

**MAYOR AND COUNCIL
2023 REGULAR MEETING
March 22, 2023 @ 7:30 PM
Borough Hall – 100 Church Street – Alpine, NJ
(This meeting was recorded in its entirety)**

CALL TO ORDER/ PUBLIC ANNOUNCEMENT

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting on March 22, 2023 at 7:30 P.M. in the Alpine Borough Hall. The Public Announcement was read: *In accordance with the provisions of the New Jersey Open Public Meetings Law, the notice of this Regular meeting has met the requirements of the law by being e-mailed to The Record, posted on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk.*

ROLL CALL OF THE MAYOR AND COUNCIL OF 2023

Paul H. Tomasko, Mayor	Present	Gayle Gerstein, Councilwoman	Present
Steven Cohen, Councilman	Absent	Vicki Frankel, Councilwoman	Present
Arthur Frankel, Councilman	Present	Scott Bosworth, Councilwoman	Absent
David Kupferschmid, Councilman	Present		

Staff Present on Dais: Borough Attorney Levi Kool, Borough Engineer Perry Frenzel, Borough Clerk Stephanie Wehmann

The Mayor acknowledged and welcomed the following in the audience:

- Borough Auditor Jeff Bliss
- CFO Marilyn Hayward
- Acting Chief of Police Matt Kent
- Special COAH Counsel Ed Buzak
- Reliable member of the public Robert Policano
- Retiring Borough Attorney Russ Huntington

PRESENTATION TO RUSSELL R. HUNTINGTON, ESQ. - Borough Attorney

The Mayor communicated that he had met the esteemed and retiring Borough Attorney Russ Huntington not too long after the Mayor became a member of the Bergen County Joint Insurance Fund. Russ was a highly esteemed and recognized member as him and Dave Grubb were major players in the creation of a money saving approach to municipal insurance over 40 years ago. The Mayor took the opportunity after Terry Bottinelli retired to become a Superior Court Judge, and invited Russ to apply. It was the consensus at the time after reviewing several applications that Russ was the right choice. We've had a wonderful relationship and excellent service these last 11 years and even though they had planned a reception for him at last month's meeting along with Chief Chris Belcolle's retirement, the Mayor is so glad Russ was able to make this month's meeting for the plaque presentation.

Councilwoman Frankel commented that it was wonderful to know Russ and thanked him for all that he had done.

The Mayor also commented that it was quite a long and varied trip with major challenges they have faced together; including against a developer looking to create 150 beds of assisted living facility on Hillside Avenue where the Mayor and neighboring towns of Demarest and Cresskill spoke up against it. In dealing with this subject, we had to also hire Ed Buzak. Without further ado, the Mayor proceeded with the plaque presentation to Russ.

On behalf of the Council, the Mayor expressed his gratitude and congratulated Russ on his retirement, and presented a plaque which reads as follows: *"Presented to RUSSELL R. HUNTINGTON, ESQ., whose expert legal advice and extraordinary dedication have been invaluable and most appreciated over the course of more than 11 years of service as Borough Attorney 2011-2023"* The Mayor and Council hopes to stay in touch and wish him well.

End of presentation.

PUBLIC COMMENTS None.

REPORT OF THE FINANCE COMMITTEE

Bank of New Jersey Current Operating Account **\$3,980,683.84**

Resolution #064:03'2023: Return of Bonds & Escrow - \$21,748.42

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

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023 to approve the following return of bonds and escrow:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
22	10	Aman NJ LLC c/o Victor	Revegetation Bond	\$ 8,000.00
			Performance Bond	11,500.00
			Engineering Escrow	<u>1,088.50</u>
				\$20,588.50
Boy Scout Camp		Universal Television LLC	Film Permit Escrow	<u>\$ 1,159.92</u>
			TOTAL:	\$21,748.42

These minutes have been approved by the Mayor & Council.

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #065:03'2023: Emergency Appropriation #1 to Increase 2023 Temporary Budget

OFFERED BY: Councilman Frankel

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, March 22, 2023,

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

WHEREAS, no adequate provision has been made in the 2023 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 2023 pursuant to the provision of Chapter 96, P.L. 1951 (R.S. 40A:4-20) including this resolution total \$425,397.43 and shall be provided for in the 2023 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"

Tax Assessment O/E	3-01-20-150-020	\$ 180.26
Office of Emergency Mgmt. O/E	3-01-25-252-020	\$ 566.57
Streets & Roads Maintenance O/E	3-01-26-290-020	\$ 2,230.55
Electricity	3-01-31-430-020	\$ 3,375.46
Street Lighting	3-01-31-435-020	\$ 325.05
PSE&G	3-01-31-446-020	\$ 1,514.54
Police & Fire Retirement System	3-01-36-475-000	\$417,205.00
	TOTAL:	\$425,397.43

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #066:03'2023: Approval of Bills & Claims

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, March 22, 2023, to approve the bills and claims of which copies are appended.

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #067:03'2023: Governing Body Certification of Compliance with Equal Employment Opportunity Commission (EEOC) Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At this regular meeting of the Alpine Mayor and Council held on March 22, 2023

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Alpine hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #068:03'2023: Introduction of Ordinance #817: To Exceed the Municipal Budget Appropriation Limits & Establish a Cap Bank (NJSA 40A:4-45.14) CY 2023

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, March 22, 2023

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: **CALENDAR YEAR 2023 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR CALENDAR YEAR 2023**

pass on first reading and remain on file with the Clerk for public inspection until public hearing thereon and further consideration thereof, which hearing shall be held in the Council Chambers, Alpine Municipal Building, Church Street, Alpine, New Jersey on Wednesday, April 26, 2023 at 7:30 p.m. prevailing time or as soon thereafter as the matter can be heard, at which time and place all persons interested in said Ordinance will be heard

The Borough Clerk is hereby directed to publish said Ordinance in full, together with the Notice of Hearing thereon in The Record according to law.

BE IT FURTHER RESOLVED, that a copy of said Ordinance shall be posted on the bulletin board in the lobby of the Borough Hall and copies shall be made available to the members of the public who shall request the same.

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #069:03'2023: Introduction of 2023 Municipal Budget

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Alpine, Bergen County, New Jersey for the year 2023.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of March 30, 2023, and that a hearing on the Budget will be held at the Municipal Building on April 26, 2023 at 7:30 PM or as soon thereafter as the matter may be reached.

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

Absent: Cohen, Bosworth

MOTION APPROVED

Resolution #070:03'2023: Introduction of 2023 Temporary Capital Budget

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

**CAPITAL BUDGET (Current Year Action)
2023**

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2023					6 To be Funded In Future Years
				5a 2020 Budget Appropriations	5b Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Various Capital Improvements & Acquisitions		\$228,000			\$10,905			\$217,095	
TOTAL ALL PROJECTS		\$228,000			\$10,905			\$217,095	

**3 YEAR CAPITAL PROGRAM 2023-2025
Anticipated PROJECT Schedule and Funding Requirement**

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts per Year						
				Budget Year 2023	2024	2025	2024	2026	2027	2028
Various Capital Improvements & Acquisitions		\$228,000		\$228,000						
TOTAL ALL PROJECTS		\$228,000		\$228,000						

**3 YEAR CAPITAL PROGRAM 2023-2025
Summary of Anticipated Funding Sources and Amounts**

1 Project	2 Estimated Total Cost	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grant in Aid And Other Funds	7 Bonds and Noted			
		Current Year 2023	Future Years				General	Self Liquidating	Assess- ment	School
Various Capital Improvements & Acquisitions	\$228,000			\$10,905			\$217,095			
TOTAL ALL PROJECTS	\$228,000			\$10,905			\$217,000			

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid **Absent:** Cohen, Bosworth **MOTION APPROVED**

TAX ASSESSOR'S REPORT Report on file.**MAYOR'S REPORT**

- Mayor Tomasko read a thank you card received from our Outgoing Chief of Police:
Dear Mayor Tomasko, Commissioner Frankel, and members of the Council, on behalf of my family and I, thank you for the wonderful send off this past Wednesday. It was my honor to serve both the borough and the department for 25 years. I was blessed for the opportunity and forever grateful. We will miss you all, and thank you for everything. Chris Belcolle
- The Safety Committee met this past Wednesday and reviews are conducted every quarter. Under Stephanie's guidance, we have been on target where our safety goals are concerned.
- Swim Club Committee led by Lane Goldstein have been meeting and looking for life guards. They are starting in a better position than last year, from getting the club opened that was on hiatus for the past couple years.
- After crafting the budget, they are now moving towards preparations for Memorial Day.

REPORT OF THE STANDING COMMITTEES

- **Administration Department** No report.
- **Building Department** Councilman Kupferschmid reported: 43 scheduled inspections, 5 tree permits, 1 soil moving application, 4 zoning review applications, and 3 miscellaneous. Detailed report on file in the Clerk's office.
- **Department of Public Works** Councilman Frankel reported nothing specific to report. Report is on file.
- **Fire Department** Councilwoman Gerstein reported all statistics on file. Mayor Tomasko supplemented this by reporting that there was a bush fire two days ago on the Palisades Interstate Parkway property. Our Fire Department responded in a major way and was involved in bringing that under control.
- **Police Department** Councilwoman Frankel reported 1 MVA with 0 injuries, 38 summonses issued. Rest of report on file.

Resolution #071:03'2023: Accepting the Reports of the Standing Committees**OFFERED BY:** Councilwoman Frankel**SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023 to accept the reports of the Standing Committees.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED****BOARD OF EDUCATION LIAISON'S REPORT**

Councilman Kupferschmid reported that the school is finalizing their budget and they will have a small increase to their budget. There was a change in personnel as one Board Member stepped down because they moved out of town but they were successful in finding another person to fill that void.

BOROUGH ATTORNEY'S REPORT

Mr. Kool stated that even though Russ Huntington stepped down from the dais the Borough will not be letting go of that institutionalized knowledge. The **Mayor** welcomed Levi Kool to the dais in the capacity of his successor and stated that they feel they continue to be well represented and in good hands.

BOROUGH ENGINEER'S REPORT Report on file. Nothing new to report.

UNFINISHED BUSINESS

Ordinance #816. The Mayor summarized that this Bond Ordinance is to amend Ordinance #795 which was a resurfacing situation and the job required a little more money. This ordinance amendment is to put that money back. The Mayor opened the public hearing on this specific matter.

PUBLIC HEARING: Open to the Public for comments. There being no comments from the Public, hearing was subsequently closed.

Resolution #072:03'2023: Adoption of Ordinance No. 816**OFFERED BY:** Councilwoman Gerstein**SECONDED BY:** Councilwoman Frankel

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

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:

"BOND ORDINANCE TO AMEND SECTIONS 1, 2, 3, 7 AND 9 OF THE BOND ORDINANCE (ORD. NO. 795) ENTITLED: 'BOND ORDINANCE PROVIDING FOR THE 2020 ROAD PROGRAM IN AND BY THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$378,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$154,000) AND AUTHORIZING THE ISSUANCE OF \$205,100 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF,' ADOPTED APRIL 22, 2020."

Does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED****NEW BUSINESS:**

These minutes have been approved by the Mayor & Council.

CONSENT AGENDA RESOLUTIONS #073:3'2023 - #077:3'2023**Resolution #073:03'2023: Approval of Regular Meeting Minutes February 22, 2023****OFFERED BY:** Councilwoman Frankel**SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023 to approve the Regular Meeting Minutes.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED****Resolution #074:03'2023: Introduction Ordinance #818: 2023 Salary Ordinance****OFFERED BY:** Councilwoman Frankel**SECONDED BY:** Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

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 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.”

pass on first reading and remain on file with the Clerk for public inspection until public hearing thereon and further consideration thereof, which hearing shall be held in the Council Chambers, Alpine Municipal Building, Church Street, Alpine, New Jersey on April 26, 2023 at 7:30 p.m. prevailing time or as soon thereafter as the matter can be heard, at which time and place all persons interested in said Ordinance will be heard

The Borough Clerk is hereby directed to publish said Ordinance in full or by title, together with the Notice of Hearing thereon in the Record according to law.

BE IT FURTHER RESOLVED, that a copy of said Ordinance shall be posted on the bulletin board in the lobby of the Borough Hall and copies shall be made available to the members of the public who shall request the same.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED****Resolution #075:03'2023: Introduction Ordinance #819: 2023 – 2026 Police Salaries**

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

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 FIXING THE SALARIES, COMPENSATION AND RETAINERS OF THE PAID POLICE OFFICERS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY FOR THE YEARS 2023-2026.”

pass on first reading and remain on file with the Clerk for public inspection until public hearing thereon and further consideration thereof, which hearing shall be held in the Council Chambers, Alpine Municipal Building, Church Street, Alpine, New Jersey on Wednesday, April 26, 2023 at 7:30 p.m. prevailing time or as soon thereafter as the matter can be heard, at which time and place all persons interested in said Ordinance will be heard.

The Borough Clerk is hereby directed to publish said Ordinance in full or by title, together with the Notice of Hearing thereon in the Record according to law.

BE IT FURTHER RESOLVED, that a copy of said Ordinance shall be posted on the bulletin board in the lobby of the Borough Hall and copies shall be made available to the members of the public who shall request the same.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED****Resolution #076:03'2023: Introduction Ordinance #820 – 2023 Capital Bond – Various Improvements**

At the regular meeting of the Alpine Mayor and Council held on Wednesday, March 22, 2023

BE IT RESOLVED that the ordinance entitled: “Resolution to Introduce Ordinance No. 820”

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$228,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 26th day of April, 2023, at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

VOTE: Ayes: V. Frankel, Gerstein, A. Frankel, Kupferschmid**Absent:** Cohen, Bosworth**MOTION APPROVED**

Resolution #077:03'2023: Landscaping Services Agreement for Swim Club

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, March 22, 2023.

WHEREAS, the Borough is in need of landscaping services for its municipal pool; and

WHEREAS, the cost of landscaping services between May 1, 2023 and October 31, 2023 are estimated at less than \$17,500.00; and

WHEREAS, said amount is less than the bid threshold under the Local Public Contracts Law:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine that Kings Woods Landscaping is hired to perform the landscaping services at the municipal pool from May 1, 2023 through October 31, 2023 for a price of \$200.00 per month; and

BE IT FURTHER RESOLVED that Kings Woods Landscaping is assigned a parking area in the DPW parking lot on a monthly basis for a parking fee at the rate of \$200.00 per month for a period of time commencing May 1, 2023 and not later than October 31, 2023.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Alpine of the intent to reaffirm that the Kings Woods Landscaping agreement has been in effect since 2004.

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

Absent: Cohen, Bosworth

MOTION APPROVED

End of Consent Agenda.

COMMUNICATIONS - WRITTEN AND ORAL:

- The Mayor distributed a draft newsletter for Council review and comments.
- Mr. Abad inquired about updates to the Building Department software. Councilman Kupferschmid reported that SDL is the company they will most likely going with, to greatly enhance electronic handling of building department records in accordance with the mandate coming from State. The Mayor commented that there is financing for this and it has been budgeted.

EXECUTIVE SESSION: Relating to 1) Litigation, Negotiation and Attorney-Client Privilege-Affordable Housing**Resolution #0078:03'2023: Executive Session**

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, March 22, 2023, to

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

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

Absent: Cohen, Bosworth

MOTION APPROVED

EXECUTIVE SESSION

Mayor and Council convened the Executive Session at 7:50 PM, and reconvened in public session at 8:58 P.M.

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, March 22, 2023 at 8:58 P.M.

Respectfully submitted,

Stephanie Wehmann
Municipal Clerk

2023 MUNICIPAL BUDGET
of the Borough of Alpine
County of Bergen
for the fiscal year 2023

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2023	2022
1. Surplus	\$ 1,050,000	\$ 1,200,000
2. Total Miscellaneous Revenues	1,710,104	1,592,447
3. Receipts from Delinquent Taxes	180,000	210,000
4. Local Tax for Municipal Purposes	3,803,156	3,631,884
Total General Revenues	\$ 6,743,260	\$ 6,634,331

Summary of Appropriations	2023 Budget	Final 2022 Budget
	1. Operating Expenses: Salaries & Wages	\$ 2,916,900
Other Expenses	1,759,761	1,468,338
2. Deferred Charges & Other Appropriations	829,022	800,986
3. Capital Improvements	76,707	10,000
4. Debt Service (Include for School Purposes)	295,870	446,550
5. Reserve for Uncollected Taxes	865,000	850,000
Total General Appropriations	\$ 6,743,260	\$ 6,634,331
Total Number of Employees	30	30

2023 Dedicated Open Space Trust Fund

Summary of Revenues	Anticipated	
	2023	2022
1. Amount to be Raised by Taxes	\$ 98,868	\$ 99,663
2. Reserve Funds		
Total General Revenues	\$ 98,868	\$ 99,663

Summary of Appropriations	2023 Budget	Final 2022 Budget
	1. Salaries and Wages	
2. Other Expenses		
3. Capital Improvements		
4. Debt Service		
5. Reserve for Future Use	\$ 98,868	\$ 99,663
Total General Appropriations	\$ 98,868	\$ 99,663

Debt Information - Bonds, Notes and Loans			
	General	Open Space	
Interest on Bonds		-	
Interest on Notes	70,870		
Principal on Bonds			
Principal on Notes	225,000		
Repayment of Loans			
Outstanding Balance - 12/31/2022	1,989,000	-	

These minutes have been approved by the Mayor & Council.

