

**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
JULY 24, 2018**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, July 24, 2018 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 7:46 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 July 2, 2018, 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: Mayor Muller, Councilman Caminiti, Council President Corigliano, Councilwoman Dietrich, Councilman Lemma, Councilman Simpson, Councilman Smith

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

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

Mayor Muller asked if any member of the public wish to speak about non-agenda items.

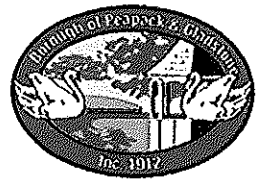
Ken Tiger – Mosle Rd/St. Johns Drive – Mr. Tiger asked who should he speak with regarding legal/illegal use of property pertaining to zoning. Mayor Muller told him he should speak with the Zoning Officer.

Samma Habidi – Ms. Habidi was at a meeting a few months ago when speeding in the borough was discussed. She has not seen anything done about the speeding and so she spoke with the DPW Director at the county and he basically said that there is not much they can do. She said that he gave a few examples of what could be used, such as a flashing light for pedestrians or a solar speed sign. Ms. Habidi said that she would like the council to act on adding more calming effects for speeding within the town. Councilman Smith said that at the June 12th meeting the road committee reported that they completed their traffic study and then contacted the County. He was planning to ask the council this evening if they would give consent to write a letter to County to address the speed issues. He is working with the County on both County and local road issues. He stated that everyone should attend the County Freeholder meetings and bring up their concerns.

Greg Morris – 36 Fowler Road – Mr. Morris asked about a recent announcement about the development on Ninety Acres. He asked how long has this been going on and if sewerage and traffic have been considered. Council President Corigliano explained that the Land Use Board approved the addition of 24 residential units about a year and a half ago in addition to previously approved club, restaurant and catering facility. They have sufficient sewer capacity. These are two-bedroom units that are intended to be used for short-term stays as they will be very expensive. They are ground leases and in about 70 years they come back to the County



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Peter Weller – Apgar Ave. – Mr. Apgar asked if the developer for the Natirar units has a COAH obligation. Council President Corigliano stated that they have a COAH obligation but not onsite and this was something that was done 15 years ago when they originally did the plans.

Mr. Birmingham – Mr. Birmingham asked what the bottom line was for the developer. Council President Corigliano stated that they have a COAH obligation like any other developer and will have to build affordable housing units in the borough commensurate with the scale of what they're building on the Natirar property.

John Keppler – Holland Ave. – Mr. Keppler stated that the master plan re-write addresses the speeding issues brought up earlier. One suggestion is all-way stops at Cocoluxe, Holland Ave. and Mosle Road.

MINUTES

Mayor Muller asked if there was a motion and second to accept the Special Meeting minutes of May 10, 2018. Councilman Simpson motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Mayor Muller asked if there was a motion and second to accept the Regular Meeting minutes of May 22, 2018. Councilwoman Dietrich motioned to accept the minutes, seconded by Councilman Lemma. Said motion was passed unanimously.

Mayor Muller asked if there was a motion and second to accept the Regular Meeting minutes of June 12, 2018. Councilman Lemma motioned to accept the minutes, seconded by Councilman Smith. Said motion was passed unanimously.

ORDINANCES

Mayor Muller asked for a motion and second to open the Public Hearing for **Ordinance 1060-2018** – An Ordinance Amending Chapter XXIII, Titled "Land Development Volume" of the Revised General Ordinances Article III, Titled "Development Procedures" Section 25, Titled "Application Requirements", Subsection 25.1 Titled "Content", Subsection 25.3 Titled "Additional Information", Subsection 26, Titled "Informal Review", Subsection 33.5 Titled "Variance Checklist".

Councilman Simpson moved to open the Public Hearing for **Ordinance 1060-2018** – An Ordinance Amending Chapter XXIII, Titled "Land Development Volume" of the Revised General Ordinances Article III, Titled "Development Procedures" Section 25, Titled "Application Requirements", Subsection 25.1 Titled "Content", Subsection 25.3 Titled "Additional Information", Subsection 26, Titled "Informal Review", Subsection 33.5 Titled "Variance Checklist", seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Council President Corigliano explained that the purpose of the ordinance is to reduce the costs for the paperwork currently required for an application submitted to the land use board. The ordinance requires that the resident submit five paper copies and one digital copy of the application.

