



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
JANUARY 22, 2019**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, January 22, 2019 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 7:00 p.m.

Mayor Skinner called the meeting to order. Borough Clerk Nancy A. Bretzger read the Sunshine Notice "Pursuant to the Open Public Meetings Act, Adequate notice of 2019 Meeting Dates was published in the Courier News and Bernardsville News on December 13, 2018, and posted at the Municipal Complex and the Borough Library. Action may be taken."

Mayor Skinner led the Pledge of Allegiance.

Roll Call indicated the following present: Mayor Skinner, Councilman Caminiti, Council President Corigliano, Councilwoman Dietrich, Councilwoman Murphy, Councilman Smith, Councilman Sweeney

Not present: None

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

EXECUTIVE SESSION

Resolution No. 29-19 – Authorization for Executive Session for Certified Specified Purposes – Contract Negotiations – Tucker Farmland Preservation, Nelson Farmland Preservation, Potential Collective Bargaining with the Department of Public Works; Public Safety – Prosecutors Report was read. Motion was made by Councilman Smith, seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Public Meeting reconvened at 7:35 p.m.

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

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

Ken Tiger – St. Johns Drive, Gladstone – Mr. Tiger is concerned that up at Saint Johns there was some vandalism and trouble over the weekend. He also is concerned that 29 Saint Johns Drive in Gladstone is an attractive nuisance, has been foreclosed on, and that the vandals up the street could work their way down the street into Peapack and Gladstone. Councilman Sweeney said that he will speak with Officer In Charge (OIC) Ferrante and ask for them to patrol. Council President Corigliano stated that if he believes the home is a nuisance he can file a complaint with the zoning officer.

Ann Todd – Maple St. – Ms. Todd stated that she had come in a few times last year asking about sidewalks on Holland Avenue. She also asked if it's a possibility to get the street signs with the flashing light and speed on Holland Ave. Councilwoman Dietrich stated that she's on the Roads Committee and the sidewalks cost estimates came in much higher than anticipated and are too high for the Borough budget. The Borough is looking into additional resources and will continue to look into it further. It is a



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county road so we're looking for monies from the county and the state. Ms. Todd asked again about any street signs indicating speed that could be put up to help with the speeding on Holland Road when they come off of Rt. 206. Council discussed other roads that need speed signs and that they need to look into costs.

Ms. Todd continued with a question about Peapack's position on the growing and selling of legal marijuana. Council President Corigliano stated that the Council needs to represent its citizens and there will at some point be a public meeting to see where residents stand on this issue. Council members discussed that they did send a letter to the legislature asking that the legislation includes certain components. The Borough should wait and see what the bill looks like before passing anything and spending money on the issue.

MINUTES

Mayor Skinner asked if there was a motion and second to accept the ReOrganization Meeting minutes of January 2, 2019. Councilman Caminiti motioned to accept the minutes, seconded by Councilman Smith. Said motion was passed unanimously.

Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of January 8, 2019. Councilman Caminiti motioned to accept the minutes, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Mayor Skinner asked if there was a motion and second to accept the Executive Session Meeting minutes of January 8, 2019. Councilman Sweeney motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

OLD BUSINESS

Councilman Smith stated that last meeting he spoke about the pond and the DEP. The Borough had a discussion with the DEP about why the northwest and southeast corner was made an exceptional resource area. The Borough and the DEP will meet tomorrow to look at the two areas to see why they were designated. Councilman Smith also noted that the Senior Aquatics Engineer at Princeton Hydro will put together a proposal by the next meeting to address specifically the algae problem on the pond bottom.

NEW BUSINESS

Government Energy Aggregation (GEA) Presentation – Councilman Caminiti stated that we will be hearing a presentation about providing energy cost savings to Borough residents by negotiating the generation portion of your energy bill. The GEA allows the municipality to put this out to bid on behalf of residents who want to participate.

Mr. McDonough, the Mayor from Hope Township, spoke about his town's participation with this co-op. He noted that the residents in his town and others he knows about are happy with the way this program is handled. He was asked what the general savings for the program were and he noted over \$700,000 for the seven towns that participated in the co-op. Councilman Caminiti noted that no one is compelled



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to remain in the program, there is an opt out option. He also noted that there is no cost to the municipality for this program.

Ms. Lisa Hives, the Vice President of Operations for Commercial Utility Consultants, gave a presentation and provided a handout PowerPoint presentation. She noted that energy deregulation is the separation of supply from delivery and was put into effect back in 1999. The municipal services act of 2003 enables municipalities to aggregate its electricity. In 2012, the Board of Public Utilities in New Jersey authorized and enabled municipalities to do this for its residents. In February of every year the state goes out to auction for electricity providers. This program allows the Borough to go out at a different time of the year, ask for different term lengths, and it attracts different suppliers. She stated that they go out to auction and if they have a lower price than the state's default rate the Borough decides whether to go with it. The one exception is if the Borough wants to pay a higher rate that includes a green component. An ordinance needs to be passed as the first step. This does not obligate you to start an energy aggregation program. There are existing co-ops you can try to get pulled into or you can go out to auction on your own.

Councilman Caminiti asked about legal costs of putting the ordinance in place. The current third-party supplier of a co-op would reimburse up to \$2000 on attorney fees and mailers. This is done once the kilowatt hours start flowing.

Councilman Smith asked about savings for residents. Ms. Hives said it depends on price you get at time of auction, but she said that savings average eight to fifteen percent. Council discussed Borough businesses that would save money. Ms. Hives stated that the Board of Public Utilities likes to have separate bid lots for commercial versus residential. She continued by providing more specific information on co-ops and pricing.

Mr. McDonough noted that the costs associated with this were virtually nothing. Ms. Hives stated that her company's commission is built into the quoted price of kilowatt hours. She said that there is minimal administrative work. There will be outreach meetings the week that the mailer goes out to keep residents informed. Councilman Caminiti was thanked for raising this issue and he stated that if we're offering this to residents the Borough has to stand behind this.

MISCELLANEOUS DISCUSSION/APPROVALS

Facilities Usage Application from Somerset Hills Little League for softball field usage April 2 to June 30, 2019.

Councilman Caminiti had two questions. One was regarding the times listed. Councilman Sweeney stated that he reached out to Diane Becker about this and that she has worked with the organizer and has had a positive experience. The second was about the waiving of the application fee. He is concerned about the additional maintenance on the fields and any increased liability exposure that may be connected with the lack of maintenance. The Clerk stated that the fee was waived last year and it was her understanding that the fee has been waived since they've been using the fields. Councilman Sweeney stated that the organization indicated that they treat the field as if it were their own. Council gave consent contingent on the maintenance being done as Councilman Sweeney described and the



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insurance certificate meeting requirements since it is on file with the Clerk but not on hand for the meeting.

Facilities Usage Application from Matheny for 2019 Miles for Matheny on Saturday, June 1, 2019. The Clerk noted that she was contacted right before the meeting by the applicant and she is requesting a date change. Iveth Mosquera from Matheny spoke and stated that several sponsors would not be able to participate if they didn't change to Sunday, June 9. The event includes a 5k race. Councilman Smith asked about the MS bike ride which he thinks could be around the same date. Councilwoman Dietrich stated that the churches have expressed concerns about the noise disturbances during their Sunday services particularly if they're adding a race. Ms. Mosquera brought up her co-chair and they said that they had a sound engineer involved and thought that complaints were addressed. She also noted that the traffic concerns were discussed.

Council President Corigliano stated that this should be tabled until we have correspondence from the churches and the emergency services organizations. Mayor Skinner stated that this way the date change can get updated on the application and the churches, fire and EMS all need to agree to this date. There was discussion regarding the road closures and parking for the 5k. it was decided to wait until the next meeting on February 12 to get more information.

Change of Hours for Serving Alcohol on Sundays. Tom Carlin of Gladstone Tavern asked to amend some of the wording on the current 1953 ordinance to be allowed to serve alcohol at 11 a.m. on Sundays. The Clerk stated that a new ordinance would be required if the Council wants to do this. Council discussed various implications if this ordinance is created. Council gave consensus to introduce an ordinance at the next meeting.

RESOLUTIONS

Resolution No. 30-19 Resolution to Enter into an Agreement with Nations Roof for the Purpose of Emergency Repair on the Roof of Borough Hall was read. Motioned by Councilman Smith, seconded by Councilwoman Murphy. Council President Corigliano asked why are we just doing the emergency repair instead of all of the work quoted. Councilman Caminiti stated that the emergency work should be done now and the remedial work done at a later date. This allows the Borough to investigate additional options, including possibly combining the work with installing a solar array. Council discussed the project. Said motion was passed unanimously.

Resolution No. 31-19 Authorizing the Police Department to Participate in Somerset County Super Bowl Sunday's DWI Safe Passage Grant was read. Motioned by Councilman Sweeney, seconded by Council President Corigliano. Said motion was passed unanimously.

Resolution No. 32-19 Mayoral Appointments for the Library Advisory Board for the Borough of Peapack & Gladstone was read. Motioned by Councilman Smith, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Resolution No. 34-19 Authorizing Municipal Attorney to Execute Documents Required to Settle Tax Appeal for Block 33, Lot 13.08 for Tax Years 2017 and 2018 was read. Motioned by Councilman Smith, seconded by Councilman Caminiti. Said motion was passed unanimously.



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Resolution No. 35-19 Authorizing Municipal Attorney to Execute Documents Required to Settle Tax Appeal for Block 33, Lot 6 for Tax Years 2017 and 2018 was read. Motioned by Council President Corigliano, seconded by Councilman Sweeney. Said motion was passed unanimously.

Resolution No. 36-19 Authorizing Police Department to Participate in Distracted Driver (Cell Phone Enforcement) Grant was read. Motioned by Councilman Sweeney, seconded by Councilwoman Murphy. Said motion was passed unanimously.

BILLS LIST

Resolution No. 33-19 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$732,053.12. Motion to approve was made by Councilman Sweeney, seconded by Councilman Smith. Said motion was passed unanimously.

COUNCIL REPORTS

Finance – Council President Corigliano stated that he started working on developing the budget and plans to discuss at a meeting sometime in February. He noted that there is a report from the construction department that the fees came in pretty close to budget. The Borough's fees that they collect have probably dropped 25% this year from past years because of a State statute that no longer allows the Borough to collect fees for things like water heaters, etc. This will have an impact on taxes going forward.

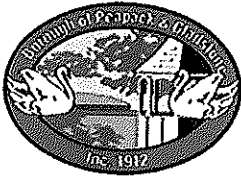
Council President Corigliano stated that last week the Land Use Board had a hearing from Pfizer and they were approved for additional ground parking.

Council President Corigliano continued with an update from a compliance hearing earlier this month with Fair Share Housing for affordable housing. He stated that the Borough's immunity has been extended until April 30 and we are now in the process of responding to several issues concerning our settlement. A group of people are working on responses with Council President Corigliano managing it. He noted that he needs help getting in touch with the property owners of the American Legion Club and the Elks to ask them for letters that agree to possibly being sites for affordable housing. The other thing he just learned is that Bethel Ridge is still interested in the Smith Property group home project.

Sanitation & Sewer – Councilwoman Murphy stated that she has no updates at this time.

Borough Property – Councilman Caminiti stated that we have a list of maintenance/enhancements to be done to the fire house. He gave a shout out to Kingsley Hill for being at the meeting tonight and for giving him an update on what has been done. Door replacements still need to be done. The lower basement doors have been replaced but the front door and the doors on the fire escape need to be done.

Councilman Caminiti noted that Matheny has not met its obligation to install traffic counters to date and we have heard very little. He received a letter from Ron Kennedy that included only a brochure of a counter and minutes of the last meeting they had with the Borough. Matheny is not addressing this with the urgency that is required; they have not been in compliance. They entered into this settlement



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agreement in October 2017 and there are no penalty clauses in it unfortunately. Mayor Skinner stated that he will start the process by meeting with Dr. Sprott to see where they stand. Councilman Caminiti asked that he and John Bruder be included in this. Council discussed how residents are affected by the agreement's terms not being carried out.

Fire – Councilman Smith stated that he and Mayor Skinner attended the fire department reorganization meeting. He said congratulations to John McDermott who was re-elected as Fire Chief and Kingsley Hill who was re-elected as President. He enjoyed engineers' night at the fire department. Councilman Smith stated that the fact that there were 194 calls in 2018 was interesting and that it puts a tremendous load on responders. He thanked them. Mayor Skinner noted that EMS's numbers are even higher and thanked them.

Police – Councilman Sweeney stated that he has no updates at this time.

Roads & Transportation – Councilwoman Dietrich stated that they have targets for this year. There is some funding for Willow and Mosle and work will be done in the spring. She said that the sidewalks issue is a priority. She brought up Old Chester and Main Street and working with the County concerning speeding.

Zoning & Construction – The Mayor stated that he has no updates at this time.

Legal – Mr. Bruder said there are a number of matters, including the Matheny matter already discussed. He stated that there are still three tax appeal matters, one is with Hamilton Farms which we thought was resolved back in the fall. He is continuing to work on this along with other litigation matters that are not for public session.

Administrator's Report – Mr. Tietjen stated that the packets given to Council members this evening include reports from other departments. He welcomes feedback on what should be included in these reports.

Mayor's Report – The Mayor thanked everyone for their welcomes and help.

Council President stated that last year the Council had made a commitment to take another look at the property maintenance ordinance. The Zoning Official will have something within the next few weeks in response to this.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Bill Muller – Pottersville Road – Mr. Muller asked about the Matheny settlement and the lack of action. He wanted to know if you lose any of your legal rights if you drag this on. Mr. Bruder answered that he believes that we've been diligent in pursuing it and have documentation that we have followed up with Matheny. Mr. Bruder stated we are not at the point where we've waived any rights to go back to the courts because of inaction.

Mr. Muller brought up the fire calls to some facilities in town that have repeat calls which he understood were false alarms. He believes that we have the ability to levy fines if these are consistent but this has



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never been done. There was discussion about meeting with Matheny to ask them to enforce their rules against using hot plates that have caused false alarms so that volunteers don't have to respond as often.

Mr. Muller stated that he had a conversation with the realtor who listed the Sisters of Saint Johns property. He was told that there were no religious activities occurring there and that the heat has been turned off. He suggests that since there are no religious activities, the road should not receive a religious tax break.

CONTINUED EXECUTIVE SESSION

Resolution No. 29-19 – Authorization for Executive Session for Certified Specified Purposes – Contract Negotiations – Tucker Farmland Preservation, Nelson Farmland Preservation, Potential Collective Bargaining with the Department of Public Works; Public Safety – Prosecutors Report was read. Motion was made by Councilman Sweeney, seconded by Council President Corigliano. Said motion was carried unanimously.

Public Meeting reconvened at 10:02 p.m.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Council President Corigliano, seconded by Councilman Caminiti, that this meeting be adjourned at 10:03 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk