

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, September 27, 2017 @ 7:30 P.M.
Borough Hall - 100 Church Street**

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting on Wednesday, September 27, 2017 at 7:30 P.M. in the Alpine Borough Hall. The Public Announcement was read and the Pledge of Allegiance recited.

In accordance with the provisions of the New Jersey Open Public Meetings Law, the notice of this Regular Meeting held Wednesday, September 27, 2017 has met the requirements of the law by being published in The Record as part of the Annual Notice, posted on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk. This meeting was recorded in its entirety.

ROLL CALL

| | | | |
|------------------------------|---------|----------------------------------|---------|
| Paul Tomasko, Mayor | Present | Vicki Frankel, Council President | Present |
| Michael Cacouris, Councilman | Present | Gayle Gerstein, Councilwoman | Present |
| John Halbreich, Councilman | Present | Laurence Shadek, Councilman | Present |
| Arthur Frankel, Councilman | Absent | | |

Staff Present on Dais: Borough Attorney Russ Huntington, Borough Engineer Gary Vander Veer, Municipal Clerk Stephanie Wehmann

PUBLIC COMMENTS

George Stafford, 16 Kitchell Avenue, Wharton, NJ appeared representing the NJ Highlands Coalition and Keep It Green, a statewide advocacy group for open space to ask the governing body to pass a resolution for legislative support to create a sustainable program for the preservation of open space, particularly farm and forested areas. Following last year's severe drought reservoirs bounced back but recharge of groundwater and small streams is taking longer posing a critical problem. NJ loses an estimated 25% of treated water through leaks. Infrastructure repairs will be costly. Since 1996 NJ has lost 250,000 acres of open space while adding a million people. To help municipalities that set aside open space they propose payments in lieu of taxes that would taper down over 2-3 years permitting budget adjustments over time versus a larger gap the first year.

Mr. Stafford next highlighted General Election Ballot Question #2 to amend the NJ Constitution dedicating moneys obtained from pollution fines and damages. Recent cases demonstrate although offenders remit fines and penalties to the State, cleanup can't proceed because funds were reallocated to balance other areas of the State budget. Question #2 would prohibit that practice and dedicate such funds solely to the intended cleanup.

Councilman Halbreich questioned how other states address these issues. Mr. Stafford was not sure noting geography and needs vary from State to State and explained New Jersey is densely populated with two main watershed areas, the Passaic and Raritan and there are two kinds of "water law" dependent on whether you live east or west of the Mississippi River.

REPORT OF THE FINANCE COMMITTEE

Bank Of New Jersey Current Operating Acct **\$4,128,480.14**

Resolution #144:9'2017: Approval of Bills and Claims

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, September 27, 2017 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Resolution #145:9'2017: Return of Bonds and Escrow

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, September 27, 2017 to approve the return of the following bonds and escrow subject to review and approval by the Borough Engineer.

| <u>Name</u> | <u>Block/Lot</u> | <u>Type</u> | <u>Amount</u> |
|--|------------------|-----------------------|---------------|
| New York SMSA Ltd. Partnership d/b/a Verizon Wireless | | Verizon Network Nodes | \$1,430.00 |

TOTAL: \$1,430.00

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Resolution #146:9'2017: Cancellation of Outstanding Checks

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, September 27, 2017

WHEREAS, having determined that the following **Payroll Account** checks appear on our records as outstanding and are considered stale, it is now necessary to cancel said checks as listed below

| <u>Check No.</u> | <u>Date</u> | <u>Amount</u> |
|------------------|-------------|-----------------|
| 23977 | 8/17/16 | \$260.18 |
| 239979 | 8/17/16 | \$139.13 |
| 24005 | 9/14/16 | \$78.60 |
| TOTAL: | | \$477.91 |

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, authorize the Treasurer to cancel said checks to the Current Fund Account totaling \$477.91.

BE IT FINALLY RESOLVED that a certified copy of this Resolution be forwarded to the Borough Treasurer upon adoption of same.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Tax Assessor's Report. Report on file in the Borough Clerk's Office.

MAYOR'S REPORT The Mayor reported on the following:

- Newsletter distributed early to report an upcoming meeting in Demarest subsequently postponed to October 17. Interested parties should confirm date with Demarest.
- Palisades Park Conservancy annual dinner at Ross Dock at 6:30 PM October 5, 2017. Mayor Tomasko is on the Executive Board and plans to attend.
- Delaware Conservancy show on raptors entitled "Hawks Over the Hudson" September 24. Shows are at 1 PM & 2:30 PM at State Line Lookout. The Mayor plans to attend.
- Lamont-Doherty Earth Observatory Open House is October 7 from 10 AM – 4 PM.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Halbreich read the report's main statistics:

74 scheduled inspections, 4 tree permits, 3 soil moving applications, and 6 zoning review applications. The current electrical inspector is retiring for personal reasons creating an emergent need to hire an interim electrical subcode official. Interviews conducted and recommendation made to hire John McManus. Mr. McManus also works in Tenafly.

Resolution #147:9'2017: Appoint Temporary Acting Electrical Subcode Official

OFFERED BY: Councilman Halbreich **SECONDED BY:** Councilwoman Gerstein

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, the laws of the State of New Jersey require that the Borough of Alpine appoint an Electrical Subcode official to be responsible for the administration and enforcement of the electrical subcode; and

WHEREAS, Alpine's current Electrical Subcode Official has submitted his letter of resignation due to medical reasons effective October 1, 2017 or as soon as a replacement can be found and therefore the need exists to appoint an Acting Electrical Subcode Official to provide coverage; and

WHEREAS, N.J.A.C. 5:23-4.4(a)6 permits the appointment of an acting electrical subcode official so as to effectuate the orderly administration of the Uniform Construction Code and other duties mandated by the Borough; and

WHEREAS, the Building Commissioner along with the Mayor and Building Department personnel recommend the appointment of John McManus to serve as Temporary Acting Electrical Subcode Official;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey that John McManus be appointed as "Acting Electrical Subcode Official" for thirty days effective October 5, 2017 at a pro-rated salary of \$12,000.00 per annum for a maximum of eight (8) hours per week and that notice of this appointment be sent to the Office of Regulatory Affairs, NJS Department of Community Affairs within seven days.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Department of Public Works Councilman Frankel advised he could not attend. Mayor Tomasko highlighted resolution on the agenda for a multi-year shared services agreement with Cresskill and Organic Recycling of Tappan, NY to grind and remove composted leaves as part of the towns' joint leaf removal programs.

Fire Department Statistics are available for review. Councilwoman Gerstein invited all to the Northern Valley Fire Chiefs Parade October 7th in Northvale at 1 PM. The reviewing stand will be on Paris Avenue in front of the Borough Hall. Mayor Tomasko plans to attend.

Police Department Councilwoman Frankel reported 31 summonses issued. There were 6 motor vehicle accidents with 1 injury.

Resolution #148 :9'2017: Accepting the Reports of the Standing Committees

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilman Cacouris

at the regular meeting of the Alpine Mayor and Council held on Wednesday, September 27, 2017 to accept the reports of the Standing Committees.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

BOARD OF EDUCATION LIAISON'S REPORT Councilman Shadek advised tonight is Back to School night at the school.

BOROUGH ATTORNEY’S REPORT Mayor Tomasko followed up last month’s comments on drones. A federal court decision pertaining to Newton, Massachusetts ruled municipalities do not have jurisdiction to regulate drones. Franklin Lakes has prohibited drones below 400 feet. The FAA prohibits drones above 400 feet. It will be interesting to see how this issue progresses.

BOROUGH ENGINEER’S REPORT Mr. Vander Veer reported on the following:

- Alpine School Field Enhancement Project: The Borough received quotes within budget and he provided his recommendations for approval by prior letter.
- 2018 NJ DOT Municipal Aid grant. Mr. Vander Veer submitted his letter of recommendations and seeks authorization to submit an application.

Resolution #149:9’2017: Authorizing Borough Engineer to Submit 2018 NJDOT Municipal Aide Grant Application

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

WHEREAS, The New Jersey Department of Transportation has made funding available to Counties and Municipalities through grant applications through the Municipal Aid Program, and

WHEREAS, the Borough of Alpine, Bergen County intends to apply for funds through this program for **Litchfield Way.**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Alpine formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018–Alpine Borough–00016 for Alpine Borough to the New Jersey Department of Transportation on behalf of Borough of Alpine.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Alpine and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

UNFINISHED BUSINESS

ORDINANCE 772: To Amend Chapter 179 “Site Plan Review” and to Amend Chapter 185 “Soil Fill and Soil Removal”

PUBLIC HEARING: Mayor Tomasko opened the meeting to the public for discussion of Ordinance 772 and being none closed the public hearing.

Resolution #150:9’2017 Adoption Ordinance 772

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, September 27, 2017

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine in the County of Bergen and State of New Jersey that an Ordinance entitled:

"AN ORDINANCE TO AMEND: CHAPTER 179 ENTITLED “SITE PLAN REVIEW” & TO AMEND CHAPTER 185 ENTITLED “SOIL FILL AND SOIL REMOVAL”

does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #151:9'2017 - # 156:9'2017
Councilman Cacouris abstains from Item #1

1. Resolution #151:9'2017: Approval of Minutes Regular Meeting August 23, 2017

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017 to approve minutes of the Regular Meeting August 23, 2017.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Abstain:** Cacouris **Absent:** A. Frankel

MOTION APPROVED

2. Resolution #152:9'2017 To Oppose New Rules Proposed by the Local Finance Board Regarding Employee Compensation Disclosure

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, notification was received that the Local Finance Board is proposing new rules N.J.A.C. 5:30-18.1 and 18.2 which would set forth public disclosure and hearing requirements for ratification of labor contracts and other compensation measures adopted by resolution; and

WHEREAS, certain aspects of these requirements are perceived to be detrimental to the interests of municipalities and their taxpayers as it would significantly delay the hire of new employees and ratification of labor contracts as well as increase advertising costs; and

WHEREAS, while there may be some merit to certain disclosures of public employee salary and benefits, this rule as proposed goes well beyond that scope as to overburden local officials with a time-consuming mandate; and

WHEREAS, no funding source was identified to cover the cost of the additional work to comply with these additional requirements; and

WHEREAS, the State's constitution requires the State to pay for State mandated programs and services.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine emphatically oppose the concept and implementation of new rules N.J.A.C. 5:30-18.1 and 18.2 proposed by the Local Finance Board regarding Employee Compensation Disclosure.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to all Bergen County State Legislators, the Governor's Office, the Local Finance Board, the Division of Local Government Services, the New Jersey State League of Municipalities and every Bergen County Municipality.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

3. Resolution #153:9'2017 Award Quote Soccer Field Upgrade Phase II - Sidewalk

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, a need has been identified to upgrade the Borough of Alpine Soccer Field located at 500 Hillside Avenue, Block 39 Lot 1 which work includes installation of a concrete sidewalk; and

WHEREAS, the Borough of Alpine solicited and received quotes for this service, one from P.F. Quinn Contracting of Tenafly, NJ for \$12,200.00 and one from Charles A. Hoffmann Construction, LLC of Alpine, NJ for \$10,980.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Borough Engineer that the bid be awarded to Charles A. Hoffmann Construction, LLC of Alpine, NJ as the lowest responsible quote totaling \$10,980.00; and

WHEREAS, this project is the subject of Bergen County Trust Fund Project Contract No. 15-00401 which provides for reimbursement via a grant equivalent to fifty percent of eligible costs up to \$27,800.00; and

WHEREAS, funds for this purpose have been provided for in the following accounts:

C-04-55-956-201 Capital Fund Ordinance #752

C-04-55-963-201 Capital Fund Ordinance #758

And the Reserve Funds reflecting donations from the Alpine Home and School Association and Tenafly Soccer

and this vendors Affirmation of Compliance with Ordinance 725 as needed is on file

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote to purchase and install a concrete sidewalk for the Borough of Alpine Soccer Field be awarded to Charles A. Hoffmann Construction, LLC of Alpine, NJ for \$10,980.00. The Chief Financial Officer has provided the Certification of Availability of Funds.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

4. Resolution #154:9'2017 Award Quote Soccer Field Upgrade Phase II – Irrigation Sprinkler System

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, a need has been identified to upgrade the Borough of Alpine Soccer Field located at 500 Hillside Avenue, Block 39 Lot 1 which work includes installation of an underground sprinkler system; and

WHEREAS, the Borough of Alpine solicited and received quotes for this service, one from Suburban Underground Sprinkling Systems, Inc. of Westwood, NJ for \$13,250.00 and one from Shamrock Equipment of Dumont, NJ for \$22,000.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Borough Engineer that the bid be awarded to Suburban Underground Sprinkling Systems, Inc. of Westwood, NJ as the lowest responsible quote totaling \$13,250.00; and

WHEREAS, this project is the subject of Bergen County Trust Fund Project Contract No. 15-00401 which provides for reimbursement via a grant equivalent to fifty percent of eligible costs up to \$27,800.00; and

WHEREAS, funds for this purpose have been provided for in the following accounts:

C-04-55-956-201 Capital Fund Ordinance #752

C-04-55-963-201 Capital Fund Ordinance #758

And the Reserve Funds reflecting donations from the Alpine Home and School Association and Tenafly Soccer

and this vendors Affirmation of Compliance with Ordinance 725 is on file.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote to purchase and install an underground sprinkler system for the Borough of Alpine Soccer Field be awarded to Suburban Underground Sprinkling Systems, Inc. of Westwood, NJ for \$13,250.00. The Chief Financial Officer has provided the Certification of Availability of Funds.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

