

ALPINE PLANNING BOARD

Alpine Borough Hall
100 Church Street
Alpine, New Jersey 07620

MINUTES

February 23, 2021

CALL TO ORDER/PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE: The Planning Board, Borough of Alpine, convened in regular session on Tuesday, February 23, 2021 at 7:30 P.M. Catherine Parilla read the announcement in accordance with the requirements of the Sunshine Law:

In accordance with the provisions of the New Jersey Open Public Meetings Act and the Governors Emergency Declaration, the notice of this regular meeting held Tuesday, February 23, 2021 at 7:30 P.M. has met the requirements of the law by being published as part of the annual meeting notice in The Record posted continuously on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk. In addition to the current COVID-19 pandemic instructions to the public on how to access this meeting by telephone have been posted in the Borough lobby and on the Borough website as part of the posted meeting agenda.

ROLL CALL:

Members Present: Carol Cochi, Gayle Gerstein*, Elizabeth Herries*, David Kupferschmid*, Lorraine Mattes, Catherine McGuire*, Catherine Parilla, Joyce Sonpal*, Mayor Paul Tomasko
Staff Present: Michael Kates, Board Attorney*; John Phillips, Special Counsel, Perry Frenzel, Borough Engineer, Marilyn Hayward, Board & Recording Secretary
* *Attended by teleconference*

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS: None

APPROVAL OF MINUTES OF JANUARY 26, 2021 REORGANIZATION & REGULAR MEETING:

Upon a motion by Mayor Tomasko, seconded by Ms. Mattes, to approve the minutes of the January 26, 2021 Planning Board Regular & Reorganization Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko
Abstain: Mr. Kupferschmid

APPROVAL OF MINUTES OF SEPTEMBER 22, 2020 EXECUTIVE SESSION MEETING:

Upon a motion by Ms. Gerstein, seconded by Ms. Herries, to approve the minutes of the September 22, 2020 Planning Board Executive Session Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko
Abstain: Mr. Kupferschmid, Ms. McGuire

APPROVAL OF MINUTES OF JANUARY 26, 2021 EXECUTIVE SESSION MEETING:

Upon a motion by Ms. Sonpal, seconded by Ms. McGuire, to approve the minutes of the January 26, 2021 Planning Board Executive Session Meeting. Eligible members voted as follows:

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko
Abstain: Mr. Kupferschmid,

RE-ADOPTION OF PLANNING BOARD BY-LAWS AS REVISED PER BOARD COMMENTS ON 1/26/21.

Chair Parilla asked for comments questions.

- Ms. McGuire corrected a minor typo on p. 21.
- Decorum at Public Meetings. Recalling the July meeting Chair Parilla asked if the By-Laws should include procedure to remove someone from a public meeting and clarify authority to have the police carry out such an order as needed. Attorney Kates and Attorney Phillips reviewed and noted the authority of the Chair is already contained in Roberts Rules of Order. Without objection the Board requested the Board Attorney speak with the Borough Attorney and Police Chief to clarify procedures.

- Chair Parilla noted the By-Laws contain a provision that the Board has the right to rely on the expertise of its legal, engineering and planning consultants. What if someone refuses to appear? Attorney Kates noted subpoena power is already provided for in the Municipal Land Use Law and does not need to be spelled out in the By-Laws. If someone failed or refused to attend by invitation the Board can direct the Board Attorney to prepare a subpoena which would be signed by the Chair and caused to be served requiring that person appear at their next meeting.

Being no further discussion Chair Parilla called for a resolution adopting the amended By-Laws.

Resolution: Upon a motion by Ms. McGuire, seconded by Ms. Mattes to adopt the Planning Board By-Laws as amended. Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Mr. Kupferschmid, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko

CONTINUED HEARING:

AMENDED PRELIMINARY AND FINAL SITE PLAN AND SOIL MOVING WITH WAIVERS; ALPINE THREE LLC, CLOSTER DOCK ROAD BLOCK 43 LOTS 6.01,6.02 & 6.03 – CARRIED TO FEBRUARY 23, 2021 Chair Parilla advised this matter has been carried to March 23, 2021 at the request of the applicant’s attorney.

