

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, April 27, 2022 @ 7:00 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, April 27, 2022 at 7:00 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, and the Governor's Emergency Declaration the notice of this regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022 at 7:00 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 OF THE MAYOR AND COUNCIL OF 2022

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

Staff Present on Dais:

Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel, Municipal Clerk Stephanie Wehmann

PUBLIC COMMENTS:

Mr. Robert Policano inquired whether there were any violations on the property located at 1006 Closter Dock Road Block (42 Lot 3) because it looks like a hazardous lot with an abandoned car and it is an eyesore. Mayor Tomasko recommended that he contact the Brian Frugis and Catherine Booth on an update regarding that property. It is a house that was taken down without a demolition permit among other infractions.

REPORT OF THE FINANCE COMMITTEE

Bank of New Jersey Current Operating Account \$4,319,635.85

Resolution #078:04'2022 Return of Bonds and Escrow

OFFERED BY: Councilman Cohen

SECONDED BY: Councilwoman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022 to approve the return of the following bonds and escrow.

Block	Lot	Name	Type	Amount
79.03	1	LaBarbiera, Joseph	Planning Board escrow	666.88
81.04	7	Agrachov, Thomas	Planning Board escrow	66.26
81.06	18	Ko, Daniel	Planning Board escrow	515.75
59	5	Bhanderi, Pravin & Gita	Soil & Engineering escrow	\$1,700.00
40	5	Lin, Joan C.	Performance Bond	6,500.00
			Re-veg Bond	3,000.00
			Septic Bond	10,000
			Engineering Escrow	4,075.00
			TOTAL:	\$23,575.00
81.04	19&19.01	Canfield Associates c/o Winne, Banta, Basralian & Kahn	Engineering/Soil Escrow	\$1,053.50

Vote: Ayes: Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Shadek

MOTION APPROVED

TAX ASSESSOR'S REPORT

Mayor Tomasko commented that there is a modest number of tax appeal every year and as everyone knows, we fight it for the few we do receive.

Resolution #079:04'2022: Refund Of 2020 Tax Overpayment Due to State Tax Court Judgement

INTRODUCED BY: Councilman Cohen

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, April 27, 2022

WHEREAS, a Judgment was granted on February 2, 2022 from the Tax Court of New Jersey, reducing the assessment on the following:

Block	Lot	Owner's Name	Original Assessment	Reduced Assessment	Year	Refund Due
79.01	5	Mehran Alpine LLC	\$6,610,000.00	\$5,599,000.00	2020	\$7,673.49

These minutes have been approved by the Mayor & Council.

WHEREAS, the reduction in assessment was not recorded in time for the 2020 assessment records for the above referenced property and was billed at the higher assessed value, resulting in an overbilling, and **WHEREAS**, an overpayment was made for the tax year listed above and therefore should be refunded to the owner made payable to;

Mehran Alpine LLC
425 Route 46 West
Fairfield, NJ 07004

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 refund for the tax overpayment.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

MAYOR'S REPORT

- Mayor Tomasko thanks Councilwoman Gerstein for attending the MEL Elected Officials class held in Harrington Park last week and hopes that others can take the classes as we get a \$250 credit for every person that takes it.
- The Swim Club in on pace to open this season and have received applications for membership. We are in the process of hiring lifeguards.
- Invitations to march for Memorial Day has been distributed and the Mayor hopes that everyone can join the program at the rock. After the parade, there will be town wide refreshments at the field next to borough hall.
- Alpine received the highest level of the Safety Award again this year; thanks to the efforts of the Safety Committee led by Stephanie Wehmann with the cooperation of the other department heads. This effort emphasizes the importance of avoiding accidents on the job and minimizes claims and workers' comp in the borough.
- There is an Arbor Day tree planting on Friday at the school at 1pm.

REPORT OF THE STANDING COMMITTEES

Resolution #080:04'2022: Accepting the Reports of the Standing Committees

INTRODUCED BY: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein

at the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022 to accept the reports of the Standing Committees.

Administration Department Councilman Bosworth – No report.

Building Department Councilman Shadek: 72 scheduled inspections, 0 driveway permits, 0 fence permits, 0 tree permits, 1 soil moving application, 1 zoning review application, 0 sign permit and 1 miscellaneous permit. The rest of the report is on file.

Department of Public Works Councilman Frankel – The report is on file.

Fire Department Councilwoman Gerstein – Statistics on file.

Police Department Councilwoman Frankel – 13 summonses, 2 MVA with 1 injury and the rest of the report is on file.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

BOARD OF EDUCATION LIAISON'S REPORT

- Mr. Shadek reported that an agreement with teachers was reached. The school budget passed with a tax levy of just 1.66% increase.
- Mayor Tomasko reported that he was invited again to the Read-a-Thon and it was a pleasure reading for the individual grades from 1st to 4th grades at the beginning and end of the Read-a-Thon program.

BOROUGH ATTORNEY'S REPORT

- Mr. Huntington will provide his report in Closed Session.

BOROUGH ENGINEER'S REPORT

- Mr. Frenzel reported that Riverside Co-Op took bids on this year's program and we are awaiting analysis.
- Mayor Tomasko commented that the Borough was awarded the grant to repave Glen Goin for \$190,000 which is a significant amount and appreciates the opportunity to expand the DOT state aid with the borough's budgeted program.

UNFINISHED BUSINESS

Resolution #081:04'2022: Adoption of Ordinance #811: To Exceed the Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a:4-45.14)

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, April 27, 2022

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 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2022**

(N.J.S.A. 40A:4-45.14)

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

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #082:04'2022: Waiving Reading in Full of Budget

OFFERED BY: Councilman Cohen

SECONDED BY: Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Borough of Alpine has complied with these conditions,

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2022.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #083:04'2022: Self-Examination of the Municipal Budget

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilman Cohen

At the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Alpine has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2022 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Alpine that the 2022 annual budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #084:04'2022: Adoption of the 2022 Municipal Budget

OFFERED BY: Councilman Frankel

SECONDED BY: Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022

BE IT RESOLVED, by the Councilmembers of the Borough of Alpine, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$3,631,884.00 to be raised by taxation for municipal purposes and \$99,663.00 for the Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

These minutes have been approved by the Mayor & Council.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #085:04'2022: Adoption of Ordinance #812 – 2022 Salary Ordinance

OFFERED BY: Councilman Frankel **SECONDED BY:** Councilwoman Gerstein
At the regular meeting of the Alpine Mayor and Council held on Wednesday, April 27, 2022

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine in the County of Bergen and State of New Jersey, that an Ordinance entitled:

“AN ORDINANCE PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY.”

does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law. {Ordinance #812 appended to these minutes in its entirety.}

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #086:04'2022: Adoption of Capital Bond Ordinance #813 – 2022 Road Improvement Program

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel
At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022

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 titled:

BOND ORDINANCE PROVIDING FOR THE 2022 ROAD PROGRAM IN AND BY THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR (INCLUDING NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANTS IN THE AMOUNT OF \$343,469) AND AUTHORIZING THE ISSUANCE OF \$246,531 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law. {Ordinance #813 appended to these minutes in its entirety.}

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #087:04'2022: Adoption of Capital Bond Ordinance #814 – 2022 Various Improvements

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, April 27, 2022

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine in the County of Bergen and State of New Jersey, that an Ordinance entitled:

“BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$193,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$183,350 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF”,

does hereby pass its second and final reading and is hereby adopted and Notice of same be published according to law. {Ordinance #814 appended to these minutes in its entirety.}

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

CONSENT AGENDA RESOLUTIONS

Resolution #088:04'2022: Approval of Bills and Claims

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, April 27, 2022, to approve the bills and claims; a copy of which are appended.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #089:04'2022: Approval of Budget Meeting Minutes March 23, 2022

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel
At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to approve the Budget Meeting March 23, 2022.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein **Abstain:** L. Shadek
MOTION APPROVED

Resolution #090:04'2022: Approval of Regular Meeting Minutes March 23, 2022

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel
At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to approve the Regular Meeting March 23, 2022.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #091:04'2022: Approval of Executive Session Minutes March 23, 2022

OFFERED BY: Councilwoman Gerstein **SECONDED BY:** Councilwoman Frankel
At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to approve the Executive Session March 23, 2022.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #092:04'2022: Affirmation of Appointment – Planning Board Alternate member 1 – Brandt Cybul

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to affirm the appointment of Brandt Cybul as Planning Board Alternate Member I of the Alpine Planning Board for the unexpired portion of a two-year term ending December 31, 2023.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shaddek **MOTION APPROVED**

Resolution #093:04'2022: Authorizing Purchases of Goods & Services in 2022 Through the State of NJ Cooperative Purchasing Program / Purchase of Police Department Vehicle – 2022 Ford Explorer XL 4WD

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to affirm **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

WHEREAS the Borough of Alpine plans to utilize the State Contract Vendor(s) listed below, for the purchase of one (1) police department vehicle. Such transaction subject to all conditions applicable to the current State contracts:

Service Vendor Name: Gentilini Ford, Inc.
Commodity: # T2007 – SPORT UTILITY VEHICLES, GASOLINE/ HYBRID/ ELECTRIC
State Contract #: 20-FLEET-01393-Ford Explorer

WHEREAS, funds for this purpose have been provided for in Capital Fund Ordinance #814 account C-04-55-996-208 for \$29,267.33 in the accounting records of the Borough of Alpine;

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 2022 from the approved New Jersey State Contract Vendor listed above 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 Gentilini Ford, Inc. of Woodbine, 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 \$29,267.33 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: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shaddek **MOTION APPROVED**

Resolution #094:04'2022: Authorizing Purchases of Goods & Services in 2022 Through the State of NJ Cooperative Purchasing Program / Removal, Purchase & Installation of Equipment for Purchased Police Vehicle

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to affirm **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

WHEREAS the Borough of Alpine plans to utilize the State Contract Vendor(s) listed below, for the purchase and/or installation of emergency lighting and equipment necessary to upfit one (1) police department vehicle. Such transaction subject to all conditions applicable to the current State contracts:

Service Vendor Name: Municipal Equipment Enterprises Limited Liability Company
Commodity # T0106 – LAW ENFORCEMENT FIREARMS EQUIPMENT AND SUPPLIES
State Contract #: 17-FLEET-00761 Whelen
17-FLEET-00758 NJ Labor/Install

WHEREAS, funds for this purpose have been provided for in Capital Fund Ordinance #814 account C-04-55-996-208 for \$5,732.67 and Police Special Reserve Donation account 22-01-55-915-020 for \$2,480.93 in the accounting records of the Borough of Alpine;

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 2022 from the approved New Jersey State Contract Vendor listed above 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 Municipal Equipment Enterprise of Egg Harbor Township, 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 \$8,213.60 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: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shaddek **MOTION APPROVED**

Resolution #095:04'2022: Authorizing Utilization of Alpine Police Officers for Gran Fondo New York Bike Tour Sunday, May 15 2022

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

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to **WHEREAS**, Gran Fondo New York (GFNY) raises money for local charities and has held their 100 Mile Bike Tour event in previous years; and

WHEREAS, GFNY has again requested assistance from Alpine Police to control traffic to enable the cyclists to ride on a traffic-moderated course. The route is largely the same as in past years: northbound entering Alpine's 9W northbound from PIP's Henry Hudson Drive, at PIP Exit 2 and southbound entering 9W from NYS and finishing along PIP's Henry Hudson Drive; and

WHEREAS, Police Chief Belcolle has no objections and will be actively coordinating with GFNY regarding the necessary police assistance; and

WHEREAS, GFNY agrees to pay all costs associated with this permission and police overtime upon receipt of invoices; and

WHEREAS, the Certificate of Liability Insurance and Hold Harmless Agreement provided by GFNY have been reviewed and approved by the Borough's Risk Manager;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine authorize the utilization of Alpine Police Officers for GFNY's 100 Mile Bike Tour to be held on Sunday, May 15, 2022.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shaddek **MOTION APPROVED**

Resolution #096:04'2022: Authorizing Borough Engineer to Prepare Bid Package and Advertise for Bids for NJDOT Municipal Aid Projects – Marie Major Drive (FY2021) & Glen Goin Drive (FY2022)

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

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to authorize the Borough Engineer to prepare bid specifications and advertise for Bids for the NJDOT Municipal Aid Projects for Marie Major Drive (FY 2021) and Glen Goin Drive (FY 2022), pending final adoption and estoppel period of Capital Bond Ordinance #813.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shaddek **MOTION APPROVED**

Resolution #097:04'2022: Authorizing Copier Lease Under New Jersey State Contract

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

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022,

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 soliciting quotes or 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; which is considered an "open and fair" process under the New Jersey Pay to Play Law N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS the Borough of Alpine has a need to purchase on a timely basis, goods and services utilizing State Contracts during 2022 and 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

WHEREAS the Borough of Alpine plans to utilize the State Contract Vendor listed below,

Commodities: G-2075 Copiers, Maintenance & Supplies
Service Vendor Name: Ricoh USA, Inc
State Contract #: NJ 40467

such transaction shall be subject to all conditions applicable to the current State contracts; and

WHEREAS, the existing copier lease for the administrative offices expires July 31, 2022 and the Mayor and Council wish to enter into a new five (5) year lease for (1) RICOH Model IMC4500G, or pending newer model, if available at lease inception, at a discounted rate through the State of New Jersey Cooperative Purchasing Program Contract #40467 Copiers, Maint., and Supplies awarded to RICOH USA; and

WHEREAS, RICOH USA, Inc., 19 Chapin Rd, PO Box 2008, Pine Brook, NJ 07058 was awarded NJ State Contract #40467: Copiers, Maint., and Supplies initially through 1/11/2018 and currently extended through 10/11/2022 (5th Extension/ G2075 Amendment #13) for (1) RICOH Model IMC4500G or newer model at a monthly rate of \$208.54 per month; and

WHEREAS, due to current pandemic-related industry-wide supply chain issues, equipment may take a minimum of 30-60 days for delivery from date of order; and

WHEREAS, any delay in delivery beyond the current RICOH contract expiration date of July 31, 2022 would result in a month-to-month extension of the current contract terms at the existing rate of \$213.00 per month until delivery of new equipment and inception of the new lease, which computes to annual payments not to exceed: 8/1-

12/31/2022 \$1,065.00; 1/1-12/31/2023 \$2,556.00; 1/1-12/31/2024 \$2,556.00; 1/1-12/31/2025 \$2,556.00; 1/1-12/31/2026 \$2,556.00; 1/1-07/31/2027 \$1,491.00; and

WHEREAS, the actual cost for the lease is not expected to exceed \$12,780.00 over 60 months; and
WHEREAS, the Chief Financial Officer has certified funding for this lease is appropriated through the Administration Department's 2022 Operating Budget General Account Number 2-01-20-120-027 [Equipment] and funding in future years is subject to provision of same in the Municipal Budget; and

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Alpine, County of Bergen, State of New Jersey herein authorize the Municipal Clerk to execute a lease agreement under State Contract #40467 for RICOH Model IMC4500G, or pending newer model from RICOH USA, Inc. 19 Chapin Rd, PO Box 2008, Pine Brook, NJ 07058 for a 60-month lease not to exceed \$12,780.00.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

VOTE: Ayes: S. Bosworth, S. Cohen, A. Frankel, V. Frankel, G. Gerstein, L. Shadek **MOTION APPROVED**

Resolution #098:04'2022: Executive Session

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

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 27, 2022, to **WHEREAS**, the Mayor and Council of the Borough of Alpine is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Alpine to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b subsection designated below:

(b)(7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Affordable Housing

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, April 27, 2022, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

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

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

EXECUTIVE SESSION

Mayor and Council convened the Executive Session at 7:48 PM, reconvened in public session at 7:58 PM.

COMMUNICATIONS: WRITTEN AND ORAL None.

ADJOURNMENT

OFFERED BY: Councilman Frankel **SECONDED BY:** Councilwoman Gerstein
 and approved by all present to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday April 27, 2022 at 7:58 P.M.

Respectfully submitted,

Stephanie Wehmann
 Municipal Clerk

**BOROUGH OF ALPINE
 BERGEN COUNTY, NEW JERSEY
 ORDINANCE No. 811
 CALENDAR YEAR 2022 ORDINANCE TO EXCEED
 THE MUNICIPAL BUDGET APPROPRIATION LIMITS
 AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% or the cost-of-living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, the cost-of-living adjustment for calendar year 2022 budgets is calculated at 2.5% pursuant to N.J.S.A. 40A:4-45.2 and amounts to \$127,021; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Alpine in the County of Bergen finds it's advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that an additional 2.5% increase in the budget of said year, amounting to \$50,808 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Alpine, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2022 budget year, the final appropriations of the Borough of Alpine shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$177,829, and that the 2022 municipal budget for the Borough of Alpine be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**BOROUGH OF ALPINE
ORDINANCE NO. 812**

“AN ORDINANCE PROVIDING FOR THE SALARIES, WAGES OR COMPENSATION OF OFFICERS, EMPLOYEES, OFFICIALS OF THE BOROUGH OF ALPINE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY.”

