

report to the court by January 14, 2016, after which the court will schedule a case management conference. Compliance with this order shall provide the borough temporary immunity from affordable housing lawsuits.

The Summary of Plan will be completed by Attorney Kasuba and submitted to the court. Copies of the case management order and summary form are available to the board and interested parties.

REVIEW OF BOROUGH NOISE ORDINANCE: At last month’s meeting the board discussed the concerns heard from residents about disruption and noise from rock hammering being done various areas in the borough on Saturdays. Ms. Parilla had commented that since our landscapers are no longer allowed to work on Saturdays, the same restriction should apply to rock hammering. The board subsequently reviewed the existing noise ordinance and landscaper regulations in an attempt to apply the Saturday restrictions to rock hammering. Mayor Tomasko commented that one way to accomplish this would be to add a sentence to our noise ordinance stating that “*rock hammering, other than for emergency septic work, is prohibited on Saturdays, Sundays and legal holidays*”.

A motion was made by Gayle Gerstein and seconded by Catherine McGuire to introduce this one sentence change to Mayor & Council at its October 28, 2015 meeting. All were in favor.

COMMUNICATIONS: David Andrews submitted a letter of resignation from the Planning Board as of October 1, 2015 due to health reasons. Chairperson Parilla remarked that the board will miss him and wished him well.

OTHER BUSINESS: Mayor Tomasko reported that our building department was visited by two attorneys with a plan requesting more coverage on a property in the borough in order to build an addition underneath an outdoor terrace, where the footprint was already at maximum coverage. Our Zoning Officer came up with a minor modification to our coverage ordinance. The existing ordinance states that “Building coverage shall mean that portion of a lot which is occupied by the principal building.” The proposed modification would add “*which includes the total horizontal area of the building at, above, and below grade when viewed in plan*” to that sentence. Attorney Phillips opined that our existing ordinance is adequate to cover this situation, but adding this phrase would offer further clarification.

A motion was made by Gayle Gerstein and seconded by Catherine McGuire to introduce to Mayor & Council at its October 28, 2015 meeting the suggested clause to incorporate into our existing ordinance, which we believe is not inconsistent with our master plan and is only a clarification of the existing ordinance. All were in favor.

BILLS:

Burgis Associates, Inc.	\$5,028.75	Housing Plan 2015
Bisgaier Hoff, LLC	\$ 434.94	Affordable Housing Advice & Litigation
Azzolina & Feury	\$ 270.50	Alpine Three
John Phillips, Esq.	\$ 960.00	Warren Holdings, LLC
John Phillips, Esq.	\$ 200.00	September Meeting Attendance
Barot, Minoj	\$1,702.99	Return of escrow – Block 21 Lot 3

A motion to approve the above referenced bills was made by Mayor Tomasko and seconded by Catherine McGuire. All were in favor.

COMMITTEE REPORTS:

Northern Valley Mayors & Planners Assoc.: Mayor Tomasko reported that the next meeting will be held this Thursday. The speaker has yet to be announced.

Board of Health: No meeting.

Environmental Commission: Ms. Mattes reported that the commission remains active. They had a request to return a tree bond that they did not sign off on as the condition of submitting a landscape plan was not met. Another property requested partial return of their tree bond which was denied since they removed trees which were not authorized. They have been faced with some challenges lately but will stand their ground and remain consistent.

Building Department: Mayor Tomasko commented that the total September permit fees of \$102,712 is indicative of the development activity in the borough. We are seeing a lot of development here, some by those with no experience building in this town who are trying to push the limits or are in need of learning them. He therefore commended Ms. Mattes for standing her ground on the various issues they are facing.

NJ Transit Update: No report.

COAH Update: Attorney Phillips suggested that we enter into Executive Session to discuss a COAH related matter.

EXECUTIVE SESSION:

A motion to enter into Executive Session at 7:57 PM 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. 10:4-6, et seq. for the purpose of discussing a matter relating to a COAH related matter as permitted under N.J.S.A. 10:4-12.b.7. was made by Gayle Gerstein and seconded by Catherine McGuire. An Executive Session closed to the public shall be held for the discussion of matters relating to the specific item designated above. It is further noted 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. All were in favor.

The Planning Board reconvened in regular session at 8:05 PM.

ADJOURNMENT: A motion to adjourn the regular Planning Board meeting was made by Ralph Mattes and seconded by Lorraine Mattes. All were in favor. The meeting adjourned at 8:06 PM.

Respectfully submitted,

Marilyn Hayward
Recording Secretary