

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, October 26, 2022 @ 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, October 26, 2022 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 Open Public Meetings Law the notice of this regular meeting of the Alpine Mayor and Council held on Wednesday, October 26, 2022 at 7:30 PM has met the requirements of the law by being published as part of the annual meeting notice in The Record, posted continuously on the bulletin board of the lobby of the Borough Hall and a copy filed in the office of the Borough Clerk.

ROLL CALL OF THE MAYOR AND COUNCIL OF 2022

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Gayle Gerstein, Councilwoman	Present	Scott Bosworth, Councilman	Present
Arthur Frankel, Councilman	Present	Steven Cohen, Councilman	Present
David Kupferschmid, Councilman	Present		

Staff Present on Dais:

Borough Attorney Russ Huntington, Attorney Levi Kool of Huntington Bailey, Borough Engineer Perry Frenzel, Municipal Clerk Stephanie Wehmann

PUBLIC COMMENTS

Robert Policano noted he recently read that the Alpine School is rated #1 in the state and #20 in the nation. He would like to commend the Mayor and Council, school administrators and teachers for this great accomplishment.

Mayor Tomasko wished to acknowledge the contribution of Board of Education President, Phil Simotas. Mr. Simotas wished to note the rating the school gets is really a function of all the participants in the community including Superintendent/ Principal Maureen McCann, great teachers, great staff, great kids and, of course, the parents. It's everyone working together for our wonderful school and it is fantastic.

Mayor Tomasko further acknowledged President of the Alpine Home and School Association, Keren Barbi.

Jonathan Mangot, 19 Old Dock Road requested personal phone and emails for the Mayor and Council. Mayor Tomasko noted the Council prefers all communication go through the Borough Clerk. Jonathan Mangot requested a town hall meeting for debate. Mayor Tomasko noted it is the Borough Counsel's position that use of Borough facilities or emergency notification systems for political campaign events is not an appropriate use of public facilities or services. Jonathan Mangot asked about his political signs that were erected at great cost to him and were removed. Mayor Tomasko noted he did not direct removal of signs, but was made aware signs had been removed where they were erected on municipal property or on personal property without owner's permission. Jonathan Mangot read a copy of an ACLU letter to Mayor & Council regarding the political sign ordinance. Attorney Kool responded he consulted with the ACLU and the person who drafted said letter is not entirely correct. The Borough can regulate the location of signs, which cannot be on municipal property or on private property without owners' permission.

Maryana Beydor, 946 Closter Dock Road would like her children to be able to walk to school but feels the streets are not safe and sidewalks are cracked or broken. State grants are available. Mayor Tomasko noted history advising the only sidewalk in Alpine is located between the School and Church Street and it has been rarely used from the start. While preferable for people to get more exercise, consistent with the times we live in residents have shown a preference for driving their children to and from school. The Mayor and Council would be willing to look further into the matter, after first consulting with the Board of Education.

Jonathan Mangot and Mrs. Beydor requested a debate. Mayor Tomasko advised each candidate is free to reach out to the public in their own way.

John McCaffrey, 203 Hickory Lane, Closter own property in Alpine. He blamed the Mayor for recent violation notices he has received to dismantle his woodpile he erects annually and for wasting Borough money and police time prosecuting him, for not preserving the interior of the Alpine Community Church, and for not exercising the Borough's rights to spring to prevent construction of four townhouses. Mayor Tomasko noted the church has private rights and the Planning Board approved the townhouse plan only after a two-mile long sewer line was eliminated.

There being no further comments, the public comment portion was closed.

REPORT OF THE FINANCE COMMITTEE Connect One Bank Current Operating Account **\$3,106,114.51**

Resolution #164:10'2022: Return of Bonds and Escrow

OFFERED BY: Councilman Cohen

SECONDED BY: Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, October 26, 2022 to approve the following return of bonds and escrow:

Block	Lot	Owner's name	Original Assessment	Reduced Assessment	Year	Refund Due
79.01	3	Cassandra Trust I and Trust II	\$ 9,661,700 \$ 9,500,000	\$ 9,000,000 \$ 9,000,000	2021 2022	\$ 5,141.41 \$ 3,835.00