COMMUNICATIONS

Notification of application for Freshwater Wetlands General Permit-by-Certification 8 – Construction of addition and porch re: Block 78 Lot 4 Mayor Tomasko asked if the Board wishes to authorize Mr. Frenzel to respond to DEP on this matter emphasizing the Borough’s position that wetlands are to be protected.

Resolution: Upon a motion by Ms. McGuire seconded by Ms. Mattes and approved by all to authorize and direct Borough Engineer Frenzel to correspond with DEP expressing the Board’s views in response to the application by David C. Krueger for Environmental Technology Inc. for a Freshwater Wetlands General Permit-by-Certification 8 for Block 78 Lot 4; 421 Anderson Avenue.

200 ft list re: 55/27; 854 Closter Dock Road

P. Frenzel letter to NJDEP re Application for Wetlands LOI; 36 Marie Major Drive [Block 81.05 Lot 2] Chair Parilla thanked Mr. Frenzel for his great letter. Ms. Herries asked if the letter should also be sent to the property owner and/or property owners on the 200-foot list to apprise them of the town’s position. Attorney Kates offered the applicants engineer may be copied as a courtesy but there is no obligation. Remaining Board members declined to copy others as it is not required. Chair Parilla noted the Board’s intent and letter to NJDEP is part of the public record.

BILLS AND CLAIMS: A motion to approve the below referenced bills was made by Ms. Gerstein, seconded by Ms. McGuire and approved by all.

Burgis Associates	\$ 1,827.50	Alpine Housing Plan	COAH
Clarke, Caton & Hintz	\$ 1,196.00	Appointed Court Master	COAH
John C. Phillips, Esq.	\$ 1,340.00	Alpine Three (43/6.01,6.02,6.03)	Escrow

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: Mayor Tomasko advised no meeting.

Board of Health: Mayor Tomasko noted the Reorganization meeting was February 9 and they discussed COVID. Report distributed. Chair Parilla noted the amount of activity regarding septic systems. Mr. Frenzel noted they’re very busy.

Environmental Commission: Ms. Mattes and Commission have reviewed requests for a lot of tree removal on multiple properties often finding the requests are warranted. Last month they authorized removal for 18 damaged trees. Mr. Frenzel agreed they are seeing more storm damaged trees. An upcoming application requests removal of 35 trees. Although it proposes replacement with 50-60 evergreen or arborvitae (an undesirable over reliance on evergreens) there is no provision

These minutes have been approved by the Planning Board.

to require the owner to do so. They do not have a vehicle to require bonding for replacement in these instances which would require amending the tree ordinance. Ms. Mattes's Commission will review proposed changes with Mr. Frenzel and provide recommendations to the Planning Board at a future meeting.

Building Department: Report on file. Chair Parilla questioned property maintenance regarding Mr. McCaffrey's lot at 1010 Closter Dock Road. Mayor Tomasko noted the Mayor and Council amended the Property Maintenance Ordinance to clarify the Property Maintenance Officer is the enforcement agent. He expects there will be follow-up while noting the PMO is also the DPW Supervisor and that department has been very busy this month moving snow.

Zoning Board of Adjustment Annual Report: Attorney Kates advised the Board postponed the February meeting and will be considering a draft at their next meeting.

NJ Transit Update: No activity.

COAH Update: The Borough retains immunity through the end of March. Further discussion deferred to Executive Session.

Resolution: 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: Ms. Mattes **SECONDED BY:** Ms. Gerstein

at a regular meeting of the Planning Board of the Borough of Alpine held on Tuesday, February 23, 2021

WHEREAS, the Planning Board 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 Planning Board 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) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Affordable Housing, Alpine Three

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Alpine, assembled in public session on Tuesday, February 23, 2021, 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 Planning Board that the public interest will no longer be served by such confidentiality.

Vote: Ayes: Ms. Cochi, Ms. Gerstein, Ms. Herries, Mr. Kupferschmid, Ms. McGuire, Ms. Mattes, Ms. Parilla, Ms. Sonpal, Mayor Tomasko

The Board entered into Executive Session at 8:01 PM and returned to Open Public Session at 8:31 PM

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Ms. McGuire and seconded by Ms. Gerstein. All were in favor. The meeting adjourned at 8:34 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary