



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
BOROUGH COUNCIL MEETING AGENDA**

NOVEMBER 20, 2018

7:00 PM – EXECUTIVE SESSION

7:30 PM – REGULAR MEETING

Location: Borough Hall Council Chambers, 1 School St. Peapack.

Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.

1. CALL TO ORDER

2. SUNSHINE NOTICE – *Municipal Clerk reads the following statement:*

“Pursuant to the Open Public Meetings Act, Adequate notice of 2018 Meeting Dates was published in the Courier News and Bernardsville News on September 20, 2018, and posted at the Municipal Complex and the Borough Library. Action may be taken.”

3. FLAG SALUTE

4. ROLL CALL

5. EXECUTIVE SESSION – RESOLUTION NO. 196-18 – AUTHORIZATION FOR EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES – (1) PERSONNEL – BOROUGH ADMINISTRATOR & BOROUGH CLERK

6. PUBLIC COMMENTS: 5 MINUTES PER PERSON – NON-AGENDA ITEMS

It is the policy of the Borough Council that all public comments on an issue shall be limited to five (5) minutes per person. Comments may be made on any Non-Agenda subject pertaining to Borough issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

7. READING AND APPROVAL OF MINUTES

Regular Meeting October 9, 2018

Regular Meeting October 23, 2018

8. ORDINANCES

ORDINANCE 1063-2018 – *An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Willow Avenue has been **TABLED**.*

INTRODUCTION OF ORDINANCE 1067-2018 – *An Ordinance Appropriating Certain Monies Held by the Borough of Peapack & Gladstone for the Paving of Willow Avenue*

PUBLIC HEARING WILL BE HELD ON DECEMBER 18, 2018

PUBLIC HEARING FOR ORDINANCE 1064-2018 – *An Ordinance to Amend and Supplement Chapter XXIII, Article IX, Titled “Affordable Housing”*



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PUBLIC HEARING FOR ORDINANCE 1065-2018 – *An Ordinance to Amend and Supplement Chapter XXIII, Article IV, Titled “Land Development Ordinance” of the Revised General Ordinances of the Borough of Peapack and Gladstone Creating an Affordable Housing Zone within the Borough*

PUBLIC HEARING FOR ORDINANCE 1066-2018 – *An Ordinance to Amend and Supplement Chapter XXIII, Article IV, Titled “Land Development Ordinance” of the Revised General Ordinances of the Borough of Peapack and Gladstone to Permit Group Homes within a Permitted Residential Health Care Facility in the RE, Rural Estate Zone*

9. OLD BUSINESS

- Reminder – Public Meeting Tuesday, November 27, 2018 for discussion on Improvements to Liberty Park with Carter VanDyke
- Property Maintenance Ordinance

10. NEW BUSINESS

- Roads Committee Fall Report on 2018 Activity and 2019 Projections (Councilman Smith and Councilwoman Dietrich)
 - 2018 Paving Completion (6 roads)
 - 2019 Projection (4 roads)
 - Road Safety Initiative

11. MISCELLANEOUS DISCUSSION/APPROVALS

- Best Practices
- Rockabye Meadow Park Pedestrian Footbridge Project

12. RESOLUTIONS

RESOLUTION NO. 197-18 – *A RESOLUTION AUTHORIZING THE BOROUGH OF PEAPACK AND GLADSTONE TO ACCEPT A LAND TRANSFER FROM THE COUNTY OF SOMERSET*

RESOLUTION NO. 198-18 – *RESOLUTION FOR GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014 – JUNE 2020*

RESOLUTION NO. 199-18 – *RESOLUTION ENDORSING THE ADOPTED 2018 HOUSING ELEMENT AND FAIR SHARE PLAN*

RESOLUTION NO. 200-18 – *RESOLUTION ADOPTING AFFIRMATIVE MARKETING PLAN*

RESOLUTION NO. 201-18 – *RESOLUTION ADOPTING SPENDING PLAN*

RESOLUTION NO. 202-18 – *RESOLUTION OF INTENT TO BOND IN THE EVENT OF A FUNDING SHORTFALL*

RESOLUTION NO. 203-18 – *RESOLUTION FOR YEAR END BUDGET TRANSFERS*



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
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7:30 PM – REGULAR MEETING

