BOROUGH OF PEAPACK AND GLADSTONE

CLERK/REGISTRAR ASSISTANT ADMINISTRATOR TELEPHONE: 908-234-2250 FAX: 908-781-0042

1 SCHOOL STREET P.O. BOX 218 PEAPACK, NJ 07977

March 22, 2021

The Borough Council Meeting of March 23, 2021 will be held virtually through Go To Meeting The meeting starts at 7:00PM

You can access the meeting with information below:

Please join my meeting from your computer, tablet or smartphone. https://global.gotomeeting.com/join/383050461

You can also dial in using your phone.

United States: <u>+1 (224) 501-3412</u>

Access Code: 383-050-461

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <u>https://global.gotomeeting.com/install/383050461</u>

We ask that you are patient with us during this process as this is new to all of us involved. To make this new process work as efficiently as possible we have drafted a procedure to follow:

- 1. Mayor Skinner will start the meeting. The Mayor will read a statement asking for patience with this process and telling everyone to mute his or her phone until public comment.
- 2. Members of the Council will announce who they are before they begin speaking.
- Please be respectful of this process so we can clearly identify each other and don't talk over one another as this makes it very difficult for all to hear and understand
- 4. When the meeting is opened to the public, please state your name and address for the record



MAYOR & COUNCIL THE BOROUGH OF PEAPACK & GLADSTONE, BOROUGH COUNCIL MEETING AGENDA MARCH 23, 2021 7:00PM – REGULAR MEETING Location: Electronically via the GOTO Meeting Conferencing Service



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
- SUNSHINE NOTICE Municipal Clerk reads the following statement: "Pursuant to the Open Public Meetings Act, Adequate notice of 2021 Meeting Dates was published in the Courier News and Bernardsville News on December 3, 2020 and posted at the Municipal Complex and the Borough Library. Action may be taken."
- 3. FLAG SALUTE
- 4. ROLL CALL
- 5. MAYOR'S UPDATE ON COVID-19

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. PRESENTATION OF BOROUGH RE-BRANDING

8. OLD BUSINESS

Marijuana Regulations

9. NEW BUSINESS

10. MISCELLANEOUS DISCUSSION/APPROVALS

•22 St. John's Drive

11. READING AND APPROVAL OF MINUTES

Regular Meeting February 23, 2021

12. RESOLUTIONS

RESOLUTION NO. 67-21 – *Resolution to Authorize the Execution of NJDEP Treatment Works* Approval (TWA) Application for Deviation from Standards for 76 Willow Avenue, Block 26, Lot 19 **RESOLUTION NO. 68-21** – *Resolution Authorizing Agreement Between Borough of Peapack & Gladstone and the County of Somerset for Recycling Pick-Up – January 1, 2021 to December 31,* 2021



MAYOR & COUNCIL THE BOROUGH OF PEAPACK & GLADSTONE, BOROUGH COUNCIL MEETING AGENDA MARCH 23, 2021 7:00PM – REGULAR MEETING Location: Electronically via the GOTO Meeting Conferencing Service



Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.
 RESOLUTION NO. 69-21 – Resolution in Opposition to Senate Bill S3375 – Changes to the Workers' Compensation Act
 RESOLUTION NO. 70-21 – Resolution to Refund Lienholder for Redemption of Lien 19-00006 on Block 29, Lot 10
 RESOLUTION NO. 71-21 – Resolution Authorizing Caden Lorenzo to become a Junior Fireman of the Peapack & Gladstone Volunteer Fire Department
 RESOLUTION NO. 72-21 – Resolution Authorizing the Borough Police Department to Participate in Somerset County Distracted Driving Enforcement Mobilization April 1 – 30, 2021
 RESOLUTION NO. 73-21 – Resolution in Support of Amending A5342 (1R)
 RESOLUTION NO. 75-21 – Resolution Authorizing the Borough to Enter into an Shared Service Sewer Agreement with the Township of Bedminster and the Borough of Far Hills

13. BILLS LIST

RESOLUTION NO. 76-21 – Approval of Bills as signed and listed on the Bill Payment List **Total Amount: \$702,700.19**

14. COUNCIL REPORTS

Council President Corigliano & Councilman Sweeney Councilman Lemma & Councilman Caminiti Councilman Caminiti & Councilman Lemma Councilwoman Murphy & Councilman Lemma Councilman Sweeney & Councilwoman Dietrich Councilman Caminiti & Councilman Lemma Mayor Skinner John Bruder, Borough Attorney Randy Bahr Mayor Skinner Finance Sanitation & Sewer Borough Property Fire/First Aid Squad Police Roads & Transportation Zoning & Construction Legal Administrator'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. ADJOURNMENT

THE NEXT MEETING OF THE MAYOR & COUNCIL WILL BE HELD ON TUESDAY APRIL 13, 2021 AT 7:00PM VIA GOTO MEETINGS CONFERENCING SERVICE

RESOLUTION BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 67-21

TITLE: RESOLUTION TO AUTHORIZE THE EXECUTION OF NJDEP TREATMENT WORKS APPROVAL ("TWA") APPLICATION FOR DEVIATION FROM STANDARDS FOR 76 WILLOW AVE, BLOCK 26, LOT 19

WHEREAS, the owner of 76 Willow Avenue, Block 26, Lot 19 is building an additional bedroom and bathroom in his home; and

WHEREAS, the Bernards Board of Health has reviewed the Treatment Works Approval ("TWA") application submitted by Yannaccone, Villa & Aldrich, LLC on behalf of the owner of 76 Willow Avenue, Block 26, Lot 19, and has recommended that the application be endorsed by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Peapack and Gladstone that it hereby authorizes the Mayor to execute on behalf of the Borough the Treatment Works Approval ("TWA") application submitted by Yannaccone, Villa & Aldrick, LLC on behalf of the owner of 76 Willow Avenue, Block 26, Lot 19 which application is annexed hereto and made a part hereof.

Introduced	Seconded	Borough Council	Aye	Nay	Abstain	Absent
		Gian-Paolo Caminiti				
		Mark Corigliano				
		Amy Dietrich				
		Donald Lemma				
		Jamie Murphy				
		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 MARCH 23, 2021.

> NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK & GLADSTONE SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 68-21

TITLE: RESOLUTION AUTHORIZING AGREEMENT BETWEEN BOROUGH OF PEAPACK & GLADSTONE AND THE COUNTY OF SOMERSET FOR RECYCLING PICK-UP – JANUARY 1, 2021 – DECEMBER 31, 2021

WHEREAS, the Borough of Peapack & Gladstone entered into negotiations regarding an Agreement with the County of Somerset, and

WHEREAS, the Borough of Peapack & Gladstone has agreed that the County fee shall be based upon the number of households with the Municipality as determined by the County Planning Board at the rate of \$26.70 per household per year, and

WHEREAS, the Borough of Peapack & Gladstone has determined that it is in the best interest of the Municipality to execute an Agreement with the County of Somerset.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey are hereby authorized to execute this Agreement for recycling pickup with the County of Somerset for the period January 1, 2021 to December 31, 2021.

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

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NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK & GLADSTONE SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 69-21

TITLE: RESOLUTION IN OPPOSITION TO SENATE BILL S3375 – CHANGES TO THE WORKERS' COMPENSATION ACT

WHEREAS, the Statewide Insurance Fund ("Fund") was created to provide a cost-efficient means of supplying workers' compensation benefits to injured municipal and other public employees including emergency volunteers; and

WHEREAS, the Fund is not a traditional, profit-making insurance company, but rather is composed of individual municipalities, counties, municipal utilities authorities and other local government entities whose budgets are all funded by taxpayer or public rate payers; and

WHEREAS, because the Fund's members are funded, in large, by tax dollars, and because the Fund has determined that Senate Bill 3375 will increase workers compensation costs drastically, creating an undo burden to the taxpayers and rate payers of its members; and

WHEREAS, Senate Bill 3375 requires significant changes to the Workers' Compensation Act where current law already has provisions in place to protect injured workers from claim abuse and requires all reasonable and necessary medical care be provided in a timely manner, subject to penalty; and

WHEREAS, any communications between the patient, a physician, a joint insurance fund, and insurance carrier and its representative, are already governed by Court Rules, the rules of evidence, and both medical and legal ethical standards; and

WHEREAS, the hallmark of the New Jersey Workers Compensation Act is the obligation of the employer to provide medical benefits to an injured worker, as long as the injury or illness arises out of and in the course of employment, tantamount with the obligation to provide medical case, is the employer's statutory right to authorize the medical provider and the treatment to be administered. This bill would do nothing more than shift the entire balance of an already equitable system, to one side, to the detriment and great cost of the employer.

WHEREAS, Senate Bill 3375 will not serve the interest of the taxpayers and rate payers in New Jersey because it will increase the costs associated with workers' compensation claims be at least 35% and these costs will be borne by the taxpayers of individual municipalities, counties, municipal utilities authorities and other public rate payers.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey that it strongly opposes the adoption of Senate Bill 3775 and urges the Governor, State Senators and Assemblymen to protect taxpayers and rate payers from unnecessary and unwarranted charges; and

NOW, THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the following:

- 1. The Honorable Phillip Murphy, Governor
- 2. All members of the New Jersey State Senate
- 3. All members of the New Jersey State Assembly
- 4. Statewide Insurance Fund

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

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NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. 70-21

TITLE: RESOLUTION TO REFUND LIENHOLDER FOR REDEMPTION OF LIEN #19-00006 ON BLOCK 29 LOT 10

WHEREAS, lien #19-00006 was sold to Park Finance II, LLC on December 5, 2019 at a tax sale held by the Borough of Peapack & Gladstone, and

WHEREAS, the lien holder paid in addition to the lien, a premium in the amount of \$50,100.00 at the tax sale, and

WHEREAS, Kasumaj, Agron R., the owner of Block 29, Lot 10 has redeemed lien #19-00006 in the amount of \$17,673.48 by certified check and cash on March 16, 2021, and

WHEREAS, the lien holder is entitled to a refund of the redemption along with the premium in accordance with Title 54 of the New Jersey Statutes Annotated,

NOW, THEREFORE BE IT RESOLVED, that the Treasurer is hereby authorized to refund the redemption monies and the premium for a total of \$67,773.48 to Park Finance II, LLC.

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

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> NANCY A. BRETZGER BOROUGH CLERK

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

RESOLUTION NO. 71-21

TITLED: AUTHORIZATION FOR CADEN LORENZO TO BECOME A JUNIOR FIREMAN OF THE PEAPACK & GLADSTONE VOLUNTEER FIRE DEPARTMENT

WHEREAS, an application has been submitted for Caden Lorenzo to become a junior fireman of the Peapack & Gladstone Volunteer Fire Department; and

WHEREAS, Caden Lorenzo has met all the requirements of the Fire Department to become a junior 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 Caden Lorenzo to become a Junior Fireman with the Peapack & Gladstone Volunteer Fire Department.

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

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NANCY A. BRETZGER, RMC BOROUGH CLERK

BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 72-21

TITLE: AUTHORIZING BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN SOMERSET COUNTY DISTRACTED DRIVING ENFORCEMENT MOBILIZATION APRIL 1 – 30, 2021

WHEREAS, the Somerset County Prosecutor's Office has made available funds for its Distracted Driving Enforcement Mobilization Grant, allowing Police Departments to conduct enhanced enforcement patrols. The patrols will be conducted April 1 - 30, 2021 for a total of 80 hours, at \$60.00 per hour, for a maximum of \$4,800.00; and

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

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				
		Jamie Murphy				
		John Sweeney				

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NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK & GLADSTONE SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 73-21

TITLE: RESOLUTION IN SUPPORT OF AMENDING A5342 (1R)

WHEREAS on February 22, 2021 the New Jersey State Legislature passed into law Assembly Bill A5342 amending P.L. 1979 c. 264 (2C:33-15) regarding the underage possession or consumption of alcoholic beverages and amending provisions of Assembly Bill A21 (passed both Houses on December 17, 2020) regarding the underage consumption or use of marijuana, hashish or any cannabis item, which was signed into law by Governor Murphy on the same day; and

WHEREAS this amendment, in part, created a graduated system of written warnings for all persons under the age of 21 who interact with law enforcement and are found to be under the influence of or in possession of alcohol or marijuana, hashish or any cannibis item; and

WHEREAS this amendment appears to treat all persons under the age of 21 the same, even though a "minor" is defined as someone under the age of 18, and possession or consumption is not permitted until the age of 21; and

WHEREAS the first offense or "first warning" directs law enforcement officers to issue a written warning to all persons under the age of 21 but does not specify if another type of notification to parents or guardians of minors under the age of 18 is permissible; and

WHEREAS the amendment does not provide specific instructions to law enforcement officers regarding notification other than written warnings to parents or guardians; and

WHEREAS the amendment repeatedly and specifically puts law enforcement officers on notice they may be charged with an indictable offence for improper investigation or detention of persons under the age of 21 regarding such offenses, meaning any notification or action not specified in the statute may result in officers being charged with a serious criminal offense; and

WHEREAS guidance from the Office of the Attorney General, which is binding upon all law enforcement officers in the State of New Jersey, and the Somerset County Prosecutor's Office, which is binding upon all law enforcement officers in the County of Somerset, regarding the amendment is that law enforcement officers are prohibited from taking any action not specified in the statute as amended; and

WHEREAS parents and guardians, in the best interest of minors under the age of 18, have a need to know the actions of such minors who have been encountered by law enforcement officers in

possession of, or under the influence of, alcoholic beverages or marijuana, hashish or any cannabis item; and

WHEREAS the entire community has an interest in the effective and timely notification to parents or guardians by law enforcement of minors under the age of 18 found in possession of, or under the influence of, alcoholic beverages or marijuana, hashish or any cannabis item;

NOW, THEREFORE BE IT RESOLVED on behalf of the people of our community, that the Mayor and Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey implores both Houses of the New Jersey State Legislature to draft and advance forthwith legislation to require notification by law enforcement officers to parents or guardians of all minors under the age of 18 found in possession of, or under the influence of, alcoholic beverages or marijuana, hashish or any cannabis item and to provide specific and detailed direction to law enforcement officers regarding such notifications so as to remove the possibility of officers being charged with a criminal offense when acting in good faith while performing such notifications; and

NOW, THEREFORE BE IT FURTHER RESOLVED that copies of this resolution be forwarded to all members of the New Jersey State Assembly, all members of the New Jersey State Senate, Governor Phillip Murphy, Attorney General Gurbir Grewal and the New Jersey State League of Municipalities.

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

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BOROUGH OF PEAPACK AND GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 74-21

TITLE: RESOLUTION FOR TEMPORARY APPROPRIATIONS FOR OPERATING PURPOSES

WHEREAS, the 2021 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2021 Budget being adopted in order to maintain operations until such time as the Borough Budget is in place; and

WHEREAS, N.J.S.A. 40:4-20 provides for approval of emergency temporary appropriations prior to the Municipal budget being adopted, by a confirming vote of two-thirds of the full governing body.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey that the Chief Financial Officer is authorized to increase the temporary emergency appropriations as follows:

Current Fund	
Municipal Clerk	
Salaries and Wages	\$ 16,500.00
Financial Administration	
Salaries and Wages	\$ 4,500.00
Land Use Board	
Salaries and Wages	\$ 3,000.00
Assessment of Taxes	
Salaries and Wages	\$ 3,600.00
Zoning Cost	
Salaries and Wages	\$ 1,300.00
Construction Code	
Salaries and Wages	\$ 10,000.00
Police Department	
Salaries and Wages	\$ 156,000.00
Office of Emergency Managem	ent
Salaries and Wages	\$ 100.00
Streets and Roads	
Salaries and Wages	\$ 28,000.00
Public Buildings and Grounds	
Salaries and Wages	\$ 25,000.00
Board of Health	
Salaries and Wages	\$ 200.00
Recreation Service and Program	ns

Salaries and Wages	\$ 1,200.00
Defined Contribution Retirement P	lan
Other Expenses	\$20.00
Social Security System	
Other Expenses	\$ 19,000.00
Public Employees' Retirement Syste	em
Other Expenses	\$ 55 <i>,</i> 033.59
Police and Fireman's Retirement Sy	rstem
Other Expenses	\$ 168,714.00

Sewer Utility Fund

Salaries and Wages \$28,000.00

Social Security System Other Expenses \$ 2,500.00 Contribution to Public Employee Retirement System Other Expenses \$ 26,935.41

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

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NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK AND GLADSTONE

RESOLUTION NO. 75-21

TITLE: RESOLUTION AUTHORIZING THE BOROUGH TO ENTER INTO AN SHARED SERVICE SEWER SERVICE AGREEMENT WITH THE TOWNSHIP OF BEDMINSTER AND THE BOROUGH OF FAR HILLS

WHEREAS, the Borough of Peapack & Gladstone, the Township of Bedminster and the Borough of Far Hills are desirous to enter into a shared services agreement for the Sewer Transmission System; and

WHEREAS, the Sewer Transfer Advisory Board (STAB) which has members from all three municipal entities has overwhelmingly committed support for and recommends the agreement; and

WHEREAS, the Township of Bedminster will be the designated lead agency; and

WHEREAS, compensation shall be set at \$125,000.00 to the Township of Bedminster shall be proportioned by the flows to the Transfer system by the Borough of Far Hills, EDC, the Township of Bedminster and the Borough of Peapack & Gladstone

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Peapack & Gladstone, County of Somerset, State of New Jersey that it hereby authorizes the Mayor to execute and enter into the Agreement with the Township of Bedminster and the Borough of Far Hills from April 1, 2021 to December 31, 2022, which agreement is annexed hereto and made a part hereof

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

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> NANCY A. BRETZGER BOROUGH CLERK

BOROUGH OF PEAPACK & GLADSTONE, SOMERSET COUNTY, NEW JERSEY

RESOLUTION NO. 76-21

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				
		Jamie Murphy				
		John Sweeney				

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