

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, OCTOBER 27, 2021 @ 7:30 P.M.  
Borough Hall - 100 Church Street**

**CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE**

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting on Wednesday, October 27, 2021 at 7:30 P.M. in the Alpine Borough Hall. The Public Announcement was read and the Pledge of Allegiance recited.

*In accordance with the provisions of the Open Public Meetings Law the notice of this regular meeting of the Alpine Mayor and Council held on Wednesday, October 27, 2021 at 7:30 PM has met the requirements of the law by being published as part of the annual meeting notice in The Record, posted continuously on the bulletin board of the lobby of the Borough Hall and a copy filed in the office of the Borough Clerk*

**ROLL CALL**

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Gayle Gerstein, Councilwoman	Present	Laurence Shadek, Councilman	Present
Arthur Frankel, Councilman	Present	Scott Bosworth, Councilman	Absent
Steven Cohen, Councilman	Absent		

**Staff Present on Dais:** Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel, Municipal Clerk Stephanie Wehmann

**PUBLIC COMMENTS** Welcome to former DPW Superintendent Ralph Wehmann

**REPORT OF THE FINANCE COMMITTEE** Mayor Tomasko offered the report for this month:  
**ConnectOne Bank Current Operating Account** **\$3,246,988.39**

**Resolution #186:10'2021: Cancellation of Unexpended Balances of Certain Ordinance**

**Appropriations**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 27, 2021

**WHEREAS,** there appears open of record unexpended balances of certain ordinance appropriations; and

**WHEREAS,** these projects have been completed; and

**NOW, THEREFORE, BE IT RESOLVED,** by the Governing Body of the Borough of Alpine, Bergen County, State of New Jersey, that the following ordinance appropriation balances be cancelled of record:

<u>Ord. No.</u>	<u>Improvement Description</u>	<u>Capital Fund Balance</u>	<u>Capital Improvement Fund</u>	<u>Deferred Charges Unfunded</u>
699	2009 Multipurpose	\$12,348		
712	2010 Park Impr. Corner Church St			\$3,000
724	2011 Multipurpose			\$13,366
726	Acquisition of Computer Server		\$1,797	
730	2012 Road Program			\$16,213
735	Acquisition of Fire Engine / Computer Equipment			\$16,029
741	2104 Multipurpose			\$10,292
742	2014 Road Program			\$44,296
752	2015 Multipurpose			\$13,073
753	2015 Road Program			\$36,621
758	2016 School Field Improvements			\$7,371
759	2016 Multipurpose	\$20,916		

---

*These minutes have been approved by the Mayor & Council.*

760	2016 Road Program	\$81,545
769	2017 Road Program	\$43,101
776	2018 Multipurpose	\$26,121
777	2018 Road Program	\$6,307
	<b>Total</b>	<b>\$33,264      \$1,797      \$317,335</b>

**BE IT FINALLY RESOLVED** that a certified copy of this resolution be forwarded to the Chief Financial Officer.

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

**Resolution #187:10'2021: 2021 Property Tax Credits/Refunds Due to County Board Judgments**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 27, 2021

**WHEREAS**, the following Judgments were granted on July 28, 2021 and mailed on August 13, 2021 from the Bergen County Tax Board reducing the assessments on the following properties:

Block/Lot	Owner's Name	Original Assessment	Reduced Assessment	Year	Credit/Refund
22/8	DiRe, Mario	\$3,869,500	\$3,769,500	2021	\$777.00
72/16	Lee, Frank & Jenny	\$2,790,600	\$2,650,000	2021	\$1,092.46
81.08/8	Ipek, Joseph & Marie	\$2,883,200	\$2,783,200	2021	\$777.00
75/18	Kwon, Young & Rita	\$1,877,000	\$1,550,000	2021	\$2,540.79
51/7	Hechler, Cory	\$1,714,700	\$1,400,000	2021	\$2,445.22
11/2.06	Kwon, Il & Jinny	\$7,371,200	\$7,000,000	2021	\$2,884.22
23/3	Jiang, James & Sherry	\$4,976,900	\$4,676,900	2021	\$2,331.00

**WHEREAS**, the following Judgment was granted on April 7, 2021 and mailed on April 23, 2021 from the Bergen County Tax Board and a Letter of Agreement was signed on July 20, 2021, reducing the assessment on the following property:

Block/Lot	Owner's Name	Original Assessment	Reduced Assessment	Year	Credit/Refund
81.04/10	Feinberg, Herbert & Deanna	\$3,345,800	\$3,000,000	2021	\$2,686.87

**WHEREAS**, the reductions in assessments were not recorded in time for the 2021 assessment records for the above referenced properties and were billed at the higher assessed value for 2021, resulting in overbillings; and,

**WHEREAS**, the Borough of Alpine received its certified 2021 tax rate on September 16, 2021; therefore the overbillings for the tax year listed above should be refunded or credited to the 4<sup>th</sup> quarter, or to any outstanding balances due from prior quarters;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, hereby authorize the Borough Treasurer to issue a credit/refund for the tax overbilling. If it is determined that either party to this judgment has appealed this decision to the State Tax Court within 45 days of the mailing date of the judgment, this resolution will be cancelled and the credit or refund will be withheld.

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

**Resolution #188:10'2021: Return of Bonds and Escrow**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 27, 2021 to approve the return of the following bonds and escrow subject to review and approval by the Borough Engineer.

<u>Block/Lot</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
39.01/13.04	Perfection Excavating (for Greer)	Septic Repair	\$101.00
49.02/22	Perfection Excavating (for Lim)	Septic Repair	\$443.00
72/21	Perfection Excavating (for Siboni)	Septic Repair	\$158.00
74/5	Revolution Architecture, LLC	ZBA Escrow	\$306.65

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

**Resolution #189:10'2021: Approval of Bills and Claims**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein  
at the regular meeting of the Alpine Mayor and Council held on Wednesday, October 27, 2021 to approve the bills and claims, a copy of which are appended.

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

**Resolution #190:10'2021: Extension of Grace Period for 3<sup>rd</sup> Quarter 2021 Tax Payments**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein  
at a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, October 27, 2021

**WHEREAS,** the Certified tax rate for 2021 was received from the Bergen County Tax Board on September 16, 2021, making it necessary to delay the mailing of tax bills for the 3<sup>rd</sup> & 4<sup>th</sup> quarters of 2021 and 1<sup>st</sup> & 2<sup>nd</sup> quarters of 2022:

**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 3<sup>rd</sup> quarter 2021 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 September 20, 2021, on which date the tax bills were mailed.

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

**Tax Assessor's Report.** Report on file in the Borough Clerk's Office.

**MAYOR'S REPORT**

- Safety Committee Meeting September 28<sup>th</sup> chaired by Borough Clerk Wehmann and attended by Borough's Risk Consultant, Bergen JIF Representative, DPW Superintendent Zaremba and Police Chief Belcolle. It was a great meeting covering a lot of important points. The Committee is doing well to meet the JIF's expectations and keep ourselves safe and premiums low.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** No report

**Building Department** Councilman Shadek reported 54 scheduled inspections, 2 fence permits, 4 tree permits, 3 soil moving applications and 7 zoning review applications. The rest of the report including the zoning office and property maintenance report and fees collected is on file.

**Department of Public Works** Councilman Frankel advised Hillside Avenue was opened to all traffic and Hurricane IDA cleanup completed. Balance of report is on file.

**Fire Department** Councilwoman Gerstein advised statistics on file.

**Police Department** Councilwoman Frankel advised there were 3 summonses issued, 7 traffic accidents with 3 injuries. The rest of the report is on file.

**Resolution #191:10'2021: 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, October 27, 2021 to accept the reports of the Standing Committees.

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

**BOARD OF EDUCATION LIAISON'S REPORT** No report.

**BOROUGH ATTORNEY'S REPORT** Report deferred to closed session.

**BOROUGH ENGINEER'S REPORT** Mr. Frenzel's report is on file.

**UNFINISHED BUSINESS**

**ORDINANCE 809 Amending Chapter #205 of the Municipal Code Entitled "Trees"**

**Public Hearing** Opened for public comment and being none closed.

**Resolution #192:10'2021: Adoption Ordinance #809**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on October 27, 2021

**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 CHAPTER 205 OF THE MUNICIPAL CODE OF THE BOROUGH OF ALPINE ENTITLED "TREES."**

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

**VOTE: Ayes:** A. Frankel, V. Frankel, Gerstein, Shadek **Absent:** Bosworth, Cohen **MOTION APPROVED {Copy Appended}**

**NEW BUSINESS**

**CONSENT AGENDA RESOLUTIONS**

Resolutions #194:10'2021 - #197:10'2021

**1. Resolutions Approval of Minutes**

**a. Resolution #193:10'2021 Approval of Minutes Regular Meeting September 22, 2021**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 27, 2021 to approve the minutes of the regular meeting held on September 22, 2021.

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

**b. Resolution #194:10'2021 Approval of Minutes Executive Session Meeting September 22, 2021**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 27, 2021 to approve the minutes of the executive session meeting held on September 22, 2021

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

**2. Resolution #195:10'2021: Renewal of Membership in the Bergen Municipal Employee Benefits Fund (Dental Only), effective January 1, 2022 – December 31, 2024**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

And approved by all those eligible to vote at a regular meeting of the Alpine Mayor and Council held Wednesday, October 27, 2021.

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **Bergen Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of the Borough of Alpine hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements
- ii. Will participate in the following type of coverage:

---

*These minutes have been approved by the Mayor & Council.*

- a. Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

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

**3. Resolution#196:10'2021: Authorize Extension and Execution of Leaf Compost / Library Agreement with the Borough of Cresskill**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on October 27, 2021

**WHEREAS**, the current Cresskill Leaf Compost / Library Agreement expires December 31, 2021 and the Borough desires to extend the agreement

**BE IT RESOLVED** the Mayor and Borough Clerk are hereby authorized to negotiate and execute the renewal of the Cresskill Leaf Compost / Library agreement.

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

**End of Consent Agenda**

**Resolution#197:10'2021: Offer of Employment & Appointment of Assistant to Borough Clerk/Deputy Borough Clerk**

**OFFERED BY:** Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at a regular meeting of the Mayor and Council of the Borough of Alpine, held on October 27, 2021

**WHEREAS**, effective February 1, 2022 there will exist within the Borough of Alpine a vacancy in the position of **Deputy Borough Clerk**; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough shall appoint Jo Anna Myung to the position of **Assistant to the Borough Clerk, effective December 1, 2021 through January 31, 2022**, upon terms and conditions to be memorialized in a Memorandum of Employment, for the purposes of orientation and shadowing under the current Deputy Borough Clerk until her retirement, effective February 1, 2022.

**BE IT FURTHER RESOLVED** that the Borough intends to appoint Jo Anna Myung to the position of **Deputy Borough, effective February 1, 2022**, upon terms and conditions customary to the position and to be memorialized in the aforesaid Memorandum of Employment.

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

**COMMUNICATIONS: WRITTEN AND ORAL**

**2020 Annual Report of the Zoning Board of Adjustment** Mayor Tomasko noted the report is advisory and will go to Planning Board for their review and recommendations, if any, to the Governing Body.

**Resolution#198:10'2021: Executive Session A Resolution providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, October 27, 2021

**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, December 16, 2020, that an Executive Session closed to

*These minutes have been approved by the Mayor & Council.*

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.

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

The Mayor and Council entered into Executive Session at 7:39 P.M., adjourned back to the regular session at 8:37 P.M. and immediately adjourned the meeting.

**ADJOURNMENT OFFERED BY:** Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel and approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday October 27, 2021 at 8:37 P.M.

Respectfully submitted,  
Stephanie Wehmann, Municipal Clerk

**BOROUGH OF ALPINE  
ORDINANCE NO. 809**

**AN ORDINANCE AMENDING CHAPTER 205 OF THE MUNICIPAL CODE OF THE  
BOROUGH OF ALPINE ENTITLED "TREES."**

**WHEREAS** the Mayor and Council of the Borough of Alpine, Bergen County, New Jersey has determined a need to clarify and codify sections of the Tree Ordinance.

**BE IT ORDAINED** by the Mayor and Council of the Borough of Alpine, Bergen County, New Jersey that Chapter 205 of the Municipal Code of the Borough of Alpine entitled "Trees" be amended as follows:

Replace the term "Building Inspector" with Zoning Official / Code Enforcement Official throughout ordinance wherever it appears.

**§205-1B Definitions - Replace definitions as follows:**

**REGULATED TREES**

Any living deciduous tree having trunk caliper of six inches or greater measured at a height of four and one half feet (forestry method) above natural grade or a coniferous tree five feet or taller.

**TREE EXPERT**

A person holding an appropriate NJ State Tree Care License or Certification, Tree Cutter License or NJ Arborist. Copy of License or Certification are required with permit application.

**§205-D Permit Application Procedures.**

**§205-D-1 Permit Required.** Insert sentence at end of paragraph "The Environmental Commission site visit is only required for the removal of three or more trees."

**§205-D-2(b)** Insert sentence at end of paragraph "Removal of five or less trees diseased, dead, or dangerous does not require a sit visit by the Environmental Commission as long as proper documentation is provided to the Building Department."

**§205-D-6** Replace the word "Board" with "Building Department"

**§ 205-4 Enforcement; violations and penalties.**

§ 205-4 Insert word "Enforcement" to read "Enforcement/Penalty".

Add first sentence: "The Zoning Official/Code Enforcement Official, the Alpine DPW, or the Alpine Police Department are authorized to enforce the provisions of this ordinance."

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication as required by law.

INTRODUCED: September 22, 2021

ADOPTED: October 27, 2021