No one from the public came forward.



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Council President Corigliano moved to close the Public Hearing for **Ordinance 1060-2018** An Ordinance Amending Chapter XXIII, Titled "Land Development Volume" of the Revised General Ordinances Article III, Titled "Development Procedures" Section 25, Titled "Application Requirements", Subsection 25.1 Titled "Content", Subsection 25.3 Titled "Additional Information", Subsection 26, Titled "Informal Review", Subsection 33.5 Titled "Variance Checklist", seconded by Councilman Caminiti. Said motion was carried unanimously.

Councilman Simpson moved to Adopt **Ordinance 1060-2018** – An Ordinance Amending Chapter XXIII, Titled "Land Development Volume" of the Revised General Ordinances Article III, Titled "Development Procedures" Section 25, Titled "Application Requirements", Subsection 25.1 Titled "Content", Subsection 25.3 Titled "Additional Information", Subsection 26, Titled "Informal Review", Subsection 33.5 Titled "Variance Checklist", seconded by Councilman Lemma. Said motion was carried unanimously

Mayor Muller asked for a motion and second to open the Public Hearing for **Ordinance 1061-2018** – An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees.

Councilwoman Dietrich moved to open the Public Hearing for **Ordinance 1061-2018** – An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees, seconded by Councilman Caminiti. Said motion was carried unanimously.

Council President Corigliano explained that the Borough is required to publish a list of minimum and maximum salaries for all employees including Council members.

No one came forward.

Councilman Caminiti moved to close the Public Hearing for **Ordinance 1061-2018** An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees, seconded by Councilman Simpson. Said motion was carried unanimously.

Councilman Simpson moved to Adopt **Ordinance 1061-2018** – An Ordinance to Set the Compensation of the Mayor, Borough Council Members, Department Heads and Municipal Employees, seconded by Councilwoman Dietrich. Said motion was carried unanimously

Mayor Muller asked for a motion and second to open the Public Hearing for **Ordinance 1059-2018** – An Ordinance Amending Portions of Chapter XXIII, Article IV, Titled "Land Development Ordinance" of the Revised General Ordinances of the Borough of Peapack and Gladstone Permitting a Residential Housing Community on Certain Lands in the ORL and RR-5 Zoning Districts.

Council President Corigliano moved to open the Public Hearing for **Ordinance 1059-2018** – An Ordinance Amending Portions of Chapter XXIII, Article IV, Titled "Land Development Ordinance" of the Revised General Ordinances of the Borough of Peapack and Gladstone Permitting a Residential Housing Community on Certain Lands in the ORL and RR-5 Zoning Districts, seconded by Councilman Simpson. Said motion was carried unanimously.

Mayor Muller explained that the majority of municipalities in the state of NJ have an obligation to provide the opportunity for affordable housing to be constructed within the municipality. Fair Share



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Housing Group came to the Borough with the number of units that the Borough has to legislate to permit zoning where affordable housing can be constructed. This ordinance amends the zoning on ORL and RR5 zones to permit the construction of affordable housing. Council President Corigliano added that the ordinance came specifically out of a requirement by the Special Master of our vicinage court to negotiate with the developer to see if the developer would build affordable housing units as part of his pre-existing approval to build units there. In exchange for building them, the developer requested the dropping of an age restriction on the property. The Borough reached an agreement over several months of negotiating and the developer will build 14 affordable housing units on the property or an adjacent property and that component is a very large portion of our final affordable housing settlement.