TOTAL: \$ 8,976.41

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Resolution #165:10'2022: Revised Resolution – Refund of 2021 & 2022 Tax Overpayments Due to State Tax Court Judgement (Block 79.01/Lot 3) - To replace the Resolution approved by Mayor & Council on September 28, 2022

OFFERED BY: Councilman Cohen

SECONDED BY: Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, October 26, 2022,

WHEREAS, State Tax Court Judgments were granted on August 17, 2022 from the Tax Court of New Jersey reducing the assessments on the following:

Block	Lot	Owner's Name	Original Assessment	Reduced Assessment	Year	Refund Due
79.01	3	Cassandra Trust I & II	\$9,661,700 \$9,500,000	\$9,000,000 \$9,000,000	2021 2022	\$5,141.41 \$3,835.00

TOTAL: \$8,976.41

WHEREAS, the reductions in assessment were not recorded in time for the 2021 and 2022 assessment records for the above referenced properties and were billed at the higher assessed value for 2021 and 2022, resulting in an overbilling, and

WHEREAS, overpayments were made for the tax years listed above and therefore should be refunded to the owner made payable to:

Richard Hubschman, Esq.
& Cassandra Trust I & Trust II
c/o Hubschman & Roman Esq.
460 Bergen Blvd.
Palisades Park, NJ 07650

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: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Resolution #166:10'2022: Approval of Bills & Claims - \$919,342.52

OFFERED BY: Councilman Cohen

SECONDED BY: Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, October 26, 2022 to approve the bills and claims of which copies are appended.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

TAX ASSESSOR'S REPORT On File.

MAYOR'S REPORT

- Cambridge Way. Thanks to the Borough engineer and Police Department for their coordination with the repaving of Cambridge way funded by a State grant. Residents have provided positive feedback.
- Walk with the Mayor. The Mayor was pleased to walk with several residents a few weeks ago, get some exercise, introduce them to some pedestrian walkways, and have an opportunity for company and conversation on a nice day. He does this every few months and hopes more will join in.
- Recognition of Alpine School as noted earlier.

REPORT OF THE STANDING COMMITTEES

- **Administration Department** No report.
- **Building Department** Councilman Kupferschmid reported: 62 scheduled inspections, 4 tree permits, 6 soil moving applications, 8 zoning reviews, 1 miscellaneous.
- **Department of Public Works** Councilman Frankel reported the entire report on file in the Borough Clerk's office.
- **Fire Department** Councilwoman Gerstein reported all statistics on file in the Borough Clerk's office and available for review. Mayor Tomasko recognized Fire Chief Khorozian and Assistant Fire Chief Hoffmann. Fire Chief Khorozian reported the Fire Department went to the Alpine School on Columbus Day to conduct a seminar for first and second graders.
- **Police Department** Councilwoman Frankel reported 13 summonses, 5 MVA with 3 injuries; rest of report is on file.

These minutes have been approved by the Mayor & Council.

Resolution #167:10'2022: Accepting the Reports of the Standing Committees

OFFERED BY: Councilwoman V. Frankel

SECONDED BY: Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, October 26, 2022 to accept the reports of the Standing Committees.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

BOARD OF EDUCATION LIAISON'S REPORT

Councilman Kupferschmid was grateful to Mr. Simotas for attending and the good news he provided earlier. He is very proud of the Board of Education, the School, the parents, and everyone else involved. It's a tremendous achievement.

BOROUGH ATTORNEY'S REPORT No comments for open session.

BOROUGH ENGINEER'S REPORT

- Paving of Cambridge Way is complete; this was mostly funded by the DOT grant.
- Grant money received for Glen Goin Drive and Marie Major Drive. Bids were received October 14, 2022 and forwarded to DOT for review, after which a contract will be awarded most likely for work to commence in the spring.

UNFINISHED BUSINESS

ORDINANCE #815

Public Hearing: Opened to the public. No comments.

