

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, December 18, 2019 @ 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, December 18, 2019 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, December 18, 2019 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 Shaddek, Councilman | Present |
| Arthur Frankel, Councilman | Absent | | |

Staff Present on Dais: Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel, Deputy Borough Clerk Nancy Wehmann

PUBLIC COMMENTS No public present.

REPORT OF THE FINANCE COMMITTEE A copy is on file in the Borough Clerk's office.

Bank Of New Jersey Current Operating Acct \$3,547,587.89

Resolution #198: 12'2019: 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, December 18, 2019 to approve the bills and claims, a copy of which are appended.

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

MOTION APPROVED

Resolution #199: 12'2019: Refund of Tax Overpayment Block 50 Lots 1 & 3

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 18, 2019

WHEREAS, Block 50 Lots 1 and 3 no longer exist due to a subdivision and issuance of new lot numbers 1.01, 1.02 and 1.03, and;

WHEREAS, payment for the 1st and 2nd quarters of 2019 were applied to the cancelled lots and remained to date as a property tax overpayment; and

WHEREAS, 2019 property taxes for new lot numbers 1.01, 1.02 and 1.03 were billed and paid at the total annual assessment;

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, that the Borough Treasurer is hereby authorized to issue a refund for the tax overpayment, as follows:

| <u>Block/Lot</u> | <u>Owner's Name</u> | <u>Refund Amount</u> |
|------------------|---------------------|----------------------|
| 50/1 | 375 Hillside LLC | \$5,936.00 |
| 50/3 | 375 Hillside LLC | \$ 140.00 |

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

MOTION APPROVED

Resolution #200: 12'2019: Cancellation of Grant Receivable Municipal Drug Alliance Program

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 18, 2019

WHEREAS, the 2018 Municipal Audit shows the Municipal Alliance grant receivable balance of \$5,711.52 which remains open on the Current Fund balance sheet;

WHEREAS, offsetting appropriation reserves remain open on the Current Fund Balance Sheet as follows:

2016/2017: appropriation reserve of \$6,531.15 entitled Municipal Drug Alliance Program County Share and \$802.89 Municipal Share; and

2017/2018: appropriation reserve of \$102.18 entitled Municipal Drug Alliance Program County Share and \$2.98 Municipal Share.

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

NOW, THEREFORE, BE IT RESOLVED that the above-mentioned grant receivable and appropriation reserve balance be cancelled subject to verification with Councilman Cacouris that the figures are correct.

Discussion: Councilman Cacouris questioned the numbers. Will verify with CFO.

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

MOTION APPROVED

Resolution #201: 12'2019: Authorizing Transfer of 2019 Budget Appropriations

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 18, 2019

WHEREAS, title 40A:4-58 of the New Jersey Statutes provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore, and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by Resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpine, the Borough Treasurer be and is hereby authorized to make the following transfers in the 20197 Budget Appropriations.

| | | <u>FROM</u> | <u>TO</u> |
|----------------------------------|-----------------|-------------|-------------|
| Police Dept. Salaries & Wages | 9-01-25-240-010 | | \$77,000.00 |
| Streets & Roads Salaries & Wages | 9-01-26-290-010 | \$77,000.00 | |

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

MOTION APPROVED

Tax Assessor's Report. On file.

MAYOR'S REPORT The Mayor reported on the following:

- DOT has awarded Alpine a grant in the amount of \$154,000 for paving of Cambridge Way. He thanked Mr. Frenzel for his work and DOT for providing the grant.
- Sad to report longtime resident Bob Ferdon passed away. He advised of arrangements.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Halbreich reported main statistics: 74 scheduled inspections, 1 driveway permit, and 7 tree permits. Balance of report on file in the Clerk's office.

Department of Public Works Mayor Tomasko advised report is on file.

Fire Department Councilwoman Gerstein advised statistics are available.

Police Department Councilwoman Frankel reported 31 summonses were issued in September, 15 motor vehicle accidents with 5 injuries. The rest of the report is on file.

Resolution #202 :12'2019: Accepting the Reports of the Standing Committees

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 18, 2019 to accept the reports of the Standing Committees.

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

MOTION APPROVED

BOARD OF EDUCATION LIAISON'S REPORT Mayor Tomasko attended the ribbon cutting for the entrepreneur marketing event presented by 4th – 8th graders.

BOROUGH ATTORNEY'S REPORT No report

BOROUGH ENGINEER'S REPORT Mr. Frenzel distributed his report which is on file. The Borough is still waiting for NJDOT reimbursement for the Litchfield Way project. Mr. Frenzel communicated with them today. He will provide additional documentation by week's end which should satisfy requirements.

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #203:12'2019 - #208:12'2019

1. Resolution #203:12'2019: Approval of Minutes Regular Meeting November 25, 2019

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019 to approve the minutes of the Regular Meeting November 25, 2019.

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

MOTION APPROVED

2. Resolution #204:12'2019: Approval of Minutes Executive Session November 25, 2019

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019 to approve the minutes of the Executive Session November 25, 2019.

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

MOTION APPROVED

3. Resolution #205:12'2019 Alpine Municipal Alliance Fiscal Grant Cycle

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, December 18, 2019.

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize submission of a strategic plan for the Tenafly, Alpine, Englewood Cliffs CAP Municipal Alliance grant for fiscal year 2021 in the amount of:

| | |
|------------|-----------|
| DEDR | \$20,076. |
| Cash Match | \$ 5,019. |
| In-Kind | \$15,057. |

2. The Borough of Alpine acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

MOTION APPROVED

4. Resolution #206:12'2019: Introduction Ordinance 791 Amending Fess for Ch. 114 Filming

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019

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 AMENDING FEES FOR CHAPTER 114 OF THE MUNICIPAL CODE OF THE BOROUGH OF ALPINE ENTITLED "FILMING"

pass on first reading and remain on file with the Clerk for public inspection until public hearing thereon and further consideration thereof, which hearing shall be held in the Borough Hall, 100 Church Street, Alpine, New Jersey on Wednesday, January 22, 2020 at 7:30 p.m. prevailing time, or as soon thereafter as the matter can be heard, at which time and place all persons interested in said Ordinance will be heard.

The Borough Clerk is hereby directed to publish a summary of said Ordinance ten days prior to the date fixed for further consideration for final passage together with the Notice of Hearing thereon in the The Record according to law.

BE IT FURTHER RESOLVED, that a copy of said Ordinance shall be posted on the bulletin board in the lobby of the Borough Hall and copies shall be made available to the members of the public who shall request the same.

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

MOTION APPROVED

5. Resolution #207:12'2019: Introduction Ordinance 792 Amending Fess for Ch. 119 Fire Prevention

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019

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 AMENDING FIRE WATCH FEES FOR CHAPTER 119 OF THE MUNICIPAL CODE OF THE BOROUGH OF ALPINE ENTITLED "FIRE PREVENTION"

pass on first reading and remain on file with the Clerk for public inspection until public hearing thereon and further consideration thereof, which hearing shall be held in the Borough Hall, 100 Church Street, Alpine, New Jersey on Wednesday, January 22, 2020 at 7:30 p.m. prevailing time, or as soon thereafter as the matter can be heard, at which time and place all persons interested in said Ordinance will be heard.

The Borough Clerk is hereby directed to publish a summary of said Ordinance ten days prior to the date fixed for further consideration for final passage together with the Notice of Hearing thereon in the The Record according to law.

BE IT FURTHER RESOLVED, that a copy of said Ordinance shall be posted on the bulletin board in the lobby of the Borough Hall and copies shall be made available to the members of the public who shall request the same.

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

MOTION APPROVED

6. Resolution #208:12'2019: Endorse Planning Board Soil Moving Permit – 385 Hillside Ave. Bl. 50 Lot 1.02

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019

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, the application was reviewed by the Planning Board at a hearing held November 26, 2019 and the 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 December 17, 2019 (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 December 17, 2019.

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

MOTION APPROVED

COMMUNCIATIONS: WRITTEN AND ORAL None

Resolution #209:12'2019 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 Gerstein **SECONDED BY:** Councilwoman Frankel

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019

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)(4) *Matter related to collective bargaining*

(b)(7) *Matter related to pending litigation and attorney-client privilege*

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Monday, December 18, 2019, 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: V. Frankel, Cacouris, Gerstein, Halbreich, Shadek **Absent:** A. Frankel

MOTION APPROVED

Executive Session began at 7:41 p.m., the public portion reconvened at 8:12 p.m.

Resolution #210:12'2019: Authorizing Agreement Between Borough of Alpine and Alpine PBA #399

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, December 18, 2019

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, in the County of Bergen and State of New Jersey approve the settlement of the police contract negotiations as reported by

Councilwoman Frankel and authorize the Mayor and Borough Clerk to execute a document embodying those terms.

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

MOTION APPROVED

ADJOURNMENT

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday December 18, 2019 at 8:14 P.M.

Respectfully submitted,
Nancy Wehmann, Deputy Borough Clerk