Jenny Morris – 36 Fowler Road – Ms. Morris stated that the language is still in there that the affordable housing can be built on adjacent property. Allowing the developer to build on adjacent property just adds to the overdevelopment of the town. She asked why is the town going so far out of the way to appease the developer. She questioned why can't we require them to put it on the same lot to keep the development to a smaller footprint. Council President Corigliano stated that there is only one adjacent property that council is aware of that can be used for the units. The reason the adjacent property was included was because the SJP lot, although it is large, had some issues with slopes and wetlands that may not accommodate the additional 14 units without being very densely built. Ms. Morris asked for clarification that this ordinance only applies to one property in town and Council President Corigliano responded that at this town it only applies to one property. She stated that many others tonight will bring up the multiple other issues that arise because of this and that the town seems to be acquiescing to the needs of the developers. She feels that we are getting away from the master plan which states the borough wants to maintain a rural character. Council President Corigliano noted that the borough has an affordable housing obligation mandated by the Supreme Court and that's the reason this ordinance is here. Ms. Morris urged that the Council consider look at this more closely and not vote on this tonight. Mayor Muller stated that the Council is conforming to procedures and that the public comment period is held before the vote. Councilman Lemma spoke about the fact that the borough is in a terrible situation and we have the greatest reduction from what Fair Share Housing had initially outlined. He described four scenarios that could be considered to meet the number of units and he believes that this solution is the least bad of our options. Councilman Smith stated that back in 2015, SJP came to the council and gave a strong pitch to remove the age restriction from the site and Council voted 6-0 to not do so. He said that an enormous amount of thought has gone into this decision and that they're doing a complete 180 from the decision they made in 2015 because the borough can't fight back against the NJ Supreme Court and Superior Court. He believes that Mr. Corigliano and the mayor got the best possible case. Council discussed the initial report that outlined 240 units and they negotiated that down to 102 units with 78 on the ground.

John Surrente – 26 Brady Drive West – Mr. Surrente is an architect and was asked by several neighbors in Hamilton Farms to represent the group and their concerns that the age restriction has been lifted when Hamilton Farms has an age restriction in place. He stated that this reduces the value of their land and it's only fair to give them some relief in property taxes.

Renee Kenny - 17 Brookside Drive – Ms. Kenny thanked the Council for their hard work. Ms. Kenny believes that that people here want the borough to stay in the same character and that the tone of the Council is that they have already decided to go with the builder. She read prepared remarks about two concerns, the increase of traffic and the destruction of important environmental lands that the



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developer proposes. She stated that both of these consequences will be magnified by many factors if the age restriction is lifted but she doesn't think the land should be developed at all. She brought up an engineering firm's study for a gas station where the housing site is proposed noting large traffic volume on Route 206, especially during the p.m. rush hour. She also brought up the site's trees, wetlands and other natural resources that should be protected. Mayor Muller stated that in conversations with the court and Fair Share Housing they came at us with six units per acre. He read from this ordinance that the maximum number of permitted dwelling units should not exceed 1.09 per acre. He stated that he hears and understands what is being said but what is being considered is relatively low density and that as Councilman Lemma said, this is our least bad choice.

Greg Morris – 36 Fowler Road – Mr. Morris asked if one option to satisfy the affordable housing agreement is to not include the adjacent property which puts more pressure on the developer and limits his ability to develop. Council President Corigliano explained that this was part of our agreement with the developer. We want the site plan with 68 units to be spread out if the adjacent property is available. Mr. Morris asked is it an option to take out the word adjacent and will it meet the borough's obligation. Council President Corigliano noted that all documents including the ordinance were reviewed by the judge and the developer and planner asked for the option to spread out onto adjacent property. Mr. Morris asked how this ordinance doesn't fall under spot zoning which is not legally allowed within the state of NJ. Mr. Bruder stated that he deferred to our Land Use Board (LUB) attorney Roger Thomas in putting this together but the ordinance in all main aspects has been on the books for years and that it pertains to the Pfizer property and others that meet the size requirements so is not spot zoning. Mr. Morris voiced concern about the lifting of the age restriction and is concerned it is a slippery slope. Mayor Muller added that it appears there is an assumption that the adjacent property if not utilized for affordable housing will remain vacant and he doesn't know if this is the case. He stated that development is going to happen and if you're a property owner you have the right to build.

John Kappler – Holland Ave. – Mr. Kappler stated that he is Chairman of the Environmental Commission. Mr. Kappler delivered a memo on March 11th to the council regarding the concerns that the environmental committee has with this ordinance and those haven't been addressed from what he can see. He discussed pedestrian safety and how he'd like to see a walkable community. He feels that the developer should be responsible for connecting the pedestrian walkways in town. Mr. Bruder stated that this is something that goes into the developer's agreement. He asked why playgrounds and tot lots are being excluded as now you are forcing these people to drive to town to use these. He noted that the property can now be fenced or gated and the environmental commission does not approve of this. Council President Corigliano noted that the LUB approved this. Mr. Kappler responded that this will fragment the area and force deer and other fauna onto other properties. He asked if the affordable housing units are part of the homeowner's association. Mr. Bruder stated that these questions should be asked of the LUB when a site plan is being put forth.

Karen Murphy – 461 Spook Hollow Road – Ms. Murphy noted that people are leaving the room and this ordinance appears to be a pre-gone conclusion. She asked if the borough has a legal and a fiduciary responsibility to prove that removing the 55 and over restriction will not have a negative effect on the town, whether it's pertaining to fire, police, sewer, etc. Mr. Bruder responded that there are a number of considerations, this included.



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Lou Palma – 2 Valley View Ave. – Mr. Palma asked if the developer does not acquire the adjacent property is he responsible to build them on his property. The answer is yes. He also asked how many children will come out of the 82 unit development, as he's looking at the school board aspect. He is concerned that the Bedwell elementary school will not be able to handle an influx of children and that a new school will be required. He asked if there's some way to build into the developers' agreements costs for schools.

Samma Habidi – 8 Mosle Road – Ms. Habidi stated that if everyone comes in with two children that will be a 164 increase in children and the school system is at capacity. Councilman Simpson stated that there is really no way out of this mess and he is hoping someone stands up tonight and has an alternative. He felt that it was a positive that these 14 units are not being built in town, they're either on the property or on an adjacent property. Mr. Bruder spoke about how the rulings are coming from the bench and that these requirements are being compelled on many municipalities and they are expected to absorb the costs of implementing their "fair share" of the affordable housing.

Ann Thompson - 20 Fowler Road – Ms. Thompson asked if affordable housing has to be within walking distance of public transportation. Councilman Simpson stated that this is not a requirement of COAH and the units can exist across from Rt. 206 where there's no easy access to the train station.

Constance Silverman – Mt. Harmony Road, Bernardsville – Ms. Silverman stated that she thinks it is better to develop our downtowns so that people can walk around rather than spreading out and negatively impacting our open space. She believes that our quality of life is going to be negatively affected by the traffic on Rt. 206 and that this development will be an absolute disaster. She would advocate that we encourage developers to build downtown, even if it required a multistory structure and carefully partner with Land Use to be sure that they build beautiful buildings. Mayor Muller said that no one is going to support a six floor apartment building with onsite shopping and parking, this is a bucolic town. Ms. Silverman thinks that the leaders in the borough need to help change the mindset and understand that we need to preserve the open space. She also again brought up the concern about the traffic on Rt. 206. Councilman Caminiti brought up some of the other proposed development that was considered for this site and he stated that traffic very well could be a deal breaker.

Steve Kinsey – 8 Mosle Rd. – Mr. Kinsey asked if the current SJP Properties had a COAH obligation. He asked if the dollar value contribution is equal to the 14 units being built today. Councilman Lemma stated that the borough has to provide the opportunity to develop but they can push so that the units are less attractive while still meeting the requirements of court. Mayor Muller noted that there are 30 year easements on COAH units. Mr. Kinsey brought up age targeted limitations and whether they are included in this ordinance. Council responded that they incorporated these into the language.

Art Birmingham - Apgar Ave. – Mr. Birmingham questioned if the builder would be making money off of the 14 units, and now that they're not age restricted they can make more money. He thinks that the developer will benefit greatly and asked why we are giving up the age restriction. Councilman Smith stated that the state gives more credit up to a maximum for units designated as rentals and that the Borough got the most credit they could. Council President Corigliano stated that affordable housing is rented at a fixed rate. Mr. Birmingham said it seems lopsided what we're giving up. Councilman Smith stated that several people have asked what's the benefit to the community. He said that we get immunity from what's called builder's remedy, which allows builders to bring us to court and build



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whatever they want on property. The town has been immune because they have filed for the declaratory judgement action and have complied with prior rounds. Councilman Smith stated that this is a real fear and this agreement is important for the future of this town. He continued that this is the time to work on legislators to put in a small-town limit for the next round. Mayor Muller stated that it should be a state-wide rule instead of Fair Share and the court setting up separate deals with each municipality.

Heather Santoro – Hillyard Lane – Ms. Santoro asked if we don't move forward with this ordinance how long do we have and was told we'd be in default in 180 days. She asked if we're in compliance as long as we've legislated for affordable housing but if the borough proceeds with this ordinance and nothing gets developed then council explained that in 2025 the units not built become an unmet need. Councilman Smith stated that we are required to do everything we can do to comply with our agreement and Council President Corigliano stated that this will get very costly for the town if we don't comply.

Ginny Morris – Ms. Morris asked if all we have to do is legislate why do we have to make it a good or profitable agreement for the developer. Councilman Lemma noted that what is termed a realistic opportunity is required by the court. The reason the developer has not built the units that are on the books now is because it's not profitable. Mr. Bruder explained that the court is basically requiring that the Borough work with the developer to build affordable housing and that the developer has to write a letter to the judge stating that the agreement is fair. Ms. Morris asked why did the Borough not condemn certain abandoned homes and build affordable housing there and was told that the municipality would have to fund both the purchase of the property and the building of affordable housing.

John Skinner – Pottersville Road – Mr. Skinner asked if there were any requirements for the builder to address traffic issues. Mayor Muller stated that if it's demonstrated that the developer caused the problem they have to contribute to costs of modifying the roads and this could be addressed by the site plan.

Christopher Downing – 99 Main Street – Mr. Downing asked if the Elks Club property is the adjacent site being considered. He insisted that there is another adjacent property that could be used by the builder and asked if we could put a block and lot number in the ordinance. Councilman Simpson stated that he wanted the adjacent wording left out because he would rather have the adjacent properties available for more affordable housing units. Council President Corigliano stated that Natirar is not part of our affordable housing settlement because it was an unknown but that we will get credit toward our total obligation when affordable housing units are built. Mr. Downing stated that there is an adjacent property next to SJP property that may be better to use and for us to not give it away now. Council President Corigliano stated that when we negotiated with the developer the site plan was tight to fit in the 14 units and that the borough preferred the lower density that including the adjacent site would allow. Mr. Downing stated that it may be more appropriate to put a larger development on that site if a different adjacent property is bought and that this would take some pressure off the Smith property. Council discussed that we have to protect the settlement agreement. Mr. Downing asked who owns the jug handle because of changes to it that might be needed. He said that as a citizen and former LUB member he believes that when the ordinance is approved the LUB has much less control over site plan issues than you think and that the ordinance should address these issues. Council President Corigliano stated that we are going to vote on this with the language the way it is. Mayor Muller asked what adjacent property is he concerned about. Mr. Downing responded with 3 Brady Drive, noting that it is



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much more desirable and could handle much more than 14 units. Council President Corigliano said that it's incumbent on the builder to come back to the borough and say the land can handle more units.

John Sweeney – Mr. Sweeney noted he is on the ballot in November for council seat. The master plan that was done in 2014 it does not recommend lifting the age restriction on this development. Council President Corigliano stated that the master plan includes affordable housing since this is mandated by the courts so the Borough will have to amend the master plan. Mr. Sweeney asked if we've explored purchasing another property that would help with the COAH obligation. Councilman Smith stated that the Smith property is still on the books for 1.2 million debt. Council President Corigliano clarified if Mr. Sweeney was asking if it is better for the town to buy property to develop the COAH units ourselves and Mr. Sweeney said yes. Councilman Smith noted that by locking in the SJP property in this way, it precludes Fair Share Housing from assessing 300 plus units on the property, of which 20% would be affordable.

John Kappler – 25 Holland Ave. – Mr. Kappler wanted to get clarification on if the developers build on an adjacent property would it still be considered one development. Council President Corigliano stated that the ordinance doesn't say. Mr. Bruder stated that this will get cleared up in the developer's agreement. He continued that it is a good question and will be addressed. Mr. Kappler discussed if the access road to development would be different. He said that when the Master Plan was drawn up, one objective was to avoid Main Street but if we have to add a traffic light because we don't have the foresight to make this one development the it will make 206 a speeding corridor. Council President Corigliano thinks that it needs to be studied by a traffic engineer.

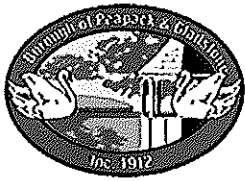
James Heck - Pheasant Run – Mr. Heck stated that safety can cost the developer more money and this can come through under site development. Council President Corigliano said that LUB can impose requirements on roadways that the developer will have to follow.

Council President Corigliano moved to close the Public Hearing for **Ordinance 1059-2018** - An Ordinance Amending Portions of Chapter XXIII, Article IV, Titled "Land Development Ordinance" of the Revised General Ordinances of the Borough of Peapack and Gladstone Permitting a Residential Housing Community on Certain Lands in the ORL and RR-5 Zoning Districts, seconded by Councilman Caminiti. Said motion was carried unanimously.

Councilman Caminiti moved to Adopt **Ordinance 1059-2018** – An Ordinance Amending Portions of Chapter XXIII, Article IV, Titled "Land Development Ordinance" of the Revised General Ordinances of the Borough of Peapack and Gladstone Permitting a Residential Housing Community on Certain Lands in the ORL and RR-5 Zoning Districts, seconded by Councilman Smith. Said motion was carried unanimously.

OLD BUSINESS

Councilman Smith said that concerning the Letter of Intent (LOI), we decided to appeal two areas of natural resources. The appeal has been submitted to the DEP. The park designer Carter Van Dyke will be available to have the public's and governing body's full involvement in the plans at the first meeting in September. Council discussed setting a special meeting for this input session. The consensus is to have a special council meeting at 7 p.m. on September 18.



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NEW BUSINESS

Councilman Smith congratulated Elizabeth Peterson for receiving her Registrar's certificate.

MISCELLANEOUS DISCUSSION/APPROVALS

Application from Griffin Connor for 3v3 Charity Basketball Game on Outdoor Basketball Court. Ms. Bretzger stated that the facilities usage form was filled out because he wants to use outdoor court. Since he doesn't want to use gym the custodial fee of \$100 should not apply but he must have insurance. Council President Corigliano suggested that application be withdrawn and instead plan a pickup game so the applicant won't have to pay fee or provide insurance.

Application from PG Recreation Commission for use of Komline Park for Drive-In Movie. Councilman Lemma stated a concern for the residents with an end time of midnight for the event because of traffic noise. Council had a discussion regarding this event. Police support of two hours overtime was requested on the application but council believed that because the department is short staffed we could not commit to that. The applicant should contact the police on their own.

RESOLUTIONS

Mayor Muller asked if **Resolutions 145-18, 146-18, 150-18 and 152-18** could be considered as a consent agenda. Motion to approve these was made by Councilman Lemma, seconded by Council President Corigliano. Said motion was passed unanimously.

Resolution No. 145-18 – Resolution Authorizing Execution of a Shared Services Agreement for Sharing Somerset County Department of Public Works Equipment and Personnel Between the Borough of Peapack & Gladstone and the County of Somerset.

Resolution No 146-18 – Resolution Providing for the Insertion of a Special Item of Revenue in the 2018 Budget for the St. Patrick's Day DWI Safe Passage Grant Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948).

Resolution No. 150-18 Authorization to Pay Accumulated Leave to Theresa Kelly (Retired).

Resolution No. 152-18 Resolution to Refund Tax on Block 1.02, Lot 2.17.

Resolution No 147-18 Resolution Authorizing Municipal Alliance Grant for Fiscal Year 2018-2019 was read. Councilman Lemma asked about the contribution the borough makes and Ms. Bretzger noted that the programs are all available to school children. Motioned by Council President Corigliano, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 148-18 Resolution of Governing Body Certification of the Annual Audit was read. Council discussed that the results were satisfactory. Motioned by Councilman Caminiti, seconded by Councilman Lemma. Said motion was passed unanimously.

Resolution No. 149-18 Resolution for Award of Service Contract to Carpet Maintenance of Bridgewater, New Jersey for Installation of Carpet within the Administrative Offices of the Borough was read. Council discussed that this is a capital project and reviewed where the carpet was going to be installed.



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Motioned by Councilman Smith, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 151-18 Resolution to Extend the Grace Period on the 2018 Third Quarter Tax Installment was read. Council President Corigliano stated that we did not have the certified tax rate from the County and that the school board is taking the full two percent rate, which is what the borough estimated. Councilman Smith said there was extra state funding and why wasn't that money passed to the taxpayers. Motioned by Councilman Smith, seconded by Councilman Lemma. Said motion was passed unanimously.

Resolution No. 153-18 Resolution Authorizing Agreement Between Borough of Peapack & Gladstone and the Borough of Peapack & Gladstone Police PBA Local No. 139 for a Four-Year Contract was read. Councilman Lemma thanked the police officers present for professional dialogue during the negotiations, and Corporal Scanlon thanked the council. Councilman Lemma highlighted the agreement. Motioned by Councilman Lemma, seconded by Councilman Caminiti. Said motion was passed unanimously.

Resolution No 155-18 To Authorize Execution of a Takeover Agreement with First Indemnity of America Insurance Company Regarding the Pacesetter Development was read. Mr. Bruder explained the resolution. Motioned by Councilman Lemma, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

BILLS LIST

Resolution No. 154-18 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$649,831.82 was read. Council discussed several bills. Motioned by Councilman Smith, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

An additional discussion ensued concerning **Resolution No. 155-18**. Mr. Bruder stated that the bond company had selected a paving contractor and landscaper, and negotiated regarding monuments. Mayor Muller brought up the delineation of wetland areas using a post and rail corner along the back of the properties, marking a 300-foot buffer with relation to houses. Mr. Bruder responded that he doesn't recollect seeing that in the developer's agreement, which was what the engineer used along with his site inspection to determine list of what needs to be done. Mayor Muller expressed confidence in the engineer's work.

COUNCIL REPORTS

Finance – Council President Corigliano stated that the borough rolled over the bond anticipated notes of approximately \$500,000 and they went out at two and a half percent, discounted to an effective two percent.

Sanitation & Sewer – Councilwoman Dietrich and Mr. Bruder have been working on the agreement. Mr. Bruder stated that Mr. Ryden has finished his review of the agreement and after a significant overhaul it just needs the insurance information to be ready to go out. Council wants to review it before he sends it to Bedminster. Councilwoman Dietrich stated that Mary Robinson had several questions about payments. There will be a meeting next week to discuss the funds.



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Borough Property – Councilman Caminiti stated that the appeal for the DEP has been filed. Carter Van Dyke meeting has been scheduled for September. He stated that the algae on the pond is looking horrible. Black Lagoon has been provided a treatment monthly but it's not effectively treating certain algae. Councilman Caminiti got a quotation for surface skimming of approximately \$4500. He is considering reaching out to Princeton Hydro to try to get a better rate. Councilman Smith said that surface skimming is just a temporary fix and we need to work on a more permanent solution. There was discussion as to what should be done. Council President Corigliano wants Carter Van Dyke to come up with a solution as part of their project. Councilman Caminiti said that he has a list of maintenance items for the fire house that need to be completed. Councilman Caminiti said that Matheny has hired Ron Kennedy to deal with the traffic counter as part of the agreement.

Fire – No report at this time.

Police & Information Systems – Councilman Lemma said that in addition to the PBA contract, there are two possible candidates for full time officers and one for special status. Interviewing of the candidates will take place within the next two weeks.

Roads & Transportation – Councilman Smith is disappointed that the borough does not have a firm date for the roads repaving, but it looks like it will take place in the third or fourth week of August. In addition, the curbing on Brookside Ave. has sunk and we have to remediate the curbing before the paving can be completed. Councilman Smith said that he has gotten no positive feedback from the County regarding the traffic issues, including the crosswalk at Cocoluxe. He wants to write a letter to let the County know about the problem of increased traffic and present the county with several possible solutions.

Zoning & Construction – Mayor Muller stated that the borough hired a few new people in the zoning and construction offices. Sarah Jane Noll is the new zoning officer, Frank LaGuarina is the new construction official and building inspector, and Ellen Hays is the new technical assistant. The hours have shifted in the department. He also plans to meet with Peggy McFarland to discuss her concerns with the property maintenance ordinance.

Legal – No report at this time.

Administrator's Report – No report at this time.

Mayor's Report – Mayor Muller stated that Mr. Tietjen had a death in the family he will be out of the office until Friday. He said that Rob Walton wants to petition the BPU to slightly increase rates for four years and would like us to support this increase. The increase would help with the maintenance and improvements to the infrastructure. Councilman Smith stated that one of the improvements, the automatic switch, would probably reduce the length of outages. The council does not favor the increase.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

John Kappler – Holland Ave - Mr. Kappler brought up the Rockabye Meadow Bridge. He said that we submitted for the pedestrian bridge to the DEP and we need to go to Beth Davidson to find money for



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the project. He asked if the Environmental Commission should proceed with this. The permit is good for five years and then you can ask for an extension. The council consented to use money in the budget.

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 Lemma, that this meeting be adjourned at 11:50 p.m. This motion was carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Nancy A. Bretzger".

Nancy A. Bretzger, Borough Clerk