



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



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, October 22, 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, Councilwoman Murphy, Councilman Smith, Councilman Sweeney

Absent: Council President Corigliano, Councilwoman Dietrich

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.

Ken Tiger – St. Johns Drive – Mr. Tiger said that we have raised bees for the last 30 years and now the Land Use Board said that they couldn't anymore because they're in an R3 zone, so they got rid of them. Mr. Tiger asked if farming can be done in an R3 residential zone because a neighbor is doing some kind of farming. He continued that he doesn't want to cause any problems, he just has no idea. Mr. Tietjen advised that he should speak with Sarah Jane Noll and ask her to make a determination about the neighbor's land use. Mr. Tiger said that a law was overturned and bees are now allowed in a residential zone by the State and he wanted to bring this point up. Council discussed this. Mr. Tiger also stated that he had no phone service this week and when the phone company went into the box on Sheephill Drive, someone had disconnected the wire.

Doug Fagan – Mr. Fagan stated that Mr. Seboria brought up two consulting firms that were going to come out and check the pond's algae and he asked what the results were. Councilman Smith explained that we've worked with Princeton Hydro for several years and taken sediment samples on two different occasions and Princeton Hydro has outlined exactly what the problem is and what the remediation should be. Princeton Hydro stated that the application they are talking about would not work with the algae in the pond, that is for a different type of algae. Mr. Fagan said that the companies would come out for free. Councilman Smith said that we had two issues, one that caused the mat algae and that would not be responsive to bacterial treatment. Councilman Smith said that the PhosLock treatment that was applied appears to be working. Councilman Caminiti stated that what we're looking at is that the chemical analysis revealed that what this vendor is offering wouldn't apply. Councilman Caminiti noted that Princeton Hydro did the lab work independent of any vendor doing an application and that we didn't think this would be a reasonable step to bring out this vendor. Mr. Fagan stated that we could get rid of most of this problem by flowing water. Councilman



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Smith responded that Dr. Souza from Princeton Hydro said that if you just flow water it will take years to flush out the system. Mr. Fagan said that they have not gotten rid of the problem, the geese. Councilman Smith explained that there is a three-step problem to keep the water clear; the sediment base needs to be neutralized, the water column algae need to be treated, and the flushing is necessary to keep the nutrients from settling and to flush out any algae we kill. Councilman Smith and Councilman Caminiti thanked Mr. Fagan for his input. Mr. Fagan said that he had a problem with the numbers that were run for the water and the well. Councilman Caminiti explained that the \$300/month cost was based on power consumption for the well running 24/7. Councilman Smith said that we need to turn over the pond one to one and a half times a month in order to keep the water quality good. Mr. Fagan brought up that more water would need to be run through the pond in the summertime because of evaporation. Councilman Caminiti stated that the Borough will use NJ American Water if they're willing to give us water to flush the system but we can't count on this because they can't commit. Councilman Smith talked about the field meeting that the Borough had with the architect and Princeton Hydro last week.

Mike Seboria – 10 Tiger Hill Dr. – Mr. Seboria said that he sent Council members something concerning NJ American Water and an algae issue at Short Hills reservoir. There is something called an ultra violet unit powered by solar that helps remove algae. Mr. Seboria asked if the Council has talked to other firms just as a matter of course to get other costs and details because there are other companies that will give you advice at no cost. He asked if Council would at least look at a different process and cost structure. Councilman Smith stated that the Council has spent much time vetting Princeton Hydro and explained the steps for the water remediation and the cost. Councilman Caminiti explained to Mr. Seboria that years ago the Council did speak with other vendors so what he's asking for has already been done. Mr. Seboria stated that in the past few years much has come out on this and he has sent information to the Council so that they could take another look at this.

Councilman Smith asked Mr. Tietjen about a cost control and reporting document that he is working on. Mr. Tietjen responded that he is working with the acting CFO, Mr. Bahr, to prepare a report for Council that will show costs for Princeton Hydro and Carter van Dyke.

Michael Seboria – 10 Tiger Hill Dr. – Mr. Seboria stated that at the Council meeting two weeks ago he made a request as OSAC Chair to see what their fund issues are going to be for the next two years. Mr. Seboria said it is critical to know not only what is in the fund now, he has a verbal it is \$2.7 million, but what's going to be coming out so that when they start deliberating on open space, they know what funding is there. He said that they didn't have a meeting this month because they want the numbers first, and Mr. Tietjen responded that he will follow up with Mr. Bahr this week.

