

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, January 25, 2012 @ 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, January 25, 2012 at 7:32 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, January 25, 2012 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.

OATH OF OFFICE Attorney Huntington administered the oath of office to Paul Garjian for a three year term as Councilman expiring December 31, 2014.

ROLL CALL

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Absent
Paul Garjian, Councilman	Present	Sidney Merians, Councilman	Absent
Michael Cacouris, Councilman	Present	Gayle Gerstein, Councilwoman	Present
Steve Ornstein, Councilman	Present		

Staff Present on Dais: Borough Clerk Gail Warming-Tanno, Borough Engineer Gary Vander Veer
Borough Attorney Russ Huntington

PUBLIC COMMENTS none

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

Bank Of America Current Operating Acct **\$2,661,968.03**

Resolution #028:1'2012 Transfer of 2011 Budget Reserve Appropriations (#1)

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012

WHEREAS, N.J.S.A 40A-59 Permits transfers of appropriation reserves from the preceding year to be made during the first three months of the following fiscal year. This section reads as follows:

- a. If during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopt by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to any appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose of for which no reserve was provided.

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 2011 Budget Reserve Appropriations in accordance with N.J.S.A. 40A: 4-59.

		<u>FROM</u>	<u>TO</u>
Legal O/E	1-01-20-155-020	\$ 5,541.61	
Police Dept. Salaries & Wages	1-01-25-240-010		\$2,732.12
Engineering Services	1-01-20-165-020		<u>\$2,809.49</u>
			\$5,541.61
Streets & Road Maintenance S/W	1-01-26-290-010	\$12,678.60	
Gasoline	1-01-31-430-020		\$ 6,640.83
Streets & Road Maintenance O/E	1-01-26-310-020		<u>\$ 6,037.77</u>
			\$12,678.60
TOTAL		\$18,220.21	\$18,220.21

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Resolution #029: 1'2012: Approval of Bills and Claims

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Resolution #030:1'2012 Return of Bonds and Escrow

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012 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>
Nir, Jacob	21/10	Re-vegetation Bond	\$15,431.71
		Performance Bond	\$56,600.04
		Escrow	<u>\$948.07</u>
			\$72,979.82
Hasson, Jeffrey	75/3	Re-vegetation Bond	\$465.00
		Escrow	<u>\$1,007.10</u>
			\$1,472.10
Mourkakos, Kally	49.01/1	Re-vegetation Bond	\$8,250.83
Schonberg, Stephen	78/2	Performance Bond	\$939.50
		Escrow	<u>\$139.50</u>
			\$1,079.00
Hobeika, Paul & Linda	74/11	Tree Bond	\$10,784.55
Kovalchuk, Ilya	55/24.01	ZBA Escrow	\$327.50
Park, Fa & Hyeran	74/7	ZBA Escrow	\$1,411.50

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Resolution #031:1'2012: Refund of 2011 Tax Overpayment Block 76 Lot 1

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012

WHEREAS, the following property owner has made an overpayment of property taxes for the year 2011 resulting from an assessment correction of a 2011 added assessment, as per County Board judgment dated December 14, 2011, and

WHEREAS, said property owner has requested refund of same in the amount as shown below.

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 the necessary check in the following amount and made payable to the property owner:

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Amount</u>
76	1	Abad, George Jr.	36 Allison Road Alpine, NJ 07620	\$1,410.00

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Resolution #032:1'2012: Refund of Redemption Monies to Outside Lienholder

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012

WHEREAS, at the Municipal Tax Sale held on October 28, 2009, a lien was sold on Block 42 Lot 4, also known as 1010 Closter Dock Road, Alpine, NJ for 2008 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00001, was sold to Greenleaf Group, LLC (now known as Lien Software, LLC) for a 0% redemption fee and a premium in the amount of \$1,200.00; and,

WHEREAS, John McCaffrey, an owner of the real property located at 1010 Closter Dock Road, Block 42 Lot 4, Alpine, NJ, has effected redemption of Certificate #09-00001 in the amount of \$17,051.88,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, hereby authorize the Borough Treasurer to issue a check in the amount of \$17,051.88 payable to Lien Software, LLC, 2050 Center Ave., Suite 640, Fort Lee, NJ 07024 for the redemption of Tax Sale Certificate #09-00001,

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,200.00 to the aforementioned lien holder for return of the premium.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Tax Assessor's Report. A copy of November and December reports are on file in the Borough Clerk's Office.

MAYOR'S REPORT The Mayor reported on the following:

- Every year the Joint Insurance Fund offers Public Officials and Employment Practice Liability Cost training classes for elected officials. The Borough receives a \$250 liability premium discount per attendee. The Mayor completed training at the NJSLOM Convention in November. The time is 6 – 7 PM. Dates and locations as follows:
 - February 1 in Woodcliffe Lake
 - February 13 in New Milford
 - March 26 in River Edge
 - April 12 in Midland Park

- The Mayor encouraged all Council members to attend for more savings to the Borough.
- Receipt of annual notice from B.C. Tax Board on what Alpine would received in taxes if the Palisades Interstate Parkway Commission land was not tax exempt: \$3,598,770.96.
 - Police Sergeant John "Jack" Russell's last day was January 19. His effective retirement date is March 1, 2012. He has been invited to next month's meeting for recognition of his years of service to our town.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report

Building Department Report on file. Mayor Tomasko read the report's main statistics.

Highlights:61 inspections 4 tree permits, 4 zoning review applications, 1 sign permit.

Department of Public Works Councilman Garjian read the report on file and commended DPW Superintendent Wehmann's response to the snowstorm last weekend.

Fire Department Councilwoman Gerstein stated report is on file.

Police Department Report is on file.

Resolution #033:1'2012: Accepting the Reports of the Standing Committees

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 25, 2012 to accept the reports of the Standing Committees.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT

Councilman Garjian had no report.

Mayor Tomasko advised of the following:

- He will participate in the Read Across America Day On March 2 that celebrates Dr. Seuss's birthday.
- New Law allows school board elections to be moved to the General election date in November. He has not yet heard from the Board of Education but they plan to discuss the issue at their February 2nd Board of Education meeting. They Mayor and Council will consider their recommendation when provided.

BOROUGH ATTORNEY'S REPORT

Attorney Huntington reported he has worked principally on the following:

- Recalculation of cell tower lease rents due for 2012.
- Updates to the Employee Handbook
- Along with Council President Frankel concluded negotiations on a police personnel matter.

BOROUGH ENGINEER'S REPORT

Engineer Vander Veer had distributed his report which highlighted likely construction projects for 2012. The Mayor thanked Mr. Vander Veer for providing the necessary details requested by the Riverside Cooperative.

UNFINISHED BUSINESS None

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #034:1'2012 - #040:1'2012

1. Approval of Minutes

a. Resolution #034:1'2012:Regular Meeting December 14, 2011

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012 to approve the minutes of the Regular Meeting of December 14, 2011.

Vote: Ayes: Garjian, Gerstein, **Abstain:** Cacouris, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

b. Resolution #035:1'2012:Sine Die Meeting of January 4, 2012

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012 to approve the minutes of the Sine Die Meeting January 4, 2012.

Vote: Ayes: Gerstein, Ornstein **Abstain:** Garjian, Cacouris, **Absent:** Frankel, Merians

MOTION CARRIED

c. Resolution #036:1'2012:Reorganization Meeting of January 4, 2012

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012 to approve the minutes of the Reorganization Meeting January 4, 2012.

Vote: Ayes: Gerstein, Ornstein **Abstain:** Garjian, Cacouris, **Absent:** Frankel, Merians

MOTION CARRIED

2. Resolution #037:1'2012: Authorization to Apply for Tonnage Grants

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012;

WHEREAS, the Mandatory Source Separation and Recycling Act., P.L. 1987. C. 102., has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records or materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing the Borough of Alpine to apply for such tonnage grants for calendar year 2011 will memorialize the commitment of the Borough of Alpine to recycling and to indicate the assent of the Mayor and Council of the Borough of Alpine to the efforts undertaken by the Borough and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the applications is properly completed and timely filed,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine that the Borough of Alpine hereby endorses the submission of the recycling tonnage grant

application to the New Jersey Department of Environmental Protection and designates Ralph Wehmann to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

3. Resolution#038:1'2012: Authorizing 2012 Combined Shared Services Contract with Bergen County Department of Health Services (Includes Bloodborne Pathogen Compliance Training, Animal Control Services, and Public Health Services)

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012

WHEREAS, the Uniform Shared-Services Act (USSA) found at N.J.S.A. 40A:65-1 was passed in an effort to encourage and ease the sharing of services; and

WHEREAS, there exists a need for the Borough of Alpine and its Health Department to provide state mandated health services of a technical and professional nature and

WHEREAS, the Borough of Alpine desires to contract for the furnishing of certain of these health services by the BCDHS to the Borough of Alpine, pursuant to N.J.S.A. 26:3A2-1 *et seq.*; as provided for in the contract and summarized as follows:

- 1) Public Health Services Infrastructure Administration pursuant to N.J.A.C. 8:52 including Direct Nursing Services for the Communicable Disease Reportable Surveillance System and Immunization Audits at a cost not to exceed \$7,921.00
- 2) Bloodborne Pathogens Training Coordination pursuant to N.J.S.A. 40A:60-1 *et seq.* and in compliance with P.E.O.S.H.A. as follows: Exposure Control Plan Development; Policies and Procedures; Training Programs; and Record/Report Generation and Retention and billing support documentation at a cost not to exceed \$2,600.00 for training plus \$288 for purchase of vaccine as needed under State Contract based on \$48.00 per vaccination.
- 3) Animal Control Services pursuant to N.J.A.C. Title 8 – Chapter 52:4.3 and the rabies statutes [NJSA], Chapter 19, Article 3 and Chapter 23A Facility Operations and N.J.A.C. 8:23A Veterinary Public Health at a cost not to exceed \$2,995.38

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

1. That Gail Warming-Tanno, Borough Clerk and/or the Mayor are hereby authorized and directed to execute an agreement with the Bergen County Department of Health Services to perform the public health services of a professional nature which services and costs are outlined above
2. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2); and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified, in accordance with N.J.A.C. 5:30 14.5 that sufficient legally appropriated funds will be available for this purpose subject to appropriation of funds in the 2012 adopted budget.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

4. Resolution #039:1'2012 Authorizing Contract for 2012 Child Health Care Conference

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012

WHEREAS, there exists a need for the Borough of Alpine Health Department to provide Child Health Conference services in compliance with the New Jersey State Department of Health and Senior Services guidelines

WHEREAS, the Hillsdale Board of Health can provide duly qualified personnel to carry out these child health services; and

WHEREAS, the Hillsdale Board of Health has agreed to provide child health services through a contract agreement with the Borough of Alpine Health Department for the Calendar year 2012, for a cost not to exceed \$100 and

WHEREAS, any additional costs of the services, \$30 for each visit, will be paid for from fees charged to the recipients, and

WHEREAS, it has been certified that this meets the statutes and regulations concerning the award of said contract:

1. **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine that Gail Warming-Tanno, Borough Clerk and/or the Mayor are hereby authorized and directed to execute an agreement with the Hillsdale Board of Health to perform child health services as outlined in the contract.

2. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2); and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified, in accordance with N.J.A.C. 5:30 14.5 that sufficient legally appropriated funds will be available for this purpose subject to appropriation of funds in the 2012 temporary and/or adopted budget.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

5. Resolution #040:1'2012: Permission to Use Ballfield: Tenafly /Alpine Soccer

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

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012 to approve the request by the Tenafly Soccer for Use of the Borough (Church Street) field for weekday afternoons between 3:30 pm and 6:00 pm beginning March 12, 2012 through June 22, 2012 and during spring school break April 9 through April 13 from 8:30 am – 12:30 pm.

Such use is also subject to the Borough's Risk Management Policies for Use of Facilities, including but not limited to provision of a Certificate of Insurance listing the Borough as additional insured.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

End of Consent Agenda Resolutions

COMMUNCIATIONS: WRITTEN AND ORAL None

Resolution #041:1'2012 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: Councilman Cacouris **SECONDED BY:** Councilman Garjian
at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012

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) Matters Relating to the Employment Relationship

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, January 25, 2012, 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, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

Attorney Huntington noted for benefit of the public that, although not listed on the agenda, at the conclusion of the Executive Session the Mayor & Council may reconvene the public portion to take action on this matter.

The Mayor and Council entered into Executive Session at 7:48 p.m. and reconvened the public portion at 8:23 p.m.

Resolution #042:1'2012: Authorization to Execute Memorandum of Agreement

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein
at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 25, 2012 to authorize the Mayor to execute a Memorandum of Agreement between the Mayor and Council of the Borough of Alpine and Police Chief Jerry Beckmann.

Vote: Ayes: Cacouris, Garjian, Gerstein, Ornstein **Absent:** Frankel, Merians

MOTION CARRIED

ADJOURNMENT

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilman Garjian
and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday January 25, 2012 at 8:24 P.M.

Respectfully submitted,

Gail Warming-Tanno, Municipal Clerk