MAYOR AND COUNCIL REGULAR MEETING May 28, 2025 @ 7:30 P.M. BOROUGH HALL - 100 CHURCH STREET - ALPINE, NJ

(This meeting was recorded in its entirety)

CALL TO ORDER / PUBLIC ANNOUNCEMENT / PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting on May 28, 2025, 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 on the website and a copy filed in the office of the Borough Clerk.

ROLL CALL

Paul H. Tomasko, Mayor Present Gayle Gerstein, Council President Present*
George Abad, Councilman Present Scott Bosworth, Councilman Present
Steven Cohen, Councilman Absent Arthur Frankel, Councilman Present*
David Kupferschmid, Councilman Present

*by phone

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

Borough Clerk Stephanie Wehmann

PUBLIC COMMENTS

Mayor Tomasko opened for public comment. Seeing none, the public comment portion was closed.

REPORT OF THE FINANCE COMMITTEE

ConnectOne Bank Current Operating Account

\$4,484,596.66

Resolution 106:05'2025: Return of Bonds or Escrow

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilman Abad

At a regular meeting of the Mayor and Council of the Borough of Alpine held on May 28, 2025, to return the following bonds or escrows:

Block 60	Lot 12	Name Choi, So Young	Type Engineering/Septic	Amount \$1,754.00
78	4	Rachman/Skillman	Refund overpayment Of COAH Fee	\$2,100.00

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 107:05'2025: Amending Resolution Authorizing the Transfer of 2024 Budget Appropriations

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilman Frankel

WHEREAS, on February 26, 2025 the Governing Body of the Borough of Alpine approved a resolution authorizing the Borough Treasurer to make certain transfers in the 2024 Budget Appropriations in accordance with N.J.S.A. Title 40A:4-58, and

WHEREAS, the Governing Body has determined an amendment is required to said approved transfer resolution as recommended by the current Borough Treasurer.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpine that the resolution approved on February 26, 2025 authorizing the Borough Treasurer to make transfers in the 2024 Budget Appropriations in accordance with N.J.S.A. Title 40A:4-58 be amended and read as follows:

From	То	

Engineering Other Expenses 4-01-20-165-021 \$2,000.00 Electricity 4-01-31-430-020 5,000.00

Telephone 4-01-31-440-020 3,655.87

Fire Dept. Other Expenses 4-01-25-265-021 \$10,655.87

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 108:05'2025: Approval of Bills and Claims

OFFERED BY: Councilwoman Gerstein SECONDED BY: Councilman Abad

At a regular meeting of the Mayor and Council of the Borough of Alpine held on May 28, 2025, to approve the bills and claims as outlined in the Finance Report.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

The Audit Exit Conference took place recently. There will be some recommendations. More detail will follow.

TAX ASSESSOR'S REPORT The report is available for review

<u>MAYOR'S REPORT</u> Two pre-construction meetings were held. Thanks are due to Councilwoman Gerstein and Councilman Frankel for their help in securing excellent speakers for Memorial Day, for which compliments have been received. The Swim Club Open House took place after the Memorial Day ceremony. Alpine was once again designated a Tree City USA along with the receipt of a growth award.

REPORTS OF THE STANDING COMMITTEES

Administration Department There were 50 OPRA requests during the past month, bringing the total to 217 for the vear.

Building Department There were 81 scheduled inspections, 1 driveway permit, 3 tree permits, 1 soil moving application, 7 Zoning review applications, and 1 miscellaneous application. The report is on file in the Building Department.

Department of Public Works Recognition is due to the DPW for doing a great job for Memorial Day. The report is on file.

Fire Department The statistics are on file.

Police Department There were 32 summonses in the month and 4 motor vehicle accidents with 1 resulting injury. The Police Department is commended for its service on Memorial Day.

Resolution 109:05'2025: Accepting the Reports of the Standing Committees

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, May 28, 2025 to accept the reports of the standing committees.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

<u>BOARD OF EDUCATION LIAISON'S REPORT</u> The School year is wrapping up; June 19 is the last day. The Shine the Light Event, celebrating those with special needs, will be held on May 29. Renovation projects on the indoor basketball court and HVAC system are beginning. The school band did a fine job at the Memorial Day celebration. The school concert took place last Wednesday, and the school graduation is scheduled for June 12.

BOROUGH ATTORNEY'S REPORT There are a couple of items to be addressed in Closed Session.

<u>BOROUGH ENGINEER'S REPORT</u> The County contacted the Borough and asked for a couple of minor adjustments to the plans for the Closter Dock Road/9W intersection. They were completed today. A preconstruction meeting was held on May 19 with DLS, the contractor for the Riverside Cooperative work. Milling and paving on Ruckman and Miles are scheduled to begin June 10 and last about 3 days. Also on May 19, a pre-construction meeting was held with JA Alexander, the contractor for the first section of the Anderson Road

These minutes have been approved by the Mayor and Council.

improvements, which are scheduled to begin in early July. The DOT notified the Borough that Municipal Aid grant applications are being accepted. A portion of Buckingham has been identified, and the application will be submitted.