MINUTES

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



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OLD BUSINESS

Liberty Park Renovations – Councilman Smith thanked Mayor Skinner for signing the Dam study which will be forwarded to the NJDEP and the Borough expects a response in 90 to 100 days. Councilman Smith stated that the design work has kicked off and there was a four-hour site meeting to go through design details. He continued that Carter van Dyke has guaranteed the design plans will be ready to bid before the end of this year. Councilman Smith noted that the actual ground disturbance in the park will be less than one acre which results in us being able to use permit by rule regulations which will save money and time. Councilman Smith also brought up the fact that in the southwest corner of the park a top limb from an old sycamore tree has broken off and is over the path and electric lines so the back of the trail is sealed off. Mr. Tietjen confirmed that the work on this will be completed tomorrow.

Mayor Skinner stated that he has a meeting scheduled with NJ Transit on November 6.

NEW BUSINESS

There was no new business.

MISCELLANEOUS DISCUSSION/APPROVALS

2019 Best Practices – Mr. Tietjen explained the best practices survey for the year 2019. The Borough does not risk any State funding decreases in the 2019-2020 cycle. Mr. Bruder stated that the Borough had a very high score and this is a good reflection on the Borough.

ORDINANCES

Resolution No. 167-19 A Resolution of the Borough of Peapack and Gladstone Amending and Adopting the Borough's Personnel Policies and Regulations Manual was read. Motioned by Councilman Smith, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Mayor Skinner moved this resolution before the ordinances. Councilman Smith explained that historically the Borough has had an ordinance for the personnel policy and it's laborious to change an ordinance. The Borough's Personnel Policies and Regulations Manual should be a resolution that is adopted at the reorganizational meeting at the beginning of every year.

Mayor Skinner asked for a motion and second to open the Public Hearing for **Ordinance 1079-2019** – An Ordinance Repealing Chapter IX, "Personnel Policies," of the Borough Code of Peapack and Gladstone, County of Somerset, State of New Jersey.

Councilman Smith moved to open the hearing for Public Comment for **Ordinance 1079-2019** An Ordinance Repealing Chapter IX, "Personnel Policies" of the Borough Code of Peapack and Gladstone, County of Somerset, State of New Jersey, seconded by Councilwoman Murphy. Said motion was carried unanimously.

No one came forward.



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Councilman Caminiti moved to close public comment for **Ordinance 1079-2019** An Ordinance Repealing Chapter IX, "Personnel Policies", of the Code of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, seconded by Councilman Murphy. Said motion was carried unanimously.

Councilman Smith moved to Adopt **Ordinance 1079-2019** – An Ordinance Repealing Chapter IX, "Personnel Policies", of the Code of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, seconded by Councilman Caminiti. Said motion was carried unanimously.

Mayor Skinner asked for a motion and second to open the Public Hearing for **Ordinance 1080-2019** An Ordinance Amending Ordinance #1046-2017 to Appropriate Additional Monies Held by the Borough of Peapack and Gladstone for Improvements to Liberty Park.

Councilman Caminiti moved to open the hearing for Public Comment for **Ordinance 1080-2019** 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 Councilman Sweeney. Said motion was carried unanimously.

Doug Fagan – 6 South St. – Mr. Fagan asked for a quick rundown on how much and what we are spending this money on. Councilman Smith responded that the money is for the actual design phase and will be used to pay Carter van Dyke and Princeton Hydro. The money is for the design of the edge of the pond, the plantings, the grading in the park and the changes to Park Avenue and is for \$150,000. Councilman Caminiti noted that this is turning the conceptual work that's been done into building documents that can be put out to bid. Councilman Smith noted that it is also for the NJDEP permits. Mr. Fagan asked if there is a breakdown on how much is going to each of the outfits, and Councilman Smith noted that approximately 70% is going to Carter van Dyke. Mr. Fagan also asked how much money has Carter van Dyke received prior to this, and Councilman Smith said that finance is going to provide an overview of expenditures. Mr. Tietjen agreed that this could be put on the website for the public to see. Councilwoman Murphy asked how much has come out of the OSAC fund. Councilman Smith stated that once we know what the total project cost will be, we can have the discussion about what portion comes from Open Space versus the current fund. Councilwoman Murphy confirmed that the \$150,000 in the ordinance is what's been taken from Open Space so far.

John Skinner – Pottersville Road – Mr. Skinner asked if this is just for the design phase and if there are still no finalized numbers as to the total cost of the project. Councilman Smith explained what this includes. Mr. Skinner asked if the bids come in much higher than expected, are we locked in because of the money spent on the design phase. Councilman Smith said this is a worst-case scenario and in order to avoid this Carter van Dyke has been clearly instructed to include sufficient funds for prevailing wages for contractors. In addition, some of Carter van Dyke's numbers have been reviewed by the Borough Engineer. Councilman Smith did agree that when we see the bids we'll know exactly where we are but it takes much work to get to that stage. Mr. Skinner asked at what point will the Borough look at how much of the design can be done by existing resources such as DPW and volunteers. Councilman Smith agreed that we don't want to be rigid on who does the work in order to find ways to save money. Councilman Caminiti added that this is a good point and we're making sure that we aren't spending money unnecessarily and are not beholden to a certain design or bid. Mr. Skinner asked about the flushing of water into the pond and has that been taken into account with Carter van Dyke and Princeton Hydro. Councilman Smith explained that this was discussed at the last Council meeting and



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the economics are not in favor of using NJ American Water. Councilman Caminiti made the point that we could use NJ American Water to flush the pond during certain periods, just not exclusively. Mr. Skinner stated that it seems that Carter van Dyke and Princeton Hydro would have a vested interest in continuing with the plan and not making a major change like using NJ American Water. Mr. Skinner stated that he hopes that this is a data driven decision with third party input. Councilman Caminiti stated that there will be plenty for volunteers to do. Councilman Smith said that we have some beautiful war monuments that are grown over with weeds and we would like to have the monuments properly presented. Mr. Skinner asked about donations, and Councilman Smith noted that Council President Corigliano approached Pfizer and received a \$5,000 donation. Councilman Smith said that they would like to have a list of extras towards which families can donate. Mr. Skinner advised not to wait too long and have the park almost done and all the tax money spent because that may dissuade people from donating.

Councilman Caminiti moved to close public comment for **Ordinance 1080-2019** 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.

Councilwoman Smith moved to Adopt **Ordinance 1080-2019** – 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 passed, with Councilman Sweeney voting no.

Mayor Skinner introduced **Ordinance 1082-2019** – An Ordinance Amending Chapter II, Titled “Administration”, Article V, Titled “Boards, Committees and Commissions” of the Revised General Ordinances of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, by Providing for the Creation of a Community Emergency Response Team (CERT). Councilman Sweeney moved to introduce the Ordinance at first reading, seconded by Councilman Caminiti.

Mayor Skinner stated that **Ordinance 1082-2019** is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on November 12, 2019 at 7:30 p.m. or shortly thereafter.

Mayor Skinner introduced **Ordinance 1083-2019** – An Ordinance of the Borough of Peapack and Gladstone Requiring Background Checks on all Adult Volunteers Seeking to Participate in Borough Programs or Events which Involve Minors. Councilman Sweeney moved to introduce the Ordinance at first reading, seconded by Councilman Caminiti. Said motion was passed unanimously.

Councilman Sweeney explained the ordinance and that language was taken from the new personnel policy and changed to apply to volunteers. Councilman Sweeney noted that background checks are good for three years and that Mr. Bruder added language that fingerprinting is not required on renewal. Councilman Caminiti confirmed that volunteers are required to proactively notify the Borough if something affects their background check.



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Mayor Skinner stated that **Ordinance 1083-2019** is introduced and shall be published in summary in the Bernardsville News and the Public Hearing for said Ordinance shall be held on November 12, 2019 at 7:30 p.m. or shortly thereafter.

RESOLUTIONS

Resolution No. 168-19 Resolution Appointing Holly Dominguez as Assistant to the Tax Assessor was read. Motioned by Councilman Smith, seconded by Councilman Sweeney. Said motion was passed unanimously.

Resolution No. 169-19 Resolution Authorizing the Adoption of the Updated Multijurisdictional Hazard Mitigation Plan for Somerset County was read. Motioned by Councilman Caminiti, seconded by Councilman Sweeney. Said motion was passed unanimously.

Resolution No. 170-19 Resolution Appointing a Municipal Prosecutor for the Shared Court from November 1, 2019 to December 31, 2019 was read. Motioned by Councilman Sweeney, seconded by Councilman Smith. Said motion was passed unanimously.

Resolution No. 171-19 Resolution Authorizing Borough Police Department to Participate in Somerset County Halloween DWI Safe Passage Grant was read. Motioned by Councilwoman Murphy, seconded by Councilman Sweeney. Said motion was passed unanimously.

Resolution No. 172-19 Resolution Providing for the Insertion of a Special Item of Revenue in the 2019 Budget for the Halloween DWI Safe Passage Grant Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) was read. Motioned by Councilman Sweeney, seconded by Councilwoman Murphy. Said motion was passed unanimously.

BILLS LIST

Resolution No. 173-19 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$764,373.94.

Councilman Caminiti asked about the yearly contribution of \$60,000 to the PG First Aid Squad, noting that he understands that it's been stable for a number of years and that he'd like to look at their budget as an adjustment may be due. Councilman Sweeney noted that the cap is \$70,000. Councilman Smith said that he is the Council Liaison and he will contact them. Motion to approve was made by Councilman Sweeney, seconded by Councilwoman Murphy. Said motion was passed unanimously.

COUNCIL REPORTS

Finance – Council President Corigliano was absent. Councilman Sweeney said that a memo went out to department heads to get their budgets to Mr. Tietjen by October 30th and he encourages everyone to work with their department heads to get these in. Councilman Sweeney also asked permission to go into executive session after the meeting.

Sanitation & Sewer – Councilwoman Murphy stated that she has no report.



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Borough Property – Councilman Caminiti stated that Matheny is on track to receive the traffic counter and we're waiting to hear a date for installment. He said we went to the Fire House and looked at the front door in order to get this replaced because it's a security issue. We also had a meeting regarding the parking permits and lighting in the parking lot by the Fire Department. He continued that there is a larger plan to look at upgrades to the lot and the basketball court. Councilman Caminiti continued that we are still looking at how to leverage energy aggregation for the residents and will have more information by the next meeting at the latest. Councilman Smith asked if the lights in the parking lot behind town hall have been repaired as there were complaints about them not working. Mr. Tietjen replied that he hasn't heard back but will follow up with Mr. Hanna of Public Works tomorrow.

Fire – Councilman Smith stated that he and Mr. Tietjen have been working on receiving a definitive price in writing on the rescue truck that was proposed because the \$702,000 was a verbal number. Mr. Tietjen contacted the manager of Fire and Safety Services in South Plainfield, the fire truck dealer, and they will provide us with a window sticker once the Fire Company provides a certification that they have finalized the options and changes they want on the truck. At this time, the only price he can give us is the base price.

Police – Councilman Sweeney stated that he will treat this as a joint Police and Roads report. He stated that everyone got a copy of the Mendham Road speed study results as he thinks it is important that Council has this before it goes online. He said this is the first of a number of road studies using radar that will go up on the web page so residents can actually see what the speeds are. Councilman Smith expressed concern about posting the studies because we don't want the County to use the data to possibly raise speed limits. Council discussed. Mayor Skinner stated that the letter for the State Chiefs has been sent out and we should hear back soon to determine how we can build the test for promotion.

Roads & Transportation – Councilman Sweeney stated that Bernards Township is applying for a grant for a charging station and he thinks that Council could start to explore this. He also stated that for OEM the clean-up ordinance is with Mr. Bruder and Mr. Tietjen for their review and that he hopes we can have it on the agenda for the next meeting.

Zoning & Construction – Mayor Skinner stated that he has no report.

Legal – Mr. Bruder stated that since Councilwoman Dietrich is away and she has worked diligently on this he would talk about the Lime Kiln acquisition. Mr. Bruder has the signed documents from the Historical Society of Somerset Hills and as long as he and Mr. Tietjen determine there are no other steps, he will have the deed recorded and it will become the Borough's property.

