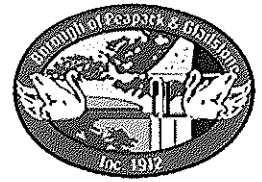


**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
JUNE 25, 2019**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, June 25, 2019 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 7:30 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

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

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

Mayor Skinner asked if any member of the Public wishes to speak about non-agenda items. No one came forward.

There was a recess at 7:34 p.m. Meeting reconvened at 7:40 p.m. The Mayor stated that we are recording on two devices because the Council chamber recording device is not working.

MINUTES

Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of May 28, 2019. Councilman Smith motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Mayor Skinner asked if there was a motion and second to accept the Executive Session Meeting minutes of May 28, 2019. Councilwoman Murphy motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

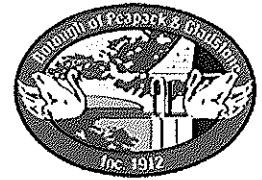
OLD BUSINESS

Presentation from the Borough of Peapack & Gladstone Volunteer Fire Department Regarding Request for Purchase of new Rescue Truck.

Mayor Skinner moved the presentation up because there are members of the Fire Department in the audience. Councilman Smith explained why the Fire Department was here and asked the President of the Fire Company, Kingsley Hill, and the Fire Chief, John McDermott, to come forward to start the presentation. Chief McDermott introduced members of the Fire Department who were present. He noted the vehicles that the department has at this time and what each vehicle does. He said they are here to ask for a new rescue truck to replace the 1995 truck, which is the oldest vehicle they have. He



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continued that there is a core group of 12 to 15 active members with the department and another 12 members who help out, including several DPW employees who provide help during the day.

Chief McDermott did a presentation about the request for the new truck. He explained the state safety requirements and that we are required to participate in mutual aid endeavors with surrounding counties. The Fire Department is a member of the Northern Mutual Aid Association which encompasses most towns in the north-western part of Somerset County as well as some Morris County departments. The department not only services the Borough but also surrounding towns and departments and the other town departments come to assist us if we have specific needs. He covered the Fire Department's various rescue capabilities, including confined space entry. He noted that the Fire Department is the designated confined space team to cover for the Borough's DPW Department. He noted that the department has members trained in tactical rescue for mass casualty and active shooter incidents. Law enforcement, EMS and fire will all be involved in these incidents and these require that they carry additional equipment. That is one reason they are asking for a larger truck, to enable them to carry mandated equipment. The rescue truck is used as a fire support vehicle. The truck is at the scene and carries additional tools including saws and fans and is used in rescue. The proposed new one will have the capacity to carry additional ladders. The department is capable of getting started on hazmat calls and will call in the County hazmat as needed. Chief McDermott stated that when the department started to do rescues they used a step van. They expanded and purchased a 1995 walk in truck, which has been retro-fitted for their needs. The upgrades have been paid for by the department with fundraising funds.

Chief McDermott gave specifications of the current rescue truck and the proposed rescue truck. The new truck specifications include a more powerful engine, rollup doors for better visibility, approximately 50% more storage, LED lighting, and several safety features. He continued by noting benefits of the new rescue truck. These include that it's more organized, safer for rescuers, easier and quicker to find equipment, which all result in a faster response time. He showed a picture of a truck similar to what they're proposing with various features labeled.

Chief McDermott continued by stating that the committee has visited several different departments to see their rescue trucks and attended the fire conference to see different bodies and manufacturers. The committee is recommending that the department go with Pierce as the manufacturer. The department has two Pierce engines and has had good luck with Pierce apparatus. He stated that the truck committee did seriously consider other options but believes that the vehicle that they are proposing tonight is the best option. The lifespan is approximately 25 years. The 2019 cost is \$702,115.25. The initial vehicle that they looked at was over \$800,000 and the committee adjusted their specifications to bring the cost down. There are a number of payment options that will bring the cost down to an estimated \$674,000 to \$685,000. Whitehouse Rescue purchased a rescue truck within the last two years and they paid in the mid sixes.

Chief McDermott asked for questions or comments. Councilman Sweeney asked when you are locked into that price and was told that once the contract is signed that's the price. Chief McDermott stated that he was told that the number is a 2019 number and he would make a strong argument that if they order this year that's the number they should stick with.



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Councilman Smith asked about the wheel base of the truck and how it compares to the other trucks. It is slightly longer and will go wherever the other two engines go. He also asked if Chief McDermott would detail what extra equipment the department needs that necessitates a larger truck. Chief McDermott stated that they learned from a RIC class that they do not have enough ground ladders and this would carry extra ladders. He continued that when there are accidents on the highway involving tractor trailers or on an ice rescue call the ladders are needed. Other equipment would include additional vests for people at the command post during a terror incident.

Councilwoman Murphy asked about the next engine to age out. He stated that Engine 3 is twenty years old and is serviceable but they would look to replace it next. If they refurbished a truck this is the one that they'd recommend for refurbishing. However, he doesn't know if it would be rated as a Class A pumper if it got refurbished and that would affect residents' fire insurance.

Councilman Caminiti asked about surrounding communities and mutual aid. Chief McDermott stated that we try to separate the types of rescue that surrounding town departments do.

Mr. Tietjen asked where the committee obtained the number from, and was told it was from the Cooperative based on specs they provided.

The Council thanked the Chief for the presentation. Councilman Smith asked how the Council would like to proceed with this. The Council decided that they would like to take time to think about and review the presentation and come up with questions. Mayor Skinner and Council President Corigliano thanked the members of the Fire Department who gave their time to come to the presentation.

Liberty Park Update – Councilman Smith stated that he just received a letter from NJ American Water denying the Borough the \$10,000 grant but it was worth a try.

Mr. Tietjen explained that the design and construction fees for work proposed by Carter van Dyke Associates (CVDA) are \$100,000 to \$115,000 that do not include the design and permitting fees that Princeton Hydro would incur. The total that includes that work also is \$200,000 to \$220,000 for the design and water quality. Mr. Tietjen asked for Council to provide direction to either put the design phase through an RFP to solicit design firms or to continue a contract with CVDA to complete the design and construction management for the Liberty Park project.

Councilman Smith stated that this jives with the budget of \$220,000 in soft costs that we had discussed earlier and while high this will allow us to keep on target for the \$1.1 million that we discussed earlier. Councilman Sweeney said this made sense to him but he is still not on the \$1.1 million page and is choking on the soft costs because these will be at least 20% because there is already money we've paid out that isn't part of the \$220,000. He hopes to see some reduction.

Council President Corigliano stated that we did see a reduction and as he recalls CVDA was originally down for \$190,000 for design and construction management. Council discussed that the Princeton Hydro numbers are estimates that could come in lower. Council President Corigliano continued that he doesn't agree with going out for proposals. The residents have an expectation based on what CVDA did already by going through an entire process. He noted that three years ago Council interviewed five firms and chose CVDA based on their experience. A new firm would have no history with the park.



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Councilman Smith agreed that changing an architect at this stage would be disastrous but he can't rationalize the numbers from both CVDA and especially Princeton Hydro. Councilman Sweeney stated that we should go to CVDA with what Council feels is acceptable for a soft cost number and say that we're prepared to go out for bid if they don't meet it. Mr. Tietjen asked if there is a number that Council is comfortable with. Council President Corigliano stated that his number is \$140,000 all in including Princeton Hydro and the DEP permit fees, with others voicing their agreement. There was discussion as to what committee should be speaking with CVDA. There will be one person from the finance committee and one from the property committee.

Energy Aggregation – Councilman Caminiti explained that he received some materials back from CUC, the service provider that will putting out for bids. The CUC wants to access consumption data from the aggregate of the town to get an accurate number. Mr. Bruder reviewed the documents and had some comments which were sent back to the vendor for their review. He continued that he wants to ensure that any fees get put on the provider, not the municipality.

NEW BUSINESS

Borough Policy on Accepting Donation of Flags – Councilman Sweeney explained that he and Mr. Bruder discussed that this is first amendment issue and we need a policy that is content neutral. If we accept one flag, we have to accept every flag. He stated that there are other ways of showing support, such as by doing a proclamation. Councilwoman Murphy asked if we can fly flags under federal government monthly observances as there are only a few of these if combined with New Jersey State observances. She stated that the flagpole says a lot. Mr. Bruder explained the law and the categories of public forums and because a flagpole falls under the non-public forum. If we allowed any public expression other than the American flag or State of NJ flag then you are obligated to put up any other flag requested. The Borough can't write policy to limit requests. Mr. Bruder gave several examples of groups that come out once you open your flagpole to public forum. Council discussed what could be provided as another alternative to public forum, such as a bulletin board or a sandwich board. Councilman Caminiti noted that there are times where Council wants to take a position and show support and that could be done through proclamation or on the website. Councilwoman Murphy feels that something visual should be considered other than flags.

MISCELLANEOUS DISCUSSION/APPROVALS

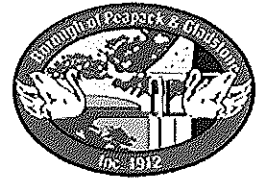
Request for Approval from Chai Lifeline to pass through the Borough on a Cycling Fundraising event on Tuesday, July 16, 2019 from approximately 8:15am to 10:00am on Main Street and Old Chester Road.

Mayor Skinner stated that he responded to the gentleman and that the Borough doesn't have to provide approval but appreciates the notice. The police department has been notified. The group of approximately 200 and 250 riders is riding through town and they will be staggered for safety.

Request from St. Luke's Episcopal Church for Road Closure of Main Street from Park Avenue to St. Luke's Avenue on Sunday, September 8, 2019 from 9am to 4pm for their Annual St. Luke's Block Party/Food Truck Festival.



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Mayor Skinner stated that he contacted the Reverend and because Main Street is a County road St. Luke's needs to apply with the County DPW for both the road closure and the banner request. The Borough does not have any jurisdiction on this. The County form does confer with the local police.

Request from St. Luke's Episcopal Church for approval of Hanging Banners over Main Street at the Willow Avenue Intersection from August 10 to September 9, 2019 for Open House/Block Party on Sunday, September 8, 2019 and from November 9 to November 25, 2019 for Annual Christmas Fair on Saturday, November 23, 2019.

Councilman Caminiti asked about the Fire Department's Cars and Coffee event which is around that time. Mr. Hill said that the Fire Department coordinated with St. Luke's last year and it would be no problem to do so again.

Request for Field Usage from Somerset Hills Little League for use of the Ball Field from June 17, 2019 to July 31, 2019 Monday – Thursday 5:00pm – 8:30pm.

Mayor Skinner asked for consent of the Council. Council concurred.

Raffle License Application No. 05-2019 for Peapack-Gladstone Fire Company No. 1 for a 50/50 Raffle to be held on September 28, 2019 during the Coffee & Cars Event.

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

ORDINANCES

Mayor Skinner asked for a motion and second to open the Public Hearing for **Ordinance 1073-2019** – An Ordinance Amending Ordinance #1046-2017 to Appropriate Additional Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park.

Councilman Smith moved to open the hearing for Public Comment for **Ordinance 1073-2019** – An Ordinance Amending Ordinance #1046-2017 to Appropriate Additional Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Council President Corigliano. Said motion was carried unanimously.

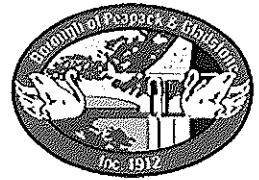
No one came forward.

Council President Corigliano moved to close public comment for **Ordinance 1073-2019** An Ordinance Amending Ordinance #1046-2017 to Appropriate Additional Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Councilwoman Murphy. Said motion was carried unanimously.

Councilman Smith moved to Adopt **Ordinance 1073-2019** – An Ordinance Amending Ordinance #1046-2017 to Appropriate Additional Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park, seconded by Councilwoman Murphy. Said motion was carried unanimously.



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Mayor Skinner asked for a motion and second to open the Public Hearing for **Ordinance 1075-2019** – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Tiger Hill Drive, Louise Lane and Timmer Lane.

Councilman Sweeney moved to open the hearing for Public Comment for **Ordinance 1075-2019** – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Tiger Hill Drive, Louise Lane and Trimmer Lane, seconded by Councilman Caminiti. Said motion was carried unanimously.

No one came forward.

Councilman Sweeney moved to close public comment for **Ordinance 1075-2019** An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Tiger Hill Drive, Louise Lane and Trimmer Lane, seconded by Councilman Caminiti. Said motion was carried unanimously.

Council President Corigliano moved to Adopt **Ordinance 1075-2019** – An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Tiger Hill Drive, Louise Lane and Trimmer Lane, seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Mayor Skinner introduced **Ordinance 1076-2019** – An Ordinance Authorizing the Purchase of Certain Real Property by the Borough of Peapack & Gladstone, which property is identified as Block 26, Lot 42.11 in the Borough. Council President Corigliano moved to introduce the Ordinance at first reading, seconded by Councilwoman Murphy.

Councilman Sweeney stated that wherever the word purchase appears he would rather see the words acquisition/acquires and that it should say we're going to accept the deed. Council President Corigliano moved to introduce the Ordinance with amendments, seconded by Councilman Sweeney. Said motion was passed unanimously. Mayor Skinner stated that **Ordinance 1076-2019** is introduced as modified and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on July 30, 2019 at 7:30 p.m. or shortly thereafter.

RESOLUTIONS

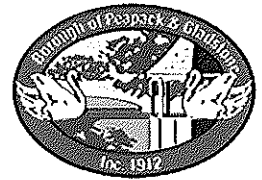
Resolution No. 120-19 Resolution Allowing St. Luke's Episcopal Church to Hang Banner Over Main Street from Saturday, August 10, 2019 to Monday, September 9, 2019 for St. Luke's Block Party on Sunday, September 8, 2019 and from November 9, 2019 to Monday, November 25, 2019 for St. Luke's Annual Holiday Fair on Saturday, November 23, 2019. The Resolution was tabled.

Resolution No. 121-19 Resolution Approving Road Closure of Main Street in Front of St. Luke's Church Between Park Avenue and St. Luke's Avenue on Sunday, September 8, 2019. The Resolution was tabled.

Mayor Skinner asked if **Resolutions 111-19, 113-19, 114-19, 115-19, 116-19, 117-19, 118-19, 119-19, 122-19, 123-19, 125-19, and 126-19** could be considered as a consent agenda. Motion to approve these



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was made by Councilwoman Murphy, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 111-19 Resolution for the Renewal of Plenary Retail Consumption and Distribution Liquor License for the Period of July 1, 2019 – June 30, 2020.

Resolution No. 113-19 Resolution to Appoint Briann Ballow as Seasonal Borough Department of Public Works Laborer.

Resolution No. 114-19 Resolution to Appoint William J. Allen, Jr. as Seasonal Borough Department of Public Works Laborer.

Resolution No. 115-19 Authorization for William J. Allen, Jr. to become a Riding Member of the Peapack & Gladstone Volunteer Fire Department.

Resolution No. 116-19 Resolution Appointing Ellen Hays as Purchasing Clerk/Assistant to the Construction Official for the Borough of Peapack and Gladstone.

Resolution No. 117-19 Resolution to Refund Tax on Block 28, Lot 18.07.

Resolution No. 118-19 Resolution to Refund Tax on Block 33, Lot 13.17.

Resolution No. 119-19 Resolution to Refund Tax on Block 33, Lot 6.

Resolution No. 122-19 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation.

Resolution No. 123-19 Authorization to Solicit Bids for Water Supply Test Well at Liberty Park Pond.

Resolution No. 125-19 Authorizing Borough Police Department to Participate in Somerset County July 4th DWI Safe Passage Grant.

Resolution No. 126-19 Resolution Providing for the Insertion of a Special Item of Revenue in the 2019 Budget for the July 4 DWI Safe Passage Grant Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948).

Council President Corigliano stated that we need to keep an eye on tax appeals since we have never had three tax appeals in one year.

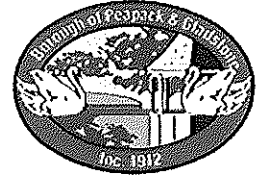
Resolution No. 112-19 Resolution to Reduce Excess Nutrients and Improve Water Quality in the Pond at Liberty Park was read. Motioned by Councilman Smith, seconded by Councilman Sweeney. Councilman Sweeney said that he has issues with the Resolution as written. He continued that he would like to have a separate Resolution for Black Lagoon and would wait to address the retesting of the water with Princeton Hydro. Council President Corigliano stated that we should wait until the whole park renovation is completed. Councilman Smith stated that we have been discussing water quality issues since he came on the Council in 2015. The intent of this Resolution was to lay out the whole process in one resolution. He continued that the Phoslock work should happen in July or August for best results and that the pond should be hydro-raked before the application. Council discussed the proposed work and decided to amend the Resolution to include the Phoslock and the hydro-raking, not the re-testing by Princeton Hydro. The new amount for the work was adjusted to \$10,000. A motion to table **Resolution No. 112-19** was made by Councilman Sweeney, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Resolution No. 127-19 Resolution to Enter Into an Agreement with Black Lagoon for the Purpose of Hydroraking and Phoslock Treatment of the Pond at Liberty Park was read. Motioned by Councilman Caminiti, seconded by Councilwoman Murphy. Said motion was passed unanimously.

