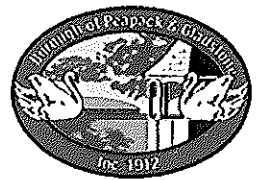




**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, February 19, 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, Councilman Smith, Councilman Sweeney

Not present: Councilwoman Murphy

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

EXECUTIVE SESSION

Resolution No. 37-19 – Authorization for Executive Session for Certified Specified Purposes – Contract Negotiations –Potential Collective Bargaining with the Department of Public Works; Litigation – Gill St. Bernard's Settlement was read. Motion was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Public Meeting reconvened at 7:33 p.m.

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

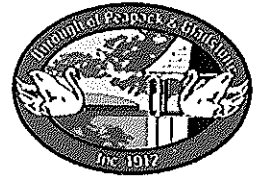
Mayor Skinner asked if any member of the public wish to speak about non-agenda items.

Ken Tiger, Saint Johns Dr., Gladstone - Mr. Tiger stated that he feels that the deer population is getting out of control since the group that used to hunt stopped. Council President Corigliano noted that there were complaints from citizens because the group that used to cull the deer was not open to Borough Residents being included. Council discussed getting guidance from Board of Health's Animal Control and the County Park Commission to see about resurrecting the hunting program.

Steve Kinsey, 8 Mosle Rd., Gladstone – Mr. Kinsey asked about what he has heard about Miles for Matheny event and the fact that the event may be moved to another location, which he finds very disappointing. Council noted that Matheny asked to change the date from a Saturday to a Sunday at the last meeting when their application was being considered. Council asked them to reach out to the churches in order to confirm that Sunday services would not be adversely affected, and also to emergency services. Council expected Matheny to come back to the meeting which was scheduled for last Tuesday but got cancelled due to the weather. Council discussed that Matheny now has not come



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019**



back to them and instead approached another town. One thing different about this year's application is that they were bringing back the 5K and the effect of that on the churches had to be looked at.

MINUTES

Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of January 22, 2019. Councilman Smith motioned to accept the minutes, seconded by Councilman Sweeney. Said motion was passed unanimously.

Mayor Skinner asked if there was a motion and second to accept the Executive Session Meeting minutes of January 22, 2019. Councilman Caminiti motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

ORDINANCES

Mayor Skinner introduced **Ordinance 1068-2019** – An Ordinance Amending Chapter VI, Titled “Alcoholic Beverage Control” of the Revised General Ordinances Subsection 6-4.2, Titled “Sundays”. Councilman Sweeney moved to pass the Ordinance at first reading, seconded by Council President Corigliano. Said motion was carried unanimously. Mayor Skinner stated that Ordinance 1068-2019 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on March 12, 2019 at 7:30 p.m. or shortly thereafter.

Mayor Skinner introduced Ordinance 1069-2019 – An Ordinance of the Borough of Peapack & Gladstone Establishing an Electric and/or Natural Gas Aggregation Program. Councilman Caminiti moved to pass the Ordinance at first reading, seconded by Councilwoman Dietrich. Said motion was carried unanimously. Mayor Skinner stated that Ordinance 1069-2019 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on March 12, 2019 at 7:30 p.m. or shortly thereafter.

Mayor Skinner introduced Ordinance 1070-2019 – Calendar Year 2019 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14). Council President Corigliano moved to pass the Ordinance at first reading, seconded by Councilman Sweeney. Council President Corigliano noted that this CAP Bank is established each year in the event of an unexpected emergency. Said motion was carried unanimously. Mayor Skinner stated that Ordinance 1070-2019 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on March 12, 2019 at 7:30pm or shortly thereafter.

OLD BUSINESS

Liberty Park Improvements and NJDEP Update – Councilman Smith noted that two weeks ago NJDEP came out to review the areas that they had given special designation of exceptional resource value in the Letter of Interpretation (LOI) and as a result agreed with the Borough that the two areas are flood basin just like the rest of the park. He continued that he, Councilman Caminiti and Mr. Tietjen met with NJDEP permit coordination group along with Carter van Dyke and Princeton Hydro. He noted that he felt that the DEP representatives were overall in favor of the improvements the Borough is proposing and came away with a better understanding of the permit process. Mr. Caminiti stated that the DEP brought



MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019



up Permits By Rule (PBR) which helps expedite the permit process so the Borough representatives obtained much information to try to abide by PBR to help speed the process and reduce costs. Councilman Smith noted that reshaping or putting structures in the pond using fill would not fall under PBR so the Borough will try to avoid any exceptional circumstances and try to stay under PBR.

Liberty Park Well – Councilman Smith stated that there was general agreement from the DEP on the existence and proposed placement of the well. He continued with a note that there may need to be a safety inspection of the spillway/dam in order to meet current requirements.

Affordable Housing Compliance Update – Council President Corigliano stated that the Borough Attorney sent the required update letter regarding compliance to the appropriate parties. The Borough is still working on getting information together to reach out to Elks and American Legion to get letters from them. He said that the Borough has been given legal advice to discuss with Matheny an amendment to the group home agreement. He also stated that the Bethel Ridge agreement with the Borough is still alive and well and they would like to move forward in building two group homes on the Smith property. There was discussion about getting this on the agenda to discuss further.

Department of Public Works Update – Councilman Smith stated that the International Brother of Teamsters (IBT) has approached the Borough's DPW workers to unionize. The Borough has objected but the State has said that if the workers want this representation, they can open negotiations.

NEW BUSINESS

MISCELLANEOUS DISCUSSION/APPROVALS

Special Use Application for St. Brigid's Church for Interfaith Hospitality - Councilman Sweeney noted that he will be abstaining because of his involvement with the group. Mayor Skinner and Councilman Corigliano also questioned if they should abstain because they are members of the church, but it was not deemed necessary. A representative, Tom Hart, an attorney for the church spoke about the Interfaith Hospitality Network of Somerset County which includes over 30 churches and temples of multiple denominations that help families, primarily women and children, in need. St. Brigid's is asking if as part of this program they can house for one week between March 3 and March 10 at the school and cafeteria approximately 10 to 20 homeless people. The people would stay between 6 p.m. and 6 a.m., and then get bussed to various activities then come back and spend the night. This is emergency housing, not long-term housing. Council members discussed the application. Council concurred on waiving the fees and accepting the application. The application was going to go before the Land Use Board at the meeting scheduled for tomorrow night but Council concurred that if the weather prevents that meeting from taking place, that Land Use Board consent would not be necessary.

Recovery Ordinance for Expenses of Certain Emergency Services – Councilman Sweeney stated that he and the OEM Coordinator are working on getting an ordinance concerning this. He said that if there is an accident that the hazmat team has to respond to the Borough would like to be able to have the opportunity to get money spent on materials back from the parties involved. There is information including sample ordinances included in the packets Council members have. Kingsley Hill, the OEM Coordinator, discussed the process that could be used to get money back. Mr. Bruder discussed what



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019**



type of policy the Borough wants to implement concerning soft versus hard billing. Council discussed the importance of having an ordinance that addresses this.

RESOLUTIONS

Resolution No. 38-19 Resolution Authorizing Agreement Between Borough of Peapack & Gladstone and the County of Somerset for Recycling Pick-Up – January 1, 2019 – December 31, 2019 was read. Motioned by Councilman Smith, seconded by Councilman Sweeney. Said motion was passed unanimously.

Resolution No. 39-19 Resolution for Year End 2018 Budget Transfers was read. Motioned by Council President Corigliano, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 40-19 Resolution to Enter Into an Agreement with Princeton Hydro for the Purpose of Sediment Remediation for the Pond Located in Liberty Park was read. Motioned by Councilman Smith, seconded by Councilwoman Dietrich. Council discussed the work involved. Said motion was passed unanimously.

Resolution No. 41-19 Resolution to Enter Into an Agreement with Norman J. Goldberg, Inc. Real Estate Appraisers for the Purpose of a Appraisal of the Tucker Parcel, Block 8, Lots 2.06 & 2.11 for Farmland Preservation was read. Motioned by Councilman Sweeney, seconded by Council President Corigliano. Council President Corigliano asked if these are being paid for out of Open Space Trust. Mr. Tietjen stated that New Jersey Conservation Fund will make a contribution to the Open Space Trust fund towards this and the appraisal covered by the next resolution. Said motion was passed unanimously.

Resolution No. 42-19 Resolution to Enter Into an Agreement with Robert F. Heffernan Associates Real Estate Appraisers and Consultants for the Purpose of a Appraisal of the Tucker Parcel, Block 8, Lots 2.06 & 2.11 for Farmland Preservation was read. Motioned by Councilman Sweeney, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 43-19 To Authorize Execution of an Addendum to Subdivision Takeover Agreement with First Indemnity of America Insurance Company Regarding the Pacesetter Development was read. Motioned by Council President Corigliano, seconded by Councilman Sweeney. Council President Corigliano stated that Mr. Bruder has worked with the bonding company to complete the work by planting an additional estimated 130 trees and to repair one curbstone. The Borough will be keeping half of the cash bond because of the road maintenance work and interim plowing the Borough paid for. Said motion was passed unanimously.

Resolution No. 44-19 To Authorize Execution of Settlement Agreement with Gill/St. Bernard's Regarding the Matter Entitled "The Gill/St. Bernard's School v. Borough of Peapack and Gladstone" Bearing Docket No. Som-L-001495-15 was read. Motioned by Council President Corigliano, seconded by Councilman Caminiti. Said motion was passed, with Councilman Smith voting no because of noise concerns. Council President Corigliano gave a short description of the resolution.

Resolution No. 45-19 Authorization to Increase Salary – Scott K. Bowerbank was read. Motioned by Councilman Smith, seconded by Councilwoman Dietrich. Said motion was passed unanimously.



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019**



COUNCIL REPORTS

Finance – Council President Corigliano stated that there will be the first budget review meeting at 7 p.m. next Tuesday to review appropriations and salaries. He continued that the Finance Committee met this morning to prepare. Council President Corigliano also brought up a meeting that he and Mr. Tietjen had with the auditor about the financing for the Happy Rockers, which has been done through the trust fund for years. The Borough wants to make a change to this because the auditor stated this is not how the financing should be done. Councilman Sweeney will meet with the Recreation Director to discuss putting the group under Recreation.

Sanitation & Sewer – Councilman Caminiti stated that there is nothing to report at this time.

Borough Property – Councilman Caminiti said that Ron Kennedy is spearheading the Matheny team and is moving the traffic counter forward.

Fire – Councilman Smith reported that he and Councilwoman Murphy met with the Fire Department's rescue truck replacement team and were asked to bring forward a proposal to replace the current vehicle at a capital cost of \$705,000. He also stated that John Skinner approached Councilwoman Murphy and him about meeting with the First Aid Rescue Squad.

Police – Councilman Sweeney noted at the next meeting he would like to have a resolution on the agenda for a St. Patrick's Day DUI grant. He said that they would like to hire a Special Class II Officer. He ended by stating that car 5 needs a replacement and they have some numbers to get a full-size replacement. Sergeant Ferrante spoke about what the department is looking for. Council discussed the current vehicles and their uses.

Roads & Transportation – Councilwoman Dietrich asked Mr. Tietjen about Willow Ave. paving timing and he answered that he will reach out to them to make sure that they're on schedule for mid-April. He also noted that the bid for Mosie Road Section 2 will go out in late March. Council President Corigliano stated that he is advocating for getting lower Highland paving done.

Zoning & Construction – Mayor Skinner said that there was an issue with zoning that has been cleared up, regarding a resident and the length of time to receive a permit.

Legal – Mr. Bruder noted that with respect to the settlement agreement with Gill St. Bernard's, a land use ordinance needs to be amended and passed within 90 days.

Administrator's Report – Mr. Tietjen stated that he wanted to update Council on the Borough's stormwater compliance. At the beginning of the year the Borough was notified by NJDEP of multiple violations concerning the stormwater permit. He has issued a response to implement remedial actions through the DPW to bring the Borough back into compliance after consulting extensively with the Borough Engineer.

Mayor's Report – The Mayor did not have anything to report at this time.



MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
FEBRUARY 19, 2019



Other Business

Council President Corigliano stated that last year Mayor Muller had formed a subcommittee of Councilwoman Dietrich, Councilman Caminiti and Council President Corigliano to address pending marijuana legislation. They submitted a letter to the State on behalf of Borough and made a decision at time that there was no action to be taken. The State recently has taken rapid action and so in the coming months the Borough will need to take some action, including a public hearing and polling residents to determine their desires. Council discussed opt-out versus opt-in clauses and farming. Mayor Skinner asked if the subcommittee could continue to stay on this.

BILLS LIST

Resolution No. 46-19 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$1,654,483.60. Motion to approve was made by Council President Corigliano, seconded by Councilman Sweeney. Said motion was passed unanimously.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Bill Muller – Pottersville Rd., Gladstone – Mr. Muller asked about the cost for the rescue truck which was about \$650,000 when it was previously talked about, in contrast to the \$705,000 now discussed. Councilman Smith stated that the cost of \$650,000 would be if the Borough paid cash up front but the cost is higher and depends on how much is put down up front. Mr. Muller also addressed the discussion about bringing on a Police Department Special Officer and whether the need for one has been looked at closely. He also asked that Council keep a critical eye on the acquisition of any new vehicles.

Council President Corigliano asked about the score assigned by the County for OEM. Kingsley Hill, the OEM Coordinator, and Mayor Skinner both were aware of the report's findings.

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 9:22 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger
Nancy A. Bretzger, Borough Clerk