

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, February 22, 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, February 22, 2012 at 7:45 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, February 22, 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.*

**ROLL CALL**

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

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

**PRESENTATION OF PLAQUE – SGT. JOHN RUSSELL**

Police Chief Jerry Beckmann explained while neither retired Sgt. Russell nor his wife could attend this evening, the Alpine Police Department on behalf of the Mayor and Council will be presenting him with a plaque recognizing his 26 years of service and dedication to the community of Alpine.

**REMEMBRANCES OF COUNCILMAN STEVE ORNSTEIN**

Councilman Steve Ornstein passed away on Saturday, January 28, 2012. The Mayor asked Councilman Garjian to commemorate Councilman Ornstein's passing. Councilman Garjian reflected on how Steve conducted himself on this Council particularly noting his kindness and keen intellect. Councilman Ornstein will be remembered for his achievements and the valuable contributions of his public service. Councilman Garjian noted many officials had attended Steve's memorial service. Their condolences are extended to his family.

A moment of silence followed in memory of Councilman Steve Ornstein.

Mayor Tomasko noted a suggestion from Attorney Huntington that a plaque of commemoration in his honor be permanently affixed near his seat on the dais. All agreed.

**PUBLIC COMMENTS**

Alpine Patrolman Artie White invited all to the 2012 DARE Graduation for the 5<sup>th</sup> grade DARE class to be held Tuesday, April 3, 2012 at approximately 3:00 PM (after school) at the school auditorium.

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

**Bank Of America Current Operating Acct** **\$2,990,606.91**

**Resolution #043:2'2012 Emergency Appropriation to Increase the 2012 Temporary Budget**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, February 22, 2012

**WHEREAS**, an emergency has arisen with respect to Current Fund appropriations; and

**WHEREAS**, no adequate provision has been made in the 2012 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purpose, and,

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,786,815.00 and shall be provided for in full in the 2012 budget so adopted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, County of Bergen, Alpine (not less than two-thirds of all members affirmatively concurring) that in accordance with R.S. 40A:4-20, temporary emergency appropriations be and the same is hereby made for the following and that upon adoption, one certified copy of this resolution be filed with the Director of Local Government Services.

**OPERATIONS – Within “CAP”**

*D.A.R.E. Municipal Alliance O/E* **2-01-41-703-020** **\$ 500.00**

**TOTAL:** **\$ 500.00**

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

**MOTION CARRIED**

**Resolution #044: 2'2012: 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, February 22, 2012 to approve the bills and claims, a copy of which are appended.

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

**MOTION CARRIED**

**Tax Assessor's Report.** Report on file in the Borough Clerk's Office.

**MAYOR'S REPORT** The Mayor reported on the following:

- Attended N.J. League of Municipalities 20<sup>th</sup> Annual Mayors' Legislative Day in Trenton on February 8<sup>th</sup>. The total cost to the Borough for his attendance and participation was the registration fee of \$25.00. Well over 100 Mayors from throughout the state, including 10 from Bergen County were in attendance to listen to our State's legislative leaders and administrative commissioners.
- Loss Control Training sponsored by the NJ JIF and MEL and administered by our own Attorney Huntington will be held March 15, 2012 at 9:30 AM here in the Council Chambers. The training will focus on workers compensation and employment practices.

The seminar is designed for managers and supervisors but elected officials are also welcome and the Mayor plans to attend.

Councilman Garjian stated he would try to attend the Loss Control Seminar.

The Mayor distinguished between this seminar and the Employee Joint Insurance Fund's Public Officials and Employment Practice Liability Cost training classes for elected officials for which the Borough receives a \$250 liability premium discount per attendee. (The remaining dates for that training locally are March 26 in River Edge or April 12 in Midland Park from 6 – 7 pm.)

- Mayor Tomasko shared a letter he received from Joan Ornstein dated February 14:  
*Dear Council,*  
*My family and I would like to thank you all so much for the support and caring you showed during our difficult time. It was amazing to see how many of you attended Steve's funeral and it would have meant so much to him. He enjoyed working with you and I know he formed great relationships with you during his tenure. Again, we can't thank you enough for everything you've done for us.*  
*With warmest regards,*  
*Joan and the entire Ornstein Family*
- Mayor Tomasko thanked the Council members for their participation and contribution to the budget workshops and in particular to Councilman Cacouris as Finance Chairman.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** No report.

**Building Department** Report on file.

**Department of Public Works** Councilman Garjian read highlights from the report on file.

**Fire Department** Councilwoman Gerstein noted a report is on file.

**Police Department** Report on file. Councilwoman Frankel noted the Borough expects to receive \$37,098.00 from FEMA for the 2011 Halloween storm. She thanked Chief Beckman along with Ralph and Nancy Wehmann for their diligent work in this regard.

**Resolution #045:2'2012: 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, February 22, 2012 to accept the reports of the Standing Committees.

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

**MOTION CARRIED**

**BOARD OF EDUCATION LIAISON'S REPORT**

Councilman Garjian had no report noting they can refer to the website.

Mayor Tomasko informed the Board of Education did vote at their meeting on February 2<sup>nd</sup> to move their election to November, reading from their enabling resolution as follows:

*"NOW THEREFORE BE IT RESOLVED that the Alpine Board of Education does hereby determine that it will eliminate the vote on its annual school budget which shall be within the statutory cap and become effective for the 2012-2013 budget and*

BE IT FURTHER RESOLVED that the Alpine Board of Education does hereby determine that the election of school board members will occur at the Annual General Election in November 2012."

**BOROUGH ATTORNEY'S REPORT** No report.

**BOROUGH ENGINEER'S REPORT** Mr. Vander Veer had distributed his report which is on file. He requested authorization to obtain proposals for the DPW Yard Washwater Containment System, funding for which was provided for in last year's Capital Budget.<sup>1</sup>

**Resolution #046:2'2012: Authorization to Obtain Proposals for a DPW Yard Wastewater Containment System**

**OFFERED BY:** Councilman Garjian **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Wednesday, February 22, 2012 to authorize Borough engineer Vander Veer to solicit proposals for a DPW Yard Washwater Containment System, funding for which was provided for in last year's Capital Budget and which should not exceed the bid threshold.

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

**MOTION CARRIED**

**UNFINISHED BUSINESS** None

**NEW BUSINESS**

**CONSENT AGENDA RESOLUTIONS** Resolutions #047:2'2012 - #054:2'2012

**1. Approval of Minutes**

**a. Resolution #047:2'2012: Budget Meeting January 25, 2012**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held Wednesday, February 22, 2012 approving minutes of the Budget Meeting of January 25, 2012 as amended by correcting the start time to 7:00 P.M.

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

**MOTION CARRIED**

**b. Resolution #048:2'2012: Regular Meeting of January 25, 2012**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held Wednesday, February 22, 2012 approving the minutes of the Regular Meeting January 25, 2012.

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

**MOTION CARRIED**

**c. Resolution #049:2'2012: Executive Session of January 25, 2012**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine held Wednesday, February 22, 2012 approving minutes of the Executive Session January 25, 2012.

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

**MOTION CARRIED**

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<sup>1</sup> Reference Capital Bond Ordinance 724 adopted May 25, 2011

*These minutes have been approved by the Mayor and Council.*

**2. Resolution #050:2'2012: Approval of Sign Management Plan**

**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, February 22, 2012;

**WHEREAS**, adequately maintained retroflective signs and pavement markings improve highway safety and help to prevent roadway crashes, and

**WHEREAS**, the Federal Highway Administration (FHWA) has established Federal Road Sign Standards as noted in the Manual on Uniform Traffic Control Devices (MUTCD) and New Sign Retroflectivity Requirements and has provided for certain dates for their compliance, and

**WHEREAS**, they have established that effective January 22, 2012 it is required that a municipalities have a Sign Management Plan be in place, and

**WHEREAS**, on January 18, 2012 the Police Chief and Superintendent of Public Works did draft a Sign Management Plan which establishes a reasonable methodology for installation, inspection, replacement of damaged or missing signs in compliance with FHWA MUTCD reflectivity standards and as reviewed by the Alpine Police Traffic Officer and Borough Engineer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that the Borough of Alpine hereby adopts The Sign Management Plan as proposed retroactive to January 18, 2012, and

**BE IT FURTHER RESOLVED**, that copies of this plan will be on file and available to the Police Department and Department of Public Works and which may be updated from time to time as needed to maintain compliance with the applicable statutes and regulations.

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

**MOTION CARRIED**

**3. Resolution#051:2'2012: 2011 LOSAP Closter Ambulance**

**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, February 22, 2012

**WHEREAS**, the Borough of Alpine has established a Length of Service Award Program (LOSAP) for Alpine Fire Department and has approved an Interlocal Agreement with the Borough of Closter for the Closter Volunteer Ambulance Rescue Corps which services Alpine, and

**WHEREAS**, the Borough of Alpine has received a certification from the Closter Volunteer Ambulance Rescue Corps of the annual list for the year 2011 commencing January 1, 2011 and ending December 31, 2011 of all volunteer members who have qualified for credit under the LOSAP program, and

**WHEREAS**, the Borough of Alpine has reviewed the said list and does hereby believe that the same should be certified.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that the following named members of the Closter Volunteer Ambulance Rescue Corps have attained the minimum number of points and therefore qualify to receive an award for the 2011 reporting year:

Donald Albelli	John Beddoe	Scott Bilotti
Regina Duffy	Sean Foley	Andrew Galinac
James Gordon	Ross Herbert	Rich Incontro
Terri-Ann Komar	Anthony Lupardi	Mark Lupardi
Thomas Migliore	Daniel Palmadessa	Samarth Patel
Martin Prince	Vanessa Quito	Jean-Marie Varni
Nicholas Varni	Lisa Vreeland	Alan Wilson
Ilana Yellin		

*These minutes have been approved by the Mayor and Council.*

**BE IT FURTHER RESOLVED**, that copy of this Resolution shall be posted for a period of thirty (30) days on the bulletin boards in the lobby of the Alpine Borough Hall and in the Closter Volunteer Ambulance Rescue Corps and a copy forwarded to the Borough of Closter.

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

**MOTION CARRIED**

**4. Resolution #052:2'2012 Interboro Mutual Aid Group Agreement Renewal**

**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, February 22, 2012

**WHEREAS**, the undersigned municipalities, its fire departments and respective fire companies have entered into a mutual aid and assistance program pursuant to and required by law as set forth in N.J.A.C. 5:7A-2.2; and

**WHEREAS**, this agreement is and shall be by and between the following boroughs, towns, municipalities, fire departments and fire companies and the parties who agree to be bound thereby:

Alpine	Dumont	Norwood
Bergenfield	Harrington Park	Old Tappan
Closter	Haworth	Rockleigh
Cresskill	New Milford	Tenafly
Demarest	Northvale	

**WHEREAS**, the Borough of Alpine wishes to continue to participate in said program

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine hereby affirm their intent to continue as participants in the Interboro Mutual Aid Group Agreement, the details of which are in the possession of the respective Fire Chief of the Fire Departments included in the Interboro Mutual Aid and as detailed by resolution of the Alpine Mayor and Council dated February 23, 2011;

**BE IT FURTHER RESOLVED**, that copy of this Resolution be forwarded to the Mayor and Council of the aforementioned municipalities.

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

**MOTION CARRIED**

**5. Resolution #053:2'2012: Cleaning Services Agreement**

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

to authorize the Borough Clerk to sign an agreement with Henry Liegeois for Cleaning Services for the Borough Hall for a term of one year at a cost of \$12,540.90 commencing February 28, 2012 and terminating February 28, 2013 which cost is to be shared equally with the United States Postal Service pursuant to the terms of the lease agreement between the Borough of Alpine and the United States Postal Service, which will pay Alpine its share of the cost as part of its rent.

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

**MOTION CARRIED**

**6. Resolution #054:2'2012: Approval of Sprint Triathlon Race on 6/3/2012**

**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, February 22, 2012

to approve the request by Lenny Cottrell, Race Chairman for the Sprint Triathlon Bike Race to benefit the Demarest Swim Club and Autism Speaks to pass through Alpine using

Anderson Avenue to travel from Demarest to the water tower at its northerly end and back on June 3, 2012 starting at approximately 7:00 AM and finishing at approximately 9:30 AM.

Such use is subject to the Borough's Risk Management Policies for said use, including but not limited to provision of a Certificate of Insurance listing the Borough as additional insured and a Hold Harmless Agreement. Such use is also subject to coordination and compliance with any and all provisions as deemed necessary by the Alpine Police Chief.

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

**MOTION CARRIED**

**End of Consent Agenda Resolutions**

Mayor Tomasko read the following letter into the record:*Dear Mr. Mayor: The Democratic County Committee for Alpine, New Jersey submits the following three nominations to fill Steve Ornstein's City Council seat: Joan Ornstein, Jeff Fromm, Steve Cohen.*

**Resolution #055:2'2012: Appointment to fill Vacancy on Council**

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

**WHEREAS**, Steve Ornstein was elected to the Alpine Borough Council serving as Council Person with a term expiring on December 31, 2014; and

**WHEREAS**, Steve Ornstein faithfully served the Borough of Alpine as Councilman since July 22, 2009 which service included Chairperson of the Administrative Committee and Member of the Finance and Police Committees; and

**WHEREAS**, Councilman Steve Ornstein, to our deep regret and sorrow, passed away on January 28, 2012 thereto creating a vacancy on Council pursuant to N.J.S.A. 40A:16-3 f.; and

**WHEREAS**, Councilman Steve Ornstein was an incumbent of the Democratic Party and, as a result of his death, a vacancy on Council was declared; and

**WHEREAS**, pursuant to N.J.S.A. 40A:16-5(b) as the remaining term of the vacant Council Member office has become vacant prior to September 1 of the next-to-the last year of the term of the office, the Borough Council may temporarily fill the vacancy until the next general election, being November 6, 2012 at which time this office will be on the ballot for the balance of the term being January 2012 to December 31, 2014; and

**WHEREAS**, the Municipal Chair of the Democratic Committee was notified of such vacancy and advised to submit the names of three nominees for the selection of a successor to temporarily fill the vacancy within 15 days of the vacancy; and

**WHEREAS**, the Municipal Chair submitted said three nominees: Steve Cohen, Jeffrey Fromm and Joan Ornstein to the governing body in accordance with N.J.S.A. 40A:16-11 for action within 30 days after the occurrence of the vacancy; and

**WHEREAS**, the Borough Council has evaluated said nominees.

**NOW, THEREFORE, BE IT RESOLVED**, that **Joan Ornstein** be and hereby is appointed to temporarily fill the vacancy of the seat previously held by Steve Ornstein.

**BE IT FURTHER RESOLVED** that the remainder of the unexpired term (until December 31, 2014) be filled by election in the next General Election to be held November 6, 2012.

*Call for Discussion: None*

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

**MOTION CARRIED**

**COMMUNCIATIONS: WRITTEN AND ORAL**

The Mayor read a letter he wrote to Temple Emanu-El, Closter, NJ: *"My congratulations to Bob Cook for his designation as Founders Award recipient. It is gratifying to learn that Bob's substantial service to your Temple as well as his service to the broader community through his*

efforts on behalf of the Bergen PAC are being recognized at your Anniversary Dinner Dance. It is my pleasure to join you in recognizing Bob. The Alpine Council and I are happy to have Bob, Judy and other members of their family as residents of Alpine. Our congratulations also to your other award recipients."

**Resolution #056:2'2012 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:** Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel  
at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, February 22, 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)(7) Matters Relating to the Litigation, Negotiation and Attorney Client Privilege**

1. Tax Appeal Bl.20, Lot 10
2. Contractual Matter

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, February 22, 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, Frankel, Garjian, Gerstein, **Absent:** Merians

**MOTION CARRIED**

Executive Session began at 8:00 p.m. and the public portion reconvened at 8:52 p.m.

**Resolution #057:2'2012: Authorization of Memorandum of Understanding**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel  
at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, February 22, 2012 to authorize the Mayor to execute a Memorandum of Understanding between the New Jersey Housing Mortgage Finance Agency, New Jersey Department of Human Services and the Borough of Alpine.

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

**MOTION CARRIED**

**ADJOURNMENT** **OFFERED BY:** Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein  
and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday February 22, 2012 at 8:53 P.M.

Respectfully submitted,

Gail Warming-Tanno, Municipal Clerk