

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Monday, November 20, 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 Monday, November 20, 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 Monday, November 20, 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	Absent	Gayle Gerstein, Councilwoman	Present
John Halbreich, Councilman	Present	Laurence Shadek, Councilman	Present
Arthur Frankel, Councilman	Present		

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

**PRESENTATION:** Mayors Committee on Life Sciences Patient Courage Award – Ralph Wehmann

Last month Mayor Tomasko met representatives from the Healthcare Institute of NJ and We Work For Health NJ at a Mayors Committee on Life Sciences meeting in Summit, NJ. He was made aware of their Patient Courage Award to recognize persons who have worked to overcome serious health challenges. The Mayor could not think of a better candidate than Ralph Wehmann, who retired last year. Following his service in the US Navy as an Alpine resident, Ralph had a stellar career with the Borough spanning 41 years, 34 of which were as Superintendent of the Department of Public Works and includes service as a member of the Alpine Fire Department. Dean Paranicas, Co-Chair of We Work for Health NJ joined the Mayor in presenting Mr. Wehmann with this award and to thank him for all his years of service to the Borough. The Mayor also wished to thank former Fire Chief John Parilla, Planning Board Chair Cathy Parilla, and Environmental Chair Lorraine Mattes for attending.

**PUBLIC COMMENTS** None

**REPORT OF THE FINANCE COMMITTEE**

<b>Bank Of New Jersey Current Operating Acct</b>	<b>\$3,152,072.56</b>
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A) **Resolution #178:11'2017: Change Order #1 & Final (Net Decrease)2016 DOT Municipal Aide Road Improvement Program**

**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 20, 2017,

**WHEREAS,** 4 Clean-Up (“Contractors”) entered into a contract with the Borough of Alpine in regards to the **2016 Municipal Aid DOT Road Improvement Program (Church Street and Graham Street);** and

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

**WHEREAS**, based upon the as-built measurements and an inspection the Borough Engineer requests a net decrease in the original contract amount of \$146,718.50 to an adjusted amount of \$139,597.54 and

**WHEREAS**, funds for said purpose are available within Capital Bond Ordinance No. 769,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine that Change Order No. 1 & Final for the **Municipal Aid DOT Road Improvement Program (Church Street and Graham Street)** decreasing the total amount of the contract to 4 Clean-Up by \$7,120.96, which decreases the overall contract price from \$146,718.50 to \$139,597.54 is hereby approved; said approval shall be retroactive to the date of performance of the work, and

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

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

**MOTION APPROVED**

**Resolution #179:11'2017: Return of Tax Overpayment**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 2017

**WHEREAS**, a resolution was approved by the Mayor & Council of the Borough of Alpine on October 25, 2015 authorizing the following credit due to a County Board Judgment:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Year</u>	<u>Credit</u>
52	3	Errico, Rocco & Alexandra	\$3,782,800	\$3,100,000	2017	\$5,469.23 (to 4 <sup>th</sup> qtr.)

**WHEREAS**, the credit was issued accordingly;

**WHEREAS**, the 4<sup>th</sup> quarter 2017 payment was subsequently remitted by the property tax servicing agency without deducting the credit amount, resulting in an overpayment;

**WHEREAS**, the property owner has requested refund of same in the amount of \$5,469.23, made payable to: Rocco & Alexandra Errico, 10 Duck Pond Road, 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:** V. Frankel, Gerstein, A. Frankel, Halbreich, Shadek **Absent:** Cacouris

**MOTION APPROVED**

**Resolution #180:11'2017: Authorize Transfer 2017 Budget Appropriations #1**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 2017

**WHEREAS**, title 40A:4-58 of the New Jersey Statutes provides that should it become necessary during the last two months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore, and there shall be an excess in any appropriation over and above the amount claimed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by Resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Alpine, the Borough Treasurer be and is hereby authorized to make the following transfers in the 2017 Budget Appropriations.

		<u>FROM</u>	<u>TO</u>
Legal Services	7-01-20-155-020	\$5,458.98	
Street Lighting	7-01-31-435-020		4,802.51
Public Employees Retirement System	7-01-36-471-000		\$656.47
<b>TOTAL</b>		<b>\$5,458.98</b>	<b>\$5,458.98</b>

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

**MOTION APPROVED**

**Resolution #181:11'2017: Approval of Bills and Claims**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 2017 to approve the bills and claims, a copy of which are appended.

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

**MOTION APPROVED**

**Resolution #182:11'2017: Return of Bonds and Escrow**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 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>
Saphier, Carl & Aviva	81.01/7	Re-vegetation Bond	\$1,500.00
		Performance Bond	\$16,000.00
		Escrow	<u>719.25</u>
			<b>\$18,219.25</b>
44 Rio Vista Dr., Living Trust	22/19	Tree Bond	8,500.00
		<b>TOTAL:</b>	<b>\$26,719.25</b>

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

**MOTION APPROVED**

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

**MAYOR'S REPORT** The Mayor reported on the following:

- Thanks to Stephanie Wehmann, Marilyn Hayward, Alden Blackwell and Attorney Huntington for attending the NJ League of Municipalities Conference with him last month. The annual conference provides opportunities for education and interface.
- Passing of two longtime residents: teacher Barbara Triantafillou and retired police officer Karl Fause, father of resident Jennifer Park. They will both be missed.
- An article in Governing magazine entitled "Tunnelvision" references one of the most expensive infrastructure projects in American history. This is the vital gateway project. No one knows how to pay for it and every year that it gets put off the price tag is rising. The article is available for those who are interested.
- He wished Council to note the MS4 Stormwater Permit information provided by the Borough Engineer.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** No report.

