

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, January 28, 2015 @ 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, January 28, 2015 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, January 28, 2015 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	<i>Present</i>	Vicki Frankel, Council President	<i>Absent</i>
Michael Cacouris, Councilman	<i>Absent</i>	Gayle Gerstein, Councilwoman	<i>Present</i>
John Halbreich, Councilman	<i>Present</i>	Laurence Shadek, Councilman	<i>Present</i>
Arthur Frankel, Councilman	<i>Absent</i>		

**Staff Present on Dais:** Acting Borough Clerk Jerry Beckmann,  
Borough Engineer Gary Vander Veer, Borough Attorney Russ Huntington

**PUBLIC COMMENTS** No public comments.

Mayor Tomasko welcomed Councilman Shadek to his first Mayor and Council meeting and made known the Council President Frankel and Councilman Frankel made a concerted effort to return from Florida for the meeting but were not able due to airport cancellations related to the recent winter storm.

**REPORT OF THE FINANCE COMMITTEE** Mayor Tomasko noted the required resolutions in the absence of Councilman Cacouris. A copy is on file in the Borough Clerk's office.

**Bank Of America Current Operating Acct**

**\$3,019,259.98**

**Resolution #032:1'2015 Authorizing Transfer of 2014 Budget Appropriations Reserves (#1)**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 28, 2015

**WHEREAS**, N.J.S.A 40A-59 Permits transfers of appropriation reserves from the preceding year to be made during the first three months of the following fiscal year. This section reads as follows:

- a. If during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the governing body may, by resolution adopt by not less than a 2/3 vote of the full membership thereof, transfer the amount of such

excess to any appropriation reserve or an appropriation in the prior budget deemed to be insufficient to fulfill its purpose of for which no reserve was provided.

**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 2014 Budget Reserve Appropriations in accordance with N.J.S.A. 40A: 4-59.

		FROM	TO
Legal O/E	4-01-20-155-020	\$ 3,475.75	
Engineering O/E	4-01-20-165-020		\$ 3,475.75
	TOTALS:	\$ 3,475.75	\$ 3,475.75

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

**MOTION CARRIED**

**Resolution #033: 1'2015: Emergency Appropriation #1 to Increase the 2015 Temporary Budget**

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

at the regular meeting of the Borough of Alpine, County of Bergen, State of New Jersey held on January 28, 2015

**WHEREAS,** an emergency has arisen with respect to Current Fund appropriations; and

**WHEREAS,** no adequate provision has been made in the 2015 Temporary Budget for the aforesaid purpose, and R.S. 40A:4-20 provides for the creation of an emergency appropriation for the purpose, and,

**WHEREAS,** the total temporary emergency resolutions adopted in the year 2015 pursuant to the provision of Chapter 96, P.L. 1951 (R.S. 40A:4-20) including this resolution total \$1,420,477.00 and shall be provided for in the 2014 budget.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Alpine, County of Bergen, that in accordance with R.S. 40A:4-20, temporary emergency appropriations be and the same is hereby made for the following and that upon adoption, one certified copy of this resolution be filed with the Director of Local Government Services.

OPERATIONS: Within "Cap"

Liability Insurance	5-01-23-210-020	\$318.00
	TOTAL:	<b>\$318.00</b>

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

**MOTION CARRIED**

**Resolution #034: 1'2015: Approval of Bills and Claims**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 28, 2015 to approve the bills and claims a copy of which are appended.

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

**MOTION CARRIED**

**Resolution #035:1'2015 Return of Bonds and Escrow**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 28, 2015 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>
Kim, Dr. & Mrs. Sean	60/4	Performance Bond	\$4,500.00
		Re-vegetation Bond	\$3,000.00

Soil & engineering Escrow \$1,335.75

**Total: \$8,835.75**

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

**MOTION CARRIED**

**Resolution #036:1'2015 Refund of Tax Overpayment (Tax Appeal) Mekhjian Block 81.06**

**Lot 8**

**OFFERED BY:** Councilman Shadek **SECONDED BY:** Councilwoman Gerstein at the regular meeting of the Borough of Alpine, County of Bergen, State of New Jersey held on January 28, 2015

