

**MAYOR AND COUNCIL
REGULAR MEETING
November 18, 2024 @ 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 November 18, 2024, 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
Steven Cohen, Councilman	Present	Vicki Frankel, Councilwoman	Absent
Arthur Frankel, Councilman	Present	Scott Bosworth, Councilman	Present
David Kupferschmid, Councilman	Absent		

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

Tribute to the Life and Service of Councilwoman Vicki Frankel: Mayor Tomasko asked everyone to rise for a moment of silence in the memory of Vicki Frankel, after which the public was invited to share their thoughts and memories. Larry Price spoke about his wonderful, kind, smart, accomplished aunt and the courageous fight she waged against a terrible disease. He shared that she never changed and kept her goodness until the very end. Councilwoman Frankel's friend and golf buddy remembered that she always strove for excellence. Police Chief Matthew Kent shared memories of his 23-year history with Councilwoman Frankel. He spoke about the positive influence her dedication had on him and on the Borough, and he offered his ongoing assistance to Councilman Frankel. Cathy Parilla, Planning Board Chair, spoke about Councilwoman's professionalism and dedication, as well as her kindness. Councilwoman Gerstein remembered that whenever anyone had a problem, large or small, Councilwoman Frankel had the quality of always being able to find a simple solution and was always right. Mayor Tomasko read a remembrance from Councilman Kupferschmid, who was unable to attend: Councilwoman Frankel was a no-nonsense, get-it-done individual who had no trouble speaking her mind and standing up for what she believed. He also acknowledged Councilwoman Frankel's steadfast commitment to making and keeping Alpine what it is and that he hoped that those who follow in her footsteps will do the same. Borough Engineer Perry Frenzel spoke about being able to sense the wheels turning in Councilwoman Frankel's mind as he explained situations to the Council and the intelligence that was evident in her comments and questions. Levi Kool, Borough Attorney, spoke about her resolute commitment and service. Mayor Tomasko spoke about the three separate and distinct careers of Councilwoman Frankel: concert pianist, publishing company executive, and public servant to the Borough of Alpine. Her singular record spanned Planning Board member, Councilwoman, Council President, head of the Centennial Committee, Police Commissioner, and member of the COAH committee. The Mayor spoke about her exemplary service to the Police Department; he then stated that Councilwoman Frankel is included in the Elected Officials Hall of Fame and that he often suggested that she run for Mayor, but that she politely declined every time she was asked.

Councilman Frankel thanked the Mayor and Council for the tribute and thanked everyone who came tonight to support him and his family. He spoke of his wife's beauty, intelligence, generosity, and courage. A touching and heartfelt history included her working in her parents' store in Vestal, New York; graduating from Antioch College in 1963 with a degree in Music; establishing Worth Publishers, Inc. with two colleagues; and care of her terminally ill mother. He spoke of her love for Alpine and her 24-year service to the town.

Mayor Tomasko and Council President Gerstein unveiled a photographic portrait of Councilwoman Frankel. Upon a motion offered by Councilman Cohen, seconded by Councilwoman Gerstein, and unanimously supported by the Council, the portrait will be hung in the Council Chambers close to the dais.

PUBLIC COMMENTS

These minutes have been approved by the Mayor and Council.

Mayor Tomasko opened for public comment. Jeffrey Blyumin spoke about Ordinance 140-5 part C, concerning the prohibition of professional landscaping on the weekends. He suggested that professional landscapers are allowed to act with impunity. He said that he had spoken with the Police Chief, who confirmed that the Police do follow up on complaints made by residents. He said that Alpine residents should be able to enjoy quiet enjoyment. He also asked that the website be updated to remove talk of masks and vaccines. The Mayor assured Mr. Blyumin that the Borough will look into the situation. He spoke of instances upon which he complained about this very noise situation and said that the Police had been very responsive.

The meeting was closed to the public.

REPORT OF THE FINANCE COMMITTEE ConnectOne Bank Current Operating Account \$3,286,312.56

Resolution #192:11'2024 Authorizing the Transfer of 2023 Budget Appropriations

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

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 2023 Budget Appropriations.

		<u>FROM</u>	<u>TO</u>
General Administration S&W	3-01-20-120-010	\$2,418.57	
PERS (Public Employees Retirement System)	3-01-36-471-000		\$1,703.98
PFRS (Police and Fire Retirement System)	3-01-36-475-000		\$ 594.59
Fire Department O/E Uniforms	3-01-25-265-028		\$ 120.00

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

Resolution #193:11'2024 Authorizing the Transfer of 2024 Budget Appropriations

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

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 2023 Budget Appropriations.

		<u>FROM</u>	<u>TO</u>
Administration	4-01-20-120-021	\$1,444.33	
Recreation	4-01-28-371-020		\$1,444.33
Administration	4-01-20-120-021	\$615.53	
Celebration of Public Events	4-01-30-420-020		\$615.53
Computer Data Processing	4-01-20-140-020	\$5,000.00	
Veolia Water	4-01-31-445-020		\$3,000.00
PSEG/Hess Gas	4-01-31-446-020		\$2,000.00

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

Resolution #194:11'2024 Approval of Bills and Claims

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

At a regular meeting of the Mayor and Council of the Borough of Alpine held on November 18, 2024, to approve the bills and claims as outlined in the Finance Report in the amount of \$1,373,531.41.

Roll Call Vote: Ayes: Cohen, Bosworth, A. Frankel, Gerstein, **Absent:** V. Frankel, Kupferschmid

MOTION APPROVED

TAX ASSESSOR'S REPORT on file

MAYOR'S REPORT Councilman Cohen and George Abad are to be congratulated on winning the Council election. The New Jersey League of Municipalities Conference takes place as of tomorrow morning, drawing about 20,000 attendees per year.

REPORTS OF THE STANDING COMMITTEES

Administration Department no report.

Building Department 78 scheduled inspections; 8 tree permit applications; 3 soil moving applications; 6 zoning review applications; 1 driveway permit; 1 fence permit; 2 miscellaneous applications. The report is on file.

Department of Public Works The report is on file.

Fire Department The statistics are on file and available for review.

Police Department Mayor Tomasko: 412 calls for service in October; 25 motor vehicle/ borough ordinance summonses; 3 on Route 9W; 2 on Closter Dock Road. The report is on file.

Resolution #195:11'2024: Accepting the Reports of the Standing Committees

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

At a regular meeting of the Mayor and Council of the borough of Alpine held on November 18, 2024, to accept the reports of the Standing Committees.

Roll Call Vote: Ayes: Cohen, Bosworth, A. Frankel, Gerstein, **Absent:** V. Frankel, Kupferschmid

MOTION APPROVED

BOARD OF EDUCATION LIAISON'S REPORT The Mayor shared that the Alpine K-8 school is ranked #1 in the County and among the top schools in the State.

BOROUGH ATTORNEY'S REPORT no report

BOROUGH ENGINEER'S REPORT Last week the Department of Transportation announced that Alpine has been awarded a grant for 2025 for the final phase of Anderson Avenue improvement in the amount of \$133,000.

NEW BUSINESS

CONSENT AGENDA RESOLUTIONS #196:11'2024-203:11'2024

Resolution #196:11'2024 Approval of Minutes – Regular Meeting October 23, 2024

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

At the regular meeting of the Alpine Mayor and Council held on November 18, 2024, to approve the Regular Meeting Minutes of October 23, 2024.

Roll Call Vote: Ayes: Cohen, Bosworth, A. Frankel, Gerstein, **Absent:** V. Frankel, Kupferschmid

MOTION APPROVED

Resolution #197:11'2024 Award of Quote (APD) – Radar Speed Sign Quotes

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 18, 2024,

WHEREAS, the Alpine Police Department has identified a need for three (3) radar speed signs to be placed along Closter Dock Road and two other locations to be periodically determined on an as-needed basis by the Alpine Police Department; and

WHEREAS, the Borough of Alpine Police Department has solicited and received quotes for this project, one from Elan City of New York, NY for \$9,350.00, one from Traffic Systems, Inc. of Holtsville, NY for \$13,110.00, and one from LED Lighting Solutions of Temecula, CA for \$13,691.88; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Police Chief that the quote be awarded to Elan City of New York, NY as the lowest responsible quote totaling \$9,350.00; and

WHEREAS, funds for this purpose have been provided for in the following account(s):

Account: 4-01-25-240-035

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine hereby award the quote for radar speed signs (quantity: 3) to Elan City of New York, NY for \$9,350.00 The Chief Financial Officer has provided the Certification of Availability of Funds.