5. Resolution #155:9'2017 Award Quote Soccer Field Upgrade Phase II – Field Preparation, Fill, Site Grading & Sod

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, a need has been identified to upgrade the Borough of Alpine Soccer Field located at 500 Hillside Avenue, Block 39 Lot 1 which work includes field preparation, fill, site grading and application of sod; and

WHEREAS, the Borough of Alpine solicited and received quotes for this service, one from James V. Crimmins Landscaping for \$39,200.00 and one from Paul Keyes Associates for \$63,760.00; and

WHEREAS, these quotes were reviewed and it was noted the latter quote exceeds the bid threshold and therefore a recommendation made by the Borough Engineer that the bid be awarded to James V. Crimmins Landscaping of Closter, NJ as the lowest responsible quote totaling \$39,200.00; and

WHEREAS, this project is the subject of Bergen County Trust Fund Project Contract No. 15-00401 which provides for reimbursement via a grant equivalent to fifty percent of eligible costs up to \$27,800.00; and

WHEREAS, funds for this purpose have been provided for in the following accounts:

C-04-55-956-201 Capital Fund Ordinance #752

C-04-55-963-201 Capital Fund Ordinance #758

And the Reserve Funds reflecting donations received from the Alpine Home and School Association and Tenafly Soccer

and this vendors Business Registration Certificate, Business Entity Disclosure Certification, Political Contribution Disclosure Form and Affirmation of Compliance with Ordinance 725 is on file; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote for work as described above for the Borough of Alpine Soccer Field be awarded to James V. Crimmins Landscaping of Closter, NJ for \$39,200.00. The Chief Financial Officer has provided the Certification of Availability of Funds.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

6. **Resolution #156:9'2017 Authorize Execution of Leaf Grinding Agreement Between Borough of Alpine, Borough of Cresskill and Organic Recycling, Inc.**

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, an Interlocal Agreement exists between the Borough of Alpine and the Borough of Cresskill regarding use of the Alpine Leaf Compost Facility which includes a provision to equally share payment of fees including the cost of a tub grinder; and

WHEREAS, the Borough of Alpine and the Borough of Cresskill are desirous of entering into an agreement with Organic Recycling, Inc. to provide tub grinding services; and

WHEREAS, for purposes of cost stabilization the term of this Agreement will be for five (5) years, beginning October 16, 2017 and ending October 15, 2022 and the cost for the first year is \$13,500.00 which rate will be adjusted by CPI as noted in the agreement for each subsequent year; and

WHEREAS, funds for this purpose have been provided for in the following account:

7-01-26-290-000 Streets & Roads Operating Account

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby authorize the Mayor to enter into a five-year agreement between the Borough of Alpine, the Borough of Cresskill and Organic Recycling, Inc. commencing October 16, 2017. The Chief Financial Officer has provided the Certification of Availability of Funds.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

End of Consent Agenda

B. Resolution #157:9'2017 Reduction of Performance Guaranty–Laoudis Block 22, Lot 7

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein

At the regular meeting of the Mayor and Council of the Borough of Alpine held on September 27, 2017

WHEREAS, the development application for Theodora and Angela Laoudis was originally approved April 8, 2004; and

WHEREAS, as a condition of approval, the applicant provided the Borough with a Performance Guaranty and a Revegetation Guaranty in the form of a surety bond (no cash), and

WHEREAS, subsequently during the course of construction and at the request of the applicant, the Borough Engineer reviewed work completed to date and recommends a reduction in the Performance Guaranty bond to an amount equal to 30% of the original bond estimate of \$98,700.00 to \$29,160.00 and no reduction in the Revegetation Guaranty which shall remain at \$20,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine that the Performance Guaranty consisting of the surety bond may be reduced to \$29,160.00 but that there be no change in the amount of the Revegetation Guaranty of \$20,000.00.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Without objection Mayor Tomasko asked Item C be moved to after executive session.

COMMUNCIATIONS: WRITTEN AND ORAL None

Resolution#158:9'2017: Executive Session A Resolution providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, September 27, 2017

WHEREAS, the Mayor and Council of the Borough of Alpine is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Alpine to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b subsection designated below:

(b)(8) Employment

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, September 27, 2017, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

BE IT FURTHER RESOLVED, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Abstain** A. Frankel,

MOTION APPROVED

Mayor and Council convened the Executive Session at 7:51 PM and returned to the regular public session at 7:56 PM.

