

ALPINE MAYOR AND COUNCIL - REGULAR MEETING
Wednesday, August 27, 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, August 27, 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, August 27, 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	Present	Vicki Frankel, Council President	Present
Paul Garjian, Councilman	Present	Michael Cacouris, Councilman	Present
Gayle Gerstein, Councilwoman	Present	Joan Ornstein, Councilwoman	Absent
John Halbreich, Councilman	Present		

Staff Present on Dais: Acting Municipal Clerk Jerry Beckmann, Borough Engineer Gary Vander Veer, Borough Attorney Russ Huntington

PUBLIC COMMENTS

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

Bank Of America Current Operating Acct **\$2,726,967.68**

Resolution #152: 8'2014: Return of Bonds and Escrow

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, August 27, 2014 to return the following bonds and escrow:

Name	Block/Lot	Account Type	Amount
Torres, Mr. & Mrs. E.	53/12&13	Soil Moving Escrow	\$3,148.50
Saperstein, Mr. & Mrs. M.	81.02/2	Soil Moving Escrow	112.50
Cohen, Mr. & Mrs. M.	70/17	Soil Moving Escrow	1,459.18
Schlesinger, Mr. & Mrs. A.	41/10	Driveway Escrow	32.50
Chung, Nancy & Park, David	49.02/12	Performance Bond	10,000.00
		Engineering Escrow	2,088.75
Arzoomanian, Mr. & Mrs. A.	78/5	Tree Bond	500.00
Fromm, Mr. & Mrs. J.	70/13	Tree Bond	500.00
Catsimatidis, John	140/1.01&1.04	Soil Moving Escrow	2,953.50
Yun, Y.	81.05/4	Soil & Engineering Escrow	1,700.00
Yemini, Y.	49/27	Soil Moving Escrow	788.00
Ryan, Samuel	120/2.03	Soil Moving Escrow	2,894.75
Oh, Young Hee	40/2	Tree Bond	2,500.00
		Performance Bond	5,700.00
		Revegetation Bond	454.00
		Soil Moving Escrow	2,700.00
Lee, Alex	72/27	Soil Moving Escrow	208.10
Fazelli, Harry	39.01/12.12	Performance Bond	1,500.00
		Soil & Engineering Escrow	1,242.00
Makris, Mr. & Mrs. G.	49.02/2	Driveway Escrow	246.50
Rawlins, Dr. & Mrs. B.	71/24	Revegetation Bond	11,600.00
Cochi, Mr. & Mrs. S.	49/41	Soil Moving Escrow	1,226.50

These minutes have been approved by the Mayor and Council.

Name	Block/Lot	Account Type	Amount
Harris, Barbara	39.01/9.14	Soil Moving Escrow	178.00
		Revegetation Bond	900.00
		Tree Bond	2,000.00
		Performance Bond	3,500.00
Amirsaleh, Amir	81.06/28	Soil Moving Escrow	2,820.70
Arvanitis, John	49/20	Driveway Escrow	1,000.00
Dhulipala, Mr. & Mrs. S.	20/12	Soil Moving Escrow	619.75
Juhng, Michael	75/13	Soil Moving Escrow	2,464.50
Rhee, Mr. & Mrs. D.	81.03/2	Revegetation Bond	8,931.90
		Soil Moving Escrow	330.25
Diller, Stanley	30/6	Engineering Escrow	893.00
		Soil Moving Escrow	84.75
		Driveway Escrow	300.00
Amiri, H.	76/3	Driveway Escrow	249.00
Wein, Edith	39.02/13.04	Soil Moving Escrow	1,699.50
		Driveway Escrow	112.75
Kogan, Mr. & Mrs. L.	39/9.05	Soil Moving Escrow	900.00
Bobotis, Mr. & Mrs. G.	39/9.04	Engineering Escrow	705.75
VML Designs	20/11	Performance & Reveg. Bonds	32,960.06
Hakim, Mr. & Mrs. G.	31/6	Performance Bond	7,906.76
		Soil Moving Escrow	2,500.00
		TOTAL:	\$124,611.45

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

MOTION CARRIED

Resolution #153: 8'2014: 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, August 27, 2014 to approve the bills and claims totaling a copy of which are appended.

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

MOTION CARRIED

Tax Assessor's Report. Report on file.

MAYOR'S REPORT Mayor Tomasko reported on the following:

- Tax bills were mailed out. Payment for third quarter due September 5th. Councilman Cacouris wished to note the delay was at the County level.
- City of Englewood unanimously adopted a resolution calling for LG to lower the height of its proposed building as part of preservation of the Palisades viewshed. At least ten municipalities have passed similar resolutions.
- United Water advises they will be swapping out water meters.
- Letter received from Sharon A. Dunn, Bergen County Department of Health Services thanking Mrs. Wehmann for efforts resulting in 100% compliance for Alpine's Bloodborne Pathogen Training Program.
- Mr. Beckmann earned Certificates for Certified Municipal Registrar and Notary Public. He has completed three of the five courses required for Municipal Clerk certification. Council applauded his diligence.
- Letter from Thomas M. Melzer, Bergen County's Deputy Emergency Management Coordinator finding Alpine's Emergency Operations Plan for Alpine meets the planning requirements established by BCOEM along with compliments for the considerable effort that went into the development of the plan by Mr. Beckmann and colleagues.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Halbreich thanked Mr. Beckmann and Mrs. Booth for getting the Building department website up and running; it looks great. He further reported there were 78 scheduled inspections, 7 tree permits, 2 soil moving applications, 6 zoning review applications. The balance of the report is on file in the Clerk's office.

Department of Public Works Councilman Garjian noted DPW will be monitoring the micro-surfaced roads over the long term. The compost site is being cleared and regraded in preparation for the 2014 Leaf Season. Staff attended JIF safety meetings. DPW cleared Boro pathways, made pot hole repairs, performed monthly townwide chipping and maintained equipment, repaired damaged street signs, responded to all daytime fire alarms, tended to tenant concerns, problems and repair work at the affordable housing units, including remediating one unit badly damaged by former tenants. Addressed residents' concerns via phone calls and meetings and submitted the 2013 Clean Communities Statistical Report.

DPW Foreman Frank Rickenbaugh submitted a letter dated August 18, 2014 addressed to DPW Supt. Wehmann and Mr. Beckmann stating that due to unforeseen conflicts in the DPW vacation/sick time schedule, he is requesting five of his 2014 vacation days be rolled over to 2015 with thanks for their time and consideration.

Resolution #154:8'2014: Permission Granted for DPW Foreman Frank Rickenbaugh to Rollover Vacation

OFFERED BY: Councilman Garjian **SECONDED BY:** Councilwoman Frankel at the regular meeting of the Alpine Mayor and Council held on Wednesday, August 27, 2014 to permit DPW Foreman Frank Rickenbaugh permission to roll over five of his 2014 vacation days to calendar year 2015.

Discussion: Mayor Tomasko advised he had spoken with Mr. Wehmann who supports the request. Councilman Cacouris wished to point out that unlike other labor units this department has a policy of "use it or lose it" which is very important from an accumulative liability for the Borough and he commends that. He appreciates the notice and accepts the exception. Mayor Tomasko read the exact terminology from the employee manual, "Employees shall be required to take the annual vacation allotted to each employee during the fiscal year except for extenuating circumstances, a maximum of five days may be carried over with consent of the Mayor and Council."

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

Fire Department Councilwoman Gerstein stated all particulars are on file for review.

Police Department Council President Frankel reported 87 summonses were issued and there were 6 motor vehicle accidents with 3 injuries. The rest of the report is on file.

Resolution #155:8'2014: 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, August 27, 2014 to accept the reports of the Standing Committees.

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

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT

Councilman Garjian noted school begins after Labor Day.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT Mr. Vander Veer advised his report is on file and highlighted the following:

2014 Road Improvement Projects All three are substantially complete.

Timberline Drainage Improvement Project. Test holes are needed as part of the design phase to obtain mark outs and expose utilities for determination of size, precise location and depth in order to design a drain pipe to go over them. Project cost, estimated about 18 months ago, was \$16,000 with about \$1,000 allotted for the test holes. Request For Proposals were sent to four excavators. One has returned a quote of \$3,900.00 and a second promised a quote by day's end which Mr. Vander Veer has not yet seen.

Discussion followed on the best way to proceed and potential benefits of waiting versus acknowledging the patience of the resident most affected by street water entering their property who hoped to see action by summer's end. The test holes should take about a day and the work 2-3 days. These are two separate projects and Mr. Vander Veer anticipates seeking proposals from the same vendors for the actual improvement work. Council opted to allow Mr. Vander Veer to proceed with hopes that the second quote will come in over the next day or two and be lower.

Resolution #156:8'2014: Authorizing the Borough Engineer to Accept a Proposal for Test Holes as Part of Timberline Drive Drainage Improvement Project

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, August 27, 2014 authorizing Borough Engineer Vander Veer to review over the next few days all responses to his request for proposals and to accept the lowest responsible quote for the excavation of test holes as part of the design phase of the Timberline Drive Drainage Improvement Project for an amount not to exceed \$3,900.00.

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

MOTION CARRIED

Municipal Aid 2015 Applications for State Aid are available and due by October 14, 2014. Mr. Vander Veer will make recommendations for the governing body's review next month. Mayor Tomasko noted while Alpine's application are not successful every year, they do allow projects such as this year's Church Street paving to be performed at no cost to Alpine taxpayers and are worth the pursuit.

UNFINISHED BUSINESS

A) **Ordinance 746: Amending 109-2 Fees for Police Services**

Public Hearing: Mayor opened for public discussion and seeing no public present closed same.

Resolution #157:8'2014: Adoption of Ordinance 746

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, August 27, 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

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, Halbreich **Absent:** Ornstein

MOTION CARRIED

{Ordinance 746 is appended to these minutes in its entirety.}

NEW BUSINESS

Councilman Garjian wished to clarify for the record that in regard to the proposed landscape ordinance, he had changed his vote at the prior meeting only for purposes of allowing the attorney to research and draft an ordinance. He has some concerns with the draft and asked if he should raise them now. Mayor Tomasko responded if it's that particular matter that he feels he want to take everybody's time to look at closely then we should pull it from the consent agenda.

Mayor Tomasko requested the consent agenda with the exception of Item 8 be moved.

CONSENT AGENDA RESOLUTIONS Resolutions #158:8'2014 - #164:8'2014

1. Resolution #158:8'2014: Approval of Minutes Regular Meeting July 23, 2014

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, August 27, 2014 to approve the minutes of the Regular Meeting July 23, 2014

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

MOTION CARRIED

2. Resolution #159:8'2014: Hiring of School Crossing Guards 2014-2015 School Year

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, August 27, 2014

WHEREAS, the Borough of Alpine Police Department recommends hiring Patrick O'Donovan and Kristina Pinkerton to fill the positions of School Crossing Guards for the 2014-2015 School Year subject to medical clearance; and

WHEREAS, it is understood by all parties that these positions are considered seasonal, part time work not to exceed 15 hours per week at hourly salaries not to exceed what is provided for in the Salary Ordinance of the Borough of Alpine.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine that Patrick O'Donovan and Christina Pinkerton are hired to perform the duties of School Crossing Guard for the Police Department September 3, 2014 – June 30, 2015 at a rate of \$17.00 per hour as provided in Salary Ordinance 740;

BE IT FURTHER RESOLVED that they shall be given a copy of the Employee Handbook and requisite training as determined and provided for by the Alpine Police Department.

A copy of this resolution shall be provided to Mr. O'Donovan, Ms. Pinkerton, the Police Chief, the Treasurer and the Borough Clerk/Personnel Administrator.

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

MOTION CARRIED

3. Resolution #160:8'2014: Authorizing 30th Bike MS Bike Ride Traversing Alpine

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, August 27, 2014

WHEREAS, the National Multiple Sclerosis Society Southern New York Chapter raises money for charity and has held their Annual Bike MS Bike Event in previous years; and

WHEREAS, The National MS Society Southern New York Chapter has requested authorization from the towns through which riders will traverse. The route in Alpine will be along

Route 9W on Sunday, October 5, 2014 and includes a rest stop. The time will be from approximately 7:30am to 5:30pm; and

WHEREAS, Police Chief Belcolle has no objections and will be actively coordinating with The National MS Society Southern New York Chapter regarding any necessary police assistance; and

WHEREAS, The National MS Society Southern New York Chapter has provided their Certificate of Liability Insurance and a Facilities Use Hold Harmless Agreement which has been reviewed and approved by our Risk Manager.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine authorize The National MS Society Southern New York Chapter's 30th Annual Bike MS New York City Bike Ride Event to be held on Sunday, October 5, 2014.

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

MOTION CARRIED

4. Resolution #161:8'2014: Approval of Quote: DPW Purchase Salt Spreader

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, August 27, 2014

WHEREAS, the Alpine Department of Public Works has identified a need to purchase one (1) salt spreader for use as may be needed for public works, and

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

WHEREAS, the Borough of Alpine solicited and received quotes for this equipment, one from Cliffside Body Corporation of Fairview, NJ for \$21,787.00 and one from Monroe Truck Equipment, Inc. of Monroe, WI for \$ 36,523.00; 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 \$ 21,787.00; and

WHEREAS, funds for this purpose have been provided for in the 2014 Capital Budget Account as identified by Account Number C-04-55-952-202 a listed in the accounting records of the Borough of Alpine; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote for one (1) salt spreader for the Department of Public Works to Cliffside Body Corporation of Fairview, NJ for \$21,787.00, contingent upon the Certification of Availability of Funds by the Chief Financial Officer and vendor's submission of the following: Business Registration Certificate, signed acknowledgment of compliance with Borough Ordinance 725, Business Entity Disclosure certification, C271 Political Contribution Disclosure Form.

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

MOTION CARRIED

5. Resolution #162:8'2014 Amending Agreement re: Bergen County Community Development Program

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, August 27, 2014

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME

Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012, and

WHEREAS, it is necessary to supersede an existing interlocal services cooperative agreement for the County and its people to benefit from this program; and

WHEREAS, an agreement has been proposed under which the Borough of Alpine and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et.seq.; and

WHEREAS, it is in the best interest of the Borough of Alpine to enter into such an agreement,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine that the agreement entitled "Three Year Cooperative Agreement": An Agreement Superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003, to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment Partnership Act Program and the Emergency Solutions Grant program for the Program Years: 2015, 2016, 2017 (July 1, 2015 – June 30, 2018) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

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

MOTION CARRIED

6. Resolution #163:8'2014 Authorizing Use of School Field – Tenafly/Alpine 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, August 27, 2014 to approve the request by the Tenafly Soccer for Use of the Borough (Alpine School) field beginning August 23, 2014 through November 23, 2014:

- Saturdays and Sundays between 8:30 am and 6:00 pm

Said 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, Halbreich **Absent:** Ornstein

MOTION CARRIED

7. Resolution #164:8'2014 Authorizing Agreement for Repairs to Ruckman Road

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, August 27, 2014

WHEREAS, Edmondo Schwartz, is the owner of Lots 2.01 and 2.03, Block 120, in the Borough of Alpine with frontage and access from Ruckman Road; and

WHEREAS, Mr. Schwartz has offered to make certain repairs to a portion near the terminus of Ruckman Road abutting Mr. Schwartz's property, with his own funds provided that he does not incur any personal liability for claims arising out of conditions on Ruckman Road at the locations improved by him; and

WHEREAS, the Borough has determined that the repairs proposed by mr. Schwartz will improve conditions at that location and minimize the risk of personal injury or property damage and that such repairs are therefore in the best interest of the Borough.

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

1. The Borough accepts the offer of Mr. Schwartz to make the repairs to the portion of Ruckman Road abutting his property in the manner described on **Schedule A** annexed hereto.
2. In consideration of the improvements installed by Mr. Schwartz and other good cause, the Borough agrees to indemnify and hold Mr. Schwartz harmless from any claims for property damage or personal injuries arising out of the repairs herein described on Ruckman Road

BE IT FURTHER RESOLVED, that this resolution is not a formal acceptance of Ruckman Road nor does this agreement alter or abridge any of the Borough's rights or responsibilities concerning the use of Ruckman Road.

Schedule A

Description of Work to be done:

- Road development is to start at the end of the Marcellino property (Block 121 Lot 1; 397 Route 9W) and go to 2 feet beyond the property service gate for the Schwartz property (Block 120, Lots 2.01 and 2.03).
- Current road to be removed and discarded or to be machine flattened with new asphalt to be placed on top.
- Redone road to replace existing road with a minimum of 2 ½" of gravel and 2 ½" of asphalt.