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

Resolution #198:11'2024 Resolution Authorizing The Sale Of Certain Surplus Property No Longer Needed For The Public Use By Alpine Borough Utilizing The Auction Services Of Govdeals, Inc.

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

WHEREAS, Alpine Borough is the owner of certain surplus personal property that is no longer needed for public use as specifically identified and described on the attached Exhibit A ("Surplus Property"); and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-36 and Local Finance Notice 2019-15, Alpine Borough is authorized to sell said Surplus Property through an approved online auction; and

WHEREAS, the required online services are available from www.GovDeals.com through Sourcewell (formerly the National Joint Powers Alliance); and

WHEREAS, Alpine Borough joined the National Joint Powers Alliance (now Sourcewell) by Resolution dated July 28, 2021; and

WHEREAS, the National Joint Powers Alliance (now Sourcewell) accepted Alpine Borough's request to join and assigned Member # 27840 to the Borough; and

WHEREAS, the Borough of Alpine intends to utilize the online auction services of GovDeals, Inc. located at www.govdeals.com; and

WHEREAS, in consideration of auctioning the Surplus Property on Alpine Borough's behalf, GovDeals, Inc. will be paid 12.5% of the winning bid for each asset sold, paid directly by the bidder to Govdeals, Inc.; and

WHEREAS, all other terms and conditions of the auction of the Surplus Property and agreement with GovDeals, Inc. are available on the GovDeals, Inc.'s website, www.govdeals.com and in the office of the Borough Clerk;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, that:

1. Alpine Borough, is authorized to sell the surplus personal property that is identified and described on the attached **Exhibit A** ("Surplus Property"). **The surplus property as identified shall be sold in an "as is" condition without express or implied warranties.**
2. The authorized minimum bid for each item of surplus property is identified in the attached Exhibit B. **It is noted that Exhibit B is exempt from disclosure under the Open Public Records Act (OPRA) pursuant to N.J.S.A. 47:1A-1 et seq. as information which, if disclosed, would give an advantage to competitors or bidders.**
3. The Mayor and Council reserve the right to accept or reject any bid submitted.
4. The Surplus Property shall be sold by public auction through the online auction site of www.govdeals.com, as more fully described in the "Whereas Clauses," which are incorporated herein as if fully restated.
5. In consideration for auctioning the Surplus Property on Alpine Borough's behalf, GovDeals, Inc. will be paid 12.5% of the winning bid for each asset sold, paid directly by the bidder to GovDeals, Inc.
6. **Alpine Borough shall publish in its official newspaper notice of this approved online auction together with a description of the Surplus Property to be sold. The auction shall be held not less than 7 or more than 14 days after the latest publication of the notice.**
7. A certified copy of this Resolution shall be sent to the Division of Local Government Services in the

Department of Community Affairs in accordance with Local Finance Notice 2019-15.

EXHIBIT A **SURPLUS PROPERTY**

BOROUGH OF ALPINE RESOLUTION

RESOLUTION AUTHORIZING THE SALE OF CERTAIN SURPLUS PROPERTY NO LONGER NEEDED FOR THE PUBLIC USE BY ALPINE BOROUGH UTILIZING THE AUCTION SERVICES OF GOVDEALS, INC.

RESOLUTION DATED: NOVEMBER 18, 2024

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN</u>	
1976	International Cub Cadet	185 Tractor	2000113UO37434	"as-is" condition
1995	Old Dominion Brush (ODB)	SCL 800 Leaf Vac Trailer	Serial #11951911	"as-is" condition
2013	Chevrolet	Malibu	2G11D5SR8DF259378	"as-is" condition
2012	Chevrolet	Tahoe	1GNSK2E01CR184850	"as-is" condition

Roll Call Vote: Ayes: Bosworth, Cohen, A. Frankel, Gerstein **Absent:** V. Frankel, Kupferschmid **MOTION APPROVED**

Resolution #199:11'2024 Amend Appointment Term Of Chief Financial Officer

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on November 18, 2024 to amend the appointment term of the Chief Financial Officer as previously set forth in a resolution dated February 28, 2024 based on recent clarification of N.J.S.A. 40A:9-140.10 provided by the Division of Local Government Services;

NOW, THEREFORE, BE IT RESOLVED, that the four-year appointment of Judith Curran as Chief Financial Officer is hereby amended to run retroactively from January 1, 2024 to December 31, 2027;

BE IT FURTHER RESOLVED, Judith Curran's appointment term as Certified Tax Collector stands as set forth in the February 28, 2024 resolution, for the unexpired portion of the current four year term ending December 31, 2024 plus the subsequent first full four year term, expiring December 31, 2028.

BE IT FURTHER RESOLVED, a copy of this resolution be sent to the Division of Local Government Services.

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

Resolution #200:11'2024 Resolution Adopting Spending Plan

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

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court and established a transitional process for municipalities, like the Borough of Alpine ("Borough"), to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSPs") as being constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

WHEREAS, on July 8, 2015, the Borough filed a declaratory judgment action seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation in the matter captioned In the Matter of the Application of the Borough of Alpine, Superior Court of New Jersey, Bergen County, Law Division, Docket Number BER-L-6286-15; and

WHEREAS, the Borough negotiated and executed a Settlement Agreement with the Fair Share Housing Center ("FSHC") which included agreement on the extent of the Borough's affordable housing fair share obligation for the period from 1999 to 2025 and the methods the Borough intends to use to satisfy the obligation; and

WHEREAS, the New Jersey Superior Court entered Orders on March 12, 2024 and October 25, 2024 that approved the Settlement Agreement with FSHC and granted the Borough a Judgment of Compliance and Repose subject to the satisfaction of certain Compliance Conditions and Requirements including the adoption of a Spending Plan; and

WHEREAS, the Borough has prepared a Spending Plan, dated November 8, 2024, that is consistent with the applicable statutes and regulations, the March 12, 2024 and October 25, 2024 Orders entered by the Court and the Settlement Agreement between the Borough and FSHC.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Alpine, County of Bergen, State of New Jersey as follows:

1. The Borough of Alpine ("Borough") does hereby adopt the November 8, 2024 Spending Plan attached hereto.
2. This Resolution shall take effect immediately.

Roll Call Vote: Ayes: Bosworth, Cohen, A. Frankel, Gerstein **Absent:** V. Frankel, Kupferschmid **MOTION APPROVED**

Resolution #201:11'2024 Resolution Adopting Accessory Apartment Operating Manual

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

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court and established a transitional process for municipalities, like the Borough of Alpine ("Borough"), to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSPs") as being constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

WHEREAS, on July 8, 2015, the Borough filed a declaratory judgment action seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation in the matter captioned In the Matter of the Application of the Borough of Alpine, Superior Court of New Jersey, Bergen County, Law Division, Docket Number BER-L-6286-15; and

WHEREAS, the Borough negotiated and executed a Settlement Agreement with the Fair Share Housing Center ("FSHC") which included agreement on the extent of the Borough's affordable housing fair share obligation for the period from 1999 to 2025 and the methods the Borough intends to use to satisfy the obligation; and

WHEREAS, the New Jersey Superior Court entered Orders on March 12, 2024 and October 25, 2024 that approved the Settlement Agreement with FSHC and granted the Borough a Judgment of Compliance and Repose subject to the satisfaction of certain Compliance Conditions and Requirements including the adoption of an Accessory Apartment Operating Manual; and

WHEREAS, TKLD Consulting LLC, the Borough's Administrative Agent, has prepared the required Accessory Apartment Operating Manual which is consistent with the applicable statutes and regulations, the March 12, 2024 and October 25, 2024 Orders entered by the Court and the Settlement Agreement between the Borough and FSHC.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Alpine, County of Bergen, State of New Jersey as follows:

1. The Borough of Alpine ("Borough") does hereby adopt the Accessory Apartment Operating Manual prepared by its Administrative Agent, TKLD Consulting LLC, attached hereto.
2. This Resolution shall take effect immediately.

Roll Call Vote: Ayes: Bosworth, Cohen, A. Frankel, Gerstein **Absent:** V. Frankel, Kupferschmid **MOTION APPROVED**

Resolution #202:11'2024 Resolution Of The Council Of The Borough Of Alpine Adopting An "Affirmative Marketing Plan" For The Borough Of Alpine

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

WHEREAS, in accordance with applicable Council on Affordable Housing ("COAH") regulations, the New Jersey Uniform Housing Affordability Controls ("UHAC") (N.J.A.C. 5:80-26., et seq.), and the terms of a Settlement Agreement between the Borough of Alpine and Fair Share Housing Center ("FSHC"), which was entered into as

These minutes have been approved by the Mayor and Council.

part of the Borough's Declaratory Judgment action entitled In the Matter of the Borough of Alpine, County of Bergen, Docket No. BER-L-6286-15, which was filed in response to Supreme Court decision In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) ("Mount Laurel IV"), the Borough of Alpine is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 1, the COAH Housing Region encompassing the Borough of Alpine.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Alpine shall be marketed in accordance with the provisions herein.
- B. The Borough of Alpine has a Gap (1999-2015) and Prospective Need (2015-2025) affordable housing obligation. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Borough's current Housing Element and Fair Share Plan, and those that may be constructed in future developments not contemplated in the Borough's Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Alpine, or the Administrative Agent of any specific developer. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Borough Administrative Agent.
- D. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- E. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Borough of Alpine or on behalf of a specific developer, shall undertake, at a minimum, all of the following strategies:
 1. Publication of an advertisement in one or more newspapers of general circulation within the housing region.
 2. Broadcasting of an advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the sources listed below:
 - a. Other publications circulated within the housing region, such as neighborhood oriented weekly newspapers, religious publications and organizational newsletters;
 - b. Employers throughout the housing region that will be contacted to post advertisements and distribute flyers regarding available affordable housing; Specific community and regional organizations that will aid in soliciting low and moderate income applicants. Such organizations may include non-profit, religious, governmental, fraternal, civic, and other organizations; and
 - c. Other advertising and outreach efforts to groups that are least likely to be reached by commercial media efforts.
- F. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 1 in which the Borough is located and covers the entire period of the deed restriction for each restricted housing unit.
- G. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:

1. All newspaper articles, announcements and requests for applications for very low, low and moderate income units shall appear in *The Record and Press Journal*.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers the first week of the marketing program and each month thereafter until all units are leased or sold. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees.
 4. The regional cable television stations or regional radio stations identified for Region 1 in the Borough's "Affirmative Housing Marketing Plan for Affordable Housing in Region 1", which is attached hereto as Exhibit A, shall be used during the first month of advertising. The Administrative Agent working on behalf of the developer of each affordable housing project in the Borough must provide satisfactory proof of public dissemination.
- H. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
1. Alpine Borough Municipal Building
 2. Alpine Borough Web Site
 3. Developer's Sales/Rental Offices
 4. Bergen County Administration Building
 5. Passaic County Administration Building
 6. Hudson County Administration Building
 7. Sussex County Administration Building
 8. Danforth Memorial Library
 9. Johnson Free Public Library
 10. Hudson County Library
 11. Sussex County Main Library

Applications shall be mailed by the Borough's Administrative Agent and Municipal Housing Liaison, or by the Administrative Agent of any specific developer, to prospective applicants upon request. Also, applications shall be made available at the developer's sales/rental office and shall be mailed to prospective applicants upon request. When on-line preliminary applications are utilized, if prospective applicants do not have internet access they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call.

- I. The Borough's Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Bergen, Passaic, Hudson, and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Exhibit A, Part III, Marketing, Section 3e.
 1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:
 - Eastern Bergen County Board of Realtors (411 Rte. 17 South, Hasbrouck Heights, NJ 07604)
 - Sussex County Association of Realtors (115 DeMarest Rd., Sparta, NJ 07871)
 - Passaic County Board of Realtors (204 Berdan Ave., Wayne, NJ 07470)
 - Hudson County Board of Realtors (110a Meadowlands Pkwy., Ste. 103, Secaucus, NJ 07094)

2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Bergen, Passaic, Hudson, and Sussex:
 - Welfare or Social Service Board
 - Office on Aging or Division of Senior Services
 - Housing Authority
 - Community Action Agencies
 - Community Development Departments
3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Exhibit A, Part III, Marketing, Section 3e.
4. In addition, specific notification of the availability of affordable housing units in Alpine (along with copies of the application form) shall be provided to the following entities:
 - Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
 - New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)
 - The Bergen County NAACP (P.O. Box 1136, Englewood, NJ 07631)
 - The Jersey City NAACP (153 Martin Luther King Jr Drive, Suite B, Jersey City, NJ 07305)
 - The Paterson NAACP (305 Broadway, Paterson, NJ 07501)
 - The Passaic County NAACP (114 Prospect Street, Passaic, NJ 07055)
 - The Hoboken NAACP (P.O. Box 1219, Hoboken, NJ 07030)
 - The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)
 - Bergen County Housing Authority (1 Bergen County Plaza, 2nd Floor, Hackensack, NJ 07601)
 - Northeast New Jersey Legal Services (190 Moore Street, Hackensack, NJ 07601)
 - Bergen County Urban League (12 Tenafly Road, Suite 104, Englewood, NJ 07631)
 - Garden State Episcopal CDC (514 Newark Avenue, Jersey City, NJ 07306)
 - Mount Olive Baptist Church (260 Central Avenue, Hackensack, NJ 07601)
 - Urban League Affordable Housing & CDC (253 Martin Luther King Jr Drive, Jersey City, NJ 07305)
 - Bergen County Housing Coalition (389 Main Street, Hackensack, NJ 07601)
 - Fair Housing Council of Northern NJ (131 Main Street, Hackensack, NJ 07601)
 - New Jersey Community Development (32 Spruce Street, Suite 3, Paterson, NJ 07501)
 - Advance Housing (64 E Midland Avenue, Paramus, NJ 07652)
 - Paterson Habitat for Humanity (146 N 1st Street, Paterson, NJ 07522)
 - Family Promise of Bergen County (100 Dayton Street, Ridgewood, NJ 07450)
 - Saint Paul's Community Development Corp. (456 Van Houten Street, Paterson, NJ 07501)
 - Supportive Housing Association (185 Valley Street, South Orange, NJ 07079)
 - Islamic Center of New Jersey (17 Park Street, Jersey City, NJ 07304)
 - Monarch Housing Associates (226 North Avenue W, Cranford, NJ 07016)
 - New Jersey Housing Resource Center (637 S Clinton Avenue, Trenton, NJ 08611)
- J. A random selection method to select occupants of very low, low and moderate income housing will be used by the Borough's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16 (l). Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low and moderate income veterans duly qualified under N.J.A.C. 54:4-8.10 may be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Borough prior to the affirmative marketing of the units.
- K. The Borough's Administrative Agent, or the Administrative Agent of any specific developer, shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to provide for the initial occupancy of very low,

low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26-1, et seq.

L. The Borough's Administrative Agent, or the Administrative Agent of any specific developer, shall provide or direct qualified very low, low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.

M. All developers/owners of very low, low and moderate income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Borough's Administrative Agent.

N. The Borough's Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26-1, et seq.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are authorized to take all actions required to implement the terms of this Resolution and attached Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Roll Call Vote: Ayes: Bosworth, Cohen, A. Frankel, Gerstein **Absent:** V. Frankel, Kupferschmid **MOTION APPROVED**

Resolution #203:11'2024 Supporting NJILGA Proposed Fair Housing Act Amendment

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Monday, November 18, 2024, WHEREAS, P.L. 2024 c.2, referred herein as the Fourth Round, reformed municipal responsibilities concerning provision of affordable housing; and

WHEREAS, while the New Jersey Constitution and the Fair Housing Act both require municipal affordable housing obligations to be realistic, the Fourth Round legislation methodology for calculating affordable housing obligations is not based on objective housing market data that can be clearly understood and easily quantified; and

WHEREAS, the New Jersey Institute of Local Government Attorneys (NJILGA) has drafted legislation that clearly and concisely summarizes the issue and proposes a method to calculate municipal obligation that is based upon "development and growth which is reasonably likely to occur," to quote the requirements of P.L. 2024 c.2; and

WHEREAS, prospective need should be based upon objective, readily obtainable, and highly relevant market data rather than metrics created to support a desired outcome; and

WHEREAS, the NJILGA is proposing that P.L. 2024 c. 2 be amended to calculate the prospective need for affordable housing by counting the number of certificates of occupancy issued for new residential units in the region, excluding new residential units that replace demolished residential units, between the most recent federal decennial census and the second-most recent federal decennial census; and

WHEREAS, due to the contention by developers that for every unit of affordable housing built there needs to be four units of market rate housing in order to offset the cost of one affordable housing unit (AHU), the NJILGA further proposes that the net number of new residential unit certificates of occupancy be divided by five in order to credibly represent a rational number of low- and moderate-income homes that can realistically be provided through inclusionary zoning in the region for the 10-year round; and

WHEREAS, when the above described methodology is applied to the four counties comprising Region 1 (Hudson, Bergen, Passaic and Sussex) the Region 1 affordable housing obligation is 5,683 AHUs (rather than 27,743 AHUs as calculated under P.L. 2024 c.2); and

WHEREAS, using the same allocation factor for the Borough of Alpine as calculated by the New Jersey Department of Community Affairs (DCA), the Borough's affordable housing obligation drops from 117 AHUs to 53 AHUs; and

WHEREAS, the Fourth Round obligation of 117 AHU's for Alpine as determined by the DCA pursuant to the calculation formula in P.L. 2024 c.2, even without adding the Alpine Third Round obligation of 122 AHUs, creates an impossible scenario that would overwhelm the Borough's utility infrastructure, schools, and public services; and

WHEREAS, the regional need calculation proposed by NJILGA is a common-sense, sustainable approach to the determination of affordable housing obligations that a municipality can more reasonably provide without overburdening its infrastructure or its taxpayers;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Alpine hereby supports the proposed legislation by the NJILGA to calculate municipal affordable housing obligation by using the net number of new residential unit certificates of occupancy; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded by the Borough Clerk to Governor Murphy; Senator Holly Schepisi; Assemblymen Robert Auth and John Azzariti, Jr.; every municipality in Bergen County; and the New Jersey League of Municipalities.

Roll Call Vote: Ayes: Bosworth, Cohen, A. Frankel, Gerstein **Absent:** V. Frankel, Kupferschmid
MOTION APPROVED

The Mayor shared that the Best Practices Inventory was certified and submitted on 10/24, ahead of the deadline. The Mayor had met with the Clerk and CFO before submission to review the survey's 69 questions. The submission score was 43.5, which should not result in any penalty or withholding of property tax relief, energy receipts or applicable state aid. The report is available for review.

COMMUNICATIONS

**FINAL REPORT OF BID RESULTS
 SALE OF VEHICLES NO LONGER NEEDED FOR PUBLIC USE**

Authorized by Resolution dated August 28, 2024
 Advertised in The Record on Friday, October 4, 2024
 Bid Date: Tuesday, October 15, 2024 at 7:30PM

*ReAuction Date: Friday, 10/25/2024, for 2011 FORD EXPEDITION Due to Prior DEFAULTED BIDDER
 Conducted Utilizing Online Auction Services of GovDeals, Inc. (GovDeals.com)

<u>BID DATE</u>	<u>VEHICLE</u>	<u>BIDDER/ BUYER</u>	<u>AWARDED BID</u>
<u>10/15/2024</u>	<u>2019 DODGE CHARGER VIN 2C3CDXKT4KH511277</u>	<u>MAHER KOUR, CLIFTON COLFAX AUTOMALL, CLIFTON, NJ</u>	<u>\$7,105</u>
<u>10/15/2024</u>	<u>2014 DODGE CHARGER VIN 2C3CDXAT8EH344847</u>	<u>JUERGEN SCHWAB GLEN BURNIE, MD</u>	<u>\$1,275</u>
<u>*RE-AUCTION 10/25/24</u>	<u>2011 FORD EXPEDITION, VIN 1FMJU1G59BEF53845</u>	<u>JOHN GEBARD VICKERY, OH</u>	<u>\$925</u>
<u>10/15/2024</u>	<u>2001 GMC DUPM TRUCK, VIN 1FMJU1G59BEF53845</u>	<u>JOE VELBA MIDWAY AUTO INC., MORGANVILLE, NJ</u>	<u>\$676</u>
<u>10/15/2024</u>	<u>TOTAL</u>		<u>\$9,981</u>

EXECUTIVE SESSION: None/Not needed

ADJOURNMENT

Upon a motion by Councilwoman Gerstein, seconded by Councilman Cohen and approved by all, this regular meeting of the Mayor and Council adjourned at 8:08 PM.

Respectfully submitted,

Stephanie Wehmann
 Municipal Clerk