C. Resolution #159:9'2017 Extension of Medical Leave for Work-Related Injury

OFFERED BY: Councilman Halbreich **SECONDED BY:** Councilwoman Frankel

At the regular meeting of the Mayor and Council of the Borough of Alpine held on September 27, 2017

WHEREAS, Sergeant Matthew Kent has been incapacitated since February 13, 2017 due to a work-related incident; and

WHEREAS, Sections 23 and 24 et. seq. of the Agreement between the Borough of Alpine and PBA Local #399 effective January 1, 2017 provides that an Employee shall be retained on the payroll at full salary and benefits for a continued period of six months during the continuance of said incapacitation and that the Governing body shall have the option of extending the period during which an Employee shall receive the benefit of this Article on an individual basis and after considering the merits of each case; and

WHEREAS, at the regular meeting of the Mayor and Council held August 23, 2017 continuation of full salary and benefits for the above-named employee was approved for a period of 60 days retroactive to August 13, 2017.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine concurs with the Police Committee and that the above-named employee be continued at full salary and benefits for an additional 60 days, effective October 13, 2017.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, Shadek **Abstain** A. Frankel,

MOTION APPROVED

ADJOURNMENT Upon a motion by Councilwoman Frankel, Seconded by Councilwoman Gerstein and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine held Wednesday, September 27, 2017 at 7:57 p.m.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk

**BOROUGH OF ALPINE
ORDINANCE NO. 772**

"AN ORDINANCE TO AMEND: CHAPTER 179 ENTITLED "SITE PLAN REVIEW" & TO AMEND CHAPTER 185 ENTITLED "SOIL FILL AND SOIL REMOVAL"

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpine, in the County of Bergen that "The Revised General Ordinances of the Borough of Alpine, 1970" be revised by the AMENDMENT OF Chapter 179 entitled "Site Plan Review"; as follows:

Section 1. Amend Chapter 179-4(D) to read as follows:

D. Completion and inspection of improvements. The installation of improvements as required in § 179-6 and as included in the site plan including principal and accessory buildings or other structures shall not commence until after the approval of the final site plan and the submission of a certified location survey (including proposed elevations) to the Construction Official/Building Inspector. Such installation shall be subject to inspection by the Borough Engineer, and approval shall be revoked if there is significant deviation from the site plan as approved. Performance and maintenance bonds shall be released subject to approval by the Borough Engineer and Borough Council. All improvements shall be completed in a timely manner so as not to leave the site in an unfinished or unsightly condition, as determined by the Borough Council, and if this is not done, the final approval shall be deemed to be revoked, and the performance and maintenance bonds may be used by the Borough to restore the site to an acceptable condition. The issuance of building and occupancy permits shall be conditioned on the completion of improvements as specified in the final site plan application and submission and approval of an as-built certified survey.

BE IT FURTHER ORDAINED, by the Mayor and Council of the Borough of Alpine, in the County of Bergen that "The Revised General Ordinances of the Borough of Alpine, 1970" be revised by the AMENDMENT OF Chapter 185 entitled "Soil Fill and Soil Fill Removal"; as follows:

Section 2. Amend Chapter 185-4(G) to add a new (3), renumbering the current (3) and (4) to (4) and (5) with the new (3) to read as follows:

(3) Location Survey

Prior to the commencement of installation or construction of any building or structure in the area which was the subject of an application for soil movement permit, the owner shall submit a certified location stakeout to the Construction Official/Building Inspector to verify that the proposed building or improvement is in the proper location and elevation.

Section 3. Amend Chapter 185-7 to add a new (D) to read as follows:

D. The Borough Council and/or Planning Board and/or the Board of Adjustment, in its discretion, may require that, as a condition of any revised approval to allow the offending condition to remain, the violator take such steps to reduce the impact of the violation upon neighboring properties including, but not limited to, the planting of landscaping or installation of drainage. In addition, such agency may impose an assessment, not to exceed \$15,000.00 which shall be paid to the Borough of Alpine. Should the imposition of any such fee be reversed or otherwise set aside by a court of competent jurisdiction, the revised approval shall be null and void and the offending condition shall be eliminated by restoration of the original conditions as described in Section B above.

Section 4. Should any section, paragraph, sentence, clause or phrase of this Chapter be declared unconstitutional or invalid for any reason, the remaining portions thereof shall not be affect thereby and shall remain in full force and effect, and to this and the provisions of this Chapter are hereby declared to be severable.

Section 5. This Chapter shall take effect immediately upon adoption and publication as provided by law.

INTRODUCED: August 23, 2017

ADOPTED: September 27, 2017