**WHEREAS,** a State Tax Court Judgment was granted on November 21, 2014 from the Tax Court of New Jersey reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Year</u>	<u>Refund</u>
81.06	8	Mekhjian, Haroutune	\$7,100,000	\$5,525,000	2012	\$11,103.75
		Shake	\$7,100,000	\$5,795,000	2013	<u>9,670.05</u>
<b>TOTAL:</b>						<b>\$20,551.95</b>

**WHEREAS,** the reduction in assessment was not recorded in time for the 2012 & 2013 Assessment records for the above referenced properties and was billed at the higher assessed value for 2012 & 2013, resulting in an overbilling;

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

81.06 / 8 Saiber, LLC & Haroutune & Shake Mekhjian \$20,551.95

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

**MOTION CARRIED**

**Resolution #037:1'2015 Refund of Tax Overpayment (Tax Appeal) Fazeli Block 39.01 Lot**

**12.12**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Shadek at the regular meeting of the Borough of Alpine, County of Bergen, State of New Jersey held on January 28, 2015

**WHEREAS,** a State Tax Court Judgment was granted on December 19, 2014 from the Tax Court of New Jersey reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Year</u>	<u>Refund</u>
39.01	12.12	Fazeli, Harry	\$2,747,800	\$2,350,000	2012	\$ 2,804.49
		Noushin	\$2,747,800	\$2,350,000	2011	<u>2,804.49</u>
<b>TOTAL:</b>						<b>\$ 5,608.98</b>

**WHEREAS,** the reduction in assessment was not recorded in time for the 2011 & 2012 Assessment records for the above referenced properties and was billed at the higher assessed value for 2011 & 2012, resulting in an overbilling;

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

39.01/12.12

Beattie Padovano, LLC Trust Acct.

\$ 5,608.98

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

**MOTION CARRIED**

**Resolution #038:1'2015 Refund Tax Sale Redemption US Bank-Cust for Pro Cap III, LLC Block 79.01 Lot 1**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the regular meeting of the Borough of Alpine, County of Bergen, State of New Jersey held on January 28, 2015

**WHEREAS**, at the Municipal Tax Sale held on October 16, 2013, a lien was sold on Block 79.01 Lot 1, also known as 3 Cassandra Drive, Alpine, NJ for 2012 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate #13-00001, was sold to US Bank, Cust. For Pro Cap III, LLC, US Bank TLSG, 50 S. 16<sup>th</sup> St., Suite 1950, Philadelphia, PA 19102 for a 0% redemption fee and a premium in the amount of \$85,000.00; and,

**WHEREAS**, Sonja Evans, owner of the property located at 3 Cassandra Drive, Block 79.01 Lot 1 has effected redemption of Certificate #13-00001 in the amount of \$142,306.30,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, hereby authorize the Borough Treasurer to issue a check in the amount of \$142,306.30 payable to US Bank, Cust. For Pro Cap III, LLC, US Bank TLSG, 50 S. 16<sup>th</sup> St., Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #13-00001,

**BE IT FURTHER RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$85,000.00 to the aforementioned lien holder for return of the premium.

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

**MOTION CARRIED**

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

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

- Mayor Tomasko commended police officers who opted to overnight in Alpine hosted by a member of the Fire Department: Chief Belcolle, Patrolmen Prunk and Gough and Sgt. Lizzi who slept at Borough Hall. They were concerned if the blizzard materialized they would not be able to return to Alpine for their shifts. The Mayor and Council expressed their appreciation. Fortunately the storm was not as severe as forecast. As usual the DPW did a fine job.
- **JIF Elected Officials Training:** Will be held at the following dates, times and locations:
  - Monday, February 9 6 PM at Harrington Park (The Mayor will attend)
  - April 8 6:30 PM at Closter
 The Borough receives a \$250.00 credit towards our insurance premium for each elected official who attends these classes.
- **Staffing Change** Receipt January 12<sup>th</sup> of Acting Borough Clerk's letter indicating he will be leaving at the end of the month and moving out of state. The Mayor appoints a committee to explore options to cover the workload and report back with recommendations: Councilwoman Gerstein, Councilman Halbreich and Mayor

Tomasko. Until then, Deputy Borough Clerk Nancy Wehmann will act in that capacity as she is fully authorized to do.