Administrator's Report – Mr. Tietjen stated that there was one small contractual issue on the Highland Ave. bid that Mr. Bruder resolved today. Mr. Ryden will set up the preconstruction meeting and hopefully the work will be completed before the end of the calendar year.

Mayor's Report – Mayor Skinner stated that he has no report.



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PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Doug Fagan – Mr. Fagan said that we brought up the front door at the Fire House and was wondering if anyone has brought up the fire escape in the back. Councilman Caminiti stated that they did a visual inspection and noted that there is some surface rust. Mr. Fagan said there are pieces that have fallen off. Mr. Caminiti noted that there was a plate on one landing where the lip has come up and that it could use a coat of paint. Mr. Fagan stated that you're spending \$155,000 on consulting fees for a \$1.2 million project so how much would you be willing to spend for a third party to look at the rescue truck. Mr. Fagan said that Council says they're data driven but we need to know how much money we have to spend.

John Kappler – Holland Ave. – Mr. Kappler asked Councilman Smith about the four-hour site meeting and who from the Borough was there. Councilman Smith responded that he and Mr. Tietjen attended and asked if Mr. Kappler would like to be invited. Mr. Kappler said that he has mentioned this many times and he is perturbed that the Environmental Commission has not received the Princeton Hydro reports. Councilman Smith said that in addition to the cost report that was mentioned earlier, they are establishing a single repository of all the studies all the way back to the Princeton Hydro study of 2009 and Mr. Kappler would be more than welcome to look at these. Mayor Skinner asked that we make sure that the Environmental Commission is kept in the loop and be included in other meetings. Councilman Smith said that he would be more than happy to catch him up on what was talked about at the site meeting.

John Skinner – Mr. Skinner asked if residents will be on the hook for the electricity for refilling people's electric cars. Councilwoman Murphy noted that this is relatively inexpensive, maybe \$1 or \$2 a day. Mr. Skinner noted that on average electric cars are more expensive and that we'd be subsidizing upper middle-class people who can afford these cars. Councilwoman Murphy noted that differential for electric to gas is coming down dramatically and by the time the charging station becomes an issue the cars will be closer in cost. Councilwoman Murphy said that you have to look globally at this issue to see if the benefits such as better air quality would be worth having in town. Mr. Skinner asked what the cost would be over the next 30 to 40 years to the residents. Councilman Sweeney said that the article he read about Bernards Township said that they'll charge users in order to recoup some of the costs but that we can't even look at electricity costs because there is also the cost of the acquisition because the grant won't cover 100%. Councilman Smith stated that he owned a Prius plug-in for three years and plugged it in daily but never noticed an increase in his electricity bill.

Mr. Skinner also asked about the rough estimate for the park and if there's a chance that the cost of the park will go down. Councilman Smith said that he is looking at \$1.1 million as a not to exceed number for the cost of the park. Mr. Skinner asked if there has been any thought about the possibility of duplicating open space with the County and surrounding towns. Councilman Smith answered that several Borough representatives did work regarding the County's Master Plan for the trails system and he agrees that this is important to work with the County and other towns.

Mr. Skinner asked about the rescue truck and if it would be safe to say that the spec is in the hands of the Administrator and the Fire Committee and that you will ultimately be making recommendations on what is and is not supposed to be on that vehicle. Councilman Smith said that he wants to see what the window sticker looks like and he has no preconceived notions. Mr. Skinner asked if it's safe to say that



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you're not ruling out making changes to the final spec and Councilman Smith said he can't even say. Councilman Smith said that the dealership would not speak to costs without a final determination. Mr. Skinner asked Councilman Smith, Councilwoman Murphy and Mr. Tietjen what their experience has been in purchasing fire equipment. Mr. Tietjen said that his experience with other municipalities has been that the Company comes to the Council with their request and Council reviews that request with their fiduciary responsibilities. Mr. Tietjen continued that he believes based on the conversation he had with the vendor that the proposal book that will be provided will answer many of the data questions Council has. Councilman Smith answered that he has not purchased a fire vehicle but in 2016 they went through due diligence for the dump truck/snow plow.

Resolution No. 174-19 Authorization for Executive Session for Certain Specified Purposes was read. Motioned by Councilman Sweeney, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Public session resumed at 9:06 p.m.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Smith, seconded by Councilwoman Murphy, that this meeting be adjourned at 9:07 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk