

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, December 19, 2012 @ 7:30 PM  
Borough Hall - - 100 Church Street  
{Public meeting taped in its entirety}**

**CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE**

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting Wednesday, December 19, 2012 at 7:30 PM 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, December 19, 2012 has met the requirements of the law by being e-mailed to The Valley Star/Press Journal and The Record and 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.*

**MOMENT OF SILENCE** Mayor Tomasko asked all to observe a moment of silence in memory of the victims of the mass shooting in Newtown, Connecticut that occurred Friday, December 14.

**ROLL CALL**

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Paul Garjian, Councilman	Present	Gayle Gerstein, Councilwoman	Present
Michael Cacouris, Councilman	Present	Joan Ornstein, Councilwoman	Present
John Halbreich, Councilman	Present		

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

**RETIREMENT OF POLICE CHIEF**

**Presentation to Police Chief Jerry Beckmann (Retirement effective 12/31/2012)**

Council President/Police Commissioner Vicki Frankel read the following remarks into the record: "Less than three years ago as he was about to be sworn in as Chief, I said that during his long tenure with us, Jerry Beckmann had become a wonderful example of a complete police officer, one of the finest we will ever see and that we were proud and most fortunate that he was ours. That is even truer today. We still feel incredibly fortunate that he was ours as he grew from a Patrolman to Sergeant to Lieutenant to Captain and now finally as our Chief in these past three years. We have benefited from his admirable work ethic, the soundness of his wisdom, the integrity of his character and the strength of his commitment to our well-being. We will miss his hard work and dedication and we will miss his amazing cheerfulness even on difficult days. We are envious of those, instead of us, who will benefit whenever, wherever he next decides to focus his talents and energies. Jerry Beckmann leaves with our best wishes and extreme gratitude for all that he has done for us. We could not have asked for better guidance than he has given. Thank you, Chief for the 29 years and 5 months you spent with us. We only wish it could have been more."

Alpine School Superintendent, Dr. Kathleen Semergieff offered congratulations on behalf of the students, parents and staff of the Alpine School. She thanked the entire Police department while noting Chief Beckmann's leadership has been monumental to all and highlighted more than ever by the past year's events notably Hurricane Sandy and the events in Newtown, CT. She also congratulated Chief Beckmann's family who were present in the audience.

Mayor Tomasko asked Councilwoman Vicki Frankel to join him as he presented a commemorative plaque to Chief Beckmann that reads:"Presented to Jerry Beckmann In recognition Of and Appreciation For Exemplary Service to the Borough of Alpine Police Department From August 1983 to December 2012 Culminating In More Than Two Years of Service As Chief of Police – Paul H. Tomasko, Mayor; Vicky Frankel, Police Commissioner And the Alpine Council December 19, 2012:"

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*These minutes have been approved by the Mayor and Council.*

Asked to say a few words Chief Beckmann noted this is a monumental moment for him and his family and words cannot express his appreciation for all the instrumental assistance he's received from the all of the departments and the Mayor and Council; he could not have done without everyone's support over all these years. He also recognized former Chief Grayson who was present. Alpine has been a blessing in his life. A round of applause followed.

The Mayor asked all to remain for a reception immediately following tonight's meeting.

**Police Committee recommendation for Acting Chief** Mayor Tomasko noted the Police Committee consists of Police Commissioner Vicki Frankel, Councilwoman Joan Ornstein and Councilman John Halbreich. Police Commissioner Frankel thanked her colleagues on the committee and explained the timestaking process used to make the best possible choice. Their unanimous recommendation is Lieutenant Christopher Belcolle.

**Mayor's Appointment of Acting Chief** The Mayor thanked the Police Committee for all of their work noting he is pleased to accept their recommendation and hereby appoints Christopher Belcolle as Acting Chief of the Alpine Police Department. He called for a motion to confirm by Council.

**Resolution #207:12'2012: To Confirm Mayor's Appointment of Acting Chief**

**OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilman Cacouris  
at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 19, 2012

**BE IT RESOLVED** that the Mayor and Council of the Borough of Alpine does hereby ratify and approve the Mayor's appointment of Christopher Belcolle as Acting Chief of the Alpine Police Department effective the 1<sup>st</sup> of January 2013.

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

**MOTION CARRIED**

Mayor Tomasko wished to welcome as Acting Chief, Chris Belcolle and advised his swearing-in will take place very shortly. A round of applause followed.

**PUBLIC COMMENTS** None

**REPORT OF THE FINANCE COMMITTEE** provided by the Councilman Cacouris. A copy is on file in the Borough Clerk's office.

**Bank Of America Current Operating Acct** **\$2,156,163.97**  
**Resolution #208:12'2012 Budget Transfer #1**

**OFFERED BY:** Councilman Cacouris **SECONDED BY:** Councilwoman Frankel  
**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 2010 Budget Appropriations.

		<u>FROM</u>	<u>TO</u>
Acquisition of Police vehicles	2-01-25-240-046	\$10,000.00	
Police Dept. Salaries & Wages	2-01-25-240-011		\$10,000.00
Legal Services	2-01-20-155-021	\$ 276.00	
Payment of BAN & Capital Notes	2-01-45-925-000		\$ 276.00
	TOTAL	\$10,276.00	\$10,276.00

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

**MOTION CARRIED**

**Resolution #209:12'2012: 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, December 19, 2012 to approve the bills and claims, a copy of which are appended.

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

**MOTION CARRIED**

**TAX ASSESSOR's REPORT** On file for review.

**MAYOR'S REPORT** No report.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** No report.

**Building Department** Councilman Halbreich advised there were 24 scheduled inspections, 8 tree permits, 8 zoning review applications. The rest of the report is on file in the Clerk's office.

The Mayor wished to take this opportunity to welcome Councilman Garjian back from his extended convalescence.

**Department of Public Works** Councilman Garjian read the report of the DPW which focused on continued repairs and cleanup efforts following Hurricane Sandy plus related FEMA and DEP reporting and inspections, routine leaf pickup and snow response to the November 27 storm. Councilman Garjian thanked the DPW for all their hard work these past months.

**Fire Department** Councilwoman Gerstein is pleased to put forth Alpine resident Eli S. Robbins as a new member of the Fire Department

**Resolution #210:12'2012: Approve Application for Fireman: Eli S. Robbins**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, December 19, 2012 to approve the application for membership in the Alpine Fire Department for Eli S. Robbins.

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

**MOTION CARRIED**

Councilwoman Gerstein noted Santa at the Firehouse sponsored by the Fire Department was a great success with lots of children.

**Police Department** Councilwoman Frankel noted a semi-annual lockdown drill was conducted on November 27.

**Resolution #211:12'2012 Acceptance of 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, December 19, 2012 to accept the reports of the Standing Committees.

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

**MOTION CARRIED**

**BOARD OF EDUCATION LIAISON'S REPORT** Councilman Garjian yielded to Superintendent Semergieff who expressed appreciation that the Alpine police presence at the school was reassuring and helped everything go smoothly this week. Councilman Garjian did wish to thank the Board of Education for the lovely gift package sent to him while he was in rehabilitation.

**BOROUGH ATTORNEY'S REPORT** No report

**BOROUGH ENGINEER'S REPORT** Mr. Vander Veer had distributed his report summarizing recent construction projects either completed or potentially scheduled for next year. The report is on file.

**UNFINISHED BUSINESS**

**Set Date for Sine Die/2013 Reorganization Meeting** Without objection:  
Thursday, January 3, 2013 at 8:30 AM – a quorum is confirmed.

**NEW BUSINESS**

**A. CONSENT AGENDA RESOLUTIONS** Resolution #212-214:12'2012

**1. Resolution#212:12'2012: Approval of Minutes Regular Meeting November 28, 2012**

**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, December 19, 2012 to approve the minutes of the Regular Meeting of November 28, 2012.

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

**MOTION CARRIED**

**2. Resolution#213:12'2012: Approval of Minutes Executive Session November 28, 2012**

**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, December 19, 2012 to approve the minutes of the Executive Session Meeting of November 28, 2012.

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

**MOTION CARRIED**

**3. Resolution#214:12'2012: Endorse Planning Board approval Soil Moving Permit Pplication David & Mindy Kwon Block 22 Lot 20 – 48 Rio Vista Drive**

**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, December 19, 2012

**WHEREAS**, Borough Ordinance 183-3D(5) lays down the procedure for review of an application for a soil movement permit in compliance with N.J.S.A. 40:20D-26b; and

**WHEREAS**, a soil movement application for Kwon Block 22 Lot 20 – 48 Rio Vista Drive was reviewed by the Alpine Planning Board at a public hearing held on October 23, 2012; and

**WHEREAS**, the Alpine Planning Board laid down their written recommendation to the Mayor and Council with respect to this application in a resolution approved at their regular meeting held on December 18, 2012 (copy attached hereto)<sup>1</sup>; and

**WHEREAS**, the Mayor and Council has examined the application and the recommendations of the Planning Board and have considered the results of the public hearing before the Planning Board;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine find that the proposed soil movement will not create conditions inimical to the public health, welfare and safety, nor create any drainage, soil erosion or other conditions of danger and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby approve said application subject to all conditions as laid out in the Planning Board's resolution of December 18, 2012.

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

**MOTION CARRIED**

**END OF CONSENT AGENDA**

**COMMUNCIATIONS: WRITTEN AND ORAL**

Councilman Garjian wished to convey for the record his sincere thanks and gratitude to the Alpine Police Department including Chief Jerry Beckmann and especially to Sergeant Michael Kavanagh and Officer Stuart Conboy for their professionalism, expertise, compassion during and following his accident on Route 9W. They arrived on the scene incredibly fast and were an important part of saving his life. They are true officers and gentlemen and extraordinary people and the Borough is extremely fortunate to have them on the police force.

**ADJOURNMENT**

**OFFERED 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 on Wednesday, December 19, 2012 at 7:53 PM.

Respectfully submitted,

Gail Warming-Tanno, Municipal Clerk

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<sup>1</sup> See Appendix A

**Appendix A – Planning Board Resolution Block 22 Lot 20**

**RESOLUTION**

**ALPINE PLANNING BOARD  
IN THE MATTER OF THE APPLICATION OF DAVID AND MINDY KWON  
FOR SOIL MOVEMENT PERMIT WITH WAIVER  
BLOCK 22, LOT 20  
RIO VISTA DRIVE**

**BE IT RESOLVED**, by the Planning Board of the Borough of Alpine that the following Procedural History, Findings of Fact and Conclusions of Law are hereby adopted in reference to this matter.

**PROCEDURAL HISTORY**

An application was made before the Alpine Planning Board by David and Mindy Kwon (jointly hereinafter “Applicant”) as owners of the referenced property for a soil movement permit for a volume of soil exceeding 1,000 cubic yards which requires Planning Board approval. The Applicant also sought a waiver from the provisions of the soil movement ordinance which do not allow slopes in excess of 4:1 (horizontal/vertical). The property is presently vacant and is located on Rio Vista Drive. The Applicant is proposing to construct a dwelling with cabana and pool along with other related improvements. The proposal will bring the property to the maximum allowable impervious coverage and the Board has advised the Applicant that any additional development on the Property will require variances from the municipal ordinances.

The application was deemed to be substantially complete by the Borough Engineer and was referred to the Planning Board for placement on its agenda.

Proof of compliance with the notice requirements of the Borough soil movement ordinance was provided to the satisfaction of the Board Secretary.

The application was heard by the Planning Board on October 23, 2012. David Watkins Esq. represented the Applicant. Michael Hubschman, P.E. testified in support of the application.

**FINDINGS OF FACT**

1. The Board considered the following materials:

“Site Plan Proposed Single Family Dwelling #48 Rio Vista Drive” Lot 20, Block 22, prepared by Hubschman Engineering, P.A. dated June 27, 2012 and revised to August 16, 2012 consisting of four sheets.

“Soil Moving Report”, Lot 20, Block 22, Rio Vista Drive prepared by Michael J. Hubschman, P.E. dated June 19, 2012 revised August 16, 2012.

“4’ Maximum Height Modular Block Retaining Wall Design” prepared by Michael J. Hubschman, P.E. dated August 15, 2012.

“Drainage Report” proposed dwelling 48 Rio Vista Drive, prepared by Michael J. Hubschman, P.E. dated June 19, 2012 revised August 16, 2012.

Application forms and site photos.

Reports prepared by Gary Vander Veer, P.E. dated August 14, 2012 and August 28, 2012 and documents referenced therein.

2. The application was for the movement of 6,648 cubic yards of soil (with approximately 4,643 cubic yards to be removed from the site).
3. Michael J. Hubschman, P.E. was accepted by the Board as an expert in the field of site engineering. Mr. Hubschman used a rendered copy of Sheet 1 of the current plans to describe the proposed work. That sheet was marked Exhibit A-1 and will remain with the Applicant’s attorney. He explained the requested waiver noting that it would result in less site disturbance. He also described the treatment of the slope area as a “rockery” which will also be a landscape feature. This treatment requires a waiver of the maximum permitted slope in two small areas to the rear of the property.
4. A neighboring property owner did appear and asked questions of Mr. Hubschman and the Board. He was concerned over the possible disturbance in the neighborhood from the construction and soil removal itself but did not raise any concerns regarding the requested waiver or development of the property for the intended uses.
5. The Board reminded the Applicant that the proposal was at the very limits of impervious surface and neither the Applicant nor future owners of the property should expect any future relief to add any other improvements to the property.
6. The Board concluded that the application as set forth on the submitted plans with the requested waiver for the slope exceedance could be granted and the application approved subject to the conditions set forth below.

### **CONCLUSIONS**

Upon hearing the testimony produced on behalf of the Applicant and studying the exhibits and other materials submitted, the Planning Board unanimously voted to approve the soil movement permit application with waiver subject to Mayor and Council approval, and also subject to the following:

- A. Compliance with the conditions set forth in the list of Recommendations in the engineering report of Gary Vander Veer, P.E. August 28, 2012 a copy of which is annexed hereto and incorporated by reference.
- B. The Applicant shall provide, for review by the Board Engineer, a maintenance manual for the storm filters which shall be in substantial conformity with the exhibit attached to the Drainage Report submitted by the Applicant and which shall require not less than annual inspections and an annual report to the Borough Engineer. The Applicant shall also record in the office of the Bergen County Clerk a deed restriction or declaration in form satisfactory to the Board Attorney and Board Engineer confirming that the property owner shall be responsible for maintenance of the storm filters in accordance with the maintenance manual and shall also be responsible for

providing an annual report to the Borough Engineer. Such restriction or declaration shall provide that the Borough shall have the right but not the duty to enter upon the property for the purpose of maintaining such storm filters in the event of failure of the property owner to do so and in such event the costs of any work undertaken by the Borough shall become a lien upon the property after certification of the amount by the governing body.

- C. Applicant shall demonstrate to the Borough Engineer that any recharge requirements applicable to the site storm water management have been satisfied in accordance with the regulations promulgated by NJDEP.
- D. Prior to the issuance of a building permit, the Applicant shall provide verification that the building will only be 2.5 stories and will comply with the height limits under the ordinance.
- E. Prior to the issuance of a building permit Applicant shall submit a re-vegetation and landscaping plan to the Board Engineer in full compliance with all municipal regulations.
- F. Prior to the issuance of a building permit Applicant shall secure an agreement with the Boroughs of Cresskill and Alpine with regard to sewer service to the site.

Conditions A (except to the extent that a specific time for compliance is contained in such report), B and C shall be satisfied prior to the issuance of a certificate of occupancy for the dwelling.

The Board has resolved that a copy of this Resolution shall be provided to the Applicant, the Construction Code Official of the Borough of Alpine, the Secretary of the Planning Board, and the Borough Clerk.

This Resolution constitutes a Resolution of Memorialization of the action taken by the Planning Board of the Borough of Alpine on October 23, 2012 and adopted on December 18, 2012.

CATHERINE PARILLA  
CHAIR,  
ALPINE PLANNING BOARD  
Dated December 18, 2012

MARILYN HAYWARD  
RECORDING SECRETARY,  
ALPINE PLANNING BOARD