

**MAYOR AND COUNCIL
REGULAR MEETING
August 23, 2023 @ 7:30 PM
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 August 23, 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

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

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

PUBLIC COMMENTS On behalf of himself and his neighbors, Robert Policano thanked the Mayor & Council for action to repair drainage infrastructure on West Main Street as listed on the agenda under New Business. Mr. Policano requested consideration also be given to repaving this street.

REPORT OF THE FINANCE COMMITTEE Councilman Cohen reported.

ConnectOne Bank (fka Bank of New Jersey) Current Operating Account \$2,271,730.83

Resolution #149:08'2023: Return of Bonds and Escrow

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

At a regular meeting of the Mayor and Council of the Borough of Alpine held on August 23, 2023 to return the following escrow and/or bonds:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
39.01	16.03	Beyder, Igor	Engineering (septic)	\$2,203.50
			Engineering	<u>893.75</u>
			TOTAL:	\$3,087.25

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

Resolution #150:08'2023: Extension of Grace Period for 3rd Quarter 2023 Tax Payments

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

At a regular meeting of the Mayor and Council of the Borough of Alpine held on August 23, 2023

WHEREAS, the Certified tax rate for 2023 was received from the Bergen County Tax Board on July 28, 2023, making it necessary to delay the mailing of tax bills for the 3rd & 4th quarters of 2023 and 1st & 2nd quarters of 2024;

WHEREAS, pursuant to N.J.S.A. 54:4-66 et seq., the Tax Collector must extend the due date to allow at least 25 days from the date of mailing tax bills, without interest being charged;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby approves the extension of the grace period for 3rd quarter 2023 tax payments to allow 25 days from the date of mailing, and that notice of same will be included with every original tax bill mailed or delivered via electronic transmission.

BE IT FURTHER RESOLVED that this approval be retroactive to August 2, 2023, on which date the tax bills were mailed.

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

Resolution #151:08'2023: Approval of Bills and Claims

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

At a regular meeting of the Mayor and Council of the Borough of Alpine held on August 23, 2023 to approve the bills and claims as outlined in the Finance Report.

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

Resolution #152:08'2023: Group Affidavit for the 2022 Audit**OFFERED BY:** Councilman Cohen **SECONDED BY:** Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine held on August 23, 2023

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and**WHEREAS**, the Annual Report of Audit for the year **2022** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: General Comments and Recommendations; and**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: 'General Comments – Recommendations' as evidenced by the group affidavit form of the governing body attached hereto, and**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit: R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."**NOW, THEREFORE BE IT RESOLVED**, That the Mayor and Council of the Borough of Alpine, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.**VOTE: Ayes:** Bosworth, Cohen, A. Frankel, V. Frankel, Kupferschmid, **Absent:** Gerstein **MOTION APPROVED**

Mayor Tomasko recognized Alpine's CFO Marilyn Hayward. Alpine can be proud that the 2022 audit found no deficiencies that merited recommendations for corrective action.

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

- The Mayor recognized DPW Superintendent Greg Zaremba and invited Borough Engineer Perry Frenzel to discuss what had initially been a substantial funding request for drainage improvements. A storm drain on Cassandra Drive was found to be nonfunctioning and was replaced in-house by the DPW. In addition DPW made substantial improvements to the Pike Street detention pond and spillway and repaired a pipe collapse on that street. Repairs represented a substantial cost savings. Councilman Kupferschmid added his thanks to Mr. Zaremba for his solutions and amazing, quick work. The Mayor and Council asked Mr. Zaremba to relay the Mayor and Council's appreciation to his department.
- Alpine Swim Club is winding up another successful season. Thanks to all the committee volunteers along with DPW Superintendent Zaremba and Councilman Bosworth for their efforts that allowed residents to benefit from this spectacular facility.
- Four Bergen County towns (Englewood, Old Tappan, Franklin Lakes and Mahwah) have been in the news regarding resident pushback after towns settled their affordable housing obligation. We are doing our best to avoid that and negotiations continue to provide the least impactful solution.

- Shared Services. A neighboring mayor organized a meeting of several mayors inviting representatives from DCA to discuss shared services. The Mayor shared DCA's handout noting alpine already shares listed most of their suggested services with neighboring communities and/or the County.
- Receipt of a letter of resignation from Brian Frugis, Construction Code Official, Zoning Officer and Building Inspector thanking the Borough. Mr. Frugis has served for 15 years. The Mayor expressed appreciation for the department's organization and efforts by the Technical Assistant to secure replacements for the positions which should provide for a smooth transition.

REPORT OF THE STANDING COMMITTEES

- **Administration Department** Councilman Bosworth - no report
- **Building Department** Councilman Kupferschmid reported a busy month. Technical Assistant Catherine Booth was able to get a tremendous amount of work done despite being out with an injury. The department should be back up to full speed as soon as she has fully returned.
- **Department of Public Works** Councilman Frankel advised the report is on file and echoed earlier praises for the department for their excellent work.
- **Fire Department** Mayor Tomasko thanked the FD for inviting him to their annual get together. The FD always welcomes new volunteers and he is pleased to present the following resolution:

Resolution #153:08'2023: Approval of Firefighter – Wyatt Ross

OFFERED BY: Councilman Frankel **SECONDED BY:** Councilman Cohen

at the regular meeting of the Alpine Mayor and Council held on August 23, 2023 to approve the application for **Wyatt Ross** for Membership as a Firefighter in the Alpine Volunteer Fire Department, subject to receipt of supplemental documentation as required.

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

- **Police Department** Councilwoman Frankel reported 40 *summons issued, 5 MVA with no injuries*. All employees are back on the job. Mayor Tomasko recognized Acting Chief Kent is in attendance.

Resolution #154:08'2023: Accepting the Reports of the Standing Committees

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

At the regular meeting of the Alpine Mayor and Council held on Wednesday, August 23, 2023 to accept the reports of the Standing Committees.

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

BOARD OF EDUCATION LIAISON'S REPORT Councilman Kupferschmid advised preparation for the new school year is underway. Orientation is September 1 and school begins September 5th.

BOROUGH ATTORNEY'S REPORT Attorney Kool reserved for a brief executive session.

BOROUGH ENGINEER'S REPORT Mr. Frenzel highlighted two items: After multiple issues he and Borough Clerk Wehmann encountered dealing with DOT's new project management program they have finally received the green light to go to contract to pave Marie Major Drive and Glen Goin Drive. He advised DPW Superintendent Zaremba and Acting Chef Kent that the pre-construction meetings will soon be scheduled.

UNFINISHED BUSINESS: None

NEW BUSINESS: CONSENT AGENDA RESOLUTIONS #155:8'2023 - #159:8'2023 (*Abstention as noted in vote.*)

Resolution #155:08'2023: Approval of Minutes Regular Meeting July 26, 2023

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

At the regular meeting of the Alpine Mayor and Council held on August 23, 2023 to approve the Regular Meeting Minutes of July 26, 2023.

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

MOTION APPROVED

Resolution #156:08'2023: Authorization to Hire School Crossing Guard for the 2023-2024 School Year

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, August 23, 2023

These minutes have been approved by the Mayor & Council.

WHEREAS, the Borough of Alpine Police Department recommends hiring Henry Liegeois to fill the position of School Crossing Guard for the 2023-2024 school year subject to medical clearance; and

WHEREAS, it is understood by all parties that this position is considered seasonal, part time work at an hourly salary not to exceed what is provided for in the Salary Ordinance of the Borough of Alpine;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpine that **Henry Liegeois** is hired to perform the duties of School Crossing Guard for the Police Department at a rate per the Salary Ordinance for the 2023-2024 school year.

BE IT FURTHER RESOLVED that Crossing Guard(s) shall be given a copy of the Employee Handbook and requisite training as determined and provided for by the Alpine Police Department.

A copy of this resolution shall be provided to Mr. Liegeois, the Police Chief, the Treasurer and the Borough Clerk/Personnel Administrator.

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

Resolution #157:08'2023: Award of Quote-Repair Damage Infrastructure West Main Street (DPW)

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, August 23, 2023,

WHEREAS, the Department of Public Works has identified a need to repair drainage infrastructure on West Main Street; and

WHEREAS, the Borough of Alpine Department of Public Works has solicited and received quotes for this project, one from KVR Construction, Inc. of Hawthorne, NJ for \$30,750.00 and one from James V. Crimmins Landscaping of Closter, NJ for \$33,200.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the DPW Superintendent in consultation with the Borough Engineer to recommend the quote be awarded to KVR Construction, Inc. of Hawthorne, NJ as the lowest responsible quote totaling \$30,750.00; and

WHEREAS, funds for this purpose have been provided for through the FEMA Public Assistance Grant-Borough-Wide Culvert Improvements, in the following accounts:

Account: 3-01-44-906-000	\$30,750.00
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NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine hereby award the quote to repair drainage infrastructure on West Main Street to KVR Construction, Inc. of Hawthorne, NJ for \$30,750.00. The Chief Financial Officer has provided the Certification of Availability of Funds.

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

Resolution #158:08'2023: Authorizing the Advertisement for Receipt of Bids for Co-Location on Wireless Communications Tower

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, August 23, 2023,

WHEREAS, the Borough of Alpine intends to solicit bids for a lease for the co-location on its wireless communication tower;

WHEREAS, specifications have been prepared by the Borough in connection with such bid;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen and State of New Jersey, that the Borough Clerk is authorized to request bids for a lease for co-location on the Borough's Wireless Communications Tower.

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

Resolution #159:08'2023: Authorizing Purchases of Goods and Services in 2023 Through the State of New Jersey Cooperative Purchasing Program for the Purchase of Radio Communication Equipment & Accessories (Fire Department)

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, August 23, 2023

WHEREAS pursuant to N.J.S.A. 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is an "open and fair" process under the New Jersey Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

These minutes have been approved by the Mayor & Council.

WHEREAS the Borough of Alpine plans to utilize the State Contract Vendor(s) listed below, for the purchase of Radio Communication Equipment and Accessories. Such transaction subject to all conditions applicable to the current State contracts: Commodity: #T0109 Radio Communication Equipment & Accessories #83909

WHEREAS, funds for this purpose have been provided for in the accounting records of the Borough of Alpine: Capital Account#C-04-55-991-202 (Capital Bond Ordinance #806).

NOW, THEREFORE BE IT RESOLVED, by the Borough of Alpine, in the County of Bergen, that the Borough's Qualified Purchasing Agent is hereby authorized to purchase goods or services in 2023 from the approved New Jersey State Contract Vendor listed below pursuant to all conditions of the State contract; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Alpine, County of Bergen, that the Borough of Alpine enter into an agreement with Motorola Solutions, Inc. of Woodcliff Lake, NJ as authorized vendor distributor for the above contracts for the above noted goods and services in accordance with the aforementioned contract and the specifications attached hereto, in an amount not to exceed \$35,534.82 to be charged to the account(s) above or as otherwise determined to be correct by the Chief Financial Officer's pending certification of funds.

BE IT FURTHER RESOLVED that, pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document.

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

End of Consent Agenda

COMMUNICATIONS: WRITTEN AND ORAL

Resolution #160:08'2023: Executive Session

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

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on August 23, 2023

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 June 28, 2023, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

BE IT FURTHER RESOLVED, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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

The Mayor & Council entered into executive session at 7:48 PM, reconvening the public session at 8:13 PM and immediately adjourned.

ADJOURNMENT

Upon a motion by Councilwoman Frankel, seconded by Councilman Cohen and approved by all this regular meeting of the Mayor and Council adjourned at 8:13 PM.

Respectfully submitted,

Stephanie Wehmann
Municipal Clerk