

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, June 22, 2016 @ 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, June 22, 2016 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, June 22, 2016 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 @7:32	Gayle Gerstein, Councilwoman	Present
John Halbreich, Councilman	Present	Laurence Shaddek, Councilman	Present
Arthur Frankel, Councilman	Present		

**Staff Present on Dais:** Borough Engineer Gary Vander Veer, Borough Attorney Russ Huntington, Municipal Clerk Stephanie Wehmann

**POLICE PROMOTIONS** The Mayor welcomed all the members of the Alpine Police Department present and thanked the Police Committee consisting of Council President Frankel, Councilman Cacouris and Councilman Halbreich for all the time and effort and inclusion of Chief Belcolle and his input as part of the process. Councilwoman Frankel reviewed the promotion process and put forth the following recommendations:

**Resolution #124:6'2016: Promoting Patrolman Matthew Kent to Sergeant**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2016 to confirm the appointment of Matthew Kent to the rank of Sergeant in the Alpine Police Department.

**WHEREAS**, Chapter 45-1 of the Municipal Code for the Borough of Alpine calls for a Police Department consisting of among other positions, one (1) or more Sergeants; and

**WHEREAS**, a vacancy exists for the position of Sergeant of the Police Department of the Borough of Alpine; and

**WHEREAS**, the Mayor and Council for the Borough of Alpine wish to promote Patrolman Matthew Kent to the position of Sergeant; and

**WHEREAS**, this promotion shall be effective on July 1, 2016;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that Patrolman Matthew Kent be promoted to the position of Sergeant; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to Police Chief Christopher Belcolle.

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

**MOTION CARRIED**

**Resolution #125:6'2016: Promoting Sergeant Michael Lizzi to Lieutenant**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2016 to confirm the appointment of Michael Lizzi to the rank of Lieutenant in the Alpine Police Department.

**WHEREAS**, Chapter 45-1 of the Municipal Code for the Borough of Alpine calls for a Police Department consisting of among other positions, one (1) or more Lieutenants; and

**WHEREAS**, a vacancy exists for the position of Lieutenant of the Police Department of the Borough of Alpine; and

**WHEREAS**, the Mayor and Council for the Borough of Alpine wish to promote Sergeant Michael Lizzi to the position of Lieutenant; and

**WHEREAS**, this promotion shall be effective on July 1, 2016;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that Sergeant Michael Lizzi be promoted to the position of Lieutenant; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to Police Chief Christopher Belcolle.

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

**MOTION CARRIED**

Oaths of office were administered to both Sergeant Kent and Lieutenant Lizzi by Mayor Tomasko in the presence of the Police Chief, their families and colleagues.

**PUBLIC COMMENTS** None

**REPORT OF THE FINANCE COMMITTEE** A copy of the monthly Finance Report including the First Quarter Statement of Revenues and Expenditures is on file in the Borough Clerk's office.

**Bank Of New Jersey Current Operating Acct 2,440,840.92**

**Resolution #126:6'2016: 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, June 22, 2016 to approve the bills and claims, a copy of which are appended.

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

**MOTION CARRIED**

**Resolution #127:6'2016: 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, June 22, 2016 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>
Cho, James & Nicole	39.01/9.12	Bond Reduction	\$31,500.00
Erbeli, Selaudin	49.01/7	Performance Bond	\$13,000.00
		Revegetation Bond	7,500.00
		Tree Bond	7,500.00
		Escrow	821.25
			<hr/>
			\$28,821.25
Emami, Mr. & Mrs. A.	73/16	Escrow	\$1,193.50
Minnetian, Christopher	72/26	Tree Bond	\$14,309.25
Alpine 906, LLC	90/6	Performance Bonds	\$66,000.00
		Re-vegetation Bonds	10,000.00
		Escrow	255.25
Redenskyi, Shiri	22/12	Escrow	\$2,486.25
A Corp. for Arts & Commerce	120/3	Film Permit Escrow	\$4,900.00
Dombrowski Sisters, Inc.	23/2	Film Permit Escrow	\$4,900.00
		<b>TOTAL:</b>	<b>\$164,365.50</b>

**Vote: Ayes:** V. Frankel, Cacouris, 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:

- Thanks to Russ Huntington who gave a presentation last Friday on Employee Practice Liability on behalf of the Joint Insurance Fund. 15 Borough officials attended including Council President Frankel and Councilman Shadek, department heads, employees and Land Use Board chairs.
- Alpine School graduation took place June 16<sup>th</sup>. Councilwoman Gerstein attended with the Mayor. This year's Valedictorian is Neel Dhulipala and Jesse Ryno is Salutatorian.
- Dr. Deane Penn and his wife, Susan Penn were recognized for their service at the Bergen County High School for Jewish Studies at Temple Emanuel. Mayor Tomasko presented a proclamation at the ceremony that evening. Dr. Deane Penn is a former Volunteer of the Year in recognition of his continuing service as Chairman of the Alpine Board of Health.
- Retiring Plumbing Subcode Official Ray Eckel was honored at an event hosted by Catherine Booth, Technical Assistant.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** No report.

**Building Department** Councilman Halbreich read the report's main statistics.

Highlights: 73 inspections, 1 fence permit, 8 tree permits, 2 soil moving applications, and 6 zoning review applications. The rest of the report is on file.

**Department of Public Works** Councilman Frankel noted the report is on file. We advertised for bids for a new DPW truck and received one bid. It is recommended we accept the bid from Frank's Truck Center, Inc. \$118,644.08. The resolution appears later in the agenda.

**Fire Department** Councilwoman Gerstein advised statistics are on file.

**Police Department** Councilwoman Frankel reported 97 summonses issued and 8 motor vehicle accidents with no injuries. The Gran Fondo cycling event was May 15 with APD serving along Route 9W for traffic control. Annual school evacuation drill conducted successfully.

**Resolution #128:6'2016: 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, June 22, 2016 to accept the reports of the Standing Committees.

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

**MOTION CARRIED**

**BOARD OF EDUCATION LIAISON'S REPORT** Mayor Tomasko noted Tenafly High School Graduation is tomorrow night at Fairleigh Dickinson University's Rothman Center at 6 PM. A number of Alpine residents will be graduating and the Mayor plans to be there.

**BOROUGH ATTORNEY'S REPORT** No report.

**BOROUGH ENGINEER'S REPORT** Engineer Vander Veer provided his report and a copy is on file.

- 2016 Road Improvement Program. Ancillary prep work has been completed and the contractor will begin milling this Friday with paving to begin Tuesday and completed Wednesday or Thursday. Striping will follow. Mayor Tomasko thanked Mr. Vander Veer for the speed in getting this work done.

**UNFINISHED BUSINESS**

**REPORT OF BID RESULTS FOR  
(1) NEW 2017 HINO 338 Truck with Plow or Equivalent**

Advertised in The Record on Tuesday, May 31, 2016

Received and opened 10:00 A.M. Tuesday, June 21, 2016 at Alpine Borough Hall  
100 Church Street, Alpine, NJ 07620. One bid received.

<i>Frank's Truck Center, Inc. LLC Lyndhurst, NJ 07071</i>	\$118,644.08
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**Resolution #129:6'2016:AWARD OF BID: DPW Truck w/Plow**

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on  
Wednesday, June 22, 2016

**WHEREAS**, the Mayor and Council of the Borough of Alpine requested bids for the **(1) NEW  
NEW 2017 HINO 338 Truck with Plow or Equivalent**

as detailed in the Notice to Bidders

**WHEREAS** sealed bids were received at the Borough Hall up until 10:00 a.m. Tuesday, June  
21, 2016 at which time bids were received and opened in the presence of the Borough Clerk  
and the DPW Superintendent, and

**WHEREAS** one bid was received as listed above. The bid was reviewed by the D.P.W.  
Superintendent who recommends acceptance of the bid from Frank's Trucking Center of  
Lyndhurst, NJ for \$ 118,644.08 subject to review by the Borough Attorney, and

**WHEREAS**, funds for this purpose have been provided for in Account Number C-04-55-964-  
201 (Capital Bond Ordinance #758) in the accounting records of the Borough of Alpine;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine,  
at the regular meeting Wednesday, June 22, 2016, that the bid be awarded to Frank's  
Trucking Center of Lyndhurst, NJ for \$ 118,644.08 subject to review by the Borough Attorney.

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

**MOTION CARRIED**

**NEW BUSINESS**

**A. CONSENT AGENDA RESOLUTIONS Resolutions #130:6'2016 - #133:6'2016**

**1. Approval of Minutes**

**a. Resolution #130:6'2016: Minutes of Regular Meeting May 25, 2016**

**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, June 22, 2016 to approve the minutes of the Regular Meeting  
May 25, 2016

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

**MOTION CARRIED**

**b. Resolution #131:6'2016: Minutes of Executive Session Meeting May 25, 2016**

**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, June 22, 2016 to approve the minutes of the Executive Session  
May 25, 2016

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

**MOTION CARRIED**

**2. Resolution #132:6'2016:** Alpine Fire Department: Approve 2015 LOSAP Contribution

**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, June 22, 2016.

**WHEREAS**, the Borough of Alpine has established of a Length of Service Award Program (LOSAP) for Alpine Fire Department, and

**WHEREAS**, the Borough of Alpine received certification from the Alpine Fire Department of the annual list for the year 2015 commencing December 1, 2014 and ending November 30, 2015 and approved same by resolution dated December 14, 2015; and

**WHEREAS**, upon review it was determined a qualifying member was inadvertently omitted from that list; and

**WHEREAS**, the Borough of Alpine has reviewed same and agrees that the same should be certified.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that the following named member of the Alpine Fire Department has attained the minimum number of points and therefore qualify to receive an award for the 2015 reporting year: Christopher Pesce

**BE IT FURTHER RESOLVED**, that copy of this Resolution shall be posted for a period of thirty (30) days on the bulletin boards in the lobby of the Alpine Borough Hall and in the Alpine Fire Department Fire House and a copy be forwarded to the Chief of the Alpine Fire Department.

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

**MOTION CARRIED**

**3. Resolution #133:6'2016:** Legislative Support A-536/S2107 Clarifying Volunteer Positions Do Not Impact Retirement Benefits for Public Employees

**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, June 22, 2016

**WHEREAS**, in 2014, the New Jersey Division of Pensions and Benefits issued a notice concerning bona fide severance of employment-post retirement employment restrictions for individuals covered by any New Jersey State administered retirement system, in order to preserve Internal Revenue Service (IRS) "qualified status" of PERS, TPAF, PFRS, SPRS and JRS plans, so as to protect retirees from a 10% excise tax penalty on their monthly retirement payments; and

**WHEREAS**, N.J.A.C. 17:1-17.14.2(a) defines a "bona fide severance from employment" as "the complete termination of the employee's employment relationship with the employer for a period of at least 180 days;" and

**WHEREAS**, if an individual returns to public employment, even as a volunteer, with the former employer prior to satisfying the requirements of a bona fide severance of employment, the employee will be required to repay all retirement benefits received from the date of retirement and may be required to re-enroll in the same or different retirement system; and

**WHEREAS**, the Division of Pensions and Benefits have advised employees that they must sever all relations with their employer, including volunteer positions, for 180 days or they risk losing their pensions; and

**WHEREAS**, public employees tend to volunteer in the communities they live and work in as volunteer firefighters, first aid responders, celebration committee members or PTAs, to name a few; and

**WHEREAS**, for volunteer firefighters and first aid responders, they would have to reapply to the volunteer organization as a new member and, as a new member, they would be required to take all necessary tests and training, including physicals and agility test; and

**WHEREAS**, employees affected by the Division of Pensions ruling are at least 55 years of age, who in their volunteer positions tend to be mentors to the new and younger members, typically providing guidance and direction; and

**WHEREAS**, volunteers are the backbone of communities, providing services to residents at no cost to tax payers, while freely giving of their time and expertise; and

**WHEREAS**, Assembly members Holly Schepisi and Anthony Bucco and Senators Paul Sarlo and Thomas Kean, Jr. have introduced legislation to correct the Division of Pensions directive, and to promote continued volunteerism; and

**WHEREAS**, A-536 and S-2107 would provide that the retirement of a member of the Public Employees' Retirement System (PERS) or a member of the Police and Firemen's Retirement System (PFRS) who (1) on the date of retirement has attained the service retirement age applicable to that member and is a volunteer firefighter with the same employer from whose employment the member retires; and (2) remains a volunteer firefighter after retirement, will be a bona fide severance from employment, notwithstanding that the retired employee maintains the relationship of a volunteer firefighter with the same employer from whom the member retired, provided that the qualified status of PERS and PFRS under federal law can be maintained;

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Alpine supports A-536 and S-2107, to permit retirees to continue to serve their fellow citizens as volunteers, without loss of their retirement, and without being forced to accept a separation from volunteer service; and

**BE IT FURTHER RESOLVED**, that we urge our State Legislators, Senator Loretta L. Weinberg and Assembly Members Gordon M. Johnson and Valerie Vainieri Huttie to support these bills, with voice and vote; and

**BE IT FURTHER RESOLVED**, that copies of this resolution are forwarded to our Legislators and to the Governor and Lieutenant Governor of New Jersey the Senate President, the Assembly Speaker, the Senate Republican Leader and the Assembly Republican Leader and to the New Jersey League of Municipalities.

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

**MOTION CARRIED**

**4. Resolution #134:6'2016:** Authorize Renewal Pitney Bowes Postage Meter Lease

**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, June 22, 2016

**WHEREAS**, the current rental agreement with Pitney Bowes for the Borough's postage meter is expiring and the Borough desires to enter into a new lease agreement for rental of a postage meter for essential government purposes, and

**WHEREAS**, a proposal has been received from Pitney Bowes for an agreement for the lease and maintenance of up to date equipment for a term of 60 months @ \$87 a month beginning September 30, 2016, and

**WHEREAS**, the Municipal Clerk has reviewed the proposal and recommends approval.

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

1. That Stephanie Wehmann, Municipal Clerk is hereby authorized and directed to execute an agreement with the Pitney Bowes for lease and maintenance of equipment for a period of 60 months; and

2. The contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified, in accordance with N.J.A.C. 5:30 14.5 that sufficient legally appropriated funds are available for this purpose in the 2016 adopted budget account number 6-01-20-145-031, and

**BE IT FURTHER RESOLVED**, as a multi-year contract, the agreement contains a non-appropriation clause whereby if a subsequent year's appropriation request is denied by the Governing Body, this agreement may be terminated on the last day of the fiscal period for which funds have been appropriated.

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

**MOTION CARRIED**

Councilman Halbreich thanked Mayor Tomasko for his support of this legislation.

*End of Consent Agenda*

**B. Resolution #135:6'2016:** Appointment Plumbing Subcode Official **Thomas Zaconie**

Mayor Tomasko along with Building Commissioner Halbreich, Construction Code Official Alden Blackwell and Technical Assistant Catherine Booth conducted 5 interviews. The chosen candidate can also serve as Plumbing Inspector and Building Inspector as needed.

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilwoman Halbreich

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 22, 2016

**WHEREAS**, the part time position of Plumbing Subcode Official has become vacant effective June 15, 2016 and a Temporary Plumbing Subcode Official appointed who requests his resignation become effective upon appointment of a permanent replacement; and

**WHEREAS**, funds for the position of Plumbing Sub Code Official have been provided by Ordinance, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby appoint Thomas Zaconie to a four year term as Plumbing Subcode Official for the Borough of Alpine pursuant to Section 52:27D-126 of the Uniform Construction Code Act at an annual salary of \$12,990.00 effective July 1, 2016, and

**BE IT FURTHER RESOLVED**, that included in the above salary Mr. Zaconie will also act as Plumbing Inspector and, as needed, Building Inspector; and

**BE IT FURTHER RESOLVED**, that this appointment is subject to approval by the Department of Community Affairs and that a copy of this resolution is to be forwarded to the NJ Department of Community Affairs, Division of Codes and Standards, Office of Regulatory Affairs for that purpose.

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

**(Note per Statute this is a four year appointment)**

**COMMUNICATIONS: WRITTEN AND ORAL**

Mayor Tomasko distributed draft newsletter to Council requesting any comments be provided to himself or Councilwoman Frankel within the next few days.

**Resolution#136:6'2016: 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, June 22, 2016

**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)(7)** Matters Relating to Litigation, Negotiation and/or Attorney-Client Privilege

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, June 22, 2016, 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:** V. Frankel, Cacouris, Gerstein, Halbreich, A. Frankel, Shadek

**MOTION CARRIED**

Executive Session convened at 7:52 PM and re-convened in open public session at 8:19PM and immediately adjourned.

**ADJOURNMENT**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel  
and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday June 22, 2016 at 8:19 PM.

Respectfully submitted,

Stephanie Wehmann  
Municipal Clerk