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

56 scheduled inspections, 2 driveway permits, 7 tree permits, 1 soil moving application, and 7 zoning review applications. Balance of report on file.

**Department of Public Works** Councilman Frankel advised leaf pickup continues and the balance of the report is on file.

**Fire Department** Councilwoman Gerstein advised statistics are available for review. The Fire Chief has recommended two firemen for membership:

**Resolution #183:11'2017: Approval New Firefighter: Adam Jutte**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 2017 to approve the application for **Adam Jutte** for Membership as a Firefighter in the Alpine Volunteer Fire Department.

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

**MOTION APPROVED**

**Resolution #184:11'2017: Approval New Firefighter: Robert Amonica**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the regular meeting of the Alpine Mayor and Council held on Monday, November 20, 2017 to approve the application for **Robert Amonica** for Membership as a Firefighter in the Alpine Volunteer Fire Department.

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

**MOTION APPROVED**

**Police Department** Councilwoman Frankel reported 29 motor vehicle summonses issued. There were 8 motor vehicle accidents with 2 injuries. The rest of the report is on file.

**Resolution #185:11'2017: 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 20, 2017 to accept the reports of the Standing Committees.

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

**MOTION APPROVED**

**BOARD OF EDUCATION LIAISON'S REPORT** The holiday concert will be coming up soon.

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

**BOROUGH ENGINEER'S REPORT** Mr. Vander Veer distributed his report. The only action item was the Change Order resolution. With that approval the 2016 DOT Municipal Aide project can be closed out.

**MS4 Stormwater Permit** NJ State's municipal storm water permitting process began back in 2004. This is the third time the State has modified procedures and this is by far the most expansive to date. He previously provided comments to the Mayor and Council on the preliminary and draft versions. The new regulations were adopted substantially unchanged from the drafts and become effective January 1, 2018. Provisions will require significantly more recordkeeping, primarily on the part of the DPW Superintendent, as well as conversion of documents and maps to electronic format for submission to DEP and posting on the Borough's website. Some of the work is one time only providing for annual updates thereafter. This is an unfunded state mandate. He will review the adopted

regulation in more depth and keep the governing body informed of what needs to be done to remain compliant.

Mayor Tomasko emphasized the 140 pages of additional regulations require more mapping, inspections, documentation and education. He noted the irony that municipalities have to face this significant increase in workload in the waning months of an administration that portrayed itself as reducing regulation. It is disappointing that the State provides no funding and made no significant changes to the draft versions despite all of the input from municipalities and organizations across the state including the NJ League of Municipalities, Bergen County League of Municipalities, Society of Municipal Engineers. Mr. Vander Veer noted he did not have time to review the over 200 pages of questions and answers on this issue.

**UNFINISHED BUSINESS** - None

**NEW BUSINESS**

**Resolution #186:11'2017: Approval of Minutes Regular Meeting October 25, 2017**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 20, 2017 to approve minutes of the Regular Meeting October 25, 2017. **Vote: Ayes:** V. Frankel, Gerstein, A. Frankel, Halbreich, Shadek **Absent:** Cacouris

**MOTION APPROVED**

**EXECUTIVE SESSION**

**Resolution#187:11'2017: 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 Gerstein **SECONDED BY:** Councilwoman Frankel

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 20, 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)(8) Employment**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, assembled in public session on Monday, November 20, 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:** V. Frankel, Gerstein, A. Frankel, Halbreich, Shadek **Absent:** Cacouris

**MOTION APPROVED**

Mayor and Council convened the Executive Session at 7:53 PM and returned to the regular public session at 7:55 PM.

**C. Resolution #188:10'2017 Extension of Medical Leave for Work-Related Injury**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on November 20, 2017

**WHEREAS**, Sergeant Matthew Kent has been incapacitated since February 13, 2017 due to a work-related incident; and

**WHEREAS**, Sections 23 and 24 et. seq. of the Agreement between the Borough of Alpine and PBA Local #399 effective January 1, 2017 provides that an Employee shall be retained on the payroll at full salary and benefits for a continued period of six months during the continuance of said incapacitation and that the Governing body shall have the option of extending the period during which an Employee shall receive the benefit of this Article on an individual basis and after considering the merits of each case; and

**WHEREAS**, at the regular meeting of the Mayor and Council held August 23, 2017 continuation of full salary and benefits for the above-named employee was approved for a period of 60 days retroactive to August 13, 2017; and

**WHEREAS**, at the regular meeting of the Mayor and Council held September 27, 2017 continuation of full salary and benefits for the above-named employee was approved for an additional 60-day period, effective October 13, 2017;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine concurs with the Police Committee and that the above-named employee be continued at full salary and benefits for an additional sixty days, effective December 12, 2017.

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

**MOTION APPROVED**

**COMMUNICATIONS: WRITTEN AND ORAL** None

**ADJOURNMENT** Upon a motion by Councilman Shadek, seconded by Councilwoman Gerstein and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine held Monday, November 20, 2017 at 7:56 p.m.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk