

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, May 25, 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, May 25, 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, May 25, 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	Present	Scott Bosworth, Councilman	Present
Steven Cohen, Councilman	Absent		

**Staff Present on Dais:**

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

**PUBLIC COMMENTS:** None.

**REPORT OF THE FINANCE COMMITTEE**

<b>Bank of New Jersey Current Operating Account</b>	<b>\$4,170,968.02</b>
-----------------------------------------------------	-----------------------

**Resolution #99:05'2022: Approval of Bills and Claims - \$1,258,678.63**

**OFFERED BY:** Councilwoman V. Frankel

**SECONDED BY:** Councilwoman Gerstein

At the regular meeting of the Alpine Mayor and Council held on Wednesday, May 25, 2022 to approve the bills and claims copies of which are appended.

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

**TAX ASSESSOR'S REPORT** On file in the Borough clerk.

**PUBLIC COMMENTS:** None.

**MAYOR'S REPORT**

- Draft of the Memorial Day program has been distributed and if anyone has any comments, please let the Borough Clerk know as soon as possible so we can get it printed, folded and distributed in the lobby tomorrow. I'd like to thank Stephanie on the high-quality work she did on this.
- Thanks to the Alpine Swim Club Sub-committee, DPW, Councilman Bosworth and staff, we are on track to have an open house on Memorial Day.
- Residents who have lived at 20 Robin Lane for the past 25 – 35 years are moving out and have complimented one of our Borough Employees as being a great help: Catherine Booth.

**REPORT OF THE STANDING COMMITTEES**

**Resolution #100:05'2022: 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, May 25, 2022 to accept the reports of the Standing Committees.

**Administration Department** Councilman Bosworth – No report.

**Building Department** Councilman Shadek: 40 scheduled inspections, 0 driveway permits, 1 fence permit, 8 tree permits, 1 soil moving application, 9 zoning review applications, 0 sign permit and 3 miscellaneous permits. The rest of the report is on file.

**Department of Public Works** Councilman Frankel reported that the swim club pool is open for a successful season. Rest of the report is on file.

**Fire Department** Councilwoman Gerstein – Statistics on file and report can be viewed in the Municipal Office.

**Police Department** Councilwoman Frankel – 1 summons, 3 MVAs with 1 injury and the rest of the report is on file.

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

**BOARD OF EDUCATION LIAISON'S REPORT**

- Mayor Tomasko on behalf of Mr. Shadek reported that graduations are underway in Tenafly and Alpine Schools.
- Mayor Tomasko commented that The Alpine School is a major partner in the planning and implementation of the Memorial Day parade and commemoration. Representatives from the school will attend and be acknowledged at the event

**BOROUGH ATTORNEY'S REPORT** Mr. Huntington will provide his report in Closed Session.

---

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

**BOROUGH ENGINEER'S REPORT** Mr. Frenzel reported that the NJDOT Municipal Aid grants for 2023 must be filed by July 1, 2022. He and the DPW Superintendent Greg Zaremba are in the process of appropriate projects for the application.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**CONSENT AGENDA RESOLUTIONS**

Mayor Tomasko took this opportunity to introduce Mr. Robert Policano who will be appointed as Alternate II Board Member of the Zoning Board of Adjustment.

**Resolution #101:05'2022: Approval of Regular Meeting Minutes April 27, 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, May 25, 2022, to approve the Regular Meeting Minutes from April 27, 2022.

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

**Resolution #102:05'2022: Approval of Executive Session Minutes April 27, 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, May 25, 2022, to approve the Executive Session April 27, 2022.

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

**Resolution #103:05'2022: Authorizing Contract for 2022 Road Improvement Program: Riverside Cooperative Program**

**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, May 25, 2022;

**WHEREAS**, the Riverside Cooperative Pricing System (I.D. #35-RCPS) has received approval from the State of New Jersey, Department of Community Affairs and the Borough of Alpine is a member of the Riverside Cooperative Pricing System and has executed an agreement to this effect; and

**WHEREAS**, the Riverside Cooperative in compliance with Local Public Contracts Law N.J.S.A. 40A:11-11 received bids as advertised for road improvement work on April 19, 2022 and awarded the Master Contract by resolution (Borough of Northvale "Lead Agency" Resolution #2022-80) on April 28, 2022; and

**WHEREAS**, the low bidder for the Master Contract was American Asphalt & Trucking LLC of Newark, NJ;

**WHEREAS**, the Riverside Cooperative provides that each participating municipality is responsible for entering into its own separate contract with the successful bidder awarded the Master Contract; and

**WHEREAS**, the bid price for the Borough of Alpine's portion is \$195,260.99 for the Borough's 2022 Road Improvement Paving Projects for the milling, road resurfacing and ancillary improvements for the following roads or portions thereof as listed below:

- Forest Street
- Robin Lane (portion only- between Hillside Avenue & Graham Street)

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine authorizes the Mayor to enter into a contract with American Asphalt & Trucking LLC of Newark, NJ for the aforementioned work immediately following the execution of the 2022 Master Contract by Riverside Cooperative and completion of the statutory 20 day waiting period following final approval of Capital Bond Ordinance #813.

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

**Resolution #104:05'2022: Liquor License Renewal – Riverside Park, Inc. (Kiku)**

**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, May 25, 2022.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine, in the County of Bergen and State of New Jersey to approve the renewal of Plenary Retail Consumption License:

Liquor license # 0202-33-001-006  
Riverside Park, Inc.  
5-9 Route 9W, Alpine, NJ 07620

for a period of one year beginning July 1, 2022 and ending on June 30, 2023.

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

**Resolution #105:05'2022: Liquor License Renewal – Montammy Golf Club**

**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, May 25, 2022.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine, in the County of Bergen and State of New Jersey to approve the renewal of a Club License:

Liquor License # 0202-31-002-001  
Montammy Golf Club

Rt 9W Montammy Drive, Alpine, NJ 07620

For a period of one year beginning July 1, 2022 and ending on June 30, 2023.

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

**Resolution #106:05'2022:** Endorse Planning Board Approval – Soil Moving Permit Stone Tower Drive Alpine, LLC  
8 Stone Tower Drive, Block 21 Lot 12

**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, May 25, 2022.

**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 April 26, 2022, 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 May 24, 2022 (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 May 24, 2022.

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

**Resolution #107:05'2022: Affirmation of Appointment Zoning Board of Adjustment – Alternate Member II**

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

At the regular meeting of the Alpine Mayor and Council held on Wednesday, May 25, 2022 to affirm the appointment of **Robert Policano** as Alternate Member II of the **Alpine Zoning Board of Adjustment** for the **unexpired portion of a two-year term ending December 31, 2023.**

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

**Resolution #:108:05'2022: LOSAP Eligibility for 2021 Closter Volunteer Ambulance & Rescue Corps**

**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, May 25, 2022

**WHEREAS,** the Borough of Alpine has established a Length of Service Award Program (LOSAP) for Alpine Fire Department and has approved an Interlocal Agreement with the Borough of Closter for the Closter Volunteer Ambulance Rescue Corps, which services Alpine, and

**WHEREAS,** the Borough of Alpine has received a certification from the Closter Volunteer Ambulance Rescue Corps of the annual list for the year 2021, commencing January 1, 2021 and ending December 31, 2021 of all volunteer members who have qualified for credit under the LOSAP program, and

**WHEREAS,** the Borough of Alpine has reviewed the said list and does hereby believe that the same should be certified.

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Council of the Borough of Alpine that the following named members of the Closter Volunteer Ambulance Rescue Corps have attained the minimum number of points and therefore qualify to receive an award for the 2021 reporting year:

Joseph Akselrod	Donald Albelli	A.J. Baretta
Margaret Buchanan (formerly Baretta)	James Gordon	Walter Dankiewicz
Terry DeLyon (formerly Komar)	Jenna Komar	Alec Gerzberg
Brooke Glidden	Janine Micera	Ross Herbert
Richard Incontro	Maayan Shalvi	Anthony Lupardi, Jr.
A. Doron Maresky	Mark Safran	Thomas Migliore

**BE IT FURTHER RESOLVED,** that copy of this Resolution shall be posted for a period of thirty (30) days on the bulletin boards in the lobby of the Alpine Borough Hall and in the Closter Volunteer Ambulance Rescue Corps and a copy be forwarded to the Borough of Closter.

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

**Resolution #: 109:05'2022: AWARD OF QUOTE DPW FOR EXISTING SALT SPREADER RE-INSTALLATION ON NEW HOOKLIFT PLATFORM FOR EXISTING 2010 FREIGHTLINER**

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

At this meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, May 25, 2022,

**WHEREAS,** the Alpine Department of Public Works has identified a need to remove an existing spreader from the existing platform, install the existing spreader onto a new hooklift platform, and replace existing wood with new hardwood runners and chain binders, and

**WHEREAS,** the Borough of Alpine solicited quotes for the associated installation and equipment for the Department of Public Works and,

**WHEREAS,** the Borough of Alpine has received two quotes, one from Cliffside Body Corp in Fairview, NJ for \$9,375.88, and one from Maxxforce Welding Sales & Service, LLC in Dover, NJ for \$13,694.08; and

**WHEREAS**, these quotes were reviewed, and a recommendation made by the DPW Superintendent for award to Cliffside Body Corp in Fairview, NJ as the lowest responsive, responsible quote totaling \$9,375.88, and  
**WHEREAS**, funds for this purpose have been provided for in the 2022 Capital Budget Account (ORD. 814) as identified by Account Number C-04-55-996-202 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 associated installation and equipment for the Department of Public Works to **Cliffside Body Corp in Fairview, NJ for \$9,375.88**, contingent upon the Certification of Availability of Funds by the Chief Financial Officer.  
**Vote: Ayes:** Bosworth, A. Frankel, V. Frankel, Gerstein, Shaddek **Absent:** Cohen **MOTION APPROVED**

**Amending Resolution #: 110:05'2022:** 2022 Professional Services Agreement For McNerney & Associates, Inc.

**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, May 25, 2022

**WHEREAS**, pursuant to Resolution #017:01'2022 dated January 5, 2022 the Mayor and Council awarded a contract for appraisal services to McNerney & Associates, Inc. of Glen Rock, NJ at an amount not to exceed \$21,000 which figure did not accurately reflect anticipated expenditures as provided for in both the current operating and trust accounts as per the Municipal Budget as adopted on April 27, 2022; and

**WHEREAS**, the Chief Financial Officer of the Borough of Alpine, County of Bergen, State of New Jersey, has certified that sufficient funds are available in the current operating and capital accounts;

**NOW THEREFORE BE IT RESOLVED**, that the agreement for appraisal services to McNerney & Associates, Inc. of Glen Rock, NJ is hereby amended to provide for an increase in the Not To Exceed Amount from \$21,000 by \$39,000 for a total amount of \$60,000 for the contract term commencing January 1, 2022 and expiring December 31, 2022 which amount is inclusive of Trust Account payments.

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby authorized to cause notice to be published once in The Record newspaper stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and available for public inspection in the Borough Clerk's office.

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

#### **COMMUNICATIONS: WRITTEN AND ORAL:**

**Resolution # 111:05'2022: Support and Approval of Resolution Calling for Review and Reform of OPRA**

**OFFERED BY:** Mayor Tomasko

**MOTION BY** Councilwoman Frankel

**SECONDED BY:** Councilman Shaddek

At a regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, May 25, 2022, to support and approve the Bergen County League of Municipalities Resolution calling for OPRA reform; to make it less onerous and costly on municipalities and protect privacy, safety and welfare of the public. {Bergen County League of Municipalities Resolution appended to these minutes in its entirety.}

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

**Resolution #112:05'2022: 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, May 25, 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, May 25, 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, A. Frankel, V. Frankel, Gerstein, Shaddek **Absent:** Cohen **MOTION APPROVED**

#### **EXECUTIVE SESSION**

Mayor and Council convened the Executive Session at 7:40 PM, and reconvened in public session at 7:55 PM.

#### **ADJOURNMENT**

**OFFERED BY:** Councilman Shaddek

**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 May 25, 2022 at 7:56 P.M.

Respectfully submitted,

Stephanie Wehmann  
Municipal Clerk

## BERGEN COUNTY LEAGUE OF MUNICIPALITIES RESOLUTION CALLING FOR REVIEW AND REFORM OF OPRA

**WHEREAS**, the New Jersey Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., enacted in 2002, has been in effect long enough to review the impact on Municipalities; and

**WHEREAS**, it is the position of the Bergen County League of Municipalities (BCLOM), which represents all 70 municipalities in Bergen County, that OPRA can and must be improved upon to make it less onerous on municipalities and protect the safety and welfare of the public; and

**WHEREAS**, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who bombard municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

**WHEREAS**, municipalities are already required by state law to post and provide certain information and documentation on their municipal websites, including but not limited to, annual budgets, annual financial statements, annual audits, public meeting notices and meeting minutes; and

**WHEREAS**, under existing law, OPRA fees are woefully inadequate for the amount of time and effort needed to search for documents; it takes valuable time away from staff – not only in the Clerk's office – but also among other departments that may be involved in the same request; and

**WHEREAS**, OPRA has become broadly construed in favor of access and the requestor and, a requestor who prevails in any proceeding in appealing a denial of access is permitted to collect exorbitant attorney's fees; **conversely, however, the resources and guidance available to record custodians and municipal counsel tasked with responding to such requests has narrowed drastically in the ever-changing OPRA arena, muddled by subsequent, voluminous and often-conflicting court decisions that contradict the original intent of the law and will continue to do so in the absence of necessary legislative reform;** and

**WHEREAS**, OPRA law allows outside businesses, and activist groups to utilize municipal time and services for marketing leads or private commercial gain, and for litigants to use OPRA as a method of discovery; and

**WHEREAS**, a clear distinction needs to be made between individual and commercial and discovery requests; and

**WHEREAS**, serious concerns about breaches or misuse of personal information exist along with the potential for OPRA to be exploited and abused by requestors, as a threat, harassment, or retaliatory measure to bury local governments in hundreds of requests, not necessarily because the requested records are of any particular interest, but merely because they can and have been emboldened by the courts to do so, to the significant detriment of all other municipal business; and

**WHEREAS**, most importantly, OPRA must be reformed to enable municipalities, their respective record custodians and legal counsels to **protect the safety and welfare of the general public;**

**WHEREAS**, over the years, court decisions have chipped away at the reasonable expectation of privacy provision of the law, thus allowing the law to be molded and wielded as a tool that severs any sensible balance of transparency, and instead, **now perpetuates rampant and dangerous degrees of for-profit data-mining, unsolicited marketing and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA,** and all while allowing the requestor to remain cloaked in **anonymity**, should they choose to exercise that option; and

**WHEREAS**, the pandemic has resulted in a startling and exponential rise in fraud and identity theft, crimes that were already notoriously difficult to investigate, track and prosecute; OPRA, left unchecked and unreformed, continues to add fuel to this already dangerous fire; and

**WHEREAS**, in a most reprehensible instance in the midst of the pandemic, the unthinkable happened when the young son of a U.S. District Court Judge was senselessly killed by an individual who had managed to compile a dossier of personal information about the Judge including a home address, ushering in the passage of Daniel's Law; and

**WHEREAS**, while this law as intentioned provides for necessary strides and long overdue amendments to OPRA, the scope of protection provided is critically deficient, the implementation creates challenges for custodians and municipal officials that remain unaddressed by law, with limited channels for guidance, while the vast remainder of the Open Public Records Act continues to be left recklessly unreformed, potentially leaving any officials not covered under Daniel's Law or even, the general public at-large exposed to the whim of any nefarious OPRA requestor lurking in the shadows of those demanding transparency at any cost;

**WHEREAS**, Assembly Bill No. 4894, introduced January 17, 2019, calling for the creation of a study commission to review OPRA, to-date, has been left negligently stagnant and, to-date the legislative approach to addressing the dangers of OPRA have been fragmented, haphazard and contradictory at best, leading to a dire need for streamlined overhaul and reform, which, at a minimum should include the following:

- **Immediate creation of a study commission on OPRA.**
- **Uniformity under the law: municipalities shall not be subject to any provision under OPRA that the legislature or other state agencies are, by contrast, exempt from.**
- **Provide a universal platform for clear and concise guidance for records custodians. Such guidance should be in place prior to any laws that impact OPRA going into effect.**
- Require that official OPRA Request forms be used in order to be considered valid, including certifications by the requestor of (1) non-conviction of an indictable offense and (2) that information obtained will not be used for profit, solicitation, marketing or commercial gain, or published as part of a separate internet database or search engine.
- Prohibit OPRA requestors from remaining anonymous.
- Require that requestors provide a State of New Jersey address in order to be valid (OPRA should not apply to out-of-state requests).
- Prohibit requests for commercial purposes.
- Exempt email addresses (also serves as a deterrent to spoofing, phishing and other cyber scams and crimes).
- Exempt information maintained for emergency notification purposes.
- Exempt any information related to minor individuals, disabled persons and senior citizens as well as classes of citizens who are vulnerable to exploitation of their information.
- Exempt personal identifying information from Motor Vehicle Accident Reports, including driver's license numbers, dates of birth (DOBs), home addresses, VINs and registration/plate numbers, unless the requestor is a subject of the record, or their designated legal or insurance representative.
- Exempt pet license information to a need-to-know basis only (health department, police department, veterinarian of record, hospital, bite victim) to deter rising pet thefts and potential for targeted thefts of non-large-breed dog owners.
- Reaffirm exemption of unlisted telephone numbers, including personal cell phones.
- Exempt property owner names, CAMA Data and reaffirm the exemption of property record cards.
- Protections afforded under Daniel's Law should be afforded to all government officials, employees, volunteers and members of the general public as the threats from the disclosure of personal information is not unique to those rightfully protected under Daniel's Law.
- Provide a carve out for fee-shifting where a municipality in good faith and without clear guidance through Statute or case law denies a request or redacts information which could reasonably be interpreted as not subject to disclosure.

**NOW, THEREFORE BE IT RESOLVED**, that the BCLOM finds it imperative that the New Jersey Senate and Assembly review and reform the New Jersey Open Public Records Act.

**BE IT FURTHER RESOLVED**, that copies of this resolution are sent to all New Jersey State Legislators, the New Jersey State League of Municipalities, the New Jersey Municipal Clerks' Association, the Bergen County Municipal Clerks' Association, the New Jersey State Association of Chiefs of Police and the Bergen County Police Chiefs' Association.

Unanimously approved by those in attendance at a duly constituted meeting of the Bergen County League of Municipalities on Monday, April 11, 2022.

*Ann Fay*  
Executive Director

<b>PRESIDENT</b> DIANE DIDIO MAYOR, ORADELL	<b>1<sup>ST</sup> VICE PRESIDENT</b> PAUL TOMASKO MAYOR, ALPINE	<b>2<sup>ND</sup> VICE PRESIDENT</b> PAUL HOELSCHER MAYOR, HARRINGTON PARK	<b>SECRETARY</b> HARRY SHORTWAY MAYOR, MIDLAND PARK	<b>TREASURER</b> JOHN D. DIRENZO MAYOR EMERITUS	<b>EXECUTIVE DIR</b> ANN FAY HAWORTH	<b>DEP EXECUTIVE DIR</b> ANNA HAVERILLA OLD TAPPAN
---------------------------------------------------	-----------------------------------------------------------------------	----------------------------------------------------------------------------------	-----------------------------------------------------------	-------------------------------------------------------	--------------------------------------------	----------------------------------------------------------