

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, June 22, 2022 @ 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, June 22, 2022 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, and the Governor's Emergency Declaration the notice of this regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2022 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 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	Absent	Scott Bosworth, Councilman	Present
Steven Cohen, Councilman	Present (telephonically)		

Staff Present on Dais:

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

PUBLIC COMMENTS: None.

REPORT OF THE FINANCE COMMITTEE

\$3,041,994.14

Connect One Bank Current Operating Account

Resolution #113:06'2022: Return of Bonds and Escrow

OFFERED BY: Councilwoman V. Frankel

SECONDED BY: Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2022 to approve the return of bonds and escrow subject to review and approval by the Borough Engineer.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
39.01	9.16	Wandy Holdings, LLC	Septic Bond	\$10,000
			Engineering Escrow	263.25
				10,263.25
70	14	Leoce, Craig	Re-vegetation Bond	\$2,300.00
			Performance Bond	8,500.00
			Engineering Escrow	47.00
				\$10,847.00
49.01	6	Pun, Rupert	Engineering Escrow	\$440.00
			TOTAL:	\$21,550.25

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

Resolution #114:06'2022: Refund of 2021 Property Tax Overpayment Due to State Tax Court Judgment

OFFERED BY: Councilwoman V. Frankel

SECONDED BY: Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2022 to approve the refund of 2021 property tax overpayment for Block 59 Lot 5

WHEREAS, a State Tax Court Judgment was granted on April 8, 2022 from the Tax Court of New Jersey reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assessment</u>	<u>Reduced Assessment</u>	<u>Year</u>	<u>Refund Due</u>
59	5	Bhanderi, Pravin & Gita	\$4,577,900	\$3,290,000	2021	\$10,006.98

WHEREAS, the reduction in assessment was not recorded in time for the 2021 assessment records for the above referenced property and was billed at the higher assessed value for 2021, 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; Pravin & Gita Bhanderi, 41 Brenner Place, PO Box 481, Alpine, NJ 07620

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

These minutes have been approved by the Mayor & Council.

Resolution #115:06'2022: Approval of Bills and Claims - \$75,126.97**OFFERED BY:** Councilwoman V. Frankel**SECONDED BY:** Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2022 to approve the bills and claims of which copies are appended.

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

Resolution #116:06'2022: Refund of Alpine Swim & Racquet Club Membership Fee**OFFERED BY:** Councilwoman V. Frankel**SECONDED BY:** Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, June 22, 2022 to approve the refund of ASRC membership fee

WHEREAS, the following Alpine resident submitted an application and fee on April 22, 2022 for membership to the Alpine Swim and Racquet Club for the 2022 season, and;

WHEREAS, on May 17, 2022 the resident requested a refund of the membership dues paid, as she will be unable to utilize the facility due to an injury.

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 the necessary check in the following amount and made payable to the resident, as follows:

<u>Name</u>	<u>Amount</u>
Haralabatos, Xiaomei Li	\$ 375.00

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

TAX ASSESSOR'S REPORT On file in the Borough Clerk's Office.

PUBLIC COMMENTS:

Mr. Robert Policano commented that even though he was not able to attend the Memorial Day festivities, he heard from many people that it was a wonderful event. Mayor Tomasko thanked Mr. Policano for his comment and hope he will be able to make it in the future.

MAYOR'S REPORT

- 2nd Quarter Safety Committee Meeting attended by Chairperson Stephanie Wehmann, DPW Superintendent, Police Chief, and Borough's Risk Management Consultants. Alpine is in good shape in meeting expectations and qualified for the 2022 maximum MEL assessment credit \$250 for each member, up to the maximum, that took the highly recommended training course.
- There were two graduations in the last two days; Alpine school and at Tenafly. Mayor Tomasko, Superintendent Maureen McCann and the new Principal Daniel O'Keefe were in attendance at both graduations to show support and respect for graduates from Alpine School. Valedictorian: Arta Cajku, who also read the essay on Memorial Day; Salutatorian: Catherine Ying; Citizenship Award winner: Heather Lee. Congratulations to the Eight Grade class of 2022.
- Alpine Swim Club has approximately 50 families with varying membership units. Mayor Tomasko thanked Scott Bosworth and Sub-committee members for getting us to this point. There are 10 Lifeguards and a few others in the process of getting vetted in terms of paperwork and certifications.

REPORT OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Shaddek reported there are 64 scheduled inspections, 1 driveway permit, 2 fence permits, 2 tree permits, 3 soil moving applications, 5 zoning review applications and the rest of the report is on file.

Department of Public Works Report on file.

Fire Department Councilwoman Gerstein reported that all statistics are on file in the Municipal Clerk's Office.

Police Department Councilwoman Frankel reported 19 summons, 10 MVAs with 6 injuries; rest of the report is on file.

Resolution #117:06'2022: 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, June 22, 2022 to accept the reports of the Standing Committees.

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

BOARD OF EDUCATION LIAISON'S REPORT Report on graduations covered in the Mayor's Report.

BOROUGH ATTORNEY'S REPORT No public report.

BOROUGH ENGINEER'S REPORT

Mr. Frenzel reported on the following:

- NJDOT has finally authorized the Borough to enter into a contract with AJM Contractors to repave Cambridge Way (2020 NJDOT Municipal Aid Project). Plan is to complete this project before school starts.
- The County requested final plans for Closter Dock Road and Route 9W intersection last week. We will contact the County Engineer for this project to be included in the County's construction program for this year. Mayor Tomasko elaborated that this is to extend the right-hand turning lane so that the traffic does not back up all the way down

Closter Dock Road. We have been pushing for this improvement for the past four years and hopefully it will come to fruition soon.

- FY 2023 NJDOT Municipal Aid Project Grant Application is for improvements to Anderson Avenue but may need to be split into two sections due to length and width of the road. Recommend applying for one section in 2023 and the remaining section in 2024.

UNFINISHED BUSINESS: None.

NEW BUSINESS: CONSENT AGENDA RESOLUTIONS #118:06'2022 - #123:06'2022

Resolution #118:06'2022: Approval of Regular Meeting Minutes May 25, 2022

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, June 22, 2022, to approve the Regular Meeting Minutes from May 25, 2022.

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

Resolution #119:06'2022: Approval of Executive Session Minutes May 25, 2022

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, June 22, 2022, to approve the Executive Session May 25, 2022.

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

Resolution #120:06'2022: Authorizing Montammy Golf Club Request for Fireworks Display

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, June 22, 2022,

BE IT RESOLVED that the Mayor and Council of the Borough of Alpine grants permission for Montammy Golf Club to stage a fireworks display on the evening of **Friday, July 1, 2022 at approximately 9:30 PM** upon condition that Montammy Golf Club comply with requirements of the Fire Department and Borough Officials to ensure safe operation of the display.

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

Resolution #121:06'2022: Award of Quote for Police Department Message Sign

OFFERED BY: Councilwoman Frankel

SECONDED BY: Councilwoman Gerstein

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, June 22, 2022,

WHEREAS, the Alpine Police Department has identified a need for a center-post variable message sign; and

WHEREAS, the Borough of Alpine solicited quotes for the message sign and associated equipment options for the Police Department and,

WHEREAS, the Borough of Alpine has received three quotes, one from Certified Speedometer Service, Inc of Old Tappan, NJ for \$18,000.00, one from Highway traffic Supply of Pearl River, NY for \$20,450.00, and one from VER-MAC of Conroe, TX for \$20,800.00; and

WHEREAS, these quotes were reviewed, and a recommendation made by the Police Chief for award to Certified Speedometer Service, Inc of Old Tappan, NJ as the lowest responsive, responsible quote totaling \$18,000.00, and

WHEREAS, funds for this purpose have been provided for in the 2022 Capital Budget Account (ORD. 814) as identified by Account Number C-04-55-996-204 in the accounting records of the Borough of Alpine; and

WHEREAS, the cumulative total for this vendor in fiscal year 2022 will exceed the quote threshold of \$6,600.00;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpine hereby award the quote for the message sign and associated equipment options for the Police Department to Certified Speedometer Service, Inc of Old Tappan, NJ for \$18,000.00, contingent upon the Certification of Availability of Funds by the Chief Financial Officer.

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

Resolution #122:06'2022: Urging New Jersey Legislature to Amend Budget Cap Law to Appropriate Funds for Increasing Insurance Costs

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, June 22, 2022,

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Alpine that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representative for the Borough of Alpine.

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

Resolution #123:06'2022: Approval to Submit Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the FY 2023 NJDOT Municipal Aid Project – Anderson Avenue Resurfacing Project MA-2023- ANDERSON AVENUE IMPROVEMENTS-00620

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, June 22, 2022,

WHEREAS, The New Jersey Department of Transportation has made funding available to Counties and Municipalities through grant applications through the Municipal Aid Program, and

WHEREAS, the Borough of Alpine, Bergen County intends to apply for funds through this program for Anderson Avenue (between Closter Dock Road and the north end);

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Alpine formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Engineer is hereby authorized to submit an electronic grant application identified as **MA-2023- ANDERSON AVENUE IMPROVEMENTS-00620** for Alpine Borough to the New Jersey Department of Transportation;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Alpine and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

END OF CONSENT AGENDA

Resolution #124:06'2022: Council's Appointment to Bergen Community Development Representatives

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilman Shadek

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, June 22, 2022,

WHEREAS, the Municipality of Borough of Alpine has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974 for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024 per resolution dated June 24, 2020; and

WHEREAS, said Agreement requires that the Municipal Council appoint a representative and that the Mayor appoint a representative for the FY 2022-2023 term starting July 1, 2022 and ending on June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints **Council President Vicki Frankel** as its representative and that the Mayor hereby appoints **Councilman Steven Cohen** as the Mayor's representative to serve on the Community Development Regional Committee for FY 2021-2022; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be sent to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601, resposito@co.bergen.nj.us.

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

Resolution #125:06'2022: Appointment Representatives to Bergen County Open Space Trust Regional Advisory Committee

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilman Shadek

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, June 22, 2022,

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

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one-year coinciding with **the fiscal year July 1, 2022 through June 30, 2023.**

NOW, THEREFORE BE IT RESOLVED, that the governing body hereby appoints **Council President Vicki Frankel** as its representative to participate on the Open Space Trust Regional Committee.

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

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

COMMUNICATIONS - WRITTEN AND ORAL None.

Resolution #126:06'2022: Executive Session

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, June 22, 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, June 22, 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, V. Frankel, Gerstein, Shadek **Absent:** A. Frankel **MOTION APPROVED**

EXECUTIVE SESSION

Mayor and Council convened the Executive Session at 7:43 PM, and reconvened in public session at 7:48 PM.

ADJOURNMENT

OFFERED BY: Councilman Shadek

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 June 22, 2022 at 7:48 P.M.

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

Respectfully submitted,

Stephanie Wehmann
Municipal Clerk