

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, October 24, 2012 @ 7:30 PM
Borough Hall - - 100 Church Street
{Public meeting taped in its entirety}**

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting Wednesday, October 24, 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, October 24, 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	Absent	Sidney Merians, Councilman	Present
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, Attorney Bill Bailey for Borough Attorney Russell Huntington

Resolution #183:10'2012 Amend Agenda to hear Item XIIIb at this time.

Upon a motion by Councilwoman Gerstein, seconded by Councilwoman Frankel to move Agenda Item XIIIb **Resolution:** Appointment To Fill A Vacancy on Council to be heard after Item 3: Presentation to Retiring Councilman Sidney Merians.

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

PRESENTATION – Retiring Councilman Sidney Merians

Mayor Tomasko read into the record a letter received from Councilman Merians: *Dated October 15, 2012 Dear Mayor, It is with sincere regret that I must tender my resignation from the Borough Council effective October 24, 2012. My service as a member of the Council has been very rewarding and satisfying. I wish you and the other members of the Council continued success,*

The Mayor addressed Councilman Merians to state the Council has so much appreciated his presence, his wit, his advice and the chance to be working with him on behalf of the residents of our town. It is our pleasure to make the following presentation. The Mayor and Council President Frankel asked Isabel Merians to join them as a plaque was presented to Sidney Merians that reads:

**Presented to Sidney Merians
In Appreciation For Eleven Years of Dedicated
Service As Councilman On The Governing Body
Of The Borough Of Alpine And For Serving As
2002-2006 Fire Commissioner
2007-2009 Administrative Chairman
2010-2012 Building Commissioner
Paul H. Tomasko And the Alpine Council
October 24, 2012**

Councilman Merians wished to thank Paul and the members of the Council for giving him the opportunity to serve adding it was a fulfilling experience and he enjoyed every moment of his association with the Council.

Appointment to Fill Vacancy on Council

As required by State Law the Democratic Municipal Committee consisting of Council President Frankel and Mayor Tomasko has submitted the following:

Dear Alpine Mayor & Council,

The Municipal Democratic Committee received with regret the resignation letter submitted by Councilman Sidney Merians. After thoughtful consideration we submit the following three names to the Mayor and Council for their consideration to choose one to fill the unexpired term of Councilperson Merians:

1. *Richard Glazer*
2. *John Halbreich*
3. *Anne Ronan*

Resolution #184:10'2012: Appointment to Fill Vacancy on Council

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

At a regular meeting of the Alpine Mayor and Council on Wednesday, October 24, 2012

WHEREAS, Sidney Merians was elected to the Alpine Borough Council serving as Council Person with a term expiring on December 31, 2013; and

WHEREAS, Sidney Merians has faithfully served the Borough of Alpine as Councilman since January 1, 2002 which service has included terms as Chairperson of the Building, Fire/Ambulance and Administrative Committees; Member of the Police, Finance, ADA and Insurance Committees and Liaison to the Recreation Commission and Board of Health, and

WHEREAS, Councilman Sidney Merians, to our regret has submitted a letter of resignation effective October 24, 2012 thereto creating a vacancy on Council pursuant to N.J.S.A. 40A:16-3 f.; and

WHEREAS, Councilman Sidney Merians was an incumbent of the Democratic Party and, as a result of his resignation, a vacancy on Council was declared; and

WHEREAS, pursuant to N.J.S.A. 40A:16-5(f) as the remaining term of the vacant Council Member's office has become vacant subsequent to September 1 of the next to the last year of the term of the office, the Borough Council may fill the vacancy for the unexpired term by the appointment

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:

Richard Glazer, John Halbreich and Ann Ronan

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 **John Halbreich** be and hereby is appointed to fill the vacancy of the seat previously held by Sidney Merians which term expires December 31, 2013.

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

MOTION CARRIED

OATH OF OFFICE Mayor Tomasko invited Council President Frankel and Mr. Halbreich's wife, Dr. Amalia (Molly) Kelly, to join him as he administered the oath of office to John Halbreich. Councilman Halbreich took his place on the dais.

PUBLIC COMMENTS None

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

Bank Of America Current Operating Acct \$2,090,259.37

A) Resolution #185:10'2012: Approve Change Order #1 & Final: DPW Yard Vehicle Wash & Water Recovery System

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, October 24, 2012

WHEREAS, Stormwater Compliance Solutions, LLC ("Contractors") entered into a contract with the Borough of Alpine in regards to installation at the DPW Yard of a Vehicle Wash & Water Recovery System required for compliance with State Stormwater Management regulations; and

WHEREAS, the Borough Engineer has submitted Change order No. 1 & Final which accurately reflects the additions and reductions in the unit costs and original work required, as noted in Change Order No. 1 & Final attached; and

WHEREAS, based upon the as-built and an inspection the Borough Engineer requests a net decrease of \$930.00 in the original contract amount to an adjusted amount of \$31,234.00 and

WHEREAS, funds for said purpose are available within Capital Bond Ordinance 724 as approved by the Governing Body on May 25, 2011; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpine that Change Order #1 & Final (Net Decrease) For the DPW Yard – Vehicle Wash & Water Recovery System decreasing the total amount of the contract to Stormwater Compliance Solutions, LLC by \$930.00 which decreases the overall contract price from \$32,164.00 to \$31,234.00 is hereby approved; said approval shall be retroactive to the date of performance of the work and subject to the submission of a maintenance guaranty, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Treasurer and to the Borough Engineer.

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



Resolution #186:10'2012: 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, October 24, 2012 to approve the bills and claims, a copy of which are appended.

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

Resolution #187:10'2012 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, October 24, 2012 to approve the return of the following escrow.

<u>Name</u>	<u>Block/Lot</u>	<u>Type</u>	<u>Amount</u>
Montammy Country Club	11/1	Revegetation Bond	\$12,000.00
		Performance bond	41,500.00
		Escrow	<u>1,521.69</u>
			\$55,521.69

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

Resolution #188:10'2012 Refund of Tax Overpayment due to County Board Judgment:

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2012

WHEREAS, a Judgment was granted on July 10, 2012 from the Bergen County Tax Board reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Original Assm</u>	<u>Reduced Assm</u>	<u>Year</u>	<u>Credit 4th Qtr</u>	<u>Refund</u>
75	21	Shaker, Ashraf	\$2,091,800	\$1,500,000	2012	\$3,686.00	\$486.19

WHEREAS, the reduction in assessment was not recorded in time for the 2012 Assessment records for Block 75 Lot 21 and was billed at the higher assessed value for 2012 creating overpayment of taxes;

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

Ashraf Shaker
P.O. Box 674
Alpine, NJ 07620

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, Gerstein, Ornstein **Abstain:** Halbreich **Absent:** Garjian
MOTION CARRIED

Resolution #189:10'2012 Cancelling Unexpended Balances Certain Ordinance Appropriations

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2012

WHEREAS, there appears open of record unexpended balances of certain ordinance appropriations; and

WHEREAS, these projects have been completed; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpine, Bergen County, State of New Jersey, that the following ordinance appropriation balances be cancelled of record:

General Capital Fund

<u>Ord. No.</u>	<u>Improvement Description</u>	<u>Capital Fund Balance</u>	<u>Grant Receivable</u>	<u>Deferred Charges Unfunded</u>
616/618	Vacuum Truck	\$27,627		\$76,672
621	2003 Road Program	2,603		
636	2004 Bldg/Grds Various items	3,645		
639	Berkley Place Culvert Headwall	765		
648/656	2005 Road Program	4,457		
650	2005 Bldg/Grds Various items	1,092		
653/657	Purchase Booth Property	26,900		42,000
664/673	2006 Road Program		76,702	
665	2006 Multipurpose	2,824		
667	Acq of Bucket Loader 2006	10,216		
671/695	Acq Block 43 Lot 1			14,590
677	2007 Road Program	34,550	19,853	
684	2008 Road Program			105,455
700	2009 Road Program			46,370
711	2010 Road Program			13,251
717	Imp to Audrey Urban Court	29,796		
Total		\$144,475	\$96,555	\$298,338

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to Rebecca Overgaard, Chief Financial Officer.

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

Resolution #190:10'2012 Cancelling Unexpended Balances Certain Grant Receivable

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 24, 2012

WHEREAS, there appears open of record a grant receivable balance on the Capital balance sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance from the balance sheet; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpine, Bergen County, State of New Jersey, that the following grant receivable balances be cancelled of record:

General Capital Fund

<u>Ord. No.</u>	<u>Improvement Description</u>	<u>Grant Receivable</u>
664/673	2006 Road Program	\$3,298
684	2008 Road Program	42,413
Total		\$45,711

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to Rebecca Overgaard, Chief Financial Officer.

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

MOTION CARRIED

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

MAYOR'S REPORT No additional report.

REPORTS OF THE STANDING COMMITTEES

Administration Department Councilwoman Ornstein wished to note Borough Hall offices will remain open on Election Day, Tuesday, November 6th.

Building Department Councilman Halbreich will be the new Building Commissioner. Mayor Tomasko acknowledged the presence of Construction Code Official Alden Blackwell and Technical Assistant Catherine Booth and read the report highlights: 50 scheduled inspection, 1 fence permit, 1 soil moving application, 7 zoning review applications. The rest of the report is on file.

Department of Public Works Councilman Garjian is still recuperating from last month's accident. Councilwoman Frankel read highlights from the DPW report which includes: preparations for school evacuation drill, soccer field maintenance, year-end townwide brush chipping, leaf pickup has started, annual servicing of emergency generators at Borough Hall and Fire Department, mandatory PEOSHA safety classes attended, Affordable Housing maintenance performed and meetings with residents to address questions and concerns. Mayor Tomasko acknowledged the presence of DPW Superintendent Ralph Wehmann.

Fire Department Councilwoman Gerstein stated the report is on file.

Police Department Councilwoman Frankel noted 20 summonses were issued, 9 motor vehicle accidents and once again a BMW was stolen from a driveway because they left the key in the car. She recommended cautioning residents against this practice in the next news letter.

Resolution #191:10'2012 Acceptance of 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, October 24, 2012 to accept the reports of the Standing Committees.

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

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT No report.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT Engineer Gary Vander Veer distributed his report and noted the 2012 Road Program work is essentially complete with only traffic striping and cleanup remaining. Washwater containment system work completed at the DPW and the change order approved was for a slight reduction in final cost. Four proposals were received for the 2012 Drainage Improvements Project and per his report, he recommends they accept the low bid of \$11,520.00. Mayor Tomasko thanked Mr. Vander Veer for his work during this busy and productive month, especially oversight of the road paving program.

UNFINISHED BUSINESS None

NEW BUSINESS

A. CONSENT AGENDA RESOLUTIONS Resolution #192:10'2012

1. Resolution#192:10'2012: Approval of Minutes Regular Meeting September 24, 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, October 24, 2012 to approve the minutes of the Regular Meeting of August 22, 2012

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

MOTION CARRIED

2. Resolution#193:10'2012 Approve Proposal for 2012 Drainage Improvements

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

WHEREAS, the Mayor and Council of the Borough of Alpine has authorized the Borough Engineer to request proposals for the 2012 Drainage Improvement Program as detailed in the Request for Proposals prepared by the Borough Engineer, the cost of which is estimated to fall below the bid threshold and therefore public bidding was not required, and

WHEREAS four proposals were received by the Borough Engineer, and;

<i>Proposal</i>	<i>Quote</i>
<i>M. Ingannamorte & Son</i>	<i>\$11,520.00</i>
<i>Gary J. Wiggers Construction</i>	<i>\$14,035.00</i>
<i>Tobar Excavating, Inc.</i>	<i>\$33,015.00</i>
<i>Colonelli Bros. Inc.</i>	<i>\$35,310.00</i>

WHEREAS these four proposals were received as listed above and have been reviewed by the Borough Engineer whose recommendation is to accept the lowest bidder who is **M. Ingannamorte & Son of 211 Laroche Avenue, Harrington Park, NJ for the bid amount of \$11,520.00,**

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, at the regular meeting Wednesday, October 24, 2012, that the contract be awarded to **M. Ingannamorte & Son at \$11,520.00** subject to review by the Borough Attorney,

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

MOTION CARRIED

END OF CONSENT AGENDA

COMMUNICATIONS: WRITTEN AND ORAL

Mayor Tomasko reported on a letter from Jersey Cares, a volunteer organization, that seeks the town's participation in their 17th Annual Jersey Cares Coat Drive. Council has no objection.

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, October 24, 2012 at 7:50 PM.

Respectfully submitted,
Gail Warming-Tanno, Municipal Clerk