UNFINISHED BUSINESS

NEW BUSINESS CONSENT AGENDA

Resolution 110:05'2025: Approval of Minutes-Regular Meeting April 23, 2025

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, May 28, 2025 to approve the minutes of The Regular Meeting and Budget Meeting, April 23, 2025.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 111:05'2025: Appointment of Municipal Representative to Bergen County Open Space Regional Advisory Committee

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilwoman Gerstein

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, May 28, 2025.

WHEREAS, the Borough of Alpine has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et. seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Trust Fund; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one-year coinciding with **the fiscal year July 1, 2025 through June 30, 2026**.

NOW, THEREFORE BE IT RESOLVED, that the governing body hereby appoints Councilwoman Gayle Gerstein as its representative to participate on the Open Space Trust Regional Committee.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Executive Director of the Bergen County Open Space Fund.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 112:05'2025: Liquor License Renewal for Riverside Park, Inc. (Kiku Restaurant)

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, May 28, 2025 **BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine, in the County of Bergen and State of New Jersey to approve the renewal of

Plenary Retail Consumption License

Liquor license # 0202-33-001-006

Riverside Park, Inc.

5-9 Route 9W, Alpine, NJ 07620

for a period of one year beginning July 1, 2025 and ending on June 30, 2026.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 113:05'2025: Liquor License Renewal for Montammy Golf Club

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, May 28, 2025 **BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine, in the County of Bergen and State of New Jersey to approve the renewal of a

Club License

Liquor License # 0202-31-002-001

Montammy Golf Club

Rt 9W Montammy Drive, Alpine, NJ 07620

These minutes have been approved by the Mayor and Council.

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for a period of one year beginning July 1, 2025 and ending on June 30, 2026.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Kupferschmid Absent: Cohen Abstain: Gerstein

MOTION APPROVED

Resolution 114:05'2025: Reappointments-Fire Police

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, May 28, 2025.

WHEREAS, the following active members of the Alpine Fire Department have completed the necessary training and certification as required by law, and

WHEREAS, the Fire Chief recommends their appointment to the office of Fire Police

BE IT RESOLVED that the Mayor and Council of the Borough of Alpine renew the appointment of the following active Alpine Fire Department members as Fire Police, retroactively effective as of the prior term expiration date on March 21, 2025 for a new five-year term expiring March 20, 2030

Frank Rickenbaugh

H. Josh Schneeweiss

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 115:05'2025: Introduction Ordinance #842: Amend 2025 Salary Ordinance

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on May 28, 2025.

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. 839 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 June 25, 2025 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.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 116:05'2025: Affirmation of Mayoral Appointment-Planning Board Class II

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

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on May 28, 2025

WHEREAS, there exists a vacancy in the Class II role of the Alpine Planning Board effective May 21, 2025;

NOW, THEREFORE BE IT RESOLVED, to affirm the Mayoral appointment of Environmental Commission Member, **Nancy Dhulipala**, as **Planning Board Class II Member** of the Alpine Planning Board for the **unexpired portion of a three-year term ending December 31, 2026.**

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

Resolution 117:05'2025: Introduction Ordinance #843: An Ordinance Vacating Portion of Appletree Lane in the Borough of Alpine

OFFERED BY: Councilman Kupferschmid **SECONDED BY:** Councilwoman Gerstein at a regular meeting of the Mayor and Council of the Borough of Alpine, held on May 28, 2025.

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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 VACATING A PORTION OF APPLETREE LANE IN THE BOROUGH OF ALPINE

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 Borough Hall, 100 Church Street, Alpine, New Jersey on May 28, 2025, 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 a summary of said Ordinance ten days prior to the date fixed for further consideration for final passage 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.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen **MOTION APPROVED**

Resolution 118:05'2025: Dedication by Rider, Fire Truck Donations (40A:5-29)

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

WHEREAS, N.J.S. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonable accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received, and

WHEREAS, N.J.S.A. 40A:5-29 provides that any municipality is authorized and empowered to accepts bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner and purpose for which such bequests, legacies and gifts were given.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpine Bergen County, New Jersey that funds deposited into the fire truck donations reserve are hereby dedicated and shall be made available for expenditures for the purpose stated above as and when received in cash during the fiscal year.

BE IT FURTHER RESOLVED, by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Roll Call Vote: Ayes: Abad, Frankel, Gerstein, Kupferschmid Abstain: Bosworth Absent: Cohen

MOTION APPROVED

Resolution 119:05'2025: Authorizing a Settlement Agreement Between the Borough of Alpine and the PBA

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, May 28, 2025.

WHEREAS, the Mayor and Council of the Borough of Alpine have been engaged in negotiations with the Policemen's Benevolent Association (PBA) concerning contributions for healthcare benefits under a collective bargaining agreement; and

WHEREAS, a proposed Settlement Agreement has been negotiated between the Borough of Alpine and the PBA, with the assistance of legal counsel, in order to resolve the matter amicably and in the best interests of the Borough and its police personnel; and

WHEREAS, the Mayor and Council have reviewed the terms of the proposed Settlement Agreement and find it to be fair, reasonable, and in the best interest of the Borough and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, as follows:

- 1. The Settlement Agreement between the Borough of Alpine and the PBA is hereby approved.
- 2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Settlement Agreement and any other documents necessary to effectuate the terms thereof, subject to review and approval by the Borough Attorney.
- 3. A copy of the fully executed Settlement Agreement shall be maintained in the Office of the Borough Clerk.

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BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

End of Consent Agenda

Resolution 120:05'2025: AUTHORIZING ANNUAL APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE FY 2025-2026 Covering Period July 1, 2025 through June 30, 2026

OFFERED BY: Councilman Abad SECONDED BY: Councilwoman Gerstein

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, May 28, 2025

WHEREAS, the Municipality of Borough of Alpine has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council appoint a representative and that the Mayor appoint a representative for the FY 2025-2026 term starting July 1, 2025 and ending on June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints Councilman Steven Cohen as its representative and that the Mayor hereby appoints Councilwoman Gayle Gerstein as his representative to serve on the Community Development Regional Committee for FY 2025-2026; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601, resposito@co.bergen.nj.us as soon as possible and no later than June 30, 2025.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

COMMUNICATIONS: WRITTEN AND ORAL

EXECUTIVE SESSION Resolution 121:05'2025: Executive Session

OFFERED BY: Councilman Kupferschmid SECONDED BY: Councilman Abad

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on May 28, 2025,

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 attorney-client privilege

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on May 28, 2025, 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.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid **Absent:** Cohen MOTION APPROVED The meeting went into Executive Session at 7:42 pm and returned to Open Session at 7:55 pm.

Resolution 122:05'2025: AUTHORIZING BOROUGH ATTORNEY TO SETTLE 2018 AND 2019 TAX APPEALS
OFFERED BY: Councilman Abad SECONDED BY: Councilwoman Gerstein

AUTHORIZING BOROUGH ATTORNEY

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TO SETTLE 2018 AND 2019 TAX APPEALS CAPTIONED:

F.E. Alpine, Inc. v. Alpine

Docket Nos.: 010272-2012; 004986-2013; 000734-2014; 000737-2014; 000740-2014; 005069-2015; 005070-2015; 005072-2015; 005394-2016; 005395-2016; 005393-2016; 002926-2017; 002921-2017; 002920-2017; 006894-2018; 006895-2018; 006890-2018; 006563-2019; 006564-2019; 006565-2019; 003434-2020; 003436-2020; 013095-2020; 013097-2020; 007112-2021; 007119-2021; 007116-2021; 005126-2022; 005127-2022

Sylco Investments #4, LLC c/o Kamson v. Alpine

Docket Nos.: 010343-2012; 009902-2013; 009232-2014; 005067-2015

Sylco Investments #4, LLC v. Alpine

Docket Nos.: 005405-2016; 002968-2017; 006874-2018; 003437-2020; 013098-2020; 007122-2021; 005128-

2022

Sylco Investments #5, LLC c/o Kamson v. Alpine

Docket Nos.: 010270-2012; 009801-2013; 009229-2014; 005065-2015

Sylco Investments #5, LLC v. Alpine

Docket Nos.: 005406-2016; 002969-2017; 006875-2018; 003438-2020; 007126-2021; 005129-2022

WHEREAS, <u>F.E. Alpine</u> is the owner of real estate known commonly as the Frick Estate, Alpine, New Jersey including Block 55, Lot 22.01; Block 55, Lot 23.01; Block 55, Lot 25.01; Block 55, Lot 30; and

WHEREAS, the Plaintiff has filed tax appeals to decrease the assessments for the tax years 2012 to 2022; and

WHEREAS, the Borough has engaged in discovery with respect to this matter and has consulted with the Borough's Appraiser, Robert McNerney and Tax Assessor, William Yirce, and has conducted extensive negotiations with counsel for the taxpayer including in connection with resolution of its affordable housing litigation; and

WHEREAS, the Borough's Attorney, Levi J. Kool, Esq. and the Borough's Appraiser, Robert McNerney and the Borough's Tax Assessor, William Yirce, CTA are in agreement with the terms of the settlement and believe that it would be in the best interest of the Borough to settle this particular case in accordance with the terms as set forth above; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Alpine agrees to authorize the Borough Attorney to execute a Stipulation of Settlement on behalf of the Borough of Alpine with respect to the <u>F.E. Alpine, LLC and its related entities</u> tax appeals pending in the Tax Court of New Jersey.

Roll Call Vote: Ayes: Abad, Bosworth, Frankel, Gerstein, Kupferschmid Absent: Cohen MOTION APPROVED

ADJOURNMENT

Upon a motion by Councilwoman Gerstein, seconded by Councilman Kupferschmid, and approved by all, this regular meeting of the Mayor and Council adjourned at 8:07 PM.

Respectfully submitted,

Stephanie Wehmann Municipal Clerk