are filed at the County tax board first. He has received documentation from County Council regarding the old county garage.

Administrator's Report – Christopher Tietjen, Administrator and Clerk's Assistant Liz Peterson began work this week. Officer Damiano has completed installation of cubicles upstairs primarily for the tax assessor to use.

Mayor's Report – Mayor Muller stated he has finished the Mayor's report.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

John Skinner – 20 Pottersville Road – Asked who regulates the power companies and what regulatory power does the municipality have regarding JCP&L.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilwoman Dietrich, seconded by Councilman Lemma, that this meeting be adjourned at 9:41 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk