



**BOROUGH OF ALPINE
RESOLUTION #195:10'2023**

**AUTHORIZING THE EXECUTION OF A SETTLEMENT
AGREEMENT IN CERTAIN LITIGATION CAPTIONED *SYLCO
INVESTMENTS #4, LLC ET AL V. BOROUGH OF ALPINE*, DOCKET NO. BER-
L-0293-20**

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

WHEREAS, the Borough of Alpine ("Borough" or "Alpine") is involved in litigation in the New Jersey Superior Court, captioned *Sylco Investments #4, LLC et al v. Borough of Alpine*, Docket No. BER-L-0293-20 ("Litigation"); and

WHEREAS, the parties have entered into discussions in an effort to resolve the Litigation by adopting a revised zoning ordinance to permit the development of a 40 unit townhouse development on the property commonly known as Block 55, Lots 26-30 on the Official Tax Map of the Borough of Alpine ("Property"), which will create a realistic opportunity for the construction of 8 affordable housing units; and

WHEREAS, the parties have arrived at form of settlement agreement dated October 25, 2023 containing all the terms and conditions thereof; and

WHEREAS, the Borough desires to resolve the issues by entering into the settlement agreement and approving its terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Alpine, County of Bergen, State of New Jersey as follows:

1. All the terms and conditions of a certain Settlement Agreement by and between the Borough and the developer entities consisting of F.E. Alpine, Inc.; Sylco Investments #4, LLC; Sylco Investments 854, LLC; 850 Closter Dock Road, LLC; 842 Closter Dock Road, LLC and Sylco Investments #5, LLC dated October 25 2023 be and the same are hereby approved, ratified, and confirmed by the Borough, subject to a revision of Exhibit A to the Settlement Agreement to reflect the signage standards recommended by the Borough's Planner, Joseph Burgis, PP, AICP, specifically, regarding the identification signs located on Closter Dock Road, having a maximum sign area of 24 square feet; a maximum height of signage letters of 10 inches; and a maximum height of signage of 42 inches, with the maximum wall height on which the signage shall be placed, inclusive of any ornamental features on the wall structure, being 6 feet.

2. The Borough Mayor and the Borough Clerk are hereby authorized to and directed to execute said Settlement Agreement with the revisions to Exhibit A noted above subsequent to the execution thereof by the developer entities and, together with other appropriate officers and employees of the Borough, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

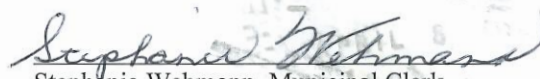
3. The Borough hereby authorizes and approves any non-substantive modifications to the Settlement Agreement as may be recommended and approved by the Borough Mayor, Borough Attorney, Borough Special Counsel, and Borough Planner in this Litigation prior to execution.

4. This Resolution shall take effect immediately.

VOTE: AYES: Cohen, A. Frankel, V. Frankel, Gerstein, Kupferschmid **ABSENT:** Bosworth

MOTION APPROVED

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 25, 2023.


Stephanie Wehmann, Municipal Clerk