



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 10, 2019**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, September 10, 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. Mayor Skinner stated that since tomorrow is 9/11, we would like to have a moment of silence for the victims from 18 years ago.

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

EXECUTIVE SESSION

Resolution No. 149-19 – Authorization for Executive Session for Certified Specified Purposes – Contract Negotiations – (a) Affordable Housing (b) DPW Teamsters (c) Liberty Park Renovations – Princeton Hydro (d) Fire Department Rescue Vehicle (2) Litigation (a) Oster vs. Borough of Peapack & Gladstone was read. Motion was made by Councilman Caminiti, seconded by Councilman Smith.

Mayor Skinner asked why the fire department rescue vehicle discussion was going into executive session. Councilman Smith responded that he has gotten feedback from some Councilmembers but not from all. Mr. Bruder recommended that reference to the rescue vehicle can be removed from the Resolution and can be discussed under old business later in the meeting in an open session.

Said motion was carried unanimously on the amended Resolution.

Public Meeting reconvened at 7:34 p.m.

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

Mayor Skinner asked if anyone has any non-agenda items.

Ken Tiger – St. Johns Drive, Gladstone – Mr. Tiger stated that he is here regarding St. Johns Drive. He attended a Mendham township committee meeting and they are trying to get something settled with St. Johns Drive. Mr. Tiger continued that he would like if our Council would work with Mendham to force the issue. He said that the road is now so narrow that he couldn't get past a truck that was stopped. He is concerned that vehicles couldn't get through in an emergency. He stated that the houses for sale cannot be sold because of the condition of the road. Councilman Smith stated that St. Johns Drive is a private road and not the responsibility of the Borough. Mr. Tiger stated that the Council members should take a ride up St. Johns Drive to see the bad condition of the road. Mr. Tiger continued by



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reading from a 1982 agreement made regarding the maintenance of St. Johns Drive between the Borough's Mayor and the Sisters of St. John, who are the present owners. It stated that the Borough may repair the roads if the Sisters are not taking care of the road and charge the Sisters for the repairs. He asked that the Borough put some pressure on the Sisters. Councilman Smith asked if the residents of St. Johns Drive have a neighborhood association. Mr. Tiger stated that owners don't have an association but recently they all signed a paper and copied the Borough's Mayor, Mendham's Mayor, the Sisters, and the Bishop of Paterson to make their complaints known.

Councilman Smith asked if they have considered legal action against the Sisters. Councilman Caminiti stated that in general the Borough is not in the business of providing maintenance or upgrades to private property, but the Borough does have an obligation to protect the safety and well-being of its residents. Councilman Caminiti continued that if the roadway poses a safety hazard then the Borough has an obligation to do something. Councilman Caminiti said that he would reach out to the Borough Engineer and the two of them could look at the road and based on what they see send a letter from the Borough to the Sisters. Mr. Tiger confirmed that the road is unsafe with broken guardrails with a twenty foot plus drop-off. Councilman Sweeney asked is there something in the property maintenance ordinance that would allow the Borough to help with this issue. Council President Corigliano recalled that the Borough sent a letter to the Sisters late last year advocating that the road be addressed and he doesn't think it was ever answered. He suggested that instead of sending the Borough Engineer up there, the Borough Attorney should assist in writing another letter to the Sisters that references the property ordinance and advocates for the residents. Councilman Smith added that the Borough could add liability as an issue because the roadway owner would be legally responsible if there was damage to Borough vehicles or personnel responding to emergencies. Mr. Bruder asked for a copy of the agreement Mr. Tiger referenced and he will work on this issue.

MINUTES

Mayor Skinner asked if there was a motion and second to accept the Executive Session Meeting minutes of August 20, 2019. Councilman Caminiti motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed, with Councilman Smith abstaining.

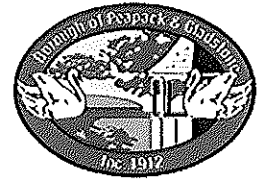
Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of August 20, 2019. Councilwoman Dietrich motioned to accept the minutes, seconded by Council President Corigliano. Said motion was passed, with Councilman Smith abstaining.

ORDINANCES

Mayor Skinner introduced **Ordinance 1078-2019** – 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 passed unanimously. Mayor Skinner stated that Ordinance 1078-2019 is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on October 8, 2019 at 7:30 p.m. or shortly thereafter.



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OLD BUSINESS

Liberty Park Renovations – Councilman Smith stated that there is a Resolution on the agenda to contract with Princeton Hydro for their aquatic design services. The project is moving forward and will go more quickly as time progresses. Councilman Sweeney asked if there was a way of doing the hydrant flushing instead of the well. Councilman Caminiti answered no. He continued that on one hand, introducing the additional water via the hydrant flushing resulted in an improvement to the water quality. This is an indication that the well should also result in a water quality improvement. Councilman Caminiti said that the spillover from the pond goes into a protected waterway and the Borough and the water company do not have permission from the NJDEP to use the hydrant water and the Borough runs the risk of litigation if anything happens downstream. Councilman Smith noted that the water company confirmed that the hydrant water was suitable for a short-term, ad-hoc test, not for a long-term solution. Councilman Smith also noted the water quality improvement and said that as an added bonus the geese left while the water was getting discharged into the pond. He continued that the well would provide a reliable source of water during dry months and the Borough can't assume that the NJ American Water Company will provide water on a regular basis. Council President Corigliano backed up Councilman Sweeney's idea and asked if it was at least worth exploring with the water company if they could be the source of the water in lieu of the proposed well. Councilman Caminiti stated that he has discussed this with Princeton Hydro and their concerns are the volume and chemical composition of the water going into the pond. Councilman Smith brought up the steps that have to be taken to de-chlorinate the water from the hydrant, and Mayor Skinner stated that the water company already has a setup in Pottersville where they overflow the water. Councilman Smith again voiced his concern about dry periods, which would be when the pond needs the water the most, and that the water company would have their own schedule for hydrant flushing. Councilman Caminiti stated that using the hydrant water could be a plan b but as a primary source of water and mitigating the water quality issues, this is not suitable. Council President Corigliano asked that before the money is spent on the well, the Borough should explore this to confirm whether it is an option. Councilman Smith stated that he and Councilman Caminiti will discuss this with Carter van Dyke when he comes to the park next week.

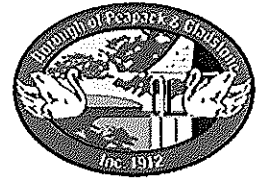
Fire Department Rescue Truck – Councilman Smith stated that he had asked the Council to give Councilwoman Murphy and him any questions they have regarding the purchase of the new truck. He has received little input to date, and he asked if the Council would prefer to speak directly with the fire truck committee. Council members agreed that they would prefer speaking directly with the committee. This will be done during the public session of an upcoming meeting.

NEW BUSINESS

Councilman Caminiti noted that he was working on getting the Green Acres sign removed temporarily for the Art in the Park event. Mr. Tietjen spoke with Diane Becker, the Recreation Director, already and she can hold the event without moving the sign. It was discussed and decided not to remove the sign because of cost. Council President Corigliano noted that Mr. Tietjen and Ms. Bretzger are leading a recycling initiative using grant money and there will be a Borough table at Art in the Park. Councilwoman Dietrich, Councilman Caminiti, Ms. Bretzger and Council President Corigliano will be there to hand out recycling information to the residents.



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MISCELLANEOUS DISCUSSION/APPROVALS

Special Use Permit for St. Brigid Church for Sunday, September 22 – September 29, 2019 to Host “Hospitality Network of Somerset County Emergency Shelter Program”

Councilman Sweeney explained that this was approved several months ago during a Council meeting, and that the LUB approved it also. The waiving of the fees is the issue before Council. The Council gave concurrence.

Facilities Usage Application for Somerset Hills Little League for Use of Ball Fields August 27 – October 31, 2019 5:30 p.m. – 7:30 p.m. Monday – Friday (if not being used by the Borough)

The Council concurred with this.

Facilities Usage Application for PG Recreation PreK 3 & 4 years old and K-2 Soccer for use of the Gym on Rainy Days for the program – Saturdays, September 21, 28, October 5, 12, 19 & 26, 2019 during the hours of 1:45 p.m. to 4:15 p.m.

The Council concurred with this. Councilwoman Dietrich noted that residents use the open gym and asked that this is limited to rainy days as stated in the application.

RESOLUTIONS

Resolution No. 150-19 Resolution for Adjustment to Sewer Charges on Block 28, Lot 24.02, Account # 920-0 was read. Motioned by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 151-19 Award of Contract to Princeton Hydro for Engineering and Regulatory Compliance Services for Improvements to Liberty Park Pond was read. Motioned by Councilman Smith, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Resolution No. 152-19 Authorizing Borough Police Department to Participate in Distracted Driver (Cell Phone Enforcement) Grant was read. Motioned by Councilman Sweeney, seconded by Councilman Smith. Said motion was passed unanimously.

Resolution No. 153-19 Resolution Providing for the Insertion of a Special Item of Revenue in the 2019 Budget for the Distracted Driving Countdown Grant Pursuant to N.J.S.A. 40A:4-81 (Chapter 159, P.L. 1948) was read. Motioned by Councilman Sweeney, seconded by Council President Corigliano. Said motion was passed unanimously.

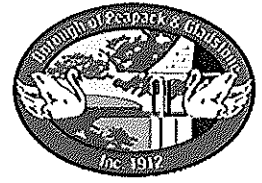
Resolution No. 154-19 Resolution to Appoint Matthew J. Kelly, Police Officer as a Permanent Member of the Police Department was read. Motioned by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 155-19 Resolution to Appoint Nicholas J. Ortiz, Police Officer as a Permanent Member of the Police Department was read. Motioned by Councilwoman Murphy, seconded by Councilman Caminiti. Said motion was passed unanimously.

Resolution No. 156-19 Resolution to Refund Tax on Block 32, Lots 8 & 9 for Overpayment of 3rd Quarter Taxes was read. Motioned by Councilwoman Murphy, seconded by Councilwoman Dietrich. Said motion was passed unanimously.



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Resolution No. 157-19 Resolution Appointing a Municipal Prosecutor for the Shared Court from October 1, 2019 to December 31, 2020 was read. Motioned by Councilman Sweeney, seconded by Councilman Smith. Said motion was passed unanimously

BILLS LIST

Resolution No. 158-19 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$931,959.45. Motion to approve was made by Councilwoman Murphy, seconded by Council President Corigliano. Said motion was passed unanimously.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Mayor Skinner asked if anyone would like to make comments.

Kingsley Hill – President of the Fire Company – Mr. Hill stated that he would like to see a preview of the questions from Council in case there is a need for research. Councilman Smith stated that there would be no obligation to answer the questions immediately.

CONTINUED EXECUTIVE SESSION

Resolution No. 149-19 – Authorization for Executive Session for Certified Specified Purposes – Contract Negotiations – (a) Affordable Housing (b) DPW Teamsters (c) Liberty Park Renovations – Princeton Hydro (d) Fire Department Rescue Vehicle (2) Litigation – (a) Oster vs. Borough of Peapack & Gladstone was read. Motion was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Public Meeting reconvened at 9:14 p.m.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Sweeney, seconded by Councilman Smith, that this meeting be adjourned at 9:15 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk