

ALPINE MAYOR AND COUNCIL - REGULAR MEETING
Wednesday, July 23, 2014 @ 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, July 23, 2014 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, July 23, 2014 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	<i>Present</i>	Vicki Frankel, Council President	<i>Present</i>
Paul Garjian, Councilman	<i>Present</i>	Michael Cacouris, Councilman	<i>Present</i>
Gayle Gerstein, Councilwoman	<i>Absent</i>	Joan Ornstein, Councilwoman	<i>Absent</i>
John Halbreich, Councilman	<i>Present</i>		

Staff Present on Dais: Acting Municipal Clerk Jerry Beckmann, Borough Engineer Gary Vander Veer, Dermot J. Doyle for Borough Attorney Russ Huntington

PUBLIC COMMENTS **Ted and Norma Noback**, Schoolhouse Lane, appeared in support of action to limit landscaper noise on Saturdays per solicitation of comments in the June Mayor & Council Newsletter. Mayor Tomasko noted in addition they heard from four residents also supporting such a ban to ask Council how they wished to proceed. Councilman Cacouris and Council President Frankel echoed their support. Councilman Garjian requested clarification and Mayor Tomasko read the excerpt¹.

Resolution #142: 7'2014: Authorizing Borough Attorney to Research and Prepare Ordinance Limiting Landscaper Noise on Saturdays.

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 23, 2014 to authorize the Borough Attorney to research viability of and prepare an ordinance to limit landscaping noise on Saturdays.

Discussion: Councilman Garjian requested clarification. Mayor Tomasko advised the ordinance would limit outside landscapers while preserving the homeowners' rights to work on their own properties. A vote was taken with Council members Cacouris, Frankel and Halbreich for and Garjian against. Councilman Cacouris noted the current ordinance already prohibits this activity on Sunday and asked the attorney to research and if viable amend to include all of Saturday. Councilman Garjian asked to change his vote to aye. Attorney Doyle stated yes while noting the change was inconsequential as the motion had already carried. Councilman Garjian advised it was consequential to him for the record. Vote recorded as follows:

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

MOTION CARRIED

The Mayor & Council thanked the Noback's for attending.

¹ **Noise** We have been asked to consider expanding the Sunday ban on all outside contractor work to include landscapers' noise on Saturdays as well. We would appreciate your thoughts on this before or at the 7:30 PM July 23rd Mayor & Council meeting.

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

Bank Of America Current Operating Acct

\$2,293,030.99

Resolution #143: 7'2014: 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, July 23, 2014 to approve the bills and claims totaling a copy of which are appended.

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

MOTION CARRIED

Resolution #144: 7'2014: Group Affidavit for 2013 Audit

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 23, 2014

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: General Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: 'General Comments – Recommendations' as evidenced by the group affidavit form of the governing body attached hereto, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Alpine, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Discussion: Councilman Cacouris asked if the auditor's comment regarding fixed assets was being addressed. Acting Municipal Clerk Beckmann advised the process has started which involves comparing past and current inventories. This work is currently being conducted by an independent contractor working through the Finance and Clerk offices. Councilman Garjian stated he had not yet reviewed the report. Mayor Tomasko advised he should not vote (sign off) until he does.

Vote: Ayes: Cacouris, Frankel, Halbreich **Abstain:** Garjian **Absent:** Gerstein, Ornstein²

MOTION CARRIED

Tax Assessor's Report. Report on file.

MAYOR'S REPORT

- In addition to paving work underway on Church Street, the Palisades Interstate Parkway has begun to resurface its entire NJ stretch. A preconstruction meeting was held here at Borough Hall yesterday coordinated by Acting Clerk Beckman and NJS DOT's Debbie Hirt. The meeting involved officials from all the affected towns especially police. Most of the work will be done at night. There will be rolling lane closures with potential delays. Councilwoman Frankel questioned if they work on north and south bound at the same time. Mr. Beckmann explained northbound work will be at night and southbound during the day after the rush hour. Work has begun by the George Washington Bridge and will extend north up through Alpine. Mayor Tomasko noted the repaving was initiated by the State in response to public comments as to the unacceptable condition of the highway. The substantial completion date is November 12 with final completion by December 12.

Councilman Cacouris questioned slow progress on Church Street. Borough Engineer advised paving will begin tomorrow to be followed by line striping. The contractor had milled the road but grossly underestimated the time needed to reconstruct the sidewalk. He originally planned to pave the day after milling and if he had it to do over would have done the sidewalk first and then the milling. Councilman Garjian asked if they would be elevating the sidewalk as people walk more now and he's been questioned by residents about the "weird" design. Mr. Vander Veer acknowledged the sidewalk design is unique but noted it has been at the same elevation as the road for 25-30 years. If they raised it now it would pose a tripping hazard and would be above the grade of adjoining properties. To raise those grades would be require cooperation of all those property owners which would be more costly, time consuming and create more disturbance. Councilman Garjian felt it sufficient to note the reasoning in the record.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report

Building Department Councilman Halbreich reported there were 78 scheduled inspections, 4 tree permits, 2 zoning review applications and 1 returned check fee. The balance of the report is on file in the Clerk's office.

² The Acting Municipal Clerk will review the Auditors Report and Group Affidavit with abstaining/absent members to obtain required signatures.

Department of Public Works Councilman Garjian highlighted DPW workers cleared overgrowth in Borough pathways. Councilman Garjian expressed his hope to avoid delays between milling and paving in future projects but commended AJM Contractors for their fine work.

Fire Department No report

Police Department Council President Frankel reported 54 summonses were issued and 8 motor vehicle accidents. The rest of the report is on file.

Resolution #145:7'2014: Accepting the Reports of the Standing Committees

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilman Garjian at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 23, 2014 to accept the reports of the Standing Committees.

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

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT No report.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT Mr. Vander Veer advised on the following:

Closter Dock Road Drainage Improvements The County is still in discussion about the additional resolution to fund of the project. Meanwhile, they have forwarded another round of requested revisions to the plans and bid documents primarily to convert it to a County format because the County now wants to administer, bid and inspect the project with their own forces. This places us still on hold and the project will not happen before next year.

Church Street (State Aide) Project (already discussed)

Riverside Cooperative Mill & Pave (Forest Street) Project. Work will begin around the second week of August.

Riverside Cooperative Micro-surfacing Project A resolution appears on the Consent Agenda authorizing the Borough to enter into a contract with the Borough pursuant to the Master Contract. After execution a pre-construction meeting can be scheduled.

Timberline Drive There are small drainage improvements scheduled for the cul de sac. They have conducted the field survey but require test holes to delineate utilities for the final design. DPW Superintendent Wehmann advised the work exceeds their capabilities so Mr. Vander Veer will solicit quotes from an outside excavator.

UNFINISHED BUSINESS

Ordinance 745: An Ordinance to Amend Capital Bond Ordinance #741 (Text Only)

Public Hearing: The Mayor opened to the public for comments and being none closed the hearing for this purpose.

Resolution #146:7'2014: Adoption of Ordinance 745

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, July 23, 2014

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 ORDINANCE 741 HERETOFORE ADOPTED BY THE BOROUGH OF ALPINE, PROVIDING FOR VARIOUS 2014 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY,

These minutes have been approved by the Mayor and Council.

APPROPRIATING \$64,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$60,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF, SO AS TO MODIFY THE SCOPE OF WORK BY INCLUDING INSTALLATION OF SAFETY UPGRADES TO THE APPARATUS ROOM FLOOR OF THE FIRE DEPARTMENT AS AN ADDITIONAL DESCRIPTION THEREOF;

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, Halbreich **Absent:** Gerstein, Ornstein

MOTION CARRIED

{Ordinance 745 is appended to these minutes in its entirety.}

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #147:7'2014 - #151:7'2014

Councilman Garjian was absent in June and abstains from Item #1

1. Resolution #147:7'2014: Approval of Minutes Regular Meeting June 25, 2014

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 23, 2014 to approve the minutes of the Regular Meeting June 25, 2014

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

MOTION CARRIED

2. Resolution #148:7'2014: Approval of Quote: Affordable Housing Remediation & Repairs

Unit F

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 23, 2014

WHEREAS, NJSA 40A:11-6 provides for contracts resulting from emergencies that affect the public health, safety, and welfare of the Borough of Alpine citizens, and its employees; and

WHEREAS, an emergency arose on June 23, 2014 requiring immediate repair and remediation services at Unit F of Alpine's Affordable Housing complex location at 115 Route 9W as determined by the COAH Special Project Manager / Health Officer; and

WHEREAS, the COAH Special Project Manager / Health Officer; in his memo to the Mayor and Council dated June 24, 2014 recommended the Borough proceed immediately with cleanup and repairs and that the DPW Superintendent and Acting Borough Clerk be authorized to obtain quotes for the required work to bring the unit into compliance with Building, Health and Safety Codes.

WHEREAS, despite the time constraints two estimates were obtained, one from Charles A. Hoffmann Construction Co. for \$13,700.00 and one from Sandal Builders of Tenafly NJ being the lowest responsive quote at \$12,900.00; and

WHEREAS, the Mayor authorized that the Borough enter into the contract for the aforementioned services with Sandal Builders on June 24, 2014 in the amount of \$12,900.00 for the remediation and repair of the aforementioned premises; and

WHEREAS, the Borough's Qualified Purchasing Agent and Chief Financial Officer have been notified of this emergent situation and has certified that sufficient funds are available in

(COAH) Project # 90100 for this purpose which certification is on file in the Municipal Clerk's office.

NOW, THEREFORE BE RESOLVED, by the Mayor and Council of the Borough of Alpine, in the County of Bergen, State of New Jersey that the emergency purchase of services as listed above is hereby approved.

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

MOTION CARRIED

3. Resolution #149:7'2014: Approval of Quote: DPW Purchase Two Hooklift (Rolloff)

Containers

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

WHEREAS, the Alpine Department of Public Works has identified a need to purchase two (2) hooklift (rolloff) containers for use in recycling leaves, brush and for other purposes as may be needed for public works, and

WHEREAS, the Borough of Alpine solicited and received quotes for this equipment, one from Cliffside Body Corporation of Fairview, NJ for \$8,450.00 and one from Omaha Standard, Inc. of Trenton, NJ for \$8,559.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the D.P,W. Superintendent of the Borough of Alpine for award to Cliffside Body Corporation of Fairview, NJ as the lowest responsive, responsible quote totaling \$8,450.00, and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital Budget Account as identified by Account Number C-04-55-952-203 and the Recycling Tonnage Grant Account 04-01-41-701-020 as listed in the accounting records of the Borough of Alpine; and

WHEREAS, the cumulative total for this vendor in fiscal year 2014 will exceed the quote threshold of \$5,400.00; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote for two (2) hooklift (rolloff) containers for the Department of Public Works to Cliffside Body Corporation of Fairview, NJ for \$8,450.00, contingent upon the Certification of Availability of Funds by the Chief Financial Officer.

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

MOTION CARRIED

4. Resolution #150:7'2014: Introduction Ordinance 746: Amending 109-2 Fees for Police Services

Services

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, July 23, 2014

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 CHAPTER 109 ENTITLED "FEES" TO AMEND THE REIMBURSEMENT FOR POLICE SERVICES

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, Alpine, New Jersey on Wednesday, August 27, 2014 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 said Ordinance ten days prior to the date fixed for further consideration for final passage together with the Notice of Hearing thereon in 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: Cacouris, Frankel, Garjian, Halbreich **Absent:** Gerstein, Ornstein

MOTION CARRIED

5. Resolution # 151:7'2014 Authorizing Contract for 2014 Road Improvement Program: Riverside Cooperative Micro Surfacing Program [Brenner Place, Cassandra Drive, Miles Street, Pike Street]

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

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 23, 2014

WHEREAS, the Riverside Cooperative Pricing System (I.D. #35-RCPS) has received approval from the State of New Jersey, Department of Community Affairs and the Borough of Alpine is a member of the Riverside Cooperative Pricing System and has executed an agreement to this effect; and

WHEREAS, the Riverside Cooperative in compliance with Local Public Contracts Law N.J.S.A. 40A:11-11 received bids as advertised for road improvement work on May 20, 2014 and

WHEREAS, the Borough Engineer in his report of June 25, 2014 advised that there was one bid for the Master Contract which he has reviewed finding work can be completed within the amount budgeted by the Governing Body; and

WHEREAS, the Riverside Cooperative provides that each participating municipality is responsible for entering into its own separate contract with the successful bidder awarded the Master Contract

WHEREAS, the bid price for the Borough of Alpine's portion is \$30,490.00 for the Borough's 2014 Road Improvement Micro Surfacing Paving Project for the following roads or portions thereof as listed below:

- Brenner Place 400 linear feet
- Cassandra Drive 1,200 linear feet
- Miles Street 1,300 linear feet
- Pike Street 1,000 linear feet

WHEREAS, funding is provided through the 2014 Capital Budget and Capital Bond Ordinance #742 as finally adopted April 23, 2014 and the statutory 20 day waiting period has run its course.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine authorizes the Mayor to enter into a contract with Asphalt Paving Systems, Inc. of Hammonton, NJ for the aforementioned work immediately following the execution of the 2014 Master Contract by Riverside Cooperative.

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

MOTION CARRIED

End of Consent Agenda Resolutions

COMMUNICATIONS: WRITTEN AND ORAL

Councilman Cacouris observed he has observed several occasions where people are parking on both sides of the street when attending parties at residences. He suggested residents be reminded in a future newsletter that if their property is not sufficient to accommodate all their guests to please notify the police department.

ADJOURNMENT

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilman Cacouris
and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday July 23, 2014 at 7:51 P.M.

Respectfully submitted,

Jerry Beckman, Acting Borough Clerk

BOROUGH OF ALPINE

ORDINANCE NO. 745

Amending Capital Bond Ordinance 741 (Text Only)

AN ORDINANCE TO AMEND ORDINANCE 741 HERETOFORE ADOPTED BY THE BOROUGH OF ALPINE, PROVIDING FOR VARIOUS 2014 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$64,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$60,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF, SO AS TO MODIFY THE SCOPE OF WORK BY INCLUDING INSTALLATION OF SAFETY UPGRADES TO THE APPARATUS ROOM FLOOR OF THE FIRE DEPARTMENT AS AN ADDITIONAL DESCRIPTION THEREOF;

BE IT ORDAINED by the Mayor and Council of the Borough of Alpine, County of Bergen State of New Jersey, that:

Section 1. Ordinance 741 heretofore adopted on April 23, 2014, shall be and hereby amended so as to amend Section Three (iii) thereof the description of improvements shall include:

"safety upgrades to the apparatus room floor of the Fire Department."

Section 2. All other parts or provisions of Ordinance 741, not specifically amended by the Ordinance remain in full force and effect.

Section 3. This ordinance shall take effect twenty (20) days after final adoption and publication as provided by law.

ADOPTED: July 23, 2014