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpine as follows:

Section 1. That the respective salaries, wages or compensation of the following officers, employees, officials of the Borough of Alpine be hereby fixed at the following rate, effective as of January 1, 2022 except as may be specifically noted.

<u>Office or Position:</u>	Yearly Salary: 2022 (Unless Otherwise Noted)
Borough Clerk	83,059
Registrar of Vital Statistics	1,521
Recycling Administrator	2,371
Secretary / Board of Health	5,527
The responsibilities encompassed by the Borough Clerk also include the duties of Registrar of Vital Statistics, Recycling Administrator and Board of Health Secretary and are performed during regular business hours per Section 4a of the Employee handbook at a TOTAL yearly salary of	92,478
Deputy Borough Clerk	56,632
Deputy Registrar of Vital Statistics	1,153
Secretary / Board of Adjustment	6,000
The responsibilities encompassed by the Deputy Borough Clerk also include the duties of Deputy Registrar of Vital Statistics and Board of Adjustment Secretary and are performed during regular business hours per Section 4a of the Employee handbook at a TOTAL yearly salary of	63,785
Chief Financial Officer	25,213
Treasurer	65,629
Tax Collector	13,571
Tax Search Officer	7,076
Secretary / Planning Board	7,076
The responsibilities encompassed by the Chief Financial Officer also include the duties of Treasurer, Tax Collector, Tax Search Officer and Planning Board Secretary and are performed during regular business hours per Section 4a of the Employee handbook at a TOTAL yearly salary of	118,565
Qualified Purchasing Agent	4,330
Tax Assessor	16,892
Police Chief	197,906
Emergency Management Coordinator	4,070
Superintendent D.P.W	128,928
Property Maintenance Official	6,072
The responsibilities encompassed by the Superintendent D.P.W. or Acting also include the duties of Property Maintenance Official and are	135,000

These minutes have been approved by the Mayor & Council.

performed during regular business hours per the Employee handbook at a TOTAL yearly salary of	
Equipment Operator One D.P.W.	75,348
Recycling Coordinator	4,932
The responsibilities encompassed by the Equipment Operator One D.P.W. also include the duties of the Recycling Coordinator and are performed during regular business hours per Section 4a of the Employee handbook at a TOTAL yearly salary of	80,280
Equipment Operator Two D.P.W.	65,000
Construction Code Official	9,592
Building Subcode Official	16,381
Zoning Official	13,260
The responsibilities encompassed by the Construction Code Official also include the duties of the Zoning Officer and Building Subcode Official and are performed during regular business hours per Section 4a of the Employee handbook at the above hourly rates not to exceed a TOTAL yearly salary of	39,233
Construction Office Technical Assistant	71,045
Electrical Inspector	13,250
Plumbing Inspector	10,612
Fire Official (Inspector)	3,873
Fire Protection Subcode Official	5,306
Municipal Court Judge	10,897
Prosecutor	6,659
Public Defender	2,337
Court Administrator	11,012
Crossing Guard (per hour)	20.00

Section 2. In addition to other benefits and compensation, eligible employees covered by this ordinance shall receive an annual longevity increment as provided herein. The longevity increment shall be two (2%) of the employee's base annual wage upon completion of five (5) years of full-time continuous service. The longevity increment shall be paid commencing January 1 of the year following an employee's fifth anniversary and January 1 immediately following such fifth anniversary. Thereafter, the longevity increment shall be increased by four-tenths of 1% per year with a maximum of twelve (12%).

Section 3. All employees covered in this ordinance who are enrolled in the NJ State Health Benefit Plan offered by the Borough are required to contribute to the cost of the annual premium. Effective January 1, 2022, employee contribution will be capped at 25% of their 2022 annual healthcare premium.

Section 4. A Department of Public Work's Employee who is scheduled for stand-by on a week-end or holiday shall receive \$75.00 per day.

Section 5. If need arises, during inclement weather, temporary employees of the DPW to be paid hourly at a range of 12.00 to 23.00 per hour.

Section 6. If need arises temporary administrative personnel and temporary seasonal DPW personnel to be paid hourly at a range of 10.00 to 17.00 per hour.

Section 7. Swim Club employees to be paid hourly at a range of 16.00 to 20.00 per hour.

Section 8. Special inspections as ordered by the Construction Code Official shall be paid at the rate of \$50 per inspection, in addition to salary, where applicable.

Section 9. The aforementioned salaries and wages shall be paid on a bi-weekly basis for a total of 26 payments.

Section 10. This Ordinance shall be retroactive to January 1, 2022 for all employees in the employ of the Borough of Alpine in the offices or positions hereinabove named as of the date of adoption of this Ordinance except as specifically noted.

Section 11. All ordinances or parts or ordinances inconsistent with this Ordinance be and the same are hereby repealed.

**BOROUGH OF ALPINE
ORDINANCE NUMBER 813**

BOND ORDINANCE PROVIDING FOR THE 2022 ROAD PROGRAM IN AND BY THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR (INCLUDING NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANTS IN THE AMOUNT OF \$343,469) AND AUTHORIZING THE ISSUANCE OF \$246,531 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Alpine, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$600,000, which sum includes a total of \$343,469 in grants expected to be received from the New Jersey Department of Transportation (the "Grants") and \$10,000 as the amount of down payment for said improvements or purposes not funded with Grants as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. No down payment for said improvements or purposes funded with the Grants is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), as such improvements involve projects funded by the Grants, which grants are provided by the State of New Jersey.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$600,000 appropriation not provided by said Grants or the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$246,531 pursuant to, and within the limitations provided by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$246,531 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. The improvements hereby authorized and the purposes for the financing of which said bonds or notes are to be issued is for the resurfacing of various roadways throughout the Borough, including but not limited to, Forest Street, Robin Lane (from Hillside Avenue to Graham Street), Marie Major Drive and Glen Goin Drive. Such improvements or purposes include, but are not limited to, as applicable, milling, construction, reconstruction, repairing and resurfacing, drainage improvements, inlet, manhole and water valve replacements, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways, the acquisition and installation of traffic signals and signage and including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(a) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$246,531.

(b) The estimated cost of said improvement or purpose is \$600,000.

SECTION 4. Except for the Grants, in the event the United States of America, the State of New Jersey, and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Bergen. Except for the Grants, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

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

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

- (b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, ten (10) years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$246,531 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$57,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended of the interest on all tax-exempt bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer of the Borough is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

**BOROUGH OF ALPINE
ORDINANCE NUMBER 814**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS BY AND
IN THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY;
APPROPRIATING \$193,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$183,350
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF**

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPINE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Borough of Alpine, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$193,000, which sum includes \$9,650 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law (N.J.S.A. 40A:2-1 *et seq.*) (the "Local Bond Law"). The down payment is now available by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$193,000 appropriation not provided for by said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount of \$183,350 pursuant to, and within the limitations prescribed

by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$183,350 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) The acquisition of firefighter gear, portable radios, a radio base, truck equipment and air bottles/packs for the Fire Department;	\$85,000	\$80,750	\$4,250	7 years
(ii) The acquisition of a salt spreader flatbed truck for the Public Works Department;	10,500	9,975	525	10 years
(iii) Various improvements and repairs to the Borough Hall/Post Office Building and the Alpine Swim & Racquet Club including, but not limited to, painting;	21,000	19,950	1,050	10 years
(iv) The acquisition of a center post variable message sign, body cameras, capital accessories, computer equipment, and a non-passenger vehicle for the Police Department; and	70,000	66,500	3,500	5 years
(v) Various repairs to storm sewer pipes including, but not limited to, repairs on Pike Street.	<u>6,500</u>	<u>6,175</u>	<u>325</u>	20 years
TOTALS	<u>\$193,000</u>	<u>\$183,350</u>	<u>\$9,650</u>	

- (a) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$183,350.
- (b) The aggregate estimated cost of said improvements or purposes is \$193,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$183,350, is the aggregate amount of the down payments available for said purposes in the amount of \$9,650.
- (c) All such improvements or purposes shall include materials, equipment, accessories and work necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Borough and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Bergen. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to received such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the Office of the Clerk of the Borough and is available for public inspection.

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

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds or notes authorized by this bond ordinance, is 7.2 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$183,350 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$4,100 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended of the interest on all tax-exempt bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer of the Borough is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.