

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, JULY 28, 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, July 28, 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, July 28, 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	Present
Steven Cohen, Councilman	Present		

**Staff Present on Dais:** Levi Kool, Esq. for Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel, Municipal Clerk Stephanie Wehmann

**PUBLIC COMMENTS** Opened for public comments and being none closed.

**REPORT OF THE FINANCE COMMITTEE** Mayor Tomasko offered the report for this month:

**ConnectOne Bank Current Operating Account** **\$2,951,959.08**

**Resolution #154:7'2021: 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, July 28, 2021 to approve the return of the following bonds and escrow subject to review and approval by the Borough Engineer.

<b><u>Block/Lot</u></b>	<b><u>Name</u></b>	<b><u>Type</u></b>	<b><u>Amount</u></b>
31/5	Perfection Excavating	Septic repair	\$72.50
70/14	Leoce, Craig	ZBA Escrow	\$437.82

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

**Resolution #155:7'2021: Approval of Bills and Claims**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 28, 2021 to approve the bills and claims, a copy of which are appended.

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

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

**MAYOR'S REPORT**

- PIPC Incident: Mayor Tomasko reported on a police event involving a stolen car last Friday as reported in the Bergen Record's Saturday edition. He commended PIPC and Alpine Police.

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** Councilman Bosworth – no report

**Building Department** Councilman Shadek reported 67 scheduled inspections, 1 driveway permit, 1 fence permit, 8 tree permits, 4 soil moving applications, 9 zoning review applications and 6 miscellaneous. The rest of the report is on file.

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

**Department of Public Works** Councilman Frankel advised report is on file.

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

**Police Department** Councilwoman Frankel advised 10 summonses issued, 6 MVA with 2 injuries and the rest of the report is on file.

**Resolution #156:7'2021: 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, July 28, 2021 to accept the reports of the Standing Committees.

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

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

**BOROUGH ATTORNEY'S REPORT** No report.

**BOROUGH ENGINEER'S REPORT** Mr. Frenzel report included updates on the following:

- **2021 Riverside Cooperative Road Improvement Program** [Grant Court, Margo Way, Old Dock Road, portion of Haring Lane] D&L Paving. Start date moved up to August 5, 2021.
- **2019 NJS DOT Municipal Aid Road Improvement Program – Allison Road.** Paving complete. AJM Contractors, Inc. did an excellent job. Striping to be completed.
- **2020 NJS DOT Municipal Aid Road Improvement Program – Cambridge Way.** Advertised for acceptance bids August 12, 2021.
- **2021 NJS DOT Municipal Aid Road Improvement Program – Glen Goin Drive.** Application filed June 29, 2021.

**UNFINISHED BUSINESS**

**Ordinance 808: To Amend Chapter 209 of the Municipal Code Entitled "Vehicles and Traffic"**

**Public Hearing:** Opened to the public:

**John Patrick McCaffrey** states the proposed ordinance and barriers placed blocking off Schoolhouse Lane east of Alpine Drive to vehicular traffic is unfair, malicious and pointed at the McCaffrey families and Alpine Gardens. He claims grandfathered and deeded rights to use of Schoolhouse Lane twenty feet wide open and unobstructed. His truck traffic in one month does not equal the daily traffic of home deliveries by UPS, FEDEX, Amazon, etc. He intends to pursue the matter in Superior Court.

**Richard Incontro**<sup>1</sup> provided a copy of a document he identified as a deed between DuBois and McCracken and asked if the Borough had thoroughly reviewed same.

Being no further comments the public hearing was closed.

**Resolution #157:7'2021: Adoption Ordinance #808**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, July 28, 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 TO AMEND CHAPTER 209 OF THE MUNICIPAL CODE OF THE BOROUGH OF ALPINE ENTITLED "VEHICLES AND TRAFFIC"**

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

**VOTE: Ayes:** Bosworth, Cohen, A. Frankel, V. Frankel, Gerstein, Shadek      **MOTION APPROVED**  
*{Ordinance 808 appended to these minutes in its entirety.}*

**NEW BUSINESS**

**CONSENT AGENDA RESOLUTIONS**      Resolutions #158:7'2021 - #150:7'2021

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<sup>1</sup> Due to a computer glitch a portion of Mr. Incontro's comments were not recorded [7:45:20-7:47:35] but are summarized. *These minutes have been approved by the Mayor & Council.*

**1a. Resolution #158:7'2021 Approval of Minutes Regular Meeting June 23, 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, July 28, 2021 to approve the minutes of the regular meeting held on June 23, 2021.

