

**ALPINE MAYOR AND COUNCIL
JOINT SPECIAL MEETING
ALPINE MAYOR & COUNCIL & PLANNING BOARD
Monday, April 17, 2023 @ 7:30 P.M.
(This meeting was recorded in its entirety).**

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/ PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Special Meeting on Monday, April 17, 2023 at 7:30 P.M. The Public Announcement was read as follows: In accordance with the provisions of the Open Public Meetings Law, the notice of this special meeting of the Alpine Mayor and Council held Monday, April 17, 2023, has met the requirements of the law by being published in *The Record**, posted 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 & COUNCIL

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

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/

The Planning Board, Borough of Alpine, convened in Special session on Monday, April 17, 2023 at 7:30 P.M. Chairperson Catherine Parilla read the announcement in accordance with the requirements of the Sunshine Law: *In accordance with the provisions of the New Jersey Open Public Meetings Act, the notice of this regular meeting of the Alpine Planning Board, held Monday, April 17, 2023 at 7:30 P.M. has met the requirements of the law by publication in The Record* and posted on the bulletin board of the lobby in the Borough Hall and filed in the office of the Borough Clerk.*

****Per Notice of Joint Special Meeting of the governing Body and Planning Board of the Borough of Alpine published in The Record on April 14, 2023: THE PURPOSE OF THIS MEETING IS TO DISCUSS AND CONSIDER A POTENTIAL SETTLEMENT OF LITIGATION IN RELATION TO THE BOROUGH OF ALPINE'S AFFORDABLE HOUSING LITIGATION WITH A POTENTIAL DEVELOPER OF PROPERTY LOCATED AT BLOCK 55, LOTS 25.01 26, 27, 28, 29 AND 30, AND TO POTENTIALLY TAKE ACTIONS AUTHORIZED BY THE GOVERNING BODY AND PLANNING BOARD ASSOCIATED WITH THE SETTLEMENT OF THE PENDING LITIGATION CAPTIONED: SYLCO INVESTMENTS #4, LLC; SYLCO INVESTMENTS #5, LLC AND F.E. ALPINE, INC., DOCKET NO.: BER-L-000293-20***

ROLL CALL OF THE PLANNING BOARD

Members Present: George Abad, Carol Cochi, Brandt Cybul, Gayle Gerstein, Elizabeth Herries, Catherine McGuire, Catherine Parilla, Joyce Sonpal, Mayor Paul Tomasko **Absent:** Lorraine Mattes

Staff Present: Borough Attorney Levi Kool, Attorney Russell Huntington of Huntington Bailey, Special Counsel Edward Buzak, Borough Engineer Perry Frenzel, Planning Board Attorney Douglas Bern, Borough Clerk Stephanie Wehmann, Planning Board Secretary Marilyn Hayward

EXECUTIVE SESSION

The Mayor and Council and Planning Board entered into executive session at 7:32 PM and reconvened in public session at 8:58 PM.

MAYOR & COUNCIL-EXECUTIVE SESSION: Relating to 1) Litigation, Negotiation and Attorney-Client Privilege-Affordable Housing

Resolution #0079:04'2023: Executive Session

OFFERED BY: Councilwoman Gerstein

SECONDED BY: Councilwoman Frankel

At a Special meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, April 17, 2023, 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 Monday, April 17, 2023, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and **BE IT FURTHER RESOLVED**, that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

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

MOTION

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

OFFERED BY: Mr. Abad; **SECONDED BY:** Ms. Herries

at a special meeting of the Planning Board of the Borough of Alpine held on Monday, April 17, 2023

WHEREAS, the Planning Board 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 Planning Board 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 Monday, April 17, 2023, that an Executive Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

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

Vote: Ayes: Mr. Abad, Ms. Cochi, Mr. Cybul, Ms. Gerstein, Ms. Herries, Ms. McGuire, Ms. Parilla, Ms. Sonpal, Mayor Tomasko. **Absent:** Lorraine Mattes

BUSINESS None

PUBLIC COMMENTS None. Noted no members of public present.

ADJOURNMENT- MAYOR & COUNCIL

OFFERED BY: Councilman Frankel **SECONDED BY:** Councilwoman Gerstein and approved by all to adjourn the special meeting of the Mayor and Council of the Borough of Alpine, held on Monday, April 17, 2023 at 8:59 P.M.

ADJOURNMENT- PLANNING BOARD

A motion to adjourn the regular Planning Board meeting was made by Ms. Herries and seconded by Ms. Sonpal. All were in favor. The meeting adjourned at 8:59 PM.

Respectfully submitted,

Stephanie Wehmann, Municipal Clerk

Marilyn Hayward, Planning Board Secretary