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RESOLUTION NO. 205-18 – AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY THANKSGIVING WEEKEND DWI SAFE PASSAGE GRANT

RESOLUTION NO. 206-18 – RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT GRANT PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

13. BILLS LIST

**Resolution No. 204-18 – Approval of Bills as signed and listed on the Bill Payment List
Total Amount: \$968,192.52**

14. COUNCIL REPORTS

Council President Corigliano & Councilman Smith	Finance
Councilwoman Dietrich & Councilman Simpson	Sanitation & Sewer
Councilman Caminiti & Councilman Smith	Borough Property
Councilman Simpson & Councilman Lemma	Fire/First Aid Squad
Councilman Lemma, Councilman Caminiti & Councilwoman Dietrich	Police
Councilman Smith & Councilwoman Dietrich	Roads & Transportation
Mayor Muller	Zoning & Construction
John Bruder, Borough Attorney	Legal
Administrator	Administrator's Report
Mayor Bill Muller	Mayor's Report

15. PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

It is the policy of the Borough Council that all public comments on an issue shall be limited to three (3) minutes per person. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

16. EXECUTIVE SESSION – RESOLUTION NO. 196-18 (IF NEEDED) – AUTHORIZATION FOR EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES – PERSONNEL – BOROUGH ADMINISTRATOR & BOROUGH CLERK

17. ADJOURNMENT

**THE NEXT MEETING OF THE MAYOR & COUNCIL WILL BE HELD ON
TUESDAY, NOVEMBER 27, 2018 AT 7:00PM FOR DISCUSSION ON LIBERTY PARK IMPROVEMENT**

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 196-18

TITLE: AUTHORIZATION FOR EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Peapack & Gladstone that in compliance with N.J.S.A. 10:4-7 et seq., this meeting will be closed to the public to discuss the following matters:

1. Personnel – Borough Administrator and Borough Clerk

The matters considered in this Executive Session can be released to the public when the reasons for discussing and acting on it in closed session no longer exist.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON NOVEMBER 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

**BOROUGH OF PEAPACK AND GLADSTONE
RESOLUTION NO. 197- 18**

**TITLE: A RESOLUTION AUTHORIZING THE BOROUGH OF PEAPACK AND GLADSTONE
TO ACCEPT A LAND TRANSFER FROM THE COUNTY OF SOMERSET**

WHEREAS, the property known as Block 29, Lot 1 as shown on the Tax Map of the Borough of Peapack and Gladstone (hereinafter the "Property") is currently under the ownership of the County of Somerset through the Board of Chosen Freeholders; and

WHEREAS, the County of Somerset is desirous of transferring a portion of the said Property to the Borough of Peapack and Gladstone pursuant to the authority provided it under N.J.S.A. 40A: 12-13.3; and

WHEREAS, the Board of Chosen Freeholders of the County of Somerset have determined that the County of Somerset no longer has a need for the Property; and

WHEREAS, in furtherance of that determination, the Board of Chosen Freeholders passed Resolution No. 18-165 authorized the transfer of title of said property to the Borough of Peapack and Gladstone and County Counsel has subsequent thereto delivered to the Borough of Peapack and Gladstone the Deed to the Property; and

WHEREAS, the Borough of Peapack and Gladstone has determined that it has a need for the Property; and

WHEREAS, the governing body of the Borough of Peapack and Gladstone has determined it is in the best interests of the residents of the Borough for it to accept this land transfer, and the Borough is desirous to do so;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Peapack and Gladstone that it hereby authorizes the acceptance of the transfer of title of the Property as aforesaid, as set forth in said Deed of Conveyance; and

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes the Mayor and / or his designee on behalf of the Borough to execute the Deed delivered by the County, which Deed is annexed hereto for reference, as well as any other documents which may be necessary for the transfer thereof.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Don Lemma				
		T. William Simpson				
		Royal Smith				

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NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 198-18

TITLE: RESOLUTION FOR GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014 – JUNE 2020

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey ; and

WHEREAS, the Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset;

NOW THEREFORE BE IT RESOLVED, by the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Mayor and Alliance Chairperson are authorized to sign the original of this grant application.
2. The Borough Council does hereby authorize submission of a strategic plan for the Somerset Hills Municipal Alliance and Youth Services Commission (SHMAYSC) grant for fiscal year 2019-2020 in the amount of :

DEDR	\$21,534.76
Cash Match \$	5,383.69
In-Kind	\$16,151.07
3. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
4. The Borough Council accepts subsequent award of this grant.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

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 NANCY A. BRETZGER
 BOROUGH CLERK

 WILLIAM C. MULLER
 MAYOR

I, Nancy Bretzger, Borough Clerk of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 20th day of November, 2018.

 Nancy A. Bretzger, Borough Clerk

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 199-18

TITLE: RESOLUTION ENDORSING THE ADOPTED 2018 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV.), the Borough of Peapack Gladstone (hereinafter "Peapack Gladstone" or the "Borough") filed a Declaratory Judgment Complaint on July 8, 2015 in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

WHEREAS, the Borough simultaneously sought, and ultimately secured, a protective order providing Peapack Gladstone immunity from all exclusionary zoning lawsuits while it pursued approval of its Housing Element and Fair Share Plan, which remains in full force and effect; and

WHEREAS, the Court also appointed Judge Peter A. Buchsbaum (retired), as the Special Court Master (hereinafter the "Court Master"), as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS, with assistance from the Court Master, the Borough and Fair Share Housing Center (hereinafter "FSHC") engaged in good faith negotiations, which resulted in the entering into of a Settlement Agreement between the Borough and FSHC on April 18, 2018; and

WHEREAS, a Fairness Hearing was held on June 14, 2018, at which time the FSHC Settlement Agreement was approved by the Honorable Judge Thomas C. Miller, presiding; and

WHEREAS, as per the terms of the April 18, 2018 FSHC Settlement Agreement and the Court's 2018 Order, the Borough's Planner prepared a Housing Element and Fair Share Plan dated October 26, 2018 (hereafter the Plan); and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Borough of Peapack Gladstone Land Use Board held a public hearing on November 7, 2018 and adopted the Plan pursuant to the public hearing held that evening; and

WHEREAS, the Governing Body of the Borough of Peapack and Gladstone has determined that the Housing Element and Fair Share is consistent with the goals and objectives of the Borough of Peapack Gladstone's current Master Plan, and that adoption and implementation of the Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare; and

NOW THEREFORE BE IT RESOLVED, by the Borough of Peapack & Gladstone, that it does hereby endorse the Housing Element and Fair Share Plan as adopted by the Borough of Peapack Gladstone Land Use Board.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON November 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 200-18

TITLE: RESOLUTION ADOPTING AFFIRMATIVE MARKETING PLAN

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations, the New Jersey Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26., et seq.), and the terms of a Settlement Agreement between the Borough of Peapack Gladstone and Fair Share Housing Center (“FSHC”) which was entered into as part of the Borough’s Declaratory Judgment action entitled “In the Matter of the Borough of Peapack Gladstone, County of Somerset, Docket No. SOM-L-905-15, which was filed in response to Supreme Court decision In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) (“Mount Laurel IV”), the Borough of Peapack Gladstone is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by rehabilitation, are affirmatively marketed to very low, low and moderate income households, particularly those living and/or working within Housing Region 3, which encompasses the Borough of Peapack Gladstone; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Peapack Gladstone, County of Somerset, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Peapack Gladstone shall be marketed in accordance with the provisions herein unless otherwise provided in N.J.A.C. 5:93-1, et seq.
- B. The Borough of Peapack Gladstone has a Gap (1999-2015) and Prospective Need (2015-2025) affordable housing obligation. This Affirmative Marketing Plan shall apply to all developments that require an Affirmative Marketing Plan or will contain very low, low and moderate income units, including those that are part of the Borough’s current Housing Element and Fair Share Plan, and those that may be constructed in future developments not contemplated in the Borough’s Housing Element and Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for identified rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent as designated by the Borough of Peapack and Gladstone in accordance with Chapter XXIII, Article IX, of the Borough Code. All costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/seller/owner of the affordable unit(s).
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough, shall undertake all of the following strategies:

1. Publication of one advertisement in a newspaper of general circulation within the housing region.
 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 3 in which the Borough is located and covers the entire period of deed restriction for each restricted housing unit.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for application for very low, low and moderate income units shall appear in the Star Ledger.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspaper during the first week of the marketing program. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Borough's Administrative Agent.
 3. The advertisement shall include a description of the:
 - i. Location of the units;
 - ii. Direction of the units;
 - iii. Range of prices for the units;
 - iv. Size, as measured in bedrooms, of units;
 - v. Maximum income permitted to qualify for the units;

- vi. Location of applications;
 - vii. Business hours when interested households may obtain an application; and
 - viii. Application fees.
4. Newspaper articles, announcements and information on where to request applications for very low, low and moderate-income housing shall appear in at least three locally oriented weekly newspapers within the region, one of which shall be circulated primarily in Somerset County and the other two of which shall be circulated primarily outside of Somerset County, but within the housing region.
 5. Advertisements will be broadcast on Spectrum Cable.
 6. Applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
 - i. Borough Municipal Building
 - ii. Borough Public Library
 - iii. Borough Website
 - iv. Developer's Sales/Rental Office
 - v. Somerset County Administration Building

Applications shall be mailed by the Administrative Agent or its designee to prospective applicants upon request. Locations of applications, brochures, and flyers to affirmatively market the program are listed in the attached Appendix.

7. Also, applications shall be made available at the developer's sales/rental office and shall be mailed to prospective applicants upon request. When on-line preliminary applications are utilized, if prospective applicants do not have internet access they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call. The Agency or its designee shall develop, maintain and update a list of community contact person(s) and/or organization(s) in Hunterdon, Middlesex and Somerset Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.
 - i. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Hunterdon/Somerset County Board of Realtors (3461 US-22, Branchburg, NJ, 08876

- ii. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies in the counties of Hunterdon, Middlesex and Somerset Counties:

Welfare or Social Service Board

Office on Aging or Division of Senior Services

Housing Authority

Community Action Agencies

Community Development Departments

- iii. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all the major employers within Region 3.
- iv. The Administrative Agent will also provide specific direct notice to the following community and regional organizations whenever affordable housing units become available in the Borough as listed below:

Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)

New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)

Latino Action Network (P.O. Box 943, Freehold, NJ 07728)

Supportive Housing Group (15 Alden Street, #14, Cranford, NJ 07016)

New Brunswick Branch of the NAACP

Plainfield Branch of the NAACP

Perth Amboy Branch of the NAACP

Metuchen/Edison Branch of the NAACP

New Jersey Housing Resource Center

- 8. A random selection method to select occupants of very low, low and moderate-income housing will be used by the Administrative Agent in conformance with N.J.A.C. 5:80-26.16(l). The Affirmative Marketing Plan shall provide a regional preference for all

households that live and/or work in Housing Region 3 comprised of Hunterdon, Middlesex and Somerset Counties.

9. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, et seq.
10. Whenever appropriate, the Administrative Agent shall provide or direct qualified very low, low and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
11. All developers/owners of very low, low and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Agency or its designee.
12. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary. Please note that in addition to complying with this Borough-wide Affirmative Marketing Plan that the Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Peapack Gladstone that is subject to N.J.A.C. 5:80-26.1 et seq. That document shall be completed by the owner/developer and will be compliant with the Borough's Affirmative Marketing Plan as presented herein, and incorporate development specific details and permitted options, all subject to the Administrative Agent's review and approval.
13. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, et seq. and the Order granting the Borough a Final Judgment of Compliance and Repose.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

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NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

DRAFT

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 201-18

TITLE: RESOLUTION ADOPTING SPENDING PLAN

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV.), the Borough of Peapack Gladstone (hereinafter "Peapack Gladstone" or the "Borough") filed a Declaratory Judgment Complaint on July 8, 2015 in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

WHEREAS, the Borough simultaneously sought, and ultimately secured, a protective order providing Peapack Gladstone immunity from all exclusionary zoning lawsuits while it pursued approval of its Housing Element and Fair Share Plan, which remains in full force and effect; and

WHEREAS, the Court also appointed Judge Peter A. Buchsbaum (retired), as the Special Court Master (hereinafter the "Court Master"), as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS, with assistance from the Court Master, the Borough and Fair Share Housing Center (hereinafter "FSHC") engaged in good faith negotiations, which resulted in the entering into of a Settlement Agreement between the Borough and FSHC on April 18, 2018; and

WHEREAS, a Fairness Hearing was held on June 14, 2018, at which time the FSHC Settlement Agreement was approved by the Honorable Judge Thomas C. Miller, presiding; and

WHEREAS, as per the terms of the April 18, 2018 FSHC Settlement Agreement and regulations of the Fair Housing Act the Borough is required to adopt a Spending Plan; and

WHEREAS, the Borough has prepared a Spending Plan consistent with P.L. 2008, c. 46, Council on Affordable Housing (COAH) regulations and the Settlement Agreement entered into between the Borough of Peapack Gladstone and FSCH; and

NOW THEREFORE BE IT RESOLVED, by the Borough of Peapack & Gladstone, that it does hereby adopt the Spending Plan attached hereto.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

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NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

BOROUGH OF PEAPACK & GLADSTONE

RESOLUTION NO. 202-18

TITLE: RESOLUTION OF INTENT TO BOND IN THE EVENT OF A FUNDING SHORTFALL

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations, the New Jersey Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26., et seq.), and the terms of a Settlement Agreement between the Borough of Peapack and Gladstone and Fair Share Housing Center (“FSHC”) which was entered into as part of the Borough’s Declaratory Judgment action entitled “In the Matter of the Borough of Peapack and Gladstone, County of Somerset, Docket No. SOM-L-905-15, which was filed in response to Supreme Court decision In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) (“Mount Laurel IV”), the Borough of Peapack and Gladstone is required to adopt a resolution with intent to bond to ensure funding necessary to implement its affordable housing program; and

WHEREAS, the Borough of Peapack and Gladstone has adopted a Spending Plan that allocates funds for:

1. Housing Rehabilitation;
3. Accessory Apartment Program;
4. Affordability Assistance to Low and Very Low Income Families;
4. Administrative Costs; and

WHEREAS, the Borough of Peapack and Gladstone anticipates that funding will come from its affordable housing trust fund; and

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in Borough of Peapack and Gladstone’s 2018 Housing Element and Fair Share Plan, the Borough shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Peapack and Gladstone, Somerset County, State of New Jersey, that the Governing Body does hereby agree to authorize a bond in the appropriate amount to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON November 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

**BOROUGH OF PEAPACK & GLADSTONE
SOMERSET COUNTY, NEW JERSEY**

RESOLUTION NO. 203-18

TITLE: RESOLUTION FOR YEAR END BUDGET TRANSFERS

WHEREAS, there appears to be insufficient funds in the following account (exception the appropriation for Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the Current Year,

