

MAYOR AND COUNCIL - REGULAR MEETING
Monday, November 25, 2013 @ 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 Monday, November 25, 2013 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 Monday, November 25, 2013 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	Absent	Michael Cacouris, Councilman	Present
Gayle Gerstein, Councilwoman	Present	Joan Ornstein, Councilwoman	Present
John Halbreich, Councilman	Present		

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

PUBLIC COMMENTS None

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

Bank Of America Current Operating Acct **\$3,599,840.34**

Resolution #155: 11'2013: 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 Monday, November 25, 2013 to approve the bills and claims, a copy of which are appended.

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

MOTION CARRIED

Resolution #156: 11'2013: Authorize Return of Bonds and/or Escrow

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel
at the regular meeting of the Alpine Mayor and Council held on Monday, November 25, 2013 to authorize the return of the following escrow and/or bonds:

<u>Name</u>	<u>Block / Lot</u>	<u>Type Escrow/Bond</u>	<u>Amount</u>
Minnetian, Christopher	49.02/4	Escrow	\$1,084.75

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

MOTION CARRIED

TAX ASSESSOR's REPORT on file.

MAYOR'S REPORT

- Attended last week's League of Municipalities Conference perceiving a larger turnout perhaps due in part to the cancellation of last year's conference due to Hurricane Sandy. The Mayor attended 7 courses and presided over "Local Budgets Meet the 21st Century." Other courses attended were Energy Aggregation, Governors' Analysis of Election Results, Camden Police: Increasing Efficiency of Police Services, the JIF Ethics course yielding a \$250 credit on the Borough's premium, Affordable Housing Updates, and Pros and Cons of Shared Services.
- Two people important to this Borough passed away since the last meeting. Condolences have been expressed to the families of our Electrical Subcode Official, Pete DiConstanza and Hank Belcolle, father of Police Chief Belcolle.

REPORTS OF THE STANDING COMMITTEES

Administration Department Councilwoman Ornstein noted Borough Clerk Gail Warming-Tanno will be retiring next year and wished to state for the record that she is amazing, always has a smile, has always been willing to do anything and she will miss her personally as well as professionally. All concurred. Mayor Tomasko noted fortunately this is not Gail's last meeting. This will be discussed further in Executive Session.

Building Department Councilman Halbreich reported 65 scheduled inspections, 8 tree permits, 8 zoning review applications. The remainder of the report is on file.

Department of Public Works Councilwoman Frankel reported the DPW has worked on leaf pickup building maintenance, readying plow trucks for winter, tending to meetings and phone calls with residents, litter pickup using our Clean Communities Grant, set up and cleanup for the general election, and tended to our affordable housing units. NJDEP has notified us that Alpine's 2011 Recycling Tonnage Grant has been approved for \$5,858.38 and the check should arrive soon. Mayor Tomasko believed this is more than received in the past.

Fire Department Councilwoman Gerstein stated specifics are on file.

Police Department. Councilwoman Frankel reported 42 summonses were issued and 7 accidents with 2 injuries occurred. A school evacuation drill was conducted on November 24th. The remainder of report is on file.

Resolution #157:11'2013: 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 Monday, November 25, 2013 to accept the reports of the Standing Committees.

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

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT Mayor Tomasko attended Dr. Semergieff's retirement dinner which was a touching experience. She was Alpine's Chief School Superintendent for ten years. They have a good replacement for her in the person of Dr. Geoffrey Gordon but she made a difference in her time here and she heard several people tell her that that night.

BOROUGH ATTORNEY'S REPORT No report.

BOROUGH ENGINEER'S REPORT Mr. Vander Veer advised he is not getting any response from the County regarding the Closter Dock Road drainage improvements. The County passed the funding resolution almost two years ago. They had requested changes to the bid documents but have failed to provide their report outlining the revisions to be made. Engineer Vander Veer

has been trying to get this information from the County Engineer's office who has ceased returning phone calls. He would appreciate any assistance the Governing Body can provide. Attorney Huntington recommended Mayor Tomasko contact the County Executive.

UNFINISHED BUSINESS - ORDINANCE 738 Amending Salary Ordinance

PUBLIC HEARING No comment

Resolution #158:11'2013 Adoption of Ordinance 738 Amending Salary Ordinance

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Monday, November 25, 2013

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 AN ORDINANCE PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY.”

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, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

NEW BUSINESS - CONSENT AGENDA RESOLUTIONS Resolutions #159-160:11'2013

1. Resolution #159:11'2013: Approval of Minutes - Regular Meeting October 23, 2013

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 25, 2013 approving minutes of the Regular Meeting October 23, 2013.

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

MOTION CARRIED

2. Resolution: #160:11'2013: Adoption Updated BCMJIF Towing Projects Insurance Guidelines

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at this regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 25, 2013

WHEREAS, the Bergen County Municipal Joint Insurance Fund requests each municipality maintain insurance guidelines for towing contractor projects which the Borough of Alpine adopted per Resolution #19:1-97 on February 26, 1997, and

WHEREAS, the Borough of Alpine utilizes contractors for the towing of vehicles.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine that the following guidelines are hereby updated and adopted with regard to Towing Contractor Projects:

“The Contractor shall maintain during the life of the Contract, insurance policies of the type and with the minimum limits indicated below and in a form satisfactory to the Municipality. The Contractor shall provide a certified copy of the policies and/or certificates of insurance which are not subject to change or cancellation unless thirty (30) days prior written notice is given and are also not subject to non-renewal and satisfactory to the Municipality prior to commencement of work.

Indemnity. The Applicant will defend, indemnify and hold harmless the Municipality from any and all claims for personal injury or property damage against the Municipality arising out of the operation of any towing services or repair services under this Agreement. The Applicant will further defend the Municipality at applicant's expense, in connection with any claim, demand, suit or action

These minutes have been approved by the Mayor and Council.

brought against the Municipality arising out of the awarding or operation of any towing, garage or repair services under this agreement.

Insurance

a. Garage Liability Insurance: Limit of liability shall not be less than \$500,000.00 combined single limit (bodily injury and property damage) per occurrence including premises operations and products/completed operations.

b. Automobile Liability Insurance: Limit of liability shall not be less than \$500,000.00 combined single limit (bodily injury and property damage) per occurrence.

c. Garagekeepers Legal Liability Insurance: Physical damage insurance policies shall be specifically endorsed to provide "direct primary" insurance, where applicable, for vehicles in tow, possession of, or storage on property owned or controlled by the Contractor. Limit of said coverage shall be not less than \$100,000.00.

d. Excess Umbrella Insurance: Limit of liability shall not be less than \$1,000,000 providing protection in excess of the \$500,000.00 garage and auto liability coverage. Note: this requirement may be waived if the limits of liability in sections A and B above are not less than \$1,500,000 combined single limit.

e. On all liability policies, the Municipality shall be added as an additional insured and insurance certificates shall indicate such coverage as primary coverage notwithstanding any insurance carried by the Municipality.

f. Worker's Compensation Insurance: Statutory coverage, including employers liability coverage with limit of at least \$500,000.00/\$500,000.00/\$500,000.00," and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded forthwith to the Bergen County Municipal Joint Insurance Fund, 9 Campus Drive, Suite 16, Parsippany, NJ, 07054-4412.

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

MOTION CARRIED

COMMUNCIATIONS: WRITTEN AND ORAL To be discussed in Executive Session

Resolution #161:11'2013 EXECUTIVE SESSION: A Resolution providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

OFFERED BY: Councilwoman Frankel **SECONDED BY:** Councilman Cacouris
at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, November 25, 2013

WHEREAS, the Mayor and Council of the Borough of Alpine is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, *et seq.*; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Alpine to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b subsection designated below:

(b)(4) Matter Relating to the Collective Bargaining: Police Contract

(b)(7) Matter Relating to Potential Litigation: Claim

(b)(7) Matter Relating to Negotiation: Interlocal Agreement

(b)(8) Matter Relating to the Employment Relationship: Personnel Matter Administration

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, September 25, 2013, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

BE IT FURTHER RESOLVED, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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

MOTION CARRIED

The Governing Body entered into Executive Session at 7:40 PM returning to open session at 8:22 PM.

Resolution #162:11'2013: Renewal of Interlocal Agreement with Borough of Cresskill for Shared Services: Library/Leaf Compost/Street Sweeping

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, November 25, 2013

WHEREAS, the Borough of Alpine and the Borough of Cresskill entered into an Interlocal Agreement regarding among other things, the Alpine Leaf Disposal Arera, the Cresskill Public Library and the Cresskill Street Sweeper, and

WHEREAS, that Agreement is set to expire on December 31, 2013; and

WHEREAS, the Borough of Alpine and the Borough of Cresskill have agreed to continue this mutually-beneficial relationship and enter into a new Agreement; and

WHEREAS, the parties are authorized to enter into this Agreement according to the provisions of N.J.S.A. 40A:12-14 et seq., "Local Land and Buildings Law".

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine that the Mayor and Borough Clerk are authorized to enter into a new four year agreement with the Borough of Cresskill with an effective date of January 1, 2013 and an expiration date of December 31, 2016; and

BE IT FURTHER RESOLVED that it is understood that the new Agreement will be forwarded to the Borough of Alpine by the Borough of Cresskill for signature.

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

MOTION CARRIED

ADJOURNMENT Upon a motion by Councilwoman Gerstein, seconded by Councilman Halbreich the regular meeting of the Alpine Mayor and Council adjourned at 8:25 PM.

Respectfully submitted,

Gail Warming-Tanno, Borough Clerk



BOROUGH OF ALPINE

ORDINANCE NO. 738

“AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY.”

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpine as follows:

Section 1. That the respective salary, wage or compensation of the following officer, employee, or official of the Borough of Alpine be hereby fixed at the following rate:

<u>Office:</u>	<u>Annual Salary Effective January 1, 2013</u>
Police Chief	\$160,000.00

Section 2. That all ordinances or parts or ordinances inconsistent with this Ordinance be and the same are hereby repealed.

Section 3. That this Ordinance shall be retroactive to January 1, 2013 as of the date of adoption of this Ordinance.

ADOPTED: November 25, 2013

APPROVED:
Gail Warming-Tanno
Borough Clerk

ATTEST:
Paul H. Tomasko
Mayor