



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



MAY 14, 2019

6:45 PM - EXECUTIVE SESSION

7:30 PM – REGULAR MEETING

Location: Borough Hall Council Chambers, 1 School St. Peapack, NJ 07977

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 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.”

3. FLAG SALUTE

4. ROLL CALL

5. 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.

6. EXECUTIVE SESSION – RESOLUTION NO. 89-19 – *Authorization for Executive Session for Certain Specified Purposes – (1) COAH – Smith Tract Affordable Housing*

7. READING AND APPROVAL OF MINUTES

Regular Meeting April 23, 2019

Executive Session Meeting April 23, 2019

Special Work Session Meeting Liberty Park Improvement April 25, 2019

8. ORDINANCES

PUBLIC HEARING FOR ORDINANCE 1071-2019 – *An Ordinance to Amend Section 23-39.2 of the Land Development Ordinance Concerning Conditional Uses, to Include Recreational Facilities Owned and/or Operated by a School as a Conditional Use in the RR-3 Zone*

PUBLIC HEARING FOR ORDINANCE 1072-2019 – *An Ordinance of the Borough of Peapack and Gladstone Prohibiting Smoking in Borough Parks, Open Spaces and Recreational Areas*

INTRODUCTION OF 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*

INTRODUCTION OF ORDINANCE 1074-2019 – *An Ordinance Repealing Chapter IX, “Personnel Policies”, of the Borough Code of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey*



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9. OLD BUSINESS

- Liberty Park Renovations – Scope and funding options resulting from April 25, 2019 Special Meeting
- Fire Truck 51-3 Repairs Update

10. NEW BUSINESS

- Phoslock/Raking of Pond – Funds
- Trails Update – (1) Reestablishment of Trails Committee as subcommittee of Environmental Commission (2) County Meeting
- Fire and EMS Annual Dinner is Friday, May 17, 2019
- Fire Department Presentation to Council Regarding the Proposed Replacement of the Rescue 51 Vehicle is planned for June 25, 2019 Borough Council Meeting

11. MISCELLANEOUS DISCUSSION/APPROVALS

- Recreation Contracts

12. RESOLUTIONS

RESOLUTION NO. 90-19 – *Resolution to Approve Grant Agreement Between the Borough of Peapack & Gladstone and the State of New Jersey By and For the Department of Environmental Protection – Grant Identifier FS19-141*

RESOLUTION NO. 91-19 – *Resolution to Refund Tax on Block 33, Lot 13.08*

RESOLUTION NO. 92-19 – *Resolution Providing for the Insertion of a Special Item of Revenue in the 2019 Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948)*

RESOLUTION NO. 93-19 – *Resolution Authorizing Change Order #1 for the contract with American Asphalt, Inc. for the Willow Avenue Repaving Improvement Project in the amount of \$9,005.00*

RESOLUTION NO. 94-19 – *Authorization to Pay Vacation and Pro-Rated EMS Stipend to Thomas Skillman*

RESOLUTION NO. 95-19 – *Authorization to Pay Vacation and Pro-Rated EMS Stipend to Anthony Duarte*

RESOLUTION NO. 96-19 – *Resolution to Enter Into an Agreement with Honorable C. Judson Hamlin as a Hearing Officer for a Designated Personnel Matter*

RESOLUTION NO. 97-19 – *Resolution Appointing a Municipal Prosecutor for the Shared Court in the Year 2019*

RESOLUTION NO. 98-19 – *Authorization for Tim Kearney to Become a Member of the Peapack & Gladstone Volunteer Fire Department*



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13. BILLS LIST

Resolution No. 99-19 – Approval of Bills as signed and listed on the Bill Payment List

Total Amount: \$1,039,914.99

14. 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.

15. ADJOURNMENT

**THE NEXT MEETING OF THE MAYOR & COUNCIL WILL BE HELD ON
TUESDAY, MAY 28, 2019 AT 7:30PM**

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 89-19

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. COAH - Smith Tract Affordable Housing

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				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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 MAY 14, 2019.

NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 90-19

TITLE: RESOLUTION TO APPROVE GRANT AGREEMENT BETWEEN THE BOROUGH OF PEAPACK & GLADSTONE AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION – GRANT IDENTIFIER FS19-141

WHEREAS, the Governing Body of the Borough of Peapack & Gladstone desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

GREEN COMMUNITIES GRANT

NOW, THEREFORE, the Governing Body resolves that Christopher J. Tietjen or the successor of the office of Borough Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not less than \$0.00 and not more than \$3,000.00, and (c) to execute any amendments thereto which do not increase the Grantee’s obligations.

BE IT FURTHER, the Mayor and Council authorizes and hereby agrees to match 50% of the Total Project Amount, compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement). The Grantee agrees to comply with all applicable Federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. 91-19

TITLE: RESOLUTION TO REFUND TAX ON BLOCK 33, LOT 13.08

WHEREAS, the owner of Block 33, Lot 13.08, Steven & Suzanne Kalafer, have filed a tax appeal and received a judgment on March 13, 2019 from the State of New Jersey on their 2017 and 2018 assessment, and

WHEREAS, the 2017 and 2018 assessment on Block 33, Lot 13.08 has been reduced from \$1,775,000 to \$1,680,000 on both years, and

WHEREAS, the 2017 and 2018 taxes have already been paid in the full amount based on the original assessment, and

WHEREAS, the reduced assessment has created an overpayment of the 2017 tax in the amount of \$1,806.90 and of the 2018 tax in the amount of \$1,784.10, and

NOW, THEREFORE BE IT RESOLVED, that the finance officer is hereby authorized to refund Steven & Suzanne Kalafer, \$3,591.00 pursuant to the Tax Court of New Jersey judgment.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. 92-19

TITLE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2019 BUDGET 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 and 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 2019 in the sum of Three Thousand Dollars and zero cents (\$3,000.00) which items are now available as a revenue from

2019 Green Communities Grant	\$3,000.00
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BE IT FURTHER RESOLVED that one certified copy of this Resolution together with a certification from the Borough Treasurer, that funds have already been awarded by the NJDEP Forest Service Urban and Community Forestry Program for the Green Communities 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				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

DRAFT

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 93-19

TITLE: RESOLUTION TO AUTHORIZE CHANGE ORDER #1 FOR CONTRACT WITH AMERICAN ASPHALT, INC. IN THE AMOUNT OF \$9,005.00 FOR THE WILLOW AVENUE PAVING PROJECT

WHEREAS, the Borough of Peapack & Gladstone has a project entitled “Willow Avenue Paving Project”; and

WHEREAS, pursuant to Resolution 177-18 passed on September 25, 2018, the Borough of Peapack & Gladstone awarded and executed a contract with American Asphalt, Inc. for the Project in the total amount of \$198,676.30 for the base bid; and

WHEREAS it is the recommendation of the Borough Engineer that Alternate Bid No. 1 also be awarded to American Asphalt Inc.; and

WHEREAS, the cost of the change order, dated April 22, 2019, is a \$9,005.00 increase from the original contract price; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract price to be exceeded by more than twenty percent (20%) and;

WHEREAS, the Chief Financial Officer of the Borough has certified that sufficient funds are available.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey, that it hereby authorizes Change Order No. 1 for an increase of \$9,500.00 from the original contract price for the Willow Avenue Paving Project, resulting in a total contract price of \$202,951.42 with American Asphalt, Inc.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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 NANCY A. BRETZGER
 BOROUGH CLERK

 GREGORY J. SKINNER
 MAYOR

DRAFT

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

RESOLUTION NO. 94-19

TITLED: AUTHORIZATION TO PAY VACATION AND PRO-RATED EMS STIPEND TO THOMAS SKILLMAN

WHEREAS, The Borough of Peapack and Gladstone Personnel Policy stipulates that employees who resign from service from the Borough of Peapack and Gladstone are entitled to be paid for unused vacation time earned and pro-rated stipend for EMS services, and

WHEREAS, Thomas Skillman earned at his last day of work on May 3, 2019, 2 hours of unused vacation time and 4 months of Stipend for EMS; and

WHEREAS, Thomas Skillman hourly rate on May 3, 2019 was \$27.39 and monthly stipend is \$125.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey hereby authorizes the Finance Officer to pay to Thomas Skillman a sum of \$554.78 for unused vacation time and monthly EMS Stipend.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY BRETZGER, RMC
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

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

RESOLUTION NO. 95-19

TITLED: AUTHORIZATION TO PAY VACATION AND PRO-RATED EMS STIPEND TO ANTHONY DUARTE

WHEREAS, The Borough of Peapack and Gladstone Personnel Policy stipulates that employees who resign from service from the Borough of Peapack and Gladstone are entitled to be paid for unused vacation time earned and pro-rated stipend for EMS services, and

WHEREAS, Anthony Duarte earned at his last day of work on April 26, 2019, 50 hours of unused vacation time and 4 months of Stipend for EMS; and

WHEREAS, Anthony Duarte hourly rate on April 26, 2019 was \$18.27 and monthly stipend is \$125.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack and Gladstone, County of Somerset, State of New Jersey hereby authorizes the Finance Officer to pay to Anthony Duarte a sum of \$913.46 for unused vacation time and monthly EMS Stipend.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY BRETZGER, RMC
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 96-19

TITLE: RESOLUTION TO ENTER INTO AN AGREEMENT WITH HONORABLE C. JUDSON HAMLIN AS A HEARING OFFICER FOR A DESIGNATED PERSONNEL MATTER

WHEREAS, the Borough of Peapack and Gladstone have determined that the there is a need for a Hearing Officer for a designated personnel matter; and

WHEREAS, the Borough Attorney has recommended that the Honorable C. Judson Hamlin be retained as the Hearing Officer in the personnel matter; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Peapack and Gladstone that the Borough award the Hearing Officer to the Honorable C. Judson Hamlin for a designated personnel matter at \$350.00 per hour not to exceed \$5,000.00.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 97-19

TITLE: RESOLUTION APPOINTING A MUNICIPAL PROSECUTOR FOR THE SHARED COURT IN THE YEAR 2019

WHEREAS, there is a need for the appointment of a Municipal Prosecutor for the Bedminster Township, Borough of Peapack and Gladstone and Borough of Bernardsville Shared Municipal Court due to the resignation of the current Municipal Prosecutor, Carl Taylor, III, as of May 9, 2019; and

WHEREAS, the Shared Municipal Court Services Advisory Committee recommends the following appointment to the position of Municipal Prosecutor to the Shared Court.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby approve the appointment of the following to perform professional services for the Bedminster Township, Borough of Peapack and Gladstone and Borough of Bernardsville Shared Municipal Court:

<u>NAME</u>	<u>POSITION</u>
Miles S. Winder, III 12 Quimby Lane P.O. Box 775 Bernardsville, NJ 07924-0775	Municipal Prosecutor Annual Compensation: \$27,500.00 Special Session: \$ 300.00

NOW THEREFORE, BE IT FURTHER RESOLVED that the appointment of Mr. Winder is expressly contingent upon the continuation of a shared court agreement between Bedminster Township, Peapack-Gladstone Borough and Bernardsville Borough and the appointment of Mr. Winder as Prosecutor by the Bedminster Township and the Borough of Bernardsville.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER, RMC
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

DRAFT

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

RESOLUTION NO. 98-19

TITLED: AUTHORIZATION FOR TIM KEARNEY TO BECOME A MEMBER OF THE PEAPACK & GLADSTONE VOLUNTEER FIRE DEPARTMENT

WHEREAS, an application has been submitted for Tim Kearney to become a member of the Peapack & Gladstone Volunteer Fire Department; and

WHEREAS, Tim Kearney has met all the requirements of the Fire Department to become a member; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey hereby authorize Tim Kearney to become a Member of the Peapack & Gladstone Volunteer Fire Department.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER, RMC
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR

RESOLUTION

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 99-19

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				
		Jamie Murphy				
		Royal Smith				
		John Sweeney				

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NANCY A. BRETZGER
BOROUGH CLERK

GREGORY J. SKINNER
MAYOR