

ALPINE MAYOR AND COUNCIL
REGULAR MEETING - Wednesday, June 27, 2012 @ 7:30 PM
Borough Hall - - 100 Church Street
{Public meeting taped in its entirety}¹

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting Wednesday, June 27, 2012 at 7:30 PM 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, June 27, 2012 has met the requirements of the law by being e-mailed to The Valley Star/Press Journal and The Record and 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	@7:36 pm	Sidney Merians, Councilman	Absent
Michael Cacouris, Councilman	Present	Gayle Gerstein, Councilwoman	Present
Joan Ornstein, Councilwoman	Present		

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

PUBLIC COMMENTS The Mayor opened the meeting to the public. No comments.

DEMONSTATION by Police Chief Beckman: Emergency Alert System

Bergen County changed their vendor for emergency alert systems to Swift Reach Networks of Mahwah, NJ. Other towns have followed suit and upon review by Police Chief Beckmann and Borough Clerk Warming-Tanno the Mayor and Council resolved earlier this year to join. The system is now up and running and Bergen County is offsetting much of the cost. Residents can sign up by going to the Borough's website alpinenj07620.org and click on the link for EMERGENCY ALERT SYSTEM. One online registration form allows residents to provide the police with name, address, and up to four phone numbers and e-mail. Data is confidential and only administration of the police department will monitor, maintain and access the system on an as needed basis to send out alerts to residents for such things as severe weather. The benefit of this system is the ability to utilize any or all communications types afforded by the system (telephone, e-mail, text messaging) and regionalize by affected streets as might occur in a water main break or power outage. Before, he had to go into one system for e-mail alerts and another for telephone alerts. Another concern was changing technology but the County believes this system will be able to provide consistent and continuous service for some years to come. Current data will be automatically entered but residents might want to include additional information such as cell phone numbers. Data already entered can and will be removed immediately upon a resident's request.

Councilman Cacouris thanked Chief Beckmann for his efforts.

Chief Beckmann noted the Police Department is also on Twitter now at [@AlpinePoliceNJ](https://twitter.com/AlpinePoliceNJ) using it to get out information on parades and such.

¹ Recording equipment start time erroneously states 6:30 pm

These minutes approved by the Mayor and Council.

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

Bank Of America Current Operating Acct

\$2,035,937.97

Resolution #114:6'2012: 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, June 27, 2012 to approve the bills and claims, a copy of which are appended.

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

MOTION CARRIED

Resolution #115:6'2012: Approval of Return of the Following Tax Overpayments due to State Tax Court Judgment:

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012

WHEREAS, a State Tax Court Judgment was granted on May 11, 2012 from the Tax Court of New Jersey reducing the assessment on the following:

<u>Name</u>	<u>Block/Lot</u>	<u>Tax Year</u>	<u>Amount</u>
Catsimatidis, John A. c/o Saul A. Wolfe, Esq. Skoloff & Wolf, P.C.	140/1.01	2010	\$2,525.90
		2011	\$2,657.85
	140/1.02	2010	\$2,572.80
		2011	\$2,707.20
	140/1.03	2010	\$2,613.00
		2011	\$2,749.50
	140/1.04	2010	\$2,338.30
		2011	\$2,460.45
		TOTAL	\$20,625.00

WHEREAS, the reduction in assessment was not recorded in time for the 2010 and 2011 Assessment records for Block 140 Lots 1.01, 1.02, 1.03 & 1.04 and was billed at the higher assessed value for 2010 and 2011.

WHEREAS, an overpayment was made for the tax years listed above and therefore should be refunded to the owner made payable to:

Catsimatidis, John A.
c/o Saul A. Wolfe, Esq.
Skoloff & Wolf, P.C.
293 Eisenhower Parkway
Livingston, NJ 07039

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 a refund for the tax overpayment.

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

MOTION CARRIED

Resolution #116:6'2012: Authorizing Refund of Redemption Monies to Outside Lienholders

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012

WHEREAS, at the Municipal Tax Sale held on October 28, 2009, a lien was sold on Block 60 Lot 6, also known as 33 Forest St., Alpine, NJ for 2008 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00002, was sold to Greenleaf group, LLC for an 18% redemption fee and a premium in the amount of \$0.00, and,

WHEREAS, Saverio Cerest, Esq., an attorney representing Westervelt Development Group, Block 60 Lot 6, Alpine, NJ, has effected redemption of Certificate #09-00002 in the amount of \$2,119.20

NO, 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 \$1,367.87 payable to Greenleaf Group, LLC, 2050 Center ave., Suite 640, Fort Lee, NJ 07024 for the redemption of Tax Sale Certificate #09-00002,

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$751.33 to Pellefgrino & Feldstein, LLC for Lienholder attorney Fees as per affidavit.

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

MOTION CARRIED

Resolution #117:6'2012: Authorizing Refund of Redemption Monies to Outside Lienholders

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012

WHEREAS, at the Municipal Tax Sale held on October 28, 2009, a lien was sold on Block 60 Lot 6, also known as 33 Forest St., Alpine, NJ for 2008 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00003, was sold to Greenleaf group, LLC for an 18% redemption fee and a premium in the amount of \$0.00, and,

WHEREAS, Saverio Cerest, Esq., an attorney representing Westervelt Development Group, Block 60 Lot 6, Alpine, NJ, has effected redemption of Certificate #09-00003 in the amount of \$17,262.77

NO, 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 \$16,511.44 payable to Greenleaf Group, LLC, 2050 Center ave., Suite 640, Fort Lee, NJ 07024 for the redemption of Tax Sale Certificate #09-00003,

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$751.33 to Pellefgrino & Feldstein, LLC for Lienholder attorney Fees as per affidavit.

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

MOTION CARRIED

Resolution #118:6'2012: Authorizing Refund of Redemption Monies to Outside Lienholders

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012

WHEREAS, at the Municipal Tax Sale held on October 28, 2009, a lien was sold on Block 60 Lot 6, also known as 33 Forest St., Alpine, NJ for 2008 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00004, was sold to Greenleaf group, LLC for an 18% redemption fee and a premium in the amount of \$0.00, and,

WHEREAS, Saverio Cerest, Esq., an attorney representing Westervelt Development Group, Block 60 Lot 6, Alpine, NJ, has effected redemption of Certificate #09-00004 in the amount of \$17,416.30

NO, 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 \$16,664.96 payable to Greenleaf Group, LLC, 2050 Center ave., Suite 640, Fort Lee, NJ 07024 for the redemption of Tax Sale Certificate #09-00004,

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$751.33 to Pellefgrino & Feldstein, LLC for Lienholder attorney Fees as per affidavit.

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

MOTION CARRIED

Councilman Cacouris referenced that the Attorneys Fees for the redemption of Tax Sale certificates totals \$2,254.00

Tax Assessor's Report is on file and available for review.

MAYOR'S REPORT The Mayor reported on the following:

- Draft newsletter e-mailed for Council review. As the first item is an invite to Tenafly Fireworks July 1st we need to go to print tomorrow morning. Comments due before then.
- The State Senate will vote tomorrow on two important bills: 1) Two year extension on State's ability to take unspent local Affordable Housing Trust Funds already passed by the Assembly. 2) Restoration of Energy Receipts Taxes to municipalities. Over the years the State has taken more and more of these monies due to municipalities. Municipalities trying to stay within the state mandated caps rely on these funds.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Report on file.

Department of Public Works Councilman Garjian thanked DPW Supt Wehmann and crew for their work on the Memorial Day parade. Attendance exceeded previous years. From the report he highlighted 2nd Quarter Safety meetings and Affordable Housing maintenance and repairs coordinated by the DPW Supt and completed.

Fire Department Councilwoman Gerstein thanked Chief Beckmann for taking care of the Federal Grant application for purchase of a new fire truck; it was a lot of work and his efforts are appreciated. Balance of report is on file.

Police Department Councilwoman Frankel reported 30 summonses issued, 4 accidents, no injuries. New technology to swiftly process license plate information during traffic stops has been installed on at least one vehicle. An enormous amount of investigatory work resulted in the arrest of a woman charged with running a Ponzi scheme. Remaining report is on file.

Resolution #119:6'2012 Acceptance of the Reports of the Standing Committees

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012 to accept the reports of the Standing Committees.

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

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT

School's out. The Mayor noted he and Councilwoman Gerstein did attend the graduation of 15 students from the Alpine School last Tuesday. Salutatorian was Christina Abad and Valedictorian was Audrey Haring. 15 Alpine students also graduated from Tenafly High School graduation. This was held on Thursday night. The ceremonies were lovely as usual and programs are available if any one wishes to look at them.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT

Mr. Vander Veer distributed his report. Two projects were bid and appear on the consent agenda. Plans and specifications for the road improvement, originally to be part of the Riverside Cooperative, should be ready shortly so they can go out to bid. The Mayor asked Council for authorization.

Resolution #120:6'2012 Authorizing the Engineer to Advertise for Bids for the 2012 Road Improvement Program

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 27, 2012 authorizing the Borough Engineer to Advertise and Receive for Bids for the 2012 Road Improvement Program and to submit recommendation at the next meeting.

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

MOTION CARRIED

The rest of the Engineer's report reviews status of current projects and is on file.

UNFINISHED BUSINESS

A. ORDINANCE 731 AMENDING CHAPTERS 68 AND 220 INCREASING FEES

1. PUBLIC HEARING

2. Resolution #121:6'2012

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, June 27, 2012

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 TO AMEND FEES IN CHAPTER 68 ENTITLED "ANIMALS" AND CHAPTER 220 ENTITLED "ZONING"

does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law.

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

MOTION CARRIED

NEW BUSINESS

A. CONSENT AGENDA RESOLUTIONS Resolutions #122:6'2012 - #129:6'2012

1. Resolution#122:6'2012: Approval of Minutes Regular Meeting May 23, 2012

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, June 27, 2012 to approve the minutes of the Regular Meeting of May 23, 2012.

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

MOTION CARRIED

2. Authorizations for Purchase of DPW Truck w/Plow

a. Resolution #123:6'2012: Authorizing 2012 Purchases Under NJS Cooperative Purchasing

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 27, 2012.

WHEREAS pursuant to N.J.S.A. 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS the Borough of Alpine has a need to purchase on a timely basis, goods and services utilizing State Contract during 2012; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS the Borough of Alpine plans to utilize State Contract Vendor listed below, such transaction shall be subject to all a conditions applicable to the current State contracts; now, therefore

Commodity:	VEHICLES TRUCKS
Service Vendor Name:	DFFLM, LLC.T/A DITSCHMAN/FELMINGTON FORD
State Contract #:	A79113T2789

BE IT RESOLVED, by the Borough of Alpine, in the County of Bergen, that the Borough's Qualified Purchasing Agent is hereby authorized to purchase goods or services in 2012 from the approved New Jersey State Contract Vendor listed above pursuant to all conditions of the State contract; and

BE IT FURTHER RESOLVED that, pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document.

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

MOTION CARRIED

b. Resolution #123:6'2012 6'2012 Authorizing Purchase of DPW Truck w/ Plow via NJS Coop

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 27, 2012.

WHEREAS, the Borough of Alpine is in need of acquiring a 2012 FORD F550 CHASSIS CAB & OPTIONS (w/ PLOW)for the Alpine Department of Public Works; and

WHEREAS pursuant to N.J.S.A. 40a:11-1 et seq. and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding in excess of the bid threshold of \$36,000 must be available for public inspection; and

WHEREAS the Borough of Alpine by prior resolution has approved purchases from the State Contract Vendor listed below for this item; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, funds for this purpose have been provided for in the 2012 Capital Budget identified by Account Number C-04-55-944-201 in the accounting records of the Borough of Alpine;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen, that the Borough of Alpine enter into an agreement with DFFLM, LLC. T/A DITCHMAN/FELMINGTON FORD , 215 Routes 202 & 31, Flemington, NJ Contact: Steven Treble State Contract # A79113 T2789 for the acquisition of a 2012 FORD F550 CHASSIS CAB & OPTIONS (w/Plow), in accordance with the aforementioned contract and the specifications attached hereto, in an amount not to exceed \$61,885.00 to be charged to the account above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds.

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

MOTION CARRIED

**3. Report of Bid Results-2012 DEMAREST BROOK FOOTBRIDGE & CHANNEL RESTORATION
Advertised in The Record on Sunday June 3, 2012**

Received and opened 10:00 a.m. Friday, April 20, 1012 at Borough Hall

Montanna Construction Corp, Lodi NJ	\$91,700.00
M. Ingannamorte & Son Harrington Park, NJ 0764	\$50,000.00
4 Clean-Up Inc. North Bergen, NJ	\$81,600.00
Concrete Construction Corp Hackensack, NJ	\$47,000.00
Rock Solid Construction Corp, Newark, NJ	\$113,250.00
Diacco Construction, Paterson, NJ	\$50,909.37
D.R. Mullen Construction Co., Inc. Oakland, NJ	\$27,210.00
Andy Matt, Inc. Budd lake, NJ	\$87,590.00
Let It Grow, Inc. River Edge, NJ	\$117,000.00
Conquest, Industries Westwood, NJ	\$32,150.00
Zenith Construction Services, Inc., Orange, NY	\$45,900.00

Resolution #124:6'2012 Award Bid for 2012 DEMAREST BROOK FOOTBRIDGE & CHANNEL RESTORATION

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

At a regular meeting of the Alpine Mayor and Council on Wednesday, June 27, 2012

WHEREAS, the Mayor and Council of the Borough of Alpine has requested bids for the 2012 DEMAREST BROOK FOOTBRIDGE & CHANNEL RESTORATION as detailed in the Notice to Bidders

WHEREAS sealed bids were received at the Borough Hall up until 10:00 a.m. Thursday, June 21, 2012 as advertised in The Record on Sunday, June 3, 2012

WHEREAS these bids were opened in the presence of the Borough Clerk and the Borough Engineer, and

WHEREAS eleven (11) bids were received as listed above. The bids were reviewed by the Borough Engineer who recommends acceptance of the lowest responsible bid from D.R. Mullen Construction Co., of Oakland, NJ for \$27, 210.00 subject to review by the Borough Attorney, and

WHEREAS, funds for this project are available per Capital bond Ordinance 730 adopted April 25, 2012 and will be charged against Account C-04-55-949-201.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, at the regular meeting Wednesday, June 27, 2012, that the bid be awarded to D.R. Mullen Construction Co., of Oakland, NJ for \$27, 210.00 subject to review by the Borough Attorney.

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

MOTION CARRIED

4. Report of Bid Results-2012 BERKERY PLACE CULVERT REPLACEMENT

Advertised in The Record on Sunday June 3, 2012

Received and opened 10:30 a.m. Thursday, June 21, 2012 at Borough Hall

Montanna Construction Corp, Lodi NJ	\$134,100.00
John Garcia Construction Co., Inc. Clifton, NJ	\$107,930.00
Sita Construction Co., Inc. Goshen NY	\$92,220.00
Gemrose Utility LLC Harrington Park, NJ 07640	\$110,000.00
4 Clean-Up Inc. North Bergen, NJ	\$102,780.00
Concrete Construction Corp Hackensack, NJ	\$82,680.00
Diaco Construction, Paterson, NJ	\$75,787.98
Rock Solid Construction Corp, Newark, NJ	\$202,300.00
Colonnelli Brothers, Inc. South Hackensack, NJ	\$76,470.00
Underground Utilities Corp Linden, NJ	\$89,000.24
Let It Grow, Inc. River Edge, NJ	\$223,300.00
DR Mullen Construction Co Inc Oakland, NJ	\$64,604.00
Conquest Industries Westwood, NJ	\$66,254.00
Zenith Construction Services Orange, NJ	\$115,400.00
CMS Construction Inc., Newark, NJ	\$35,630.00

Resolution #125:6'2012 Award Bid for 2012 BERKERY PLACE CULVERT REPLACEMENT

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

At a regular meeting of the Alpine mayor and Council on Wednesday, June 27, 2012

WHEREAS, the Mayor and Council of the Borough of Alpine has requested bids for the 2012 Berkery Place Culvert Replacement as detailed in the Notice to Bidders

WHEREAS sealed bids were received at the Borough Hall up until 10:30 a.m. Thursday, June 21, 2012 as advertised in The record on Monday, June 3, 2012, and

WHEREAS these bids were opened in the presence of the Borough Clerk and the Borough Engineer, and

WHEREAS, funds for this project are available per Capital bond Ordinance 730 adopted April 25, 2012 to be charged against Account C-04-55-949-201 in the 2012 Capital Budget, and

WHEREAS 15(fifteen) bids were received as listed above. The bids were reviewed by the Borough Engineer who determined the apparent low bidder, CMS Construction, Inc. must be considered non-responsive and the bid rejected due to following fatal flaw: *The bid bond does not reference the correct project. The bid bond must indicate bonding for Berkery Place Culvert Replacement while the bid bond submitted references a project indentified as :Lindbergh Parkway Drainage Improvement Project, and*

WHEREAS the second low bidder, D.R. Mullen Construction Co., Inc. has submitted a fully responsive bid including all of the correct mandatory items and has performed satisfactory work for the Borough in the past, and

WHEREAS, although the bidder's proposal is higher than the construction cost estimate prepared by the Borough Engineer for this project, it is the Borough Engineer's opinion that sufficient funds are provided within the capital bond ordinance allowance for the 2012 Road Improvement Program, and

WHEREAS, the Borough Engineer has recommended that the contract for this project be awarded to the lowest responsive bidder, D.R. Mullen Construction Co., Inc. of Oakland, NJ for the bid amount of \$64,604.00

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, at the regular meeting Wednesday, June 27, 2012, that the contract for this project be awarded

to the lowest responsive bidder being D.R. Mullen Construction Co., Inc. of Oakland, NJ for \$64,604.00 subject to review by the Borough Attorney.

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

MOTION CARRIED

5. Resolution #126:6'2012: Authorizing Agreement to Modify Pedestrian Easement Bl. 39.01 Lot 12.12

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, June 27, 2012

WHEREAS, Harry Fazelli and Noushin Fazeli and the Borough of Alpine desire, for safety reasons, to modify a portion of a pedestrian easement located on their property at 7 Tamarack Road, Block 39.01 Lot 12.12 so that it runs along the southerly property line to Tamarack Road and does not cross the Fazelli driveway, and

WHEREAS, the particulars to effect this modification have been reviewed by the Borough Engineer and the Attorneys for both the Borough and the Fazelis as laid out in the Modification of Pedestrian Easement attached hereto

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby authorize the Mayor to sign the Modification of Pedestrian Easement agreement and hereby direct said Agreement which is binding upon the parties, their heirs, successors and/or assigns to be filed with the County of Bergen.

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

MOTION CARRIED

6. Resolution #127:6'2012: Authorizing Sale of vehicle no Longer Needed for Public Use

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, June 27, 2012

WHEREAS, during the budget workshop held February 22, 2012 the Mayor and Council authorized that, at the appropriate time, the following vehicle could be advertised for sale the ad for which appeared in the Bergen Record on June 10, 2012 and the Jersey Journal on June 12, 2012:

Dept	#	Year	Make	Model	VIN	Mileage
Police	1	2007	Ford	Crown Victoria	2FAHP71W77X128957	86,830

AND WHEREAS, sealed bids were received and opened by the Borough Clerk and the Chief of Police as advertised on Thursday June 21, 2012 at 12:00 pm in the Council Chambers at which time the results were revealed as follows:

Bidder - City/State	Amount for Vehicle
Dan Dames, Manasquan, NJ	2,323.23
Mahmoud leweda Nutley, NJ	3,055.00
Liberty Motors, Inc. Jersey City, NJ	3,033.99
Police Car Store, LLC Bala Cynwd, PA	2,578.00
Jersey One Jersey City, NJ	2,331.99

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine that the following bid, being the highest of five (5) bids received for the 2007 Ford Crown Victoria, be accepted:

Mahmoud leweda of Nutley, NJ for \$ 3,055.00

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

7. Resolution #128:6'2012: Award of Quote Administrative Dept - Copier

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 27, 2012

WHEREAS, the Borough of Alpine solicited quotes for lease of a copier machine with print/scan features for the administrative offices.

WHEREAS, the Borough of Alpine received two quotes during January 2012; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Borough Clerk of the Borough of Alpine for award to Ricoh USA Pine Brook, NJ as the lowest responsive, responsible quote for Model # MPC4502 at the base amount of \$180.00 per month or \$10,800 over the life of the 5 year lease, and

WHEREAS, the costs in 2012, base lease price of \$180 x 6 months or \$1,080.00 plus any per page copier overages, is provided for in line item 2-01-20-120-027 of the 2012 municipal budget for Administration,

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award a 5 year lease for a copier machine with print/scan features for the administrative offices to Ricoh USA Pine Brook, NJ for Model # MPC4502 at the base amount of \$180.00 per month or \$10,800 over the life of the 5 year lease, contingent upon the Certification of Availability of Funds by the Chief Financial Officer.

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

MOTION CARRIED

8. Resolution #129:6'2012: Authorizing Use of Church Street Field – Fall Soccer

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, June 27, 2012 to approve the request by the Tenafly Soccer for Use of the Borough (Church Street) field for

Weekdays 3:30 pm to 6:45 pm from August 27, 2012 through November 21, 2012

Weekends 8:30 am to dark from August 25, 2012 through November 18, 2012

Thursday, November 8 and Friday, November 9 (Teachers Convention Break) 8:30 am to 3:30 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, Frankel, Garjian, Gerstein, Ornstein **Absent:** Merians

MOTION CARRIED

End of Consent Agenda Resolutions

Mayor's Appointment: B.C. Community Development Regional Committee Rep

Mayor Tomasko appointed the following representative to serve on the Community Development Committee for the term of one year coinciding with the fiscal year July 1, 2012 through June 30, 2013: **Councilman Michael Cacouris.**

Resolution #130:'6'2012: B.C. Community Development Regional Committee Rep

OFFERED BY: Councilman Garjian **SECONDED BY:** Councilman Cacouris

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 27, 2012

WHEREAS, the Borough of Alpine has entered into a Three Year cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et. seq. and Title I of the Housing and Community Development Act of 1974 for the Program Years 2012, 2013 and 2014 (July 1, 2012 – June 30, 2015) per resolution dated June 22, 2011 and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2011 through June 30, 2012.

NOW, THEREFORE BE IT RESOLVED, that the governing body hereby appoints **Council President Vicki Frankel** as its representative to participate on the Community Development Regional Committee.

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

MOTION CARRIED

Resolution #131:'6'2012: Appointment of Bergen County Open Space Trust Regional Committee Rep

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, June 27, 2012.

WHEREAS, the Borough of Alpine has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et. seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Trust Fund; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2012 through June 30, 2013.

NOW, THEREFORE BE IT RESOLVED, that the governing body hereby appoints **Council President Vicki Frankel** as its representative to participate on the Open Space Trust Regional Committee.

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

MOTION CARRIED

COMMUNCIATIONS: WRITTEN AND ORAL

Councilwoman Frankel reflected on the disparity in bids for the two engineering projects. Mr. Vander Veer concurred but could not account for how the bidders came up with their figures.

Mayor Tomasko advised he will be out of town next week through the following Tuesday. Council President Frankel will be filling in. The Borough Clerk will also be out of the office next week and the Deputy Borough Clerk will be covering.

ADJOURNMENT

OFFERED BY: Councilwoman Frankel **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 June 27, 2012 at 7:55 PM.

Respectfully submitted,

Gail Warming-Tanno, Municipal Clerk

**BOROUGH OF ALPINE
ORDINANCE No. 731
AN ORDINANCE TO AMEND FEES IN CHAPTER 68 ENTITLED "ANIMALS" AND
CHAPTER 220 ENTITLED "ZONING"**

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpine, County of Bergen and State of New Jersey that Chapter 68 of the revised Ordinances of the Borough of Alpine, entitled "Animals" and Chapter 220 of the revised Ordinances of the Borough of Alpine, entitled "Zoning" are hereby amended as follows:

Section 1. Section 68-2. E. shall be deleted in its entirety and the following substituted therefor:
68-2. E. Fees

(1) The person applying for a license shall pay the following fees:

(a) Neutered or spayed dogs:	
State registration fees per dog	\$ 1.20
Borough Fee	\$ 9.80
Total	\$11.00

(b) Non-Neutered or non-spayed dogs:	
State registration fees per dog	\$ 4.20
Borough Fee	\$ 9.80
Total	\$14.00

(c) Cats	
Neutered or spayed cats	\$ 9.00
Non-neutered or spayed cats	\$12.00

(2) A late fee per pet will be charged for license applications received as follows:

February 1 - 29	\$10
After February 29	\$25 adding \$5 per month thereafter

Late fee waived for first time licenses issued in compliance with section 68-2. A.

No summons will be issued between January 1st and March 31st for a dog or cat licensed in the prior year whose rabies vaccination remains current. However, an owner may be issued a summons at any time for a dog or cat whose rabies vaccination certificate on record has expired or if the dog or cat has not been licensed in a timely fashion as defined by the licensing provisions in Section 68-2. A.

(3) A fee of \$3 shall be charged for each replacement tag.

Section 2. 220-2 Definitions

Add

"BUSINESS DAY" means any day of the year, exclusive of Saturday, Sunday and legal holidays.

Section 3. 220-18.C(2)(f) and 220-18.C(2)(h) shall be deleted in their entirety and the following substituted therefor:

(f) Application fee for a Certificate of Continued Occupancy upon transfer or change of ownership shall be based upon the amount of time remaining before the change of occupancy is expected, as follows.

1. A request for a Certificate of Continued Occupancy inspection received 10 or more business days prior to the change of occupancy, \$400 for a one or two family structure used exclusively as a residential dwelling, \$600 for a multifamily dwelling, commercial or industrial use structure.
2. A request for a Certificate of Continued Occupancy inspection received 4 to 10 business days prior to the change in occupancy, \$600 for a one or two family structure used exclusively as a residential dwelling, \$800 for a multifamily dwelling, commercial or industrial use structure.
3. A request for a Certificate of Continued Occupancy inspection received fewer than 4 business days prior to the change in occupancy, \$800 for a one or two family structure used exclusively as a residential dwelling, \$1,000 dollars for a multifamily dwelling, commercial or industrial use structure.

(h). Application fee for a Temporary Certificate of Continued Occupancy upon a transfer or change in ownership shall be the same as that for a Certificate of Continued Occupancy upon a transfer or change in ownership as in (f) above."

BE IT FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication as required by law.

ADOPTED 6-27-2012