Resolution #168:10'2022: Adoption ORD #815 – Amending 2022 Salary Ordinance #812

[Ordinance Appended in Full at the End of these Minutes]

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, October 26, 2022

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine in the County of Bergen and State of New Jersey, that an Ordinance entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 812 PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY," does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

NEW BUSINESS:

CONSENT AGENDA RESOLUTIONS #169:10'2022 - #174:10'2022

Resolution #169:10'2022: Approval of Regular Meeting Minutes September 28, 2022

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, October 26, to approve the Regular Meeting Minutes from September 28, 2022.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Resolution #170:10'2022: Approval of Executive Session Minutes September 28, 2022

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, October 26, 2022, to approve the Executive Session from September 28, 2022.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Resolution #171:10'2022: Report of Bid Results/Award of Bid for 2021 Marie Major Drive Improvements

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, October 26, 2022,

2021 DOT Municipal State Aid Project

Report of Bid Results- Marie Major Drive Improvements (State Aid Project)

Advertised in The Record on Wednesday, September 28, 2022

Received and opened 10:00 a.m. Friday, October 14, 2022

at Borough Hall, 100 Church Street, Alpine, NJ

Company Town, State	Bid
DLS Contracting, Fairfield, NJ	\$206,178.50
American Asphalt & Trucking, Newark, NJ	\$181,569.62
D&L Paving, Nutley, NJ	\$194,184.50
Your Way Construction Inc, Irvington, NJ	\$173,504.84
4 Clean-Up Inc, North Bergen, NJ	\$221,762.00
AJM Contractors, Clifton, NJ	\$188,172.00
Onorati Construction Co Inc, Boonton, NJ	\$228,761.34
JA Alexander Inc, Bloomfield, NJ	\$214,846.12

Resolution: Award of Bid for 2021 Marie Major Drive Improvements (State Aid Project)

At a regular meeting of the Alpine Mayor and Council on Wednesday, October 26, 2022.

WHEREAS, the Mayor and Council of the Borough of Alpine requested bids for the 2021 Marie Major Drive (State Aid Project) as detailed in the Notice to Bidders and sealed bids were received at the Borough Hall up until 10:00 A.M. October 14, 2022, as advertised in The Record on Wednesday, September 28, 2022; and
WHEREAS these bids were opened in the presence of the Borough Clerk and Borough Engineer, and
WHEREAS eight (8) bids were received as listed above and apparent low bidder was identified to be Your Way Construction Inc of Irvington, NJ at \$173,504.84; and
WHEREAS all of the bids were reviewed by the Borough Engineer who recommends acceptance of the lowest responsible bid from Your Way Construction Inc of Irvington, NJ at \$173,504.84 subject to review by the Borough Attorney, QPA and concurrence of the award by NJDOT.
NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, at the regular meeting Wednesday, October 26, 2022, that the bid be awarded to Your Way Construction Inc of Irvington, NJ at \$173,504.84 subject to review by the Borough Attorney.
VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid **MOTION APPROVED**

Resolution #172:10'2022: Report of Bid Results/Award of Bid for 2022 Glen Goin Drive Improvements

2022 DOT Municipal State Aid Project
 Report of Bid Results- Glen Goin Drive Improvements (State Aid Project)
 Advertised in The Record on Wednesday, September 28, 2022
 Received and opened 10:30 a.m. Friday, October 14, 2022
 at Borough Hall, 100 Church Street, Alpine, NJ

Company Town, State	Bid
DLS Contracting, Fairfield, NJ	\$231,455.00
American Asphalt & Trucking, Newark, NJ	\$196,347.44
D&L Paving, Nutley, NJ	\$213,995.00
Your Way Construction Inc, Irvington, NJ	\$190,770.48
4 Clean-Up Inc, North Bergen, NJ	\$217,217.20
AJM Contractors, Clifton, NJ	\$200,880.00
Onorati Construction Co Inc, Boonton, NJ	\$243,262.94
JA Alexander Inc, Bloomfield, NJ	\$205,517.34

Resolution: Award of Bid for 2022 Glen Goin Drive Improvements (State Aid Project)
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, October 26, 2022.
WHEREAS, the Mayor and Council of the Borough of Alpine requested bids for the 2022 Glen Goin Drive (State Aid Project) as detailed in the Notice to Bidders and sealed bids were received at the Borough Hall up until 10:30 a.m. October 14, 2022, as advertised in The Record on Wednesday, September 28, 2022; and
WHEREAS these bids were opened in the presence of the Borough Clerk and Borough Engineer, and
WHEREAS eight (8) bids were received as listed above and apparent low bidder was identified to be Your Way Construction Inc of Irvington, NJ at \$190,770.48; and
WHEREAS all of the bids were reviewed by the Borough Engineer who recommends acceptance of the lowest responsible bid from Your Way Construction Inc of Irvington, NJ at \$190,770.48subject to review by the Borough Attorney, QPA and concurrence of the award by NJDOT.
NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, at the regular meeting Wednesday, October 26, 2022, that the bid be awarded to Your Way Construction Inc of Irvington, NJ at \$190,770.48 subject to review by the Borough Attorney.
VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid **MOTION APPROVED**

Resolution #173:10'2022: To Appoint Electrical Subcode Official

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, October 26, 2022,
WHEREAS, the laws of the State of New Jersey require that the Borough of Alpine appoint an Electrical Subcode official to be responsible for the administration and enforcement of the electrical subcode; and
WHEREAS, Alpine's current Electrical Subcode Official is retiring and has submitted his letter of resignation effective October 28, 2022; and
WHEREAS, Jon Buchak has previously served as a sub-Electrical Subcode Official for the Borough of Alpine; and
WHEREAS, the Building Committee recommends the appointment of Jon Buchak to serve as the Electrical Subcode Official; and
WHEREAS, Section 52:27D-126 of the Uniform Construction Code Act mandates that this appointment be for a four-year term, and
WHEREAS, funds for the position of Sub Code Electrical Official have been provided by Ordinance, whereupon salary may be set by resolution;

NOW, THEREFORE, BE IT RESOLVED, that Jon Buchak be appointed Electrical Subcode Official effective 11/1/2022 for a period of 4-years expiring on 10/31/2026 and that notification of this appointment be sent to the Office of Regulatory Affairs, NJS Department of Community Affairs.

BE IT FURTHER RESOLVED, that the annual salary for Mr. Buchak is established at \$14,000 for a maximum of eight (8) hours per week. The maximum compensation shall not exceed the amount specified in the salary ordinance per annum, and this part time position shall not include any benefits.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Resolution #174:10'2022: To Endorse Planning Board Approval Soil Moving Permit – 509 Hillside Avenue (49/12)

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, October 26, 2022,

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, the application was reviewed by the Planning Board at a hearing held September 27, 2022, and the 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 October 25, 2022 (copy attached hereto);

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 October 25, 2022.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

COMMUNICATIONS - WRITTEN AND ORAL None.

EXECUTIVE SESSION

Motion to go into executive session. Mayor and Council convened the Executive Session at 8:00 PM, and reconvened in public session at 8:12 PM.

Resolution #175:10'2022: Executive Session Relating to: 1) Affordable Housing, 2) Collective Bargaining Matter and 3) Lease Renewal & Negotiation

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, October 26, 2022,

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, Negotiations and the Attorney-Client Privilege: Affordable Housing

(b)(4) Matter related to collective bargaining

(b)(7) Matters Relating to Negotiations and the Attorney-Client Privilege

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, October 26, 2022, 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: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

ADJOURNMENT

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

And approved by all present to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, October 26, 2022 at 8:12 P.M.

VOTE: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid

MOTION APPROVED

Respectfully submitted,

Stephanie Wehmann

Municipal Clerk

ORDINANCE NO. 815

“AN ORDINANCE AMENDING ORDINANCE NO. 812 PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY.”

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpine as follows:

Section 1. That the respective salaries, wages or compensation of the following officers, employees, officials of the Borough of Alpine be hereby fixed at the following rate, effective as of November 1, 2022 except as may be specifically noted.

<u>Office or Position:</u>	Yearly Salary Effective November 1, 2022
Electrical Inspector	14,000
Plumbing Inspector	12,000

Section 2. That all ordinances or parts or ordinances inconsistent with this Ordinance be and the same are hereby repealed.

Section 3. That this Ordinance shall be effective November 1, 2022 as of the date of adoption of this Ordinance.

INTRODUCED: September 28, 2022

ADOPTED: October 26, 2022