**BOROUGH OF ALPINE
ORDINANCE NO. 816**

BOND ORDINANCE TO AMEND SECTIONS 1, 2, 3, 7 AND 9 OF THE BOND ORDINANCE (ORD. NO. 795) ENTITLED: "BOND ORDINANCE PROVIDING FOR THE 2020 ROAD PROGRAM IN AND BY THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$378,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$154,000) AND AUTHORIZING THE ISSUANCE OF \$205,100 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF," ADOPTED APRIL 22, 2020.

BE IT ORDAINED by the Borough Council of the Borough of Alpine, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 1 of Ordinance No. 795 entitled:

"BOND ORDINANCE PROVIDING FOR THE 2020 ROAD PROGRAM IN AND BY THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$378,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$154,000) AND AUTHORIZING THE ISSUANCE OF \$205,100 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF"

adopted by the Borough Council of the Borough of Alpine, in the County of Bergen, New Jersey (the "Borough") on April 22, 2020 (the "Prior Ordinance") is hereby amended to (i) increase the appropriation made from \$378,000 to \$435,000 (an increase of \$57,000); and (ii) increase the down payment appropriated from \$18,900 to \$21,750 (an increase of \$2,850); and shall hereafter read as follows:

"SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Alpine, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$435,000, which sum includes a \$154,000 grant expected to be received from the New Jersey Department of Transportation (the "Grant") and \$21,750 as the amount of down payment for said improvement or purpose as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes."

Section 2. Section 2 of the Prior Ordinance is hereby amended to (i) increase the appropriation stated from \$378,000 to \$435,000 (an increase of \$57,000); and (ii) increase the amount of bonds or notes authorized from \$205,100 to \$259,250 (an increase of \$54,150), and shall hereafter read as follows:

"SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$435,000 appropriation not provided by said Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$259,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$259,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law."

Section 3. Section 3 of the Prior Ordinance is hereby amended to (i) add Allison Road to the list of streets authorized to be resurfaced; (ii) increase the estimated maximum amount of bonds and notes stated from \$205,100 to \$259,250 (an increase of \$54,150); and (iii) increase the estimated cost of the improvement or purpose stated from \$378,000 to \$435,000 (an increase of \$57,000); and shall hereafter read as follows:

"SECTION 3. The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is for the resurfacing of various roadways, including, but not limited to, Alpine Drive, Old Quarry Road, Old Chapel Court, Cambridge Way, Allison Road, the Borough Hall parking lot and the Firehouse parking lot and design improvements to the Route 9W and Closter Dock Road intersection. Such improvement or purpose is to include, as applicable, milling, construction, reconstruction, repairing and resurfacing, drainage improvements, inlet, manhole and water valve replacements, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways, the acquisition and installation of traffic signals and signage and including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(a) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$259,250.

(b) The estimated cost of said improvement or purpose is \$435,000."

Section 4. Section 7 of the Prior Ordinance is hereby amended to (i) increase the amount of gross debt of the Borough shown on the Supplemental Debt Statement filed for the ordinance, as amended, from \$205,100 to \$259,250 (an increase of \$54,150); and (ii) increase the amount of Section 20 expenses included in the cost of the purpose from \$80,000 to \$90,000 (an increase of \$10,000), and shall hereafter read as follows:

"SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$259,250 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$90,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described."

Section 5. Section 9 of the Prior Ordinance is hereby amended to increase the maximum amount of bonds or notes stated to be issued to reimburse the Borough for expenditures on the improvement incurred prior to the issuance of the bonds or notes from \$205,100 to \$259,250 (an increase of \$54,150), and shall hereafter read as follows:

"SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1 (e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1 (d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1 (e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$259,250. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2)."

Section 6. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 7. This ordinance shall take effect twenty days after the first publication thereof after final passage.