- Environmental Commission Chair, Lorraine Mattes, brought to Mayor's attention yesterday, correspondence received from George Stafford, Outreach Director of the New Jersey Highlands Coalition seeking support for the Highlands Master Plan currently under review which is why he puts forward under his report and distributed to Council at this meeting. We do draw some of our water from the Highlands into the Oradell Reservoir system.

**Resolution #039:1'2015: CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at the Regular Meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, the New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources; and

**WHEREAS**, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

**WHEREAS**, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional; Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

**WHEREAS**, the Borough of Alpine is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region and that the Borough of Alpine relies on the resources of the Highlands to meet the current and future needs of its residents.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

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

**MOTION CARRIED**

- **Risk Consultant** Glenn Parsells has been our long standing Risk Management Consultant. The Parsells Agency in Closter, NJ recently merged into the Eifert French & Co., Inc. of Tenafly, NJ. Glenn and Colleen Holdsworth will continue to be our contacts.
- **NJSDOT Route 9W Safe Pedestrian / Bike Safety** planning meeting was held here January 7, 2015 thanks to efforts of Acting Borough Clerk Beckmann and a letter of appreciation was received. The plan is in the concept design phase and involved representatives from NJSDOT, PIPC and effected towns along Route 9W and other towns. This project will involve long term planning extending out to 2020. Initially NJSDOT is requesting a resolution of support from effected municipalities to help move the project forward and as a component of seeking and obtaining federal assistance.

**Resolution #040:1'2015: SUPPORT FOR THE GOALS AND PURPOSES OF THE NJSDOT ROUTE 9W BIKE/PED SAFETY IMPROVEMENTS PROJECT**

**OFFERED BY:** Councilman Shadek **SECONDED BY:** Councilwoman Gerstein at the Regular Meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, the New Jersey State Department of Transportation is in the Concept Development phase of design regarding Route 9W Bike/Ped Safety Improvements.

**WHEREAS**, the Borough of Alpine is a municipality with a long stretch of mileage along Route 9W which traverses the Borough

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine wishes that it be known that we support the goals and objectives of the Route 9W Bike/Ped Safety Improvements.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Debbie Hirt, Community Relations Manager, Office of Community Relations, NJS DOT, PO Box 600 Trenton, NJ 08625-0600.

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

**MOTION CARRIED**

- **Zoning Board of Adjustment Annual Report** Has been received and distributed to the Mayor and Council pursuant to N.J.S.A. 40:55D-70.1

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** Councilman Shadek advised no report this evening.

**Building Department** Councilman Halbreich reported 73 scheduled inspections, 7 zoning review applications and the balance of the report is on file.

**Department of Public Works** Councilman Shadek read the report of the DPW: Plowing operations during storms, equipment repair and cleanup including overhaul of leaf vacs, Christmas trees chipped, leaf compost facility maintained, responded to all day time fires, attended to affordable housing units repairs, maintenance and tenant concerns, addressed residents concerns. The 2012 Recycling Tonnage Grant received in the amount of \$14,056.57 (included storm debris from Hurricane Sandy).

**Fire Department** Councilwoman Gerstein advised all statistics are available for review at the Fire House.

**Police Department** Mayor Tomasko reported 150 incidents, 26 summonses issued, 28 alarms.

**Resolution #041:1'2015: Accepting the Reports of the Standing Committees**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
at the regular meeting of the Alpine Mayor and Council held on Wednesday, January 28, 2015 to accept the reports of the Standing Committees.

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

**MOTION CARRIED**

**BOARD OF EDUCATION LIAISON'S REPORT**

Councilman Shadek reported in December it was noted the necessary funds were raised for school improvements. In January they signed a contract with a builder/contractor. A vacancy on the Board occurred with the resignation of Walter Roura. Katie Martinelli will be taking his place. Councilman Shadek questioned including communications in the newsletter regarding School Field Upgrade Phase II Project to highlight the grant component and to reassure residents that there would be no field lighting, only two stanchions to illuminate sidewalk from DPW parking lot to school for overflow parking.

**BOROUGH ATTORNEY'S REPORT**

Attorney Huntington commented on two agenda items:

- Permission to lease/install cellular miniaturized repeater-type antennas on this building. There was only one bidder. Extent of construction is minimal. Annual rent is \$9,000. If the Borough did not proceed with this award process in the manner utilized, an application would have been received to place the device on private property, an unprecedented event the Borough does not wish to start.

- Renewal of curbside recycling contract. The prior supplier was Buldo Carting, present this evening along with his counsel, who by all accounts did a fine job. They are obligated to accept the low conforming bidder which is a company called Bella Cleaning & Carting, LLC at a considerable difference in price. He reviewed the entire contents of the bids in detail with Acting Borough Clerk Beckmann and the defects allegedly contained therein per letter from counsel for Buldo Carting. Correspondence was shared with Bella and their comments invited as well so in so far as possible have a fair exchange of views and better advise the Borough. Having reviewed the objections of Buldo we did not find them to be something that mandated a rejection of the Bella bid or which should cause us to throw out all the bids. The objections were essentially two fold:
  - 1) bid documents called for proof that the successful bidder had two compactor trucks or other satisfactory equipment with which to do the collecting process and in their bid documents (and we're obligated to deal strictly with the bid documents) Bella appears to have several vehicles but not two exactly of the type we're told. But as our bid spec noted "or other satisfactory equipment" and it does not appear based on the information before us that we are in position to decide exactly how many trucks or of which type to be had and it wasn't bid that way; it was just proof that there were enough satisfactory vehicles to be able to do it.
  - 2) the performance bond had a cap on it saying that from the surety company they would not be responsible for claims in excess of \$300,000 or thereabouts which if the performance bond was supposed to be a million that would be a fatal flaw. In this case the performance bond was supposed to be in the amount of the annual contract and therefore we don't regard a cap several times the face value of the annual contract as being a deficient performance bond.

Mayor Tomasko wished to add that we do value our relationship with Buldo Carting who remains the primary refuse collector in the Borough and he would hate to see anything undercut that. We also appreciate the job that Buldo has done for us in regard to curbside recycling. Attorney Huntington noted in the area of public bidding you may be confronted with a situation where you would like to do other than what would appear to be mandated but unless there is a fatal flaw, and he does not see these as fatal flaws, the Borough is required to take the low bidder.

**BOROUGH ENGINEER'S REPORT** Borough Engineer Vander Veer had distributed his report.

- Item # 2 Bond release for Tamcrest Estates, LLC is listed on the agenda
- Closter Dock Road Drainage Improvements. His office has received no additional information from the County for many many months on the status of this project. They do want to perform the work on their jurisdiction so we don't know where we stand.
- 2015 Road Improvement Program / Riverside Cooperative They will proceed with the estimate of quantities for the three roads recommended to comply with the anticipated budget: Autumn Terrace, Warren Lane and Overlook Road. He recommends that if the bid prices come in comparable to last year's there may be the ability to also include one of those smaller roads such as Monument Lane or Oxford Way so you may wish to include these in preparation of the Bond Ordinance on the off chance they can be included in the program.

**UNFINISHED BUSINESS** None

**NEW BUSINESS**

**CONSENT AGENDA RESOLUTIONS** Resolutions #042:1'2015 - #053:1'2015  
Mr. Shadek will abstain from minutes 12/14/2014 and Sine Die 1/5/2015.

**1. Approval of Minutes**

**a. Resolution #042:1'2015:Regular Meeting December 14, 2014**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
at a regular meeting of the Mayor and Council of the Borough of Alpine held on  
Wednesday, December 15, 2014.

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

**b. Resolution #043:1'2015:Sine Die Meeting of January 5, 2015**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
at a regular meeting of the Mayor and Council of the Borough of Alpine held on  
Wednesday, January 28, 2015 to approve the minutes of the Sine Die Meeting January  
5, 2015.

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

**c. Resolution #044:1'2015:Reorganization Meeting of January 5, 2015**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
at a regular meeting of the Mayor and Council of the Borough of Alpine held on  
Wednesday, January 28, 2015 to approve the minutes of the Reorganization Meeting  
January 5, 2015.

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

**2. Resolution #045:1'2015: Authorization to Apply for Tonnage Grant**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
at a regular meeting of the Mayor and Council of the Borough of Alpine held on  
Wednesday, January 28, 2015;

**WHEREAS**, the Mandatory Source Separation and Recycling Act., P.L. 1987. C. 102., has  
established a recycling fund from which tonnage grant may be made to municipalities in order  
to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and  
Recycling Act to use the tonnage grants to develop new municipal recycling programs and to  
continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection is promulgating  
recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a  
condition for applying for tonnage grants, including but not limited to, making and keeping  
accurate, verifiable records or materials collected and claimed by the municipality; and

**WHEREAS**, a Resolution authorizing the Borough of Alpine to apply for such tonnage  
grants for calendar year 2014 will memorialize the commitment of the Borough of Alpine to  
recycling and to indicate the consent of the Mayor and Council of the Borough of Alpine to  
the efforts undertaken by the Borough and the requirements contained in the Recycling Act  
and recycling regulations; and



**WHEREAS**, such a Resolution should designate the individual authorized to ensure the applications is properly completed and timely filed,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that the Borough of Alpine hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Ralph Wehmann to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED**, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

**MOTION CARRIED**

**3. Resolution#046:1'2015: Authorizing Interlocal Services Agreement Mutual Aid Plan & Rapid Deployment Force**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS** the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property for the maintenance and preservation of the public peace and order and

**WHEREAS** Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil, unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

**WHEREAS** the Bergen County Police Chiefs Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies and

**WHEREAS** this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-1S6, N .J.5.A 40A:14-156.1, N .J.S.A. 40A:14-156.4 and N.J.S.A.A pp. A:9-40.6, and

**WHEREAS** this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous in the event of an emergency, riot or disorder, in order to protect life and property, and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Alpine to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chiefs Association

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine that the Police Department of the Borough of Alpine, under the direction of the Chief of Police, cooperate with the Bergen County Police Chiefs Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen

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

**MOTION CARRIED**

**4. Resolution#047:1'2015: Return of Performance Guarantee F.E. Alpine LLC (Frick Estate)**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, the applicant, F.E. Alpine, LLC submitted a request to the Borough Engineer for the release of the guarantees for Block 55 Lot 22.01, and

**WHEREAS**, the Borough Engineer had previously received a final as-built survey for the site and inspected the site to verify completion of requested remedial work, and

**WHEREAS**, the Borough Engineer found all was in order except for the generator sound level test to verify compliance with the Borough's Noise Ordinance which report dated October 22, 2014 was subsequently received by the Borough Engineer who finds the test demonstrates compliance with Subsection 153-3 of the Borough ordinances and therefore all conditions have been satisfactorily addressed, and

**WHEREAS**, the Borough Engineer put down in his findings in a letter dated November 24, 2014 stating he had no objection to the release of the Performance Guaranty in the amount of \$201,000.00 and the Re-vegetation Guaranty in the amount of \$45,000, and

**WHEREAS**, the Construction Code Official subsequently released and returned the bonds to the applicant along with a cover letter dated December 10, 2014; however the Valley National Bank advised the applicant they require a resolution authorizing the release from the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine hereby authorize the release of the Performance Guaranty in the amount of \$201,000.00 and the Re-vegetation Guaranty in the amount of \$45,000.

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

**MOTION CARRIED**

**5. Resolution#048:1'2015: Return of Performance Guarantee Tamcrest Estates (B-11, L-2)**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, The Tamcrest Hills, LLC subdivision by the Planning Board in April 2000 (as Cresskill Hills, LLC) and was subsequently modified and approved by the Alpine Planning Board in January, 2002 (as Tamcrest Hills, LLC), and

**WHEREAS**, As a condition of approval, the applicant provided the Borough with a performance guaranty in the total amount of \$489,980.80 (90% surety bond and 10% cash), and

**WHEREAS**, subsequently during the course of construction and at the request of the applicant, the Borough Engineer reviewed and recommend a reduction in the bond to an amount equal to 30% of the original amount to \$131,214.82 which was approved by the Mayor and Council of the Borough of Alpine at their regular meeting held on October 23, 2002, and

**WHEREAS**, the applicant has requested that the balance of the guaranty should be released at this time and the Borough Engineer has reviewed the as-built survey provided by the applicant and has inspected the site, to verify completion of all work in accordance with the subdivision approval and has found that all work has been completed substantially in agreement with the approved plans and conditions of approval as granted by the Alpine Planning Board and therefore recommends that the balance of the guaranty in place with the Borough should be released to the applicant.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine that the Performance Guaranty consisting of the surety bond and the cash bond along with accrued interest to date be returned to the applicant.

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

**MOTION CARRIED**

**6. Resolution#049:1'2015: Award Quote Remediation & Repairs COAH Unit D**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS,** the COAH Project Special Liasion/Superintendent has identified a need to effect remediation and repairs on vacated apartment identified as Unit D in the Alpine COAH Housing Complex

**WHEREAS,** the Borough of Alpine solicited quotes for same,

**WHEREAS,** the Borough of Alpine has received two quotes one from Sandal Builders of Tenafly, NJ for \$10,260.00 and one from Charles A. Hoffmann Construction, LLC of Alpine, NJ for \$10,800.00 and Natural Homebuilder, LLC of Alpine, NJ for \$11,480.00

**WHEREAS,** these quotes were reviewed, and a recommendation made for award to as the lowest responsive, responsible quote from Sandal Builders of Tenafly, NJ for \$10,260.00, by Mr. Galdi, the Special COAH Project Liaison/Superintendent and

**WHEREAS,** the Borough's Qualified Purchasing Agent and Chief Financial Officer have certified that sufficient funds are available in (COAH) Project # 90100 for this purpose which certification is on file in the Municipal Clerk's office.

**WHEREAS,** the cumulative total for this vendor in fiscal year 2015 will exceed the quote threshold of \$5,400.00 and the threshold of \$10,000 for compliance with Borough Ordinance 725 "Regulation of Contract Awards,

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Alpine hereby award the quote for repairs and remediation of Unit D in the Alpine COAH Housing Complex to Sandal Builders of Tenafly, NJ for \$10,260.00, contingent upon the Certification of Availability of Funds by the Chief Financial Officer and demonstrated compliance with Ordinance 725.

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

**MOTION CARRIED**

**7. Resolution#050:1'2015: Award of Bid:Sale of Vehicle No Longer Needed for Public Use**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS,** the Mayor and Council of the Borough of Alpine authorized the advertisement for sale by sealed bids of a Borough vehicle no longer needed for public use; and

**WHEREAS,** the following vehicle was advertised for sale in the Bergen Record and the Jersey Journal on Tuesday, January 6, 2015

Dept	#	Year	Make	Model	VIN	Mileage
PD	1	2010	Ford	Crown Victoria	2FABP7BV8AX117128	66881.2

**AND WHEREAS,** sealed bids were received and opened as advertised on Wednesday, January 21, 2015 at 10:00 AM at the Borough Hall Council Chambers at which time the results were read publicly by the Borough Clerk as follows:

Bidder	2010 Ford Crown Vic
Liberty Motors, Inc., Jersey City, NJ	\$3,644.99

Chicago Motors, Inc., Chicago, IL	\$3,007.00
Cars of Yesterday Rentals, Alpine, NJ	\$4,629.00
Jersey One Auto Sales, Inc., Jersey City, NJ	\$2,891.99

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that the following bid, being the highest of the four (4) bids received for the 2010 Ford Crown Victoria, be accepted:

**Cars of Yesterday Rentals, Alpine, NJ for \$4,629.00**

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

**MOTION CARRIED**

**8. Resolution#051:1'2015: Award of Curbside Recycling Contract**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, the Borough of Alpine advertised for bids for a recycling contract; and

**WHEREAS**, the Borough of Alpine received the following four bids:

Company / City, State	Three Year Bid
Buldo Carting, Inc. – River Vale, NJ	81,999.00
Bella Cleaning & Carting, LLC - Ridgewood, NJ 07450	46,278.00

**WHEREAS**, the bids were reviewed by the Borough Attorney; and

**WHEREAS**, Bella Cleaning & Carting, LLC of Ridgewood, NJ 07450 is the lowest responsible bidder for the recycling contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine that a contract be awarded to:

**Bella Cleaning & Carting, LLC of Ridgewood, NJ 07450**

the lowest responsible bidder for the Borough of Alpine recycling program for a period of three years for an amount of \$46,278.00; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are authorized to execute a contract in a form as approved by the Borough Attorney.

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

**MOTION CARRIED**

**9. Resolution#052:1'2015: Award of Lease: Wireless Communication Facility**

Authorizing Resolution December 15, 2015

First Publication: The Record January 8, 2015

Second Publication: The Record January 15, 2015

Bid Opening: January 23, 2015 10:00 AM at Borough Hall 100 Church Street, Alpine, NJ

Proposal	Quote
New York SMSA Limited Partnership d/b/a Verizon Wireless	\$9,000/yr

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**WHEREAS**, the Borough of Alpine has determined that the construction, operation and maintenance of a wireless communications facility may be leased out for real property owned

by the Borough of Alpine at 100 Church Street, Alpine, NJ (Borough Hall) to an additional cellular communications carrier; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-14 provides for the lease of municipal property by public bidding to the highest bidder; and

**WHEREAS**, the Mayor and Council advertised for bids to enter into a lease for the construction, operation and maintenance of a wireless communications facility on the Borough-owned property located at 100 Church Street, Alpine, NJ, known as Block 41, Lot 1; and

**WHEREAS**, the Borough received one bid submission, by New York SMSA Limited Partnership d/b/a Verizon Wireless, with an annual rental amount of \$9,000 for terms and rent increases as provided for in the Lease Agreement;

**WHEREAS**, the Mayor and Council have reviewed the bid proposal by New York SMSA Limited Partnership d/b/a Verizon Wireless including certain bid exceptions and have determined to award the bid to:

**New York SMSA Limited Partnership d/b/a Verizon Wireless**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, that the Borough shall be authorized to award the right to lease space at 100 Church Street, Alpine, NJ (Borough Hall) to New York SMSA Limited Partnership d/b/a Verizon Wireless for the construction, operation and maintenance of a wireless communications facility, at an annual rental amount of \$9,000.00 for the first five years, with annual increases thereafter as specified in the Lease Agreement.

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

**MOTION CARRIED**

**End of Consent Agenda**

Mayor Tomasko noted Deputy Emergency Management Coordinator Mr. Beckmann worked in this capacity in the past has brought us into compliance with the Bergen County Emergency Management expectations that are placed on all Boroughs. There is a need now to appoint a successor. Mayor Tomasko discussed this with Chief Belcolle and Police Commissioner Frankel and it is his pleasure to appoint Patrolman Brian Bourke whose primary duties will be to keep the Borough of Alpine Emergency Operations Plan endorsed by the County of Bergen, State of New Jersey along with FEMA and County and State OEM interfaces as required.

**Resolution#053:1'2015: Affirm Appointment of Deputy Emergency Management Coordinator**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, January 28, 2015

**BE IT RESOLVED** that **Patrolman Brian Bourke** is hereby appointed to the position of Deputy Emergency Management Coordinator for a one year term effective February 1, 2015 and ending December 31, 2015; and

**BE IT FURTHER IT RESOLVED**, that copy of this resolution be forwarded to the Bergen County Office of Emergency Services.

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

**MOTION CARRIED**

**COMMUNICATIONS: WRITTEN AND ORAL** Opened to the public.

Mr. Beckmann wished to thank everybody within the Borough of Alpine, the residents, and of course the Mayor of Council for the opportunity of having served here for over 30 years. It's been a wonderful pleasure to serve and to work with Mr. Huntington, Mr. Vander Veer and everybody upstairs in the upstairs offices and the police department.

Joseph Ferrante, Jr., Counsel for Buldo Carting, appreciated the comments that his client has rendered good service to the community. Naturally they are disappointed in the recommendation to the Council and they don't necessarily share some of the conclusions that were stated. He would like to alert the governing body that the low bidder has also bid some adjacent towns and he is in possession of a Judgment by the Superior Court of Bergen County in which they were disqualified on one of their bids to the Borough of Riverdale. That Judgment was entered two days ago and the award was stricken and it was re-awarded to Blue Diamond Disposal which was not the low bidder. Mayor Tomasko expressed appreciation for their comments noting he did not know how it would be possible for them to live under the cap with that much difference in the bid price from the previous contract but irrespective he thanked them for being here and sharing the information with us. The contract will be for three years.

**ADJOURNMENT**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Halbreich  
and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday January 28, 2015 at 8:00 PM

Respectfully submitted,

Nancy Wehmann  
Deputy Borough Clerk (acting)