



**MAYOR & COUNCIL
THE BOROUGH OF PEAPACK & GLADSTONE
BOROUGH COUNCIL MEETING MINUTES
MAY 25, 2021**



The regular meeting of the Mayor and Council of the Borough of Peapack & Gladstone was held on Tuesday, May 25, 2021 electronically via the GOTO Meeting Conferencing Service and began at 6:04p.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 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."

Mayor Skinner led the Pledge of Allegiance.

Mayor Skinner stated that this is Military Veterans Appreciation Week and asked for a moment of silence.

Roll Call indicated the following present: Mayor Skinner, Councilman Caminiti, Council President Corigliano, Councilwoman Dietrich, Councilman Lemma, Councilwoman Murphy, Councilman Sweeney

Absent: (none)

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

EXECUTIVE SESSION

Resolution No. 111-21 – Authorization for Executive Session for Certain Specified Purposes-(1) Contract Negotiations (a) Liberty Park Improvement Project (b) CBA (2) Public Safety, was read. Motion was made by Councilman Lemma, seconded by Councilwoman Dietrich. Said motion was carried unanimously.

Public Meeting reconvened at 7:02 p.m.

MAYOR'S UPDATE ON COVID-19

Mayor Skinner gave an update on Covid-19. He stated that the Governor issued Executive Order 242, which is opening a lot in the state and lifting the mask requirement. He recommended that everyone speak to their healthcare providers and get vaccinated. He also stated that the vaccine is now available from several places including the county, private healthcare facilities, drugstores, etc. Mayor Skinner also stated that we are still currently under a state of emergency in New Jersey.

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.

No one came forward.



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OLD BUSINESS

Electric Vehicle Charging Station Grant Approval Letter: Councilwoman Murphy stated that she had submitted applications for (2) two grants for a program called Plug it in New Jersey, which were approved. These grants would reimburse the Borough for installing vehicle charging stations at the Municipal building. The Borough would be reimbursed for 60%, up to \$8,000.00, for charging stations to be used by the Police Department, Municipal employees and Borough vehicles. The other part of this grant would allow for additional charging stations for public use, with 100% reimbursement, up to \$8,000.00. Councilman Caminiti asked if there was a timeline of when we need to respond by and mentioned that he has some data points regarding operating expenses for electric vehicles that he can share. Councilwoman Murphy stated that she is waiting for a certified letter from the state which will provide more information and a time line. Councilwoman Dietrich thanked Councilwoman Murphy for applying for these grants.

Mayor Skinner mentioned that we are still deciding how to handle going back to in person Council meetings. Randy Bahr, Administrator, stated that we would not need to have a hybrid system in place to be in compliance with the Executive Order 242. He also mentioned that there should be a discussion to decide how and when to reopen the gym. Discussion ensued and it was determined that Dan Dolan, Recreation Director, should be involved with putting a protocol in place regarding open gym. Council agreed that although it is not necessary to have hybrid meetings, they would like to offer this to the public. There was also a discussion concerning the wearing of masks and what policies would need to be put into place. The Mayor and Council are looking to return to in person Council meetings starting June 29, 2021.

NEW BUSINESS

Councilwoman Murphy stated that the Environmental Commission would like to have Rutgers come out to do an evaluation and cost estimate for putting rain gardens in front of the library. Council agreed that it would be a good idea.

MISCELLANEOUS DISCUSSION/APPROVALS

Amendment to Raffle License Application No. 01-2020 for Matheny School and Hospital, Inc. for a Casino Night to be held at Matheny School on August 6, 2021

Amendment to the Raffle License Application No. 02-2020 for Matheny School and Hospital, Inc. for a 50/50 Raffle to be held at Matheny School on August 6, 2021

Iveth Mosquera, Director of Marketing and Fundraising at Matheny, explained that they are having a cycling event called Miles for Matheny, on June 5, 2021 which the public is invited to. She also mentioned that the wheelchair walks will need to be a private event on the Matheny Campus for the safety of their residents.

All concurred on the amendments.



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MINUTES

Mayor Skinner asked if there was a motion and second to accept the Regular Meeting minutes of May 11, 2021. Councilman President Corigliano 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 Meeting minutes of May 11, 2021. Councilwoman Murphy motioned to accept the minutes, seconded by Councilman Lemma. Said motion was passed unanimously.

ORDINANCES

Mayor Skinner asked for a motion and second to open the Public Hearing for **Ordinance 1099-2021** – Calendar Year 2021 - Ordinance to Exceed the Municipal Budget Appropriation Limits and the Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Council President Corigliano moved to open the hearing for Public Comment for **Ordinance 1099-2021**, seconded by Councilman Sweeney. Said motion was carried unanimously.

Mayor Skinner opened it to the public for any comments. No one came forward.

Councilman Caminiti moved to close public comment for **Ordinance 1099-2021** seconded by Councilwoman Murphy. Said motion was carried unanimously.

Councilwoman Dietrich moved to Adopt **Ordinance 1099-2021** seconded by Councilman Sweeney. Said motion was carried unanimously.

PUBLIC HEARING AND ADOPTION OF THE 2021 BUDGET

Council President Corigliano welcomed Heidi Wohlleb from Nisivoccia, and thanked her for joining the meeting. He then gave his presentation for the 2021 Budget.

Council President Corigliano started by explaining that property taxes go to three entities, the Borough, the School District and the County. In the Borough, taxes are levied for operations, open space, and recreation and trust fund purposes. We also levy taxes on behalf of the schools to pay for our share of the regional school district. Taxes are also levied on behalf of the county for their operations and for the operation of the County Library System, as well as their Open Space and Recreation trust fund. He further explained that of the taxes collected, 31.5 % goes to the Borough of Peapack & Gladstone, 47.4% goes to the schools and 21.1% goes to the county. In 2021, the Borough intends to levy taxes totaling \$14,258,856. This works out to an estimated tax rate of 1.893% and is all based on individual tax assessments.

Next, Council President Corigliano spoke about the Capital Projects for 2021. He explained that short term items such as trucks, roofs, police cruisers and equipment are paid for out of the operating portion of the budget and long term items such as road resurfacing, partial resurfacing of the firehouse parking lot, and allocating funds for the sidewalks on Holland Ave are paid by either borrowing or from the Capital



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Improvement Fund. Also built into the operating budget are things such as the Scout Cabin roof and gutters, police car cameras and software systems.

Council President Corigliano then explained the sewer portion of the budget. He stated that in 2021, Council approved a \$50 reduction per residential user and we also switched to semi-annual billing instead of quarterly billing. It is expected that the sewer utility will have expenditures of \$1,250,000.00 including capital expenditures for things such as the replacement of 12 forced main valves, a new "Muffin Monster" grinding machine, and a roof over the effluent pit. He also gave a reminder that we are limited to appropriations not exceeding a 2.5% increase year over year, and while the tax rate has remained generally level for the past 5 years, the Borough's revenue has suffered due to Covid, which is why we are seeing an increase this year.

Council President Corigliano wanted to thank several people for their help throughout the budgeting process including Councilman Sweeney, Randy Bahr, Administrator, Nancy Bretzger, Assistant Administrator, Dale Melville, CFO, and the entire Council. He then gave Heidi Wollheb a chance to say a few words.

Heidi stated that a lot of time and effort went into this budget and that this is a strong budget. She also stated that there was some loss of revenue as seen in other towns, but feels that the use of surpluses and fund balances are reasonable.

Mayor Skinner asked how we compare to other municipalities in the county regarding tax rates. Council President Corigliano responded by saying that although he does not have access to their exact numbers, he believes our rates are still among the lowest in Somerset County.

Mayor Skinner asked for a motion to open the Public Hearing on the Adoption of the 2021 Budget. Motion was made by Councilman Lemma, seconded by Councilwoman Dietrich. Said motion passed unanimously.

Mayor Skinner opened it to the public for any comments. No one came forward.

Mayor Skinner asked for a motion to close the Public Hearing on the Adoption of the 2021 Budget. Motion was made by Council President Corigliano, seconded by Councilman Sweeney. Said motion passed unanimously.

Council President Corigliano explained Resolution Nos. 112-21 and 113-21.

Resolution No. 112-21 Resolution for Self-Examination of Budget Resolution and **Resolution No. 113-21** Resolution to Read the 2021 Budget by Title Only were read. Motioned by Councilman Lemma, seconded by Councilwoman Dietrich. Said motions were passed unanimously by consent agenda.

Resolution No. 119-21 Resolution to Adopt the 2021 Budget by the Borough of Peapack and Gladstone was read. Motioned by Councilman Caminiti, seconded by Councilman Sweeney. Said motion was passed unanimously.



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RESOLUTIONS

Resolution No. 114-21 Award of Bid for the Liberty Park Improvement Project to V&K Construction, Inc. for \$836,081.00 was read. Motioned by Councilman Caminiti, seconded by Councilman Sweeney. John Bruder, Borough Attorney, stated that the second bidder indicated an intent to challenge the low bid and raised several concerns. Mr. Bruder explained that under the Local Public Contracts Law, the mandated items to be submitted by the contractor, were in fact submitted. One concern that was raised, was that the low bidder did not have the necessary equipment or manpower to complete the project. Mr. Bruder explained that our bid packet did not mandate any specific equipment. He further explained that under the Local Public Contracts law, it is required that the contractor submit a document from a surety company that indicates that they have reviewed the financials of the construction company and will back them in the event that they do not have the necessary equipment or manpower to perform the project, or for any other reason, defaults in performance. The bonding company would be obligated to complete the project either by bringing in a replacement contractor or paying the Borough to obtain a new contractor to complete the project.

Mr. Bruder stated that there was also a concern raised as to the owner of the low bidding company having been arrested and charged in 2019 with bribing a public official. He reached out to the attorney representing the owner of the low bid company and was informed that he is in a Pre-trial Intervention Program, and that upon successful completion, the charge will be dismissed. Mr. Bruder added that while it is unfortunate that this has occurred, it is not a basis, under the Local Public Contracts Law, to reject the bid. Mr. Bruder continued and noted that the Borough Administrator, Clerk and himself looked very closely into the bid that was submitted when questions were raised. Nancy Bretzger, Clerk, reached out to several municipalities where this low bidder has recently performed projects, either similar in scope or similar in size, and checked those references. All references had positive remarks. Mr. Bruder noted that this creates a level of confidence that we can expect the same level of service that this contractor has recently provided to these other municipalities.

Another concern raised by the second bidder was that the low bidder's Public Works Contractor Registration Certificate expires on June 8, 2021 and would likely expire before the project is started. In response, Mr. Bruder stated that neither the Borough nor the State of New Jersey have this certificate as a requirement. However, Nancy Bretzger, Clerk, reached out to the low bidder to determine if this contractor has applied for the certificate, and it has in fact been applied for. Mr. Bruder also stated that in the last two years, the state has now mandated that to get the Public Works Contractor Registration Certificate, the contractor must certify that they are engaged in the apprenticeship program. The low bidder has supplied the documentation that they are in fact participating in the program. It is unknown if the pending criminal charges will prevent the low bidder from obtaining said certification. If it does in fact prevent the issuance of the certification, the Borough would not issue a Notice to Proceed, which would put him in a breach of contract. If this happens, the Borough will look to the bonding company for any costs to the Borough including the costs to rebid the project and possibly time lost.

After careful review, there is nothing deficient about the bid that would warrant rejection of the bid. It complies with all state mandated requirements, there is no demonstration of lack of responsibility and the Borough is protected through the surety company. Said motion was passed unanimously.



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Resolution No. 115-21 Resolution for Renewal of Plenary Retail Consumption Liquor License for the Period of July 1, 2021, to June 30, 2022-Essex Hunt Club was read. Motioned by Councilman Sweeney, seconded by Council President Corigliano. Said motion was passed unanimously.

Resolution No. 116-21 Resolution Granting the Family and Medical Leave Act (FMLA) to Ellen Hays for Unpaid Time off from June 1, 2021 to June 4, 2021 was read. Motioned by Council President Corigliano, seconded by Councilwoman Murphy. Said motion was passed unanimously.

Resolution No. 117-21 Resolution Authorizing the Hiring of Seasonal Employees for Receptions Summer Camp and Other Summer Programs was read. Motioned by Councilman Sweeney seconded by Council President Corigliano. Said motion was passed unanimously.

BILLS LIST

Resolution No. 118-21 Approval of Bills as signed and listed on the Bill Payment List in the amount of \$123,258.95. Motion to approve payment was made by Councilman Caminiti, seconded by Councilwoman Dietrich. Said motion was passed unanimously.

COUNCIL REPORTS

Finance – Council President Corigliano stated that he had no report at this time.

Sanitation & Sewer – Councilman Lemma stated that he had no report at this time.

Borough Property – Councilman Caminiti stated that the new footbridge in Liberty Park has been finalized and it is now open for the public. He also mentioned that just as we offered the Government Energy Aggregation option to our residents, the Borough is now able to become part of a co-op with several other counties. This will also help with the costs of the EV charging stations that Councilwoman Murphy is working on. This will also provide a higher percentage of the renewable portfolio standard, which means the greenhouse gas generation associated with electricity consumption. Councilman Caminiti also asked about the status of the ECUs which are being stored at the DPW yard. Randy Bahr, Administrator, responded that they are still working on removing them.

Fire and First Aid– Councilwoman Murphy gave a shout out to the first responders including the Police, Fire Department and First Aid for their help with the tractor trailer accident that was on Route 206 last week. She stated that it was a great example of teamwork and mutual aid with our neighboring towns. Mayor Skinner added that there were a lot of volunteers called in and although the drivers were a little banged up, they are expected to make a full recovery.

Roads & Transportation – Councilman Caminiti stated that he had no report at this time.

Zoning & Construction – Mayor Skinner stated Susan Rubright has resigned from the Land Use Board and he will be working on a replacement. He wished her well and thanked her for her services.

Borough Attorney's Report- John Bruder stated that he had no report at this time.

Police– Councilman Sweeney stated that he had no report at this time.



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Administrator's Report – Mr. Bahr stated that he had nothing to report other than that he will be on vacation from Thursday, May 27th to Thursday June 3rd.

Mayor's Report – Mayor Skinner stated that Chief Steve Ferrante has been working diligently to put together the Memorial Day ceremony which we are able to have in person at Liberty Park. He asked for everyone to spread the word that the ceremony will be taking place and there is a guest speaker scheduled. The monuments will also be decorated with wreaths to remember our war veterans.

Recreation Report-Councilman Sweeney stated he had no report at this time.

PUBLIC COMMENTS – 3 MINUTES PER PERSON – AGENDA ITEMS ONLY

Mayor Skinner asked if any member of the Public wishes to speak about agenda items. No one came forward.

Mayor Skinner asked if there is any further business that the Council needs to conduct.

Council President Corigliano gave a reminder that the Borough has set up a conference call for Saturday at 10:00am with the Borough's Land Use Attorney, Roger Thomas, to brief the residents of St. Johns Drive area on the Borough's intervention regarding the development in Mendham. The sign-in credentials will be posted on the Borough website.

There being no other matters to be addressed by the Governing Body at this time, a motion was made by Councilman Caminiti, seconded by Councilwoman Dietrich that this meeting be adjourned at 8:26 p.m. This motion was carried unanimously.

Respectfully submitted,

A handwritten signature in blue ink that reads "Nancy A. Bretzger".

Nancy A. Bretzger, Borough Clerk