Zoning Department	8-01-21-185-101	S/W	\$ 11,000.00
Police Department	8-01-25-240-102 OT	S/W	\$ 5,000.00
Solid Waste	8-01-26-305-525	O/E	\$ 3,000.00
Recycling	8-01-26-305-742	O/E	\$ 3,000.00
Municipal Clerk - Postage	8-01-20-120-710	O/E	\$ 2,000.00
Information Technology	8-01-20-140-101	S/W	\$ 1,816.86

WHEREAS, there appears to be a surplus in the following accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund of Interest and Debt Redemption Charges) over and above the demand deemed to be necessary for the balance of the Current Year,

Zoning Department	8-01-21-185-345	O/E	\$ 8,000.00
Special Projects	8-01-20-100-220	O/E	\$ 3,000.00
Police Department	8-01-25-240-101 Reg.	S/W	\$ 5,000.00
Police Department	8-01-25-240-705	O/E	\$ 8,000.00
Buildings & Grounds	8-01-26-310-101	S/W	\$ 1,816.86

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be, and the same hereby transferred, to the account (excepting the appropriation for Contingent Expenses, Deferred Charges) mentioned as being insufficient, to meet the current demands.

BE IT FURTHER RESOLVED that the Finance Officer be and is hereby authorized and directed to make the following transfers:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT:</u>
Zoning Department O/E	Zoning Department S/W	\$ 8,000.00

Special Projects O/E	Zoning Department S/W	\$ 3,000.00
Police Department S/W Reg.	Police Department S/W OT	\$ 5,000.00
Police Department O/E	Solid Waste O/E	\$ 3,000.00
Police Department O/E	Recycling O/E	\$ 3,000.00
Police Department O/E	Municipal Clerk O/E	\$ 2,000.00
Building & Grounds S/W	Information Technology S/W	\$ 1,816.86

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON NOVEMBER 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 204-18

Payment of Claims (Posted)

WHEREAS, The Borough Council of the Borough of Peapack & Gladstone has received bills to be paid as listed; and

WHEREAS, The Chief Financial Officer and the Borough Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Borough, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Peapack & Gladstone, in the County of Somerset and State of New Jersey hereby:

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Borough Officials are authorized to sign the checks.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON NOVEMBER 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 205-18

TITLE: AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY THANKSGIVING WEEKEND DWI SAFE PASSAGE GRANT

WHEREAS, the Somerset County Prosecutor's Office has made available funds for its Thanksgiving Weekend Safe Passage Grant, allowing Police Departments to conduct enhanced enforcement patrols. The patrols will be conducted on Wednesday, November 21, 2018 through Sunday, November 25, 2018, for a total of 16 hours, with 4 mandatory hours during the time period November 21, 2018 6:00PM and 2:00AM on November 22, 2018; at \$60 per hour, for a maximum amount of \$960.00, and

WHEREAS, the Borough of Peapack & Gladstone Police Department wishes to take advantage of this grant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council do hereby approve the submission of said grant application.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON NOVEMBER 20, 2018.

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 206-18

TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT GRANT PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW THEREFORE BE IT RESOLVED that the Borough of Peapack & Gladstone, County of Somerset, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2018 in the sum of Nine Hundred Sixty and zero cents (\$960.00) which items are now available as a revenue from

Thanksgiving Weekend DWI Safe Passage Grant \$960.00

BE IT FURTHER RESOLVED that one certified copy of this Resolution together with a certification from the Somerset County Prosecutors Office that funds will be made available through a reimbursable Grant be filed with the Director of the Division of Local Government Services.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		T. William Simpson				
		Royal Smith				

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PEAPACK & GLADSTONE AT A MEETING OF SAID COUNCIL HELD ON NOVEMBER 20, 2018

NANCY A. BRETZGER
BOROUGH CLERK

WILLIAM C. MULLER
MAYOR