



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE,
BOROUGH COUNCIL MEETING MINUTES
JANUARY 7, 2020**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, January 7, 2020 at the Municipal Complex, 1 School Street, Peapack, New Jersey and began at 6:30 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 2020 Meeting Dates was published in the Courier News and Bernardsville News on December 5, 2019 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:

Present: Mayor Skinner, Council President Corigliano, Councilman Caminiti, Councilwoman Dietrich, Councilman Smith, Councilman Sweeney

Absent: Councilwoman Murphy

Also present were: Randy Bahr, Interim Administrator, Mr. John Bruder, Esq., Borough Attorney and Nancy A. Bretzger, Borough Clerk

EXECUTIVE SESSION

Resolution No. 28-20 – Authorization for Executive Session for Certified Specified Purposes – (1) Contract Negotiations – Department of Public Works was read. Motion was made by Councilman Sweeney, seconded by Councilman Caminiti. Said motion was carried unanimously.

Public Meeting reconvened at 7:01 p.m.

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.

Peggy McFarland – 50 Mendham Rd., Gladstone – Ms. McFarland stated that she is here about the property maintenance ordinance. She had made suggestions for the Council at a meeting in June 2018, and in November 2018 Council agreed that a review of activity under the ordinance was a good idea. She is not aware that a review has taken place. She asked if a review is still within consideration and also if there may be any wording changes to the ordinance. She wants to know how effective the ordinance has been. Council President Corigliano apologized that the former Administrator was working on it and he has since left so this has stalled. He did state that Mr. Bahr will look at it and see if he can find the review that Mr. Tietjen had done. Council President Corigliano continued by responding to the request for reporting that Ms. McFarland is looking for. She responded that the former Mayor had agreed that public reporting could be provided to indicate number of properties and the success rate. Council discussed that the Zoning Officer could produce an annual or semi-annual report that gets introduced into the minutes so it's available to the Public.



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PUBLIC HEARING: COMCAST FRANCHISE RENEWAL

Council President Corigliano said that he has read through the agreement and asked Mr. Bruder for his advice. Mr. Bruder said that there are Federal and State statutes that require the Borough to have a franchise agreement in place and the Borough can make certain requests of the provider. He continued that after this meeting the Council will meet and discuss the negotiations.

Charles Smith, the Senior Director of Government Affairs for Comcast Systems of Northern New Jersey, said that he would like to read a prepared statement and then answer any questions. His statement said that Council must base the decision to renew the franchise on the answers to four questions. One, has the cable operator substantially complied with the existing franchise and applicable laws; two, has the quality of the operator's service been reasonable in light of community needs; three, does the operator have the financial, legal and technical ability to provide facilities and equipment it is proposing to provide; and four, is the cable operator's franchise renewal proposal reasonable to meet the future cable-related needs of the community taking into account the cost of meeting such needs and interests. Mr. Smith continued by stating that factors that may not be considered in deciding whether to renew the franchise include rates and programming.

Council President Corigliano asked what can Comcast do to improve the maintenance of the Comcast infrastructure in town, including abandoned wires, low-hanging wires, etc. He asked if it's possible to have them do a cleanup in the Borough, and what is Comcast doing to upgrade and maintain the infrastructure. He continued that often signal download speed varies based on time of day. Mr. Smith answered that anyone can call the 800-service number and downed wires will be addressed. He added that you can contact his office about downed wires and dangerous or unsightly wires and can get a quick response. Mayor Skinner said that in his previous job as Police Chief in town he recalls making phone calls about Comcast wires hanging from poles and there were never quick responses. Mr. Smith said that these issues should be responded to quickly. Mayor Skinner asked what happens if a customer leaves Comcast and was told that the wires remain in place. Council President Corigliano asked if a Comcast team could come in and clean up the wiring within the Borough. Mr. Smith stated that this is something that can be discussed but he can't make a commitment. Council President Corigliano said to put it on the record that the Borough would like to have a meeting with the Comcast engineering department to have a thorough review and cleaning up of the infrastructure. Mr. Bruder asked for a timely response on this issue because the Borough is obligated to consider the consent approval by way of ordinance. Mr. Smith stated that the current contract expires on July 9, 2020 and it would be in the interest of all parties to have a new agreement in place before this date. Mr. Bruder reiterated that the Borough wants the dialogue and a resolution before they renew by ordinance. Mr. Smith said that he understood.

Councilman Caminiti asked about Mr. Smith's four criteria that were listed in his prepared statement, and specifically focused on the fact that by granting the renewal the Borough would be endorsing Comcast's ability to be able to delivery future technology needs to the Borough. Councilman Caminiti stated that he is concerned about being able to gauge future technology needs in the years ahead. He brought up cable versus wireless providers, and doesn't know how Comcast is positioning themselves moving forward. Mr. Bruder said that this could be said about any technology driven company. Councilman Caminiti asked if we are handcuffing ourselves because ten years is a long time. Mr. Bruder stated that ten years is a common franchise agreement length and Mr. Smith said that they do negotiate different terms but that ten years is the shortest agreement that has been granted. Mr. Smith stated that Comcast is a cable



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television franchise and that internet, telephone and other services that Comcast provides is not a part of this franchise because internet and telephone are unregulated. Councilman Caminiti asked Mr. Bruder if there was a liability with regards to future technology and was answered that the decision has to be mindful of trends and based on currently available information. Mayor Skinner brought up that it is in Comcast's best interest to keep up with technology because they don't want to lose their customers. Mr. Smith responded that Comcast has adopted changes in technology and in the previous ten years they've moved from analog to 100 percent digital signals as one example.

Council President Corigliano stated that the Borough currently pays for internet services to at least two buildings and as a consideration for renewing, we'd like to see those bills eliminated. Mr. Smith said that Comcast does not provide free internet services to municipalities. Councilman Sweeney confirmed that we will set up a meeting with Comcast to discuss the infrastructure and Mr. Smith said that we need to have discussions about what the franchise will look like moving forward. Mr. Bahr asked if 100 percent of the Borough is serviceable by Comcast and was told that it is and that a standard installation is 200 feet. Mr. Bahr asked if the customer is charged for installations that are a greater distance, and since the answer was yes, Council discussed that this could be a negotiating point.

The Council then opened the hearing to Public Comment.

Bill Muller – Pottersville Road – Mr. Muller thanked the Council for asking pertinent questions and he said that he does much walking around town and there are areas that have cables hanging down that are unsightly. He continued that we all need to be aware that Comcast is not the only provider of communications wiring on poles so the burden isn't entirely on Comcast but there's no harm in pressing the issue. He asked why there are loops of wire that just hang on the poles and was told that these are slack for breaks and for weather purposes. Mr. Smith stated that the loops are primarily Verizon's and figure eights are Comcast's.

Kingsley Hill – OEM Coordinator and resident – Mr. Hill said that over the years he has been working with Council to try to work out a way to remove unsightly wires from the poles. He asked Council to seek an opportunity to discuss looking at a long-term plan, maybe in ten or 20 years, to get the cables underground if we could get the cooperation from the power and telephone companies. Mr. Hill asked Mr. Smith if his company would cooperate in the planning and consideration of this. Mr. Smith said that going from aerial to underground is extremely expensive and in new builds it is more reasonable. Mr. Hill said that this is a mitigation plan and he'd like their participation in this. Mr. Smith said that if JCP&L wanted to build some conduit then they'd be happy to fish through it.

No one else came forward.

Mr. Smith said that he'll go back to his office to discuss the Borough's requests and will schedule some meetings to discuss the conditions of the new renewal. Council President Corigliano reiterated the Borough's three requests are for cleanup and upgrade of the infra-structure, elimination of fees for services to municipal buildings, and no charges for longer run lengths to homes.

Mayor Skinner asked if there was a motion and second to close the public hearing. Councilman Sweeney motioned to close the public hearing, seconded by Councilwoman Dietrich. Said motion was passed unanimously.



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MINUTES

Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of December 17, 2019. Councilman Caminiti motioned to accept the minutes, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Mayor Skinner asked if there was a motion and second to accept the Executive Session Meeting minutes of December 17, 2019. Councilman Smith motioned to accept the minutes, seconded by Councilman Caminiti. Said motion was passed unanimously.

OLD BUSINESS

Liberty Park Improvements – Councilman Smith reported that Carter van Dyke will be here on February 11th meeting to discuss his proposals before the Borough goes out to bid. Mr. van Dyke wants to do a lighting example to test out different lighting systems. Councilman Smith continued that hopefully the Borough can get out to bid by the second half of February with results coming in mid-March.

Councilman Caminiti provided an update on the installation of the Matheny traffic counter poles. He said that he reached out to Matheny and hasn't heard back and he also drove there and saw that there has been no ground broken. He will follow-up with more forcefulness, as this is not as far along as was represented to the Borough.

Council President Corigliano discussed appointments for committees, which was tabled from the prior meeting. He stated that the Council is removing the Komline Committee and asked the Borough Clerk to prepare a resolution to dissolve this. Council President Corigliano asked where the Trails Committee will fall and the response was that it is under Environmental Commission. There was discussion about other committees. There was discussion about committees including Solid Waste Advisory, Wastewater Management, and Stormwater Management and whether this work is handled by a committee or as roles and responsibilities as part of a job. Mr. Bruder said that he will look at the statutes on those in question.

NEW BUSINESS

Councilman Smith discussed exploring Ideas to Improve Resident Communication

- (a) Mail enhanced PG Gazette to residents 3x a year
- (b) PGNotify link to NextDoor
- (c) Install LED message board in front of Borough Hall
- (d) Increase public awareness and volunteerism

Councilman Smith stated he has had the issue of the PG Gazette on his mind for years and that it is much work required to put out the Gazette quarterly when it isn't getting read by many residents. He suggested starting a discussion to revamp the publication and mail it out to the residents every four months. There was discussion on the cost of mailing. Councilman Smith believes that this is a great opportunity to get residents interested in what Council is doing and get them involved. Councilwoman Dietrich felt that there is repetitive information from the website. Mayor Skinner brought up that information needs to be timely.



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Councilman Smith stated that there are 340 subscribers on PGNotify and he'd like to have a system link to NextDoor. Council discussed.

Councilman Smith said that he would like to look into putting an LED sign in front of the building to get messages out. Some Council members do not think that the LED sign in front of the building is a good idea. Councilman Sweeney stated that he has a problem with the content that would be posted, and keeping it fresh. Some Council members supported looking into pricing and what this would look like.

Liberty Park Renovation Photography – Larry Nagy of the Historical Preservation Committee – Councilman Smith said that Mr. Nagy has volunteered to be a photojournalist to keep track of the improvements to the park.

RESOLUTIONS

Resolution No. 29-20 – Resolution to Reduce Excess Nutrients and Improve Water Quality in the Pond at Liberty Park was read. Motion was made by Councilman Smith, seconded by Council President Corigliano. Councilman Smith said that this is the second of two applications. He noted that this work is coming in under budget. Said motion was passed unanimously.

Resolution No. 30-20 – Resolution Recognizing the Importance of the 2020 Census was read. Motion was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 31-20 – Resolution to Award Towing Licenses for the Period of January 1, 2020 to December 31, 2022 (3 Years) was read. Motion was made by Councilman Sweeney, seconded by Councilman Caminiti. Said motion was passed unanimously.

Resolution No. 32-20 – Resolution for Authorization to Pay Unused Vacation Time to Scott Bowerbank was read. Motion was made by Councilman Smith, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 33-20 – Mayoral Appointments for the Borough of Peapack and Gladstone to the Land Use Board for the Year 2020 was read. There was discussion about a resolution only being needed for the Class III appointees. Motion was made TO TABLE **Resolution 33-20** by Councilman Sweeney, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

Resolution No. 34-20 – Resolution Authorizing Specific Payments that can be made Outside of a Meeting was read. Motion was made by Councilman Caminiti, seconded by Council President Corigliano. Said motion was passed unanimously.

MISCELLANEOUS DISCUSSION/APPROVALS

Facilities Usage Application from Knights of Columbus for use of the Gym on January 25, 2020 and February 8, 2020 for a Free Throw Contest. There was discussion amongst the Council regarding this



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application. There was a consensus to allow the use of the gym for this event. The Council concurred with John Sweeney abstaining.

Councilman Caminiti stated that the Borough received a resignation from Gregory Yannaccone from the Land Use Board, and he served for 20 years. Councilman Caminiti said that he is the embodiment of a long-time volunteer and Council determined that they would send him a proclamation for his service at the next Council meeting.

BILLS LIST

Resolution No. 35-20 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$403,062.86 was read. Motioned by Councilman Sweeney, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Kingsley Hill – Mr. Hill asked if HR was an agenda item in the executive session and was told that it wasn't.

EXECUTIVE SESSION

Mayor Skinner stated that there was no need to go back into Executive Session at this time.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Sweeney, seconded by Councilwoman Dietrich, that this meeting be adjourned at 8:18 p.m. This motion was carried unanimously.

Respectfully Submitted,

Nancy A. Bretzger, Borough Clerk