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

**1b. Resolution #159:7'2021 Approval of Minutes Executive Session Meeting June 23, 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, July 28, 2021 to approve the minutes of the regular meeting held on June 23, 2021.

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

**2. Resolution #160:7'2021: Authorizing Acceptance of the New Jersey Department of Law and Public Safety Office of the Attorney General Grant for Body-Worn Cameras.**

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

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 28, 2021.

**WHEREAS,** the Alpine Police Department applied for a grant from the New Jersey Department of Law and Public Safety Office of the Attorney General; and

**WHEREAS,** the Alpine Police Department received a notice of grant award on June 22, 2021 in the amount of \$24,456.00 from the New Jersey Department of Law and Public Safety Office of the Attorney General SFY21 Body-Worn Camera Grant Program (Award Number: 21-BWC-006) with a \$0.00 match, for the award period of January 1, 2021 through December 31, 2025;

**NOW, THEREFORE BE IT RESOLVED,** that the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, does hereby acknowledge and accept these grant funds for the purchase, use, and implementation of body-worn cameras by the Alpine Police Department; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to sign the required grant forms provided by the New Jersey Department of Law and Public Safety Office of the Attorney General.

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

**3. Resolution #161:7'2021: Renewal of Membership in the Bergen County Municipal Joint Insurance Fund Effective January 1, 2022 – January 1, 2025**

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

at the regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, July 28, 2021.

**WHEREAS,** the Borough of Alpine is a member of the Bergen County Municipal Joint Insurance Fund; and

**WHEREAS,** said renewed membership terminates as of December 31, 2021 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS,** the Municipality desires to renew said membership;

**NOW THEREFORE,** be it resolved as follows:

1. The Mayor and Council of the Borough of Alpine agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

[Copy of Agreement Appended]

**4. Resolution #162:7'2021: Authorizing a Membership with Sourcewell (formerly NJPA) For Cooperative Purchasing Contracts**

**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, JULY 28, 2021

**WHEREAS**, Sourcewell (formerly known as NJPA- National Joint Powers Alliance), maintains National Cooperative Purchasing Agreement Contracts, which are competitively awarded national leverage cooperative purchasing contracts, through which members can make purchases; and

**WHEREAS**, the Borough of Alpine, by joining Sourcewell, at no cost, can participate in the National Cooperative Purchasing Agreement Contracts to purchase goods or contracts for services, to make the procurement process more efficient and provide cost savings to the Borough; and

**WHEREAS**, the State of New Jersey passed Public Law 2011, Chapter 139, that allows local contracting units to utilize national cooperative contracts as an acceptable procurement method per Local Finance Notice No. LFN 2012-10, dated May 14, 2012;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, County of Bergen, State of New Jersey, that it authorizes the Borough Clerk to execute the membership agreement (Member ID no. 27840) for participation in the Sourcewell cooperative Pricing System for the purposes of purchasing from their cooperative contracts.

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

**5. Resolution #163:7'2021: Endorse Planning Board Approval of Soil Moving Permit – 27 Schaffer Road Bl.81.06/L.18**

**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, JULY 28, 2021

**WHEREAS**, Borough Ordinance 183-3D(5) lays down the procedure for review of an application for a soil movement permit in compliance with N.J.S.A. 40:20D-26b; and

**WHEREAS**, the application was reviewed by the Planning Board at a hearing held June 22, 2021, and the Planning Board laid down their written recommendation to the Mayor and Council with respect to this application in a resolution approved at their regular meeting held on July 27, 2021 (copy attached hereto); and

**WHEREAS**, the Mayor and Council has examined the application and the recommendations of the Planning Board and have considered the results of the public hearing before the Planning Board;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine find that the proposed soil movement will not create conditions inimical to the public health, welfare and safety, nor create any drainage, soil erosion or other conditions of danger and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby approve said application subject to all conditions as laid out in the Planning Board’s resolution of July 27, 2021.