BILLS LIST



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Resolution No. 124-19 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$1,002,520.04. Motion to approve was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

COUNCIL REPORTS

Finance – Council President Corigliano advised that the Borough’s interim CFO started about a week ago and he is assessing the department. The second item is related to affordable housing that he wants to pursue. He noted that we are always tight on first responders, both fire and first aid, and was wondering if there is a way to attract first responders to these rentals.

Sanitation & Sewer – Councilwoman Murphy stated she has nothing to report.

Borough Property – Councilman Caminiti stated that the Matheny traffic counter work has gone a bit off track because he is not getting a response from the contact. He noted that a group of volunteers cleaned up Rockabye Meadows and he has drafted a thank you to Raritan Headwaters Association. Councilman Smith stated that there is a new sign that will be erected in the park due to grant money received from Green Acres.

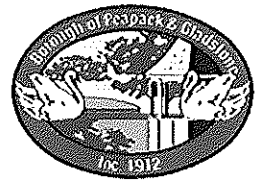
Fire – Councilman Smith stated that any questions the Council has regarding the new fire truck request should be submitted to him and Councilwoman Murphy.

Police – Councilman Sweeney stated that Owen Duff has completed internal affairs training. The new police vehicle will be arriving shortly. Adam Caruso is starting with the County on July 1. They plan to coordinate interviews for the Class 2 Specials. He continued that at the next meeting he plans to have costs for the promotional exam, including for a joint exam for Sergeant and Chief. Councilwoman Murphy had a question regarding the gas consumption reported on the police report. She stated that car idling is an environmental and a cost concern that needs to be considered. Mayor Skinner explained that the police equipment will drain the car battery and that the windows have to be clear in order to respond to emergencies quickly.

Roads & Transportation – Councilwoman Dietrich stated that she sent out an email earlier with details but this is a recap. Mosle Rd. paving will take place Thursday/Friday of this week. Holland Ave. is being worked on, including pursuing grant opportunities for sidewalks and tracking speed trends. Highland Ave. design has been submitted to DOT. The funding was just approved for Louise Lane, Tiger Hill and Trimmer. The DOT grant has been submitted for street repairs on Sheephill and Forest View. Concerning safety, the police department is continuing to monitor pedestrian traffic with camps in session. The County has gotten back to the Borough regarding crosswalks at Tiger Hill and Mosle and the Borough would need to supply the ADA ramps. There was discussion regarding the ADA ramps, including the need to get cost estimates. Also, the County will look into doing the striping in the fall at Main and Willow by Cocoluxe. Councilwoman Dietrich noted that there is an educational program called Street Smart Campaign that she has called the State about to determine if there are some gaps in our pedestrian safety. Councilman Smith commented that he asked Mr. Tietjen about notifying residents on PG Notify and Nextdoor regarding the work on Mosle and he also expressed concern about the through traffic.



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Zoning & Construction – Mayor Skinner stated that he has nothing to report.

Legal – Mr. Bruder stated that the Lime Kiln ordinance has been introduced as of tonight and thanked Councilwoman Dietrich for her work in advancing this matter. He expects documents back from the attorney representing the Somerset Hills Historical Society by the next Council meeting for public hearing and adoption. Concerning Pacesetter, he had sent a letter to the widow of the original developer and then followed up with a certified letter asking her to dedicate the street to the municipality. An attorney promptly responded to the certified letter and said he was not sure that the widow had the authority to do that and that Summit Capital who financially backed the development should have the responsibility. Mr. Bruder stated that the attorney is going to get him a proposed letter of dedication. But before we accept the dedication, there is still an outstanding issue on lighting and faulty wiring and he would suggest that until this is resolved the Borough should not accept the dedication. Mr. Tietjen stated that he is in touch with JCP&L and the legal department is looking into this. Mr. Bruder stated that the last issue he wanted to bring up was tax settlements. He spent yesterday with tax appeals before the tax board and most of them worked out favorably for the Borough. There was one hearing that the board will announce their decision about within 30 days. He said that there have been three tax court complaints filed in 2019 and these usually take about two years to get resolved.

Administrator's Report – Mr. Tietjen stated that Council covered most of his report. Pertaining to the ordinance for Louise Lane, Tiger Hill and Trimmer, Tilcon can pave the first week in August. He noted that he will be out of the office on Thursday due to taking the QPA exam.

Mayor's Report – Mayor Skinner stated that Community Day was a booming success and he thanked everyone who came and who made it a success.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

No one came forward.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Sweeney, seconded by Councilwoman Dietrich, that this meeting be adjourned at 9:52 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger

Nancy A. Bretzger, Borough Clerk