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

MOTION CARRIED

End of Consent Agenda Resolutions

As removed from Consent Agenda for Discussion

Introduction of Ordinance 747 Amending Landscaper Ordinance

Councilman Garjian asked the definition of "landscaper". Attorney Huntington stated it is defined in the existing ordinance. Councilman Garjian acknowledged he has not read the ordinance. Attorney Huntington noted it makes a distinction between someone performing work for commercial or business purposes and a homeowner doing their own work. Councilman Garjian asked if that includes tree cutters noting past history of storms and potential need to work on Saturdays. Mayor Tomasko and Councilwoman Frankel stated it does not include tree cutters. Councilman Garjian asked if the ordinance could be construed as "cherry picking" if it doesn't include an excavator who might be working on demolition of a house or installation of a septic tank; it's singling out landscapers. He is not comfortable with the total "no landscaper shall perform any landscaping services within the confines of the Borough on Saturday or Sunday." He thinks that it is sort of draconian and that maybe there could be limits on the time on Saturday that they could perform the services but he has a host of concerns that he doesn't really know if he needs to take the time of everybody on the dais but a lot of workers employed by landscapers count on this work. There's a certain economy whether it's hidden or off the radar or on the radar economy. Councilman Gerstein offered they work during the week. Councilman Garjian sees landscapers working on Saturday. He recalled an event several years ago they were having septic work done on a Saturday where a neighbor requested they refrain due to a family event and they accommodated the request. He is just concerned as to whether the government of Alpine has to impose this when a neighbor could just ask a neighbor to refrain from having a landscaper come on Saturday. He is not sure if a draconian ban on Saturday landscaping is appropriate. On the other hand he understands the concern so maybe there should be a limit up to 2:00 PM or for Sabbath worshippers. He is not prepared to support it as written. Mayor Tomasko noted it is currently

banned on Sundays. They've added Saturdays. Councilman Cacouris stated he does value the quiet of his day and does not feel comfortable knocking on his neighbor's doors as often he does not know which one is responsible for the landscaper's activity. This ordinance clarifies it for him and his fellow Alpine citizens and therefore he fully endorses the proposal. Councilman Halbreich asked if the DPW would still be allowed to do leaf collection on Saturdays and Mayor Tomasko replied of course, that is not landscaping. Councilman Garjian again asked if this constitutes cherry picking noting he is trying to avoid any kind of potential problem. Attorney Huntington advised he does not know, if the landscapers as a group were to retain a counsel and try to get a definitive ruling on what is or isn't discriminatory regulation; he has no idea where that would lead. Councilman Garjian said for instance, if an excavator is hammering on a Saturday, that noise would be acceptable but this one isn't; he's just asking. Attorney Huntington responded that he think what comes with landscapers is leaf blowers, in particular, and lawn mowers so their activity is almost per se noise generating. Councilman Garjian noted so is excavators. Councilman Cacouris responded but that is not scheduled for every Saturday. Councilwoman Frankel noted Councilman Garjian had raised some issues and they should just vote on it and see where it goes.

Resolution #165:8'2014: Introduction of Ordinance 747: Amending Ch. 140 Landscaper Ordinance

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, August 27, 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 140 ENTITLED "LANDSCAPERS, LICENSING OF"

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, September 24, 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, Gerstein, Halbreich **Nays:** Garjian **Absent:** Ornstein

MOTION CARRIED

COMMUNICATIONS: WRITTEN AND ORAL None

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 August 27, 2014 at 7:55 P.M.

Respectfully submitted,

Jerry Beckman, Acting Borough Clerk

BOROUGH OF ALPINE

ORDINANCE NO. 746

**AN ORDINANCE AMENDING CHAPTER 109 ENTITLED "FEES" TO AMEND
THE REIMBURSEMENT FOR POLICE SERVICES**

BE IT ORDAINED by the Mayor and Council of the Borough of Alpine that Section 109-2 entitled "Police Services" be deleted in its entirety and replaced with the following:

§ 109-2. Police Services. Whenever the Chief of Police authorizes the assignment of a police officer or special officer to a quasi-public duty or a private activity which is necessary for safety or security, the party requesting such service shall reimburse the Borough of Alpine as follows:

A. **Compensation for Services.** The rates of compensation for contracting the services of off-duty law enforcement officers shall be based on a rate equal to that of time and one-half of the contractual hourly rate for the individual officer being compensated. The party requesting the service shall not make any payment directly to the police officers. All payments shall be made to the Borough of Alpine.

B. **Administrative Costs.** In addition, the party requesting such service shall pay a one-time fee for each project of \$100.00 to cover the administrative costs associated with the project.

C. **Use of Police Vehicles.** If a party requests a police car or vehicle in conjunction with the services of a police officer or special officer, then the party shall pay the Borough of Alpine a reimbursement rate of \$150 per day for the use of each police vehicle.

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

ADOPTED: August 27, 2014

JERRY BECKMANN, Acting Clerk

PAUL H. TOMASKO, Mayor