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

**End of Consent Agenda**

**COMMUNICATIONS: WRITTEN AND ORAL**

**Robert Policano, 979 Closter Dock Road**, stated there is an ordinance and a sign as you turn onto Closter Dock Road from Route 9W that prohibits commercial vehicle traffic on Closter Dock Road before 7 AM and after 8 PM in the evening that is not being enforced. Mayor Tomasko stated they would look into this<sup>2</sup>.

**ADJOURNMENT OFFERED BY:** Councilman Frankel **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 July 28, 2021 at 7:49 P.M.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk

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<sup>2</sup> Review: sign refers to commercial vehicle parking, not moving vehicular traffic. Closter Dock Road is a County Road.  
*These minutes have been approved by the Mayor & Council.*

**BOROUGH OF ALPINE  
ORDINANCE NO. 808  
AN ORDINANCE TO AMEND CHAPTER 209 OF THE MUNICIPAL CODE  
OF THE BOROUGH OF ALPINE ENTITLED "VEHICLES AND TRAFFIC"**

**WHEREAS**, it has come to the attention of the Mayor and Council of the Borough of Alpine that the increasingly over utilization of School House Lane, an unimproved and unaccepted lane, by heavy commercial traffic has resulted in unsafe conditions including excessive noise, dust, pollution, disrupting the peace and quiet enjoyment of this residential neighborhood; and

**WHEREAS**, the Borough seeks to restrict the over utilization of School House Lane as is already the rule for adjoining roads Alpine Drive, DuBois Avenue and Haring Lane and further clarify the regulations governing same;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Alpine, County of Bergen and State of New Jersey that Chapter 209 of the revised Ordinances of the Borough of Alpine, entitled "Vehicles and Traffic" is hereby amended as follows:

§209-6 replaced in its entirety to read:

**§209-6 Commercial Vehicles Prohibited.**

No commercial vehicular traffic shall be permitted or allowed on any of the streets or parts of streets described in Schedule VII, attached to and made a part of this chapter (as §209-15). This includes but is not limited to any motor vehicle, truck, tractor, excavation equipment, semi-trailer or any combination thereof using commercial license plates or having advertising affixed to its exterior surfaces or trailers. Commercial registration shall include but not be limited to commercial, constructor, transit, trailer, dealer or omnibus plates. Nothing in this section shall prevent any commercial vehicle providing incidental services, deliveries and temporary work to any residential premises on those streets for a temporary time as reasonable, and, where applicable, not to exceed the duration of the construction permit.

§209-15 replaced in its entirety to read

**§209-15 Schedule VII: Retitled: "Commercial Vehicular Traffic"**

In accordance with the provisions of §209-6, no person shall operate or drive a motor vehicle, truck, tractor, semi-trailer or any combination thereof using commercial license plates including but not limited to vehicles with commercial, constructor, transit, trailer, dealer or omnibus plates or having advertising affixed to its exterior surfaces or trailers, over or upon any of the following streets:

<b>Street</b>	<b>Location</b>
Alpine Drive	Entire length
DuBois Avenue	Entire length
Haring Lane	Entire length
Schoolhouse Lane	Entire length

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon passage and publication as required by law. Adopted July 28, 2021

**AGREEMENT TO RENEW MEMBERSHIP IN THE BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Bergen County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

**WHEREAS**, the Borough of Alpine is currently a member of said Fund, and;

**WHEREAS**, effective December 31, 2021, said membership will expire unless earlier renewed, and;

**WHEREAS**, the Mayor and Council of the Borough of Alpine has resolved to renew said membership;

**NOW THEREFORE**, it is agreed as follows:

1. The Mayor and Council of the Borough of Alpine hereby renews its membership in the Bergen County Municipal Joint Insurance Fund for a three (3) year period, beginning **January 1, 2022 and ending January 1, 2025\***.
2. The Mayor and Council of the Borough of Alpine hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Bergen County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Banking & Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Borough of Alpine agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Borough of Alpine in the Bergen County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Borough of Alpine.
5. Executed the 29th day of July, 2021 as the lawful and binding act and deed of the Borough of Alpine which execution has been duly authorized by public vote of the governing body.