

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, October 25, 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, October 25, 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, October 25, 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	@7:33	Gayle Gerstein, Councilwoman	Present
John Halbreich, Councilman	Present	Laurence Shaddek, Councilman	Present
Arthur Frankel, Councilman	Present		

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

PUBLIC COMMENTS

Ted L'Estrange of Geoffrey Court Otisville, NY 10963 spoke on a humanitarian issue in China. China has no organ donation program yet performs over 100,000 transplants annually with a brief and precise waiting period. There is a cultural taboo in China to donate organs after death. The suspected source is that tens of prisoners of conscience are killed each year for their organs. Most of these prisoners of conscience are Falun practitioners but Tibetans, Uyghurs and House Christians are also included. They are routinely blood tested and their organs examined while held in China's forced labor camps, detention centers and black jails. A 1984 regulation decrees that they and their organs are the property of the state. On June 13, 2016 the US House of Representatives unanimously passed resolution 343 which in its summary condemns the practice of state sanctioned forced organ harvesting in China. The European parliament has also passed similar regulations. This has been happening for seventeen years and there is still a deathly silence on this issue. That is why I stand before you as elected and respected representatives of the community to work on the heavy burden of this genocide as acknowledged by the House. Materials were distributed.

REPORT OF THE FINANCE COMMITTEE

Bank Of New Jersey Current Operating Acct **\$3,152,072.56**

Resolution #160:10'2017: 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, October 25, 2017 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

Resolution #161:10'2017: 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, October 25, 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>
44 Rio Vista Dr. Living Trust / Morgan	22/19	Revegetation Bond	\$5,000.00
		Performance Bond	\$23,000.00
		Escrow	<u>\$3,733.25</u>
TOTAL:			\$31,733.25

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

Resolution #162:10'2017: 2017 Property Tax Credit BL52/L3 Due to County Board Judgment

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 25, 2017

WHEREAS, a Judgment was granted on June 21, 2017 and mailed on August 22, 2017 from the Bergen County Tax Board reducing the assessments on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Year</u>	<u>4th qtr</u>
52	3	Errico, Rocco & Alexandra	\$3,782,800	\$3,100,000	2017	\$ 5469.23

WHEREAS, the reduction in assessment was not recorded in time for the 2017 Assessment records for the above referenced property and was billed at the higher assessed value for 2017, resulting in an overbilling;

WHEREAS, an overbilling was made for the tax year listed above and therefore should be credited to the 4th quarter, or any outstanding balances due from prior quarters;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, hereby authorize the Borough Treasurer to issue a credit for the tax overbilling.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

Resolution #163:10'2017: Cancellation of Grant Receivable – Municipal Drug Alliance Program

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

WHEREAS, the 2016/2017 Municipal Alliance grant receivable balance of \$6,576.42 remains open on the Current Fund balance sheet;

WHEREAS, an offsetting 2016/2017 appropriation reserve of \$2,505.42 entitled Municipal Drug Alliance Program County Share and \$1,470.11 Municipal Share remains open on the Current Fund balance sheet;

WHEREAS, it is necessary to formally cancel the receivable balance and its offsetting appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED that the above-mentioned grant receivable and appropriation reserve balance be cancelled.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

Tax Assessor's Report. Report on file in the Borough Clerk's Office. Mayor Tomasko advised the ratio rose from 82% to 88% which will lessen the amount of County taxes due next year.

MAYOR'S REPORT The Mayor reported on the following:

- Receipt of NJDOT notification dated September 29 regarding plans to resurface an extended portion of Route 9W. Nighttime construction hours may be required.
- Safety Committee Meeting held September 25 chaired by Stephanie Wehmann. Our JIF liaison reports, "Alpine continues to conduct effective safety committee meetings providing productive information and feedback to represent municipal achievements. Safety incentive program participation is considered very good."
- Attended dedication of the upgraded aquatic center at the Boy Scout Camp October 14. the camp was crowded during his visit and its noted the pool is one of their most in demand facilities.
- Attended annual luncheon for the Mayors Committee on Life Sciences. One aspect is to highlight someone who has made the long track back from a serious disease. He asked to be provided with names of any one they feel should be nominated for this recognition.
- Attended ceremony acknowledging the 100th Anniversary of World War I at the Camp Merritt Memorial. Many veterans and state legislators were in attendance.
- Yesterday led a group from the Bergen County Mayors Association on a tour of the Port Authority World Trade Center site. They met with PA Chairman Kevin O'Toole and the Executive Director from NY, Rick Cotton. They took the opportunity to advocate for the rebuild of the bus terminal(s), the Gateway Project, and the bike lanes project. A resolution follows on the agenda.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

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

45 scheduled inspections, 2 driveway permits, 1 fence permit, 5 tree permits, 1 soil moving application, and 4 zoning review applications. Balance of report on file.

Department of Public Works Councilman Frankel advised the report is on file.

Fire Department Councilwoman Gerstein advised statistics are available for review. Two new firemen

Resolution #164:10'2017: Approval New Firefighter: Ariel Z. Gabay

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 25, 2017 to approve the application for **Ariel Z. Gabay** for Membership as a Firefighter in the Alpine Volunteer Fire Department.

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

MOTION APPROVED

Resolution #165:10'2017: Approval New Firefighter: Jonathan M. Cherezov

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 25, 2017 to approve the application for **Jonathan M. Cherezov** for Membership as a Firefighter in the Alpine Volunteer Fire Department.

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

MOTION APPROVED

Police Department Councilwoman Frankel reported 21 motor vehicle summonses issued. There were 6 motor vehicle accidents with 3 injuries. The rest of the report is on file.

Resolution #166 :10'2017: Accepting the Reports of the Standing Committees

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 25, 2017 to accept the reports of the Standing Committees.

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

MOTION APPROVED

BOARD OF EDUCATION LIAISON'S REPORT Councilman Shadek advised no report.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT Mr. Vander Veer distributed his report and highlighted the following updating a variety of construction projects. Work has started on the Alpine School Field Enhancement Project beginning with sidewalk construction and will also include regrading, placement of top soil and sod and installation of an irrigation system. Work should be completed within a month in compliance with the County grant. The field will be closed for school use to allow time for the sod to root.

UNFINISHED BUSINESS - None

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #167:10'2017 - # 174:10'2017

Councilman Frankel abstains from Item #1a & b

1.a. Resolution #167:10'2017: Approval of Minutes Regular Meeting September 27, 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, October 25, 2017 to approve minutes of the Regular Meeting September 27, 2017.

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

MOTION APPROVED

1b. Resolution #168:10'2017: Approval of Minutes Executive Session Meeting September 27, 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, October 25, 2017 to approve minutes of the Executive Session Meeting September 27, 2017.

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

MOTION APPROVED

2. Resolution #169:10'2017 Award Quote: Alpine Fire Dept. Vehicle Equipment Cabinetry

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, October 25, 2017

WHEREAS, the Fire Department has identified a need to acquire equipment cabinetry for the Department's 2016 Chevy Tahoe; and

WHEREAS, the Borough of Alpine solicited and received quotes for this service, one from East Coast Emergency Lighting for \$4,086.50 and one from Rockland Custom Cabinets for \$4,433.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Fire Chief that the acquisition be awarded to East Coast Emergency Lighting, Inc. of Alpine, NJ as the lowest responsible quote totaling \$4,086.50; and

WHEREAS, funds for this purpose have been provided for in the following account(s):
7-01-25-265-032 New Equipment (Fire Department)

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote to purchase equipment cabinetry for 2016 Chevy Tahoe for the Alpine Fire Department to East Coast Emergency Lighting of Millstone Township, NJ for \$4,086.50 plus \$600.00 for installation. The Chief Financial Officer has provided the Certification of Availability of Funds.

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

MOTION APPROVED

3. Resolution #170:10'2017 Authorize State Contract Purchase Fire Department Gear

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 25, 2017

WHEREAS pursuant to N.J.S.A. 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without soliciting quotes or advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; which is considered an "open and fair" process under the New Jersey Pay to Play Law N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS the Borough of Alpine has a need to purchase on a timely basis, goods and services utilizing State Contracts during 2017 and the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS the Borough of Alpine plans to utilize the State Contract Vendor listed below,

Commodities: T-0790 Turnout Gear, Helmets, Protective Hoods, Boots, Gloves, Pass Device, SCBA\ Search & Rescue/Vehicle Extrication Equipment

Service Vendor Name: AAA Emergency Supply Co., Inc.

State Contract #: A80961

such transaction shall be subject to all conditions applicable to the current State contracts; and

WHEREAS, the Borough of Alpine is in need of acquiring Scott cylinders for the Alpine Fire Department; and

WHEREAS, funds for this purpose have been provided for in the accounting records of the Borough of Alpine in various Capital Bond Ordinances as follows:

Account Number(s): C-04-55-967-202 (ORD#759), C-04-55-959-202 (ORD #752) and C-04-55-937-203 (ORD #724)

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen, that the Borough of Alpine authorize this purchase through Mario G. Manfredi, AAA Emergency Supply 635 North Broadway of White Plains, NY 10603, authorized vendor for State Contract 80961, for the purchase of 14 Scott cylinder assemblies for the for the acquisition and installation of Radio Communication Equipment and Accessories, in accordance with the aforementioned contract and the specifications attached hereto, in

These minutes have been approved by the Mayor & Council.

an amount not to exceed \$14,448.00 to be charged to the account(s) above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds. It is noted the actual cost of these cylinders is \$15,498.00 less trade-in of existing expired cylinders in the amount of \$1,050.00 for a net of \$14,448.00.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

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

MOTION APPROVED

4. **Resolution #171:10'2017 Appoint Electrical Subcode Official**

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 25, 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, John McManus has been serving as Acting Electrical Subcode Official pursuant to Resolution #147:09'2017 of the Mayor and Council as authorized of the NJS Department of Community Affairs Office of Regulatory Affairs effective through November 4, 2017; and

WHEREAS, the Building Committee recommends the appointment of John McManus to serve as the Electrical Subcode Official; and

WHEREAS, Section 52:27D-126 of the Uniform Construction Code Act mandates that this appointment be for a four-year term, and

WHEREAS, funds for the position of Sub Code Electrical Official have been provided by Ordinance, whereupon salary may be set by resolution;

NOW, THEREFORE, BE IT RESOLVED, that John McManus be appointed Electrical Subcode Official effective 11/1/2017 for a period of 4-years expiring on 10/31/2021 and that notification of this appointment be sent to the Office of Regulatory Affairs, NJS Department of Community Affairs.

BE IT FURTHER RESOLVED, that the annual salary for Mr. McManus is established at \$12,000 for a maximum of eight (8) hours per week. The maximum compensation shall not exceed the amount specified in the salary ordinance per annum, and this part time position shall not include any benefits.

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

MOTION APPROVED

5. **Resolution #172:10'2017 Endorse Planning Board Approval Soil Moving Permit: Low Block 73 Lot 10 – 6 Birch Road**

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at a regular meeting of the Mayor and Council of the Borough of Alpine, held on August 23, 2017

WHEREAS, Borough Ordinance 183-3D(5) lays down the procedure for review of an application for a soil movement permit in compliance with N.J.S.A. 40:20D-26b; and

WHEREAS, a soil movement application for Melissa and Russell Low Block 73 Lot 10 - 6 Birch Road was reviewed by the Alpine Planning Board at a public hearing held on August 22, 2017; and

WHEREAS, the Alpine Planning Board laid down their written recommendation to the Mayor and Council with respect to this application in a resolution approved at their regular meeting held on October 24, 2017(copy attached hereto); and

WHEREAS, the Mayor and Council has examined the application and the recommendations of the Planning Board and have considered the results of the public hearing before the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine find that the proposed soil movement will not create conditions inimical to the public health, welfare and safety, nor create any drainage, soil erosion or other conditions of danger and

BE IT FURTHER RESOLVED that the Mayor and Council hereby approve said application subject to all conditions as laid out in the Planning Board's resolution of October 24, 2017.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

(Planning Board Resolution appended to minutes)

6. Resolution #173:10'2017 Reappoint Interim Principal Public Works Manager for Additional One Year Term

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at this regular meeting of the Mayor and Council of the Borough of Alpine held on October 25, 2017.

WHEREAS, when a vacancy occurs in the position in which the duties of a Principal Public Works Manager (PPWM) are performed, the governing body may select for a period not to exceed one year and commencing on the date of vacancy, a person who does not hold a Certified Public Works Manager Certificate to perform on an interim basis, the duties of a PPWM; and

WHEREAS, by resolution dated April 26, 2017, DPW Superintendent Frank Rickenbaugh was appointed as Interim Principal Public Works Manager for a one-year term beginning from the time of vacancy on November 1, 2016 and expiring November 1, 2017 in compliance with N.J.S.A. 40A:9-154.6a and 6g et. seq.; and

WHEREAS, any person so appointed may be selected as interim PPWM for one additional year; provided, however, that no person shall perform on an interim basis, the duties of a temporary PPWM for more than two years in any municipality; and

WHEREAS, based on his experience and performance the DPW Commissioner and Committee now recommend Frank Rickenbaugh be reappointed for one additional year as interim PPWM.

NOW, THEREFORE, BE IT RESOLVED, that Frank Rickenbaugh be appointed as interim PPWM for one additional year, effective November 1, 2017 and expiring November 1, 2018 and that such designation is not considered a separate position.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

7. Resolution #174:10'2017 Authorizing Shared Service Agreement with Bergen County - Road Resurfacing Projects

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on October 25, 2017.

WHEREAS, the County of Bergen maintains and controls approximately 450 miles of County roads; and

WHEREAS, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

WHEREAS, the County's Department of Public Works performs this resurfacing through periodic Road resurfacing Projects; and

WHEREAS, the County's Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities will serve to memorialize the respective responsibilities of the County and the municipality in connection with a Road Resurfacing Project; and

WHEREAS, N.J.S.A. 40A:65-4(a)(l) states, in part, that "any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;" and

WHEREAS, the County and the seventy municipalities within Bergen County are "local Units" under N.J.S.A. 40:65-4 (a)(l), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq.; and

WHEREAS, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of shared services agreement for execution between the County of Bergen and each municipality in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, the form of shared services agreement has been reviewed by Alpine's Borough Attorney and Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Mayor and Council hereby approve and authorize the execution of a shared services agreement between the Borough of Alpine and the County for a Road Resurfacing Project, in substantially the form annexed hereto as Exhibit A.
3. The Mayor is hereby authorized to execute a shared services agreement in a form the form annexed hereto as Exhibit A or, as determined by Counsel, to be substantially similar.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shaddek

MOTION APPROVED

End of Consent Agenda

B. Resolution #175:10'2017 Amending Resolution 157:09'2017 Reduction of Performance Guaranty Theodore & Angela Laoudis Block 22 Lot 7

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

At the regular meeting of the Mayor and Council of the Borough of Alpine held on October 25, 2017

WHEREAS, the surety company has requested clarification of the resolution adopted September 27, 2017 for approval of certain bond reductions for Theodore & Angela Laoudis Block 22 Lot 7; and

WHEREAS, the Borough Engineer has reviewed this request and provides the following clarification:

Performance Bond. Per Azzolina & Feury letter dated 8-25-2017 the performance bond may be reduced from \$63,000.00 to \$18,900.00 based on retaining 30% of the original bond value.

Revegetation Bond. Per Azzolina & Feury letter dated 8-25-2017 the revegetation bond may be reduced from \$32,400.00 to \$20,000.00 based on the cost of revegetation work to be completed.

NOW, THEREFORE, BE IT RESOLVED that prior resolution 157:09'2017 is hereby amended to reflect the above; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Alpine hereby approves same.

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

MOTION APPROVED

C. Resolution #176:10'2017 Support of Sustainable Open Space, Farmland, Historic Preservation and Stewardship Funding for New Jersey

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, October 25, 2017

WHEREAS, New Jersey's population demands an ample water supply provided by adequate open space to support our quality of life; and

WHEREAS, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

WHEREAS, continued, plentiful and sustained funding is vital to a strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

WHEREAS, provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

WHEREAS, New Jersey's Payment In Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine supports sustainable, continuing funding for Open Space in New Jersey.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to George Stafford, N.J. Highlands Coalition.

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

MOTION APPROVED

D. Resolution #177:10'2017 Support for Widening the Bicycle-Pedestrian Paths on the George Washington Bridge as Part of Upcoming Recabing and Restoration Project

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilman Shadek

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 25, 2017

WHEREAS, between 2017 and 2024 the Port Authority of New York & New Jersey will rip out and restore the 1931-era paths on the George Washington Bridge (GWB) as part of a \$1.9 billion recabling and restoration project; and

WHEREAS, the GWB is the sole bike-able connector between North Jersey and NYC and the nexus of the 1650 mile Tri-State Trail Network; and

WHEREAS, the GWB's seven foot paths are dangerously overcrowded at 3700 cyclists per day on weekends and growing 10% per year and, if not widened to national standards, it will become a "walk-your-bikes" facility; and

WHEREAS, wider GWB paths would spur the development of connected facilities, enhancing tourism, public health, property tax revenue, sustainability and resilience; and

WHEREAS, wider paths would also provide New Jersey residents with new commuting options, critical new capacity should regional transit be disrupted by planned upgrades to the Mid-Town Bus Terminal, Penn Station, emergency repairs to the Hudson rail tunnels or any number of natural or man-made events; and

WHEREAS, the upcoming GWB reconstruction project, during which the existing paths will be ripped out and restored represents an ideal opportunity to accomplish the widening;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine calls upon the Port Authority of NY&NJ to widen the bicycle-pedestrian paths on the George Washington Bridge to comply with national standards as part of the upcoming recabling and restoration project in order to support the growth of cycling throughout the region;

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Port Authority of New York and New Jersey, the Bergen County Executive and the Bergen County Board of Chosen Freeholders.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, A. Frankel, Halbreich, Shadok

MOTION APPROVED

Governing Body Acknowledgment of State Best Practices Inventory The Best Practices Inventory was certified by the Chief Administrative and Chief Financial Officers and submitted October 2, 2017, prior to the October 20, 2017 deadline. The Mayor met with Borough Officials on September 14th to review the 25 question BPI and responses. Questions change from year to year. At the time of submission there were 20 yes or not applicable responses. The Mayor tends to believe there will very limited if any downside to the Borough falling one yes answer less than last year.

COMMUNICATIONS: WRITTEN AND ORAL None

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, October 25, 2017 at 7:50 p.m.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk

RESOLUTION

**ALPINE PLANNING BOARD IN THE MATTER OF THE APPLICATION OF
MELISSA AND RUSSELL LOW
FOR EXTENSION OF PREVIOUSLY RECOMMENDED SOIL MOVEMENT PERMIT WITH WAIVERS
BLOCK 73, LOT 10 - 6 BIRCH ROAD**

BE IT RESOLVED, by the Planning Board of the Borough of Alpine that the following Procedural History, Findings of Fact and Conclusions of Law are hereby adopted in reference to this matter.

PROCEDURAL HISTORY

An application was made before the Alpine Planning Board by Melissa and Russell Low (“Applicants”) for an extension of a soil movement permit with requested waivers previously recommended by the Planning Board and granted by the Borough Council. The property is located on Birch Road. The lot is identified on the Borough Tax Maps as Block 73, Lot 10 (“Property”). The application was made pursuant to the Municipal Land Use Law and the ordinances of the Borough of Alpine.

The application was deemed to be substantially complete by the Borough Engineer and was referred to the Planning Board for its agenda for August 22, 2017.

Proof of compliance with the notice requirements of the Borough soil movement ordinance was provided to the satisfaction of the Board Secretary.

The hearing on the application was conducted on August 22, 2017. The Application was presented by Matthew Capizzi, Esq. At the meeting Michael Hubschman, PE testified with regard to the plans prepared by his office.

FINDINGS OF FACT

1. The Applicants submitted and relied upon the following materials which had been presented at the time of the original application.
 - A plan entitled “Site Plan/Septic System: Plan, Proposed Single Family Dwelling No. 6 Birch Road” prepared by Hubschman Engineering, P.A. dated September 15, 2015. The plans initially considered by the Board were revised to March 1, 2016. The plans upon which the Board acted were revised to June 15, 2016. (rev. 7).
 - Application and Checklist for Soil Movement, initially undated with a resubmission form dated June 16, 2016.
 - Application for Zoning Review dated January 25, 2016.
 - Document entitled “Drainage Report” prepared by Michael J. Hubschman, P.C. dated September 15, 2015 with a revision dated June 6, 2016 as considered by the Board.
 - Document entitled “Retaining Wall Design Report” prepared by Hubschman Engineering, P. C. dated November 9, 2015.
 - Document entitled “Soil Moving Report” prepared by Hubschman Engineering, P.C. dated September 15, 2015 and finally revised to June 6, 2016.
 - Plan entitled “Soil Moving Cross Sections” prepared by Hubschman Engineering, P.A. dated November 3, 2015 and finally revised to June 6, 2016.

- Plan entitled “landscape plan” (sic) prepared by Meumann Associates dated March 22, 2016 revised to June 16, 2016. [This plan was revised on June 27, 2016 in accordance with the conditions of the original approval.]
 - Plan entitled “Plans and Elevations” prepared by James Paragano Architect LLC dated January 15, 2016 revised to February 3, 2016.
 - Set of eight site photos dated January 15, 2016.
 - In connection with the original application the Board relied upon reports prepared by Gary Vander Veer, P.E. dated January 29, 2016, February 26, 2016, March 3, 2016, March 10, 2016, and June 22, 2016.
2. As finally considered and approved by the Board the application was for the movement of 1,882 cubic yards of soil.
 3. At the hearing Michael J. Hubschman, P.E. a licensed professional engineer in New Jersey was accepted by the Board in his capacity as a professional engineer and testified with regard to application. He testified that the plans before the Board were identical to those previously approved except for the addition of a weir in inlet 5 as requested by the Board Engineer. [The change to the landscape plan is referenced above and was not part of Mr. Hubschman’s testimony.] The Applicant was requesting the one year extension due to difficulties in securing the services of a contractor to perform the work.
 4. Robert L. Costa, P.E and P.P. addressed the Board on behalf of a neighboring property owner who had appeared in connection with the original application. He requested confirmation that the previously approved landscape plan as revised to June 27, 2016 was a condition of approval of the extension. That confirmation was made.
 5. Based upon the representations and testimony and the confirmation of the landscape plan’s continued viability, the Board concludes that the extension should be recommended to the Borough Council.

CONCLUSIONS

Upon hearing the testimony produced on behalf of the Applicant and studying the exhibits, the Planning Board voted to approve the extension of the soil movement permit application with the requested relief for steep slope intrusion adjacent to the driveway to avoid additional grading subject to Mayor and Council approval, and also subject to the following:

- A. Continued compliance with the conditions contained in the resolution memorialized July 26, 2016.
- B. The site shall be immediately cleaned up and erosion controls updated and maintained to the satisfaction of the Board Engineer.
- C. The Applicant will be required to publish a brief notice of the decision in the official newspaper of the Borough in the time and manner provided by law and provide proof of publication to the Board Secretary.
- D. The Applicant is required to obtain all other government approvals including the Environmental Commission and County Soil Conservation District.
- E. The Applicant shall be required to apply for any required Tree Removal Permit.

The Board has resolved that a copy of this Resolution shall be provided to the Applicant, the Construction Code Official of the Borough of Alpine, the Secretary of the Planning Board, and the Borough Clerk.

This Resolution constitutes a Resolution of Memorialization of the action taken by the Planning Board of the Borough of Alpine on August 22, 2017 adopted on October 24, 2017.