

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, July 26, 2017 @ 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 26, 2017 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 26, 2017 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
Michael Cacouris, Councilman	Present	Gayle Gerstein, Councilwoman	Present
John Halbreich, Councilman	Present	Laurence Shadek, Councilman	Present
Arthur Frankel, Councilman	Present		

Staff Present on Dais: Dermot Doyle, Esq. for Borough Attorney Russ Huntington, Borough Engineer Gary Vander Veer, Municipal Clerk Stephanie Wehmann

PUBLIC COMMENTS None

REPORT OF THE FINANCE COMMITTEE

Bank Of New Jersey Current Operating Acct **\$3,041,842.97**

Resolution #118:7'2017: Approval of Bills and Claims

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein
at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 26, 2017 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION APPROVED

Resolution #119:7'2017: 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, July 26, 2017 to approve the return of the following bonds and escrow subject to review and approval by the Borough Engineer.

<u>Name</u>	<u>Block/Lot</u>	<u>Type</u>	<u>Amount</u>
Kwon, David	22/20	Re-vegetation Bond	\$25,500.00
		Performance Bond	\$143,521.60
		Escrow	\$984.00
			\$170,005.60
Ornstein, Joan	49.01/2	Escrow	\$490.50
		TOTAL:	\$170,496.10

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION APPROVED

Councilman Cacouris noted the comparative statement of revenues and expenditures has been provided for review.

Resolution #120:7'2017: 2017 Group Affidavit

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 26, 2017

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 2016 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.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION CARRIED

Tax Assessor's Report. Report on file in the Borough Clerk's Office.

MAYOR'S REPORT The Mayor reported on the following:

- He visited the former Health Inspector on his 90th birthday and presented him with the card everyone signed.
- Alpine Swim Club has about 40 Alpine memberships and 20 out of town memberships with 7 of those from Closter. This year's CPO is a resident with long experience managing the Boy Scout pool.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Halbreich read the report’s main statistics:

79 scheduled inspections, 2 driveway permits, 1 fence permit, 7 tree permits, 4 soil moving applications, and 1 zoning review application. Balance of the report is on file in the Clerk’s office.

Department of Public Works Councilman Frankel advised report is on file in the Clerk’s office.

Fire Department Councilwoman Gerstein advised statistics are available for review. Mayor Tomasko noted the Fire Department held their annual picnic which was well attended.

Police Department Councilwoman Frankel advised there were 29 summonses issued, 7 motor vehicle accidents with 5 injuries. The rest of the report is on file.

Resolution #121 :7’2017: Accepting the Reports of the Standing Committees

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 26, 2017 to accept the reports of the Standing Committees.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION APPROVED

BOARD OF EDUCATION LIAISON’S REPORT The school’s new Superintendent is Dr. Tali Axelrod. Councilman Shadek noted they also have a new School Business Administrator.

BOROUGH ATTORNEY’S REPORT No report.

BOROUGH ENGINEER’S REPORT Mr. Vander Veer reported on the following:

Riverside Cooperative Road Improvement Program – paving completed yesterday.

2016 Municipal Aide Road Improvement Program – paving scheduled for tomorrow.

Alpine School Field Enhancement Project can progress as as the school septic system is substantially complete. He will be obtaining quotes for components as approved by QPA.

UNFINISHED BUSINESS None

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS Resolutions #122:7’2017 - # 124:7’2017

Councilman Cacouris recuses from Item # 1 as he was absent.

1. Resolution #122:7’2017: Approval of Minutes Regular Meeting June 28, 2017

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, July 26, 2017 to approve the minutes of the Regular Meeting June 28, 2017.

Vote: Ayes: V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek **Abstain:** Cacouris

MOTION APPROVED

2. Resolution #123:7’2017 Authorization to Enter into an Interlocal Shared Service Agreement with the Borough of Haworth for Use of the Haworth Police Firearms Training Facility

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, July 26, 2017

WHEREAS, the Borough of Alpine Police Department has used the Borough of Haworth Police Firearms Training Facility located at 341 Lake Shore Drive for state qualifying shooting and practice for several years; and

WHEREAS, the Boroughs of Haworth and Alpine desire to formalize this arrangement by entering into an Interlocal Shared Services Agreement with the Borough of Haworth for this purpose; and

WHEREAS, the agreement will run retroactively from April 25 2017 through December 31, 2017 at a cost of \$300.00 per officer for 12 sworn officers which cost will not exceed \$3,600.00. Funds are available in AC# 7-01-25-240-035; and

WHEREAS, use of the range will be coordinated by the Police Chiefs of the respective municipalities and their departmental range officers and insurance for the use of the Haworth range by Borough of Alpine is provided through the Bergen County Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council, Borough of Alpine, County of Bergen to authorize the Mayor and the Borough Clerk to enter into an interlocal agreement shared service agreement with the Borough of Haworth for use of the Haworth Police Firearms Training Facility located at 341 Lake Shore Drive for state qualifying shooting and practice including the Hold Harmless Agreement and Disclaimer Statement.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION APPROVED

3. Resolution #124:7'2017 Authorizing Annual National MS Society Bike Ride – October 22, 2017

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

At this regular meeting of the Alpine Mayor & Council, County of Bergen, State of New Jersey held on July 26, 2017

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 22, 2017 and includes a rest stop. The time will be from approximately 7:00am 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 Multiple Sclerosis Society Southern New York Chapter's 33rd Annual Bike MS New York City Bike Ride Event to be held on Sunday, October 22, 2017.

Vote: Ayes: Cacouris, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadek

MOTION APPROVED

End of Consent Agenda

COMMUNICATIONS: WRITTEN AND ORAL

Mayor Tomasko distributed a news article on the Northern Valley Greenway.

Mayor read a letter from the relatively new plumbing inspector, Thomas Zirconie:

"Since taking this position over a year ago, it was immediately brought to my attention that the Borough of Alpine has a town ordinance in place requiring that the waste lines which run from the house to the septic system be only constructed of extra heavy cast iron with poured lead joints. I am quite sure Alpine is the only town in North America with this requirement. This ordinance supersedes the state plumbing code. It is, and has been, a financial hardship for both homeowners and plumbing contractors alike. The system of using extra heavy cast iron with poured lead joints is archaic. It is almost the equivalent of writing on stone tablets. At this time, I respectfully request that you strongly consider revising the Borough ordinance to mirror the state code and bring the plumbing requirement into the 21st century."

Mayor Tomasko noted this is one point of view and there are other points of view to be heard from such as our engineer. He's already heard from the construction code official who provided justification and noted our recently retired health officer was a big proponent of this provision in our sanitary code. The letter was just received on June 24th but will be provided to Council.

Councilman Cacouris noted this year's audit report stated: *"we did not identify any deficiencies in internal controls that we consider to be a material weakness."* Spot testing of various controls *"disclosed no instances of noncompliance or other matters that are required to be reported under the government auditing standards."* This is as good as it gets and he thanked the finance staff for their hard work.

Resolution#125:7'2017: 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:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 26, 2017

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)(5) 1 Contractual Matter

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, July 26, 2017, 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, V. Frankel, Gerstein, Halbreich, A. Frankel, Shadec **MOTION ADOPTED**

Mayor and Council convened the Executive Session at 7:44 PM and, upon a motion by Councilman Frankel second by Councilman Shadec and approved by all returned to the regular public session at 8:13 PM.

ADJOURNMENT Upon a motion 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 Wednesday, July 26, 2017 at 8:13 p.m.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk