

**ALPINE MAYOR AND COUNCIL
REGULAR MEETING
Wednesday, November 28, 2012 @ 7:30 PM
Borough Hall - - 100 Church Street
{Public meeting taped in its entirety}**

CALL TO ORDER/ PUBLIC ANNOUNCEMENT/PLEDGE OF ALLEGIANCE

The Mayor and Council, Borough of Alpine, convened for this Regular Meeting Wednesday, November 28, 2012 at 7:30 PM in the Alpine Borough Hall. The Public Announcement was read and the Pledge of Allegiance recited.

In accordance with the provisions of the New Jersey Open Public Meetings Law, the notice of this Regular Meeting held Wednesday, November 28, 2012 has met the requirements of the law by being e-mailed to The Valley Star/Press Journal and The Record and posted on the bulletin board of the lobby in the Borough Hall and a copy filed in the office of the Borough Clerk. This meeting was recorded in its entirety.

ROLL CALL

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Paul Garjian, Councilman	Absent	Gayle Gerstein, Councilwoman	Present
Michael Cacouris, Councilman	Present	Joan Ornstein, Councilwoman	Present
John Halbreich, Councilman	Present		

Staff Present on Dais: Borough Clerk Gail Warming-Tanno, Borough Engineer Gary Vander Veer, Attorney Bill Bailey for Borough Attorney Russell Huntington

PUBLIC COMMENTS None

REPORT OF THE FINANCE COMMITTEE provided by the Councilman Cacouris. A copy is on file in the Borough Clerk's office.

Bank Of America Current Operating Acct **\$3,153,282.72**

Resolution #194:11'2012: Approval of Bills and Claims

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012 to approve the bills and claims, a copy of which are appended.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Resolution #195:11'2012 Return of Bonds and Escrow

OFFERED BY: Councilman Cacouris **SECONDED BY:** Councilwoman Frankel at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012 to approve the return of the following escrow.

<u>Name</u>	<u>Block/Lot</u>	<u>Type</u>	<u>Amount</u>
Meehan, Steven & Elena	71/7	Revegetation Bond	\$12,500.00
		Performance Bond	45,000.00
			\$57,500.00

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Resolution #196:11'2012 Refund Tax Overpayment

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012

WHEREAS, a Judgment was granted on July 10, 2012 from the Bergen County Tax Board reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assm</u>	<u>Reduced Assm</u>	<u>Year</u>	<u>Refund</u>
75	12	Shaker, Ashraf	\$2,091,000	\$1,500,000	2012	\$3,686.00

WHEREAS, the reduction in assessment was not recorded in time for the 2012 Assessment records for Block 75 Lot 12 and was billed at the higher assessed value for 2012, creating an overpayment of taxes;

WHEREAS, a refund was issued for the third quarter and an overpayment was made for the fourth quarter tax year listed above and therefore should be refunded to the owner made payable to;

Ashraf Shaker
P.O. Box 674
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: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Resolution #197:11'2012 Refund Tax Overpayment

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012

WHEREAS, a Judgment was granted on July 10, 2012 from the Bergen County Tax Board reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assm</u>	<u>Reduced Assm</u>	<u>Year</u>	<u>Refund</u>
81.04	3	Simotas, Athos & Chrysoula	\$2,959,500	\$2,600,000	2012	\$2,534.48

WHEREAS, the reduction in assessment was not recorded in time for the 2012 Assessment records for Block 81.04 Lot 3 and was billed at the higher assessed value for 2012, creating an overpayment of taxes;

WHEREAS, an overpayment was made for the fourth quarter tax year listed above and therefore should be refunded to the owner made payable to;

Athos & Chrysoula Simotas
& Martin C. Sharit, Esq.
141 Main St.
Hackensack, NJ 07601

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: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Resolution #198:11'2012 Refund Tax Overpayment

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012

WHEREAS, a Judgment was granted on July 10, 2012 from the Bergen County Tax Board reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assm</u>	<u>Reduced Assm</u>	<u>Year</u>	<u>Refund</u>
55	1.02	Hagag, Hussein & Kennedy, Cathy	\$1,582,700	\$1,330,000	2012	\$1,781.54

WHEREAS, the reduction in assessment was not recorded in time for the 2012 Assessment records for Block 55 Lot 1.02 and was billed at the higher assessed value for 2012, creating an overpayment of taxes;

WHEREAS, an overpayment was made for the fourth quarter tax year listed above and therefore should be refunded to the owner made payable to;

Hagag, Hussein & Kennedy, Cathy
& David Witherspoon, Esq.
P.O. Box 1032
Newark, NJ 07101

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: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Resolution #199:11'2012 Refund Tax Overpayment

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012

WHEREAS, a Judgment was granted on July 10, 2012 from the Bergen County Tax Board reducing the assessment on the following:

<u>Block</u>	<u>Lot</u>	<u>Owner's Name</u>	<u>Original Assm</u>	<u>Reduced Assm</u>	<u>Year</u>	<u>Refund</u>
72	27	Lee, Inna	\$3,661,000	\$3,369,120	2012	\$2,057.75

WHEREAS, the reduction in assessment was not recorded in time for the 2012 Assessment records for Block 72 Lot 27 and was billed at the higher assessed value for 2012, creating an overpayment of taxes;

WHEREAS, an overpayment was made for the fourth quarter tax year listed above and therefore should be refunded to the owner made payable to;

Inna Lee & Gleb Karbash, Esq.
30 Hillsborough Ct.
Rockaway, NJ 07866

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: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

TAX ASSESSOR's REPORT On file for review.

MAYOR'S REPORT The Mayor reported on the following:

- Congratulations to Michael Cacouris, Vicki Frankel and Joan Ornstein on their election.
- **Hurricane Sandy:** The good news is that no one was seriously injured. However, this was the first time in anyone's recollection that the entire Borough was without power and many for 6-7 days. The Mayor requests a resolution commending Rockland Electric for their restoration effort and close communication.

Resolution #200:11'2012 Commending Rockland Electric for Performance During Hurricane Sandy.

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

At a regular meeting of the mayor & Council of the Borough of Alpine held on Wednesday, November 28, 2012

WHEREAS, on Monday, October 29, 2012 Hurricane Sandy came ashore in New Jersey wreaking substantial damage throughout the Borough of Alpine resulting in the unprecedented loss of power to the entire town; and

WHEREAS, the power outages and the severe disruption resulting therefrom would have lasted far longer except for the restoration efforts of Rockland Electric personnel; and

WHEREAS, Rockland Electric made a concerted effort to communicate with Alpine officials before, during and after the storm through such measures as stationing personnel in the Police Department of an adjacent town, daily conference calls, and Rockland Electric employees such as Tom Brizzolara, Linda Feger, and Jeffrey Young making themselves available.

NOW, THEREFORE BE IT RESOLVED, by the Borough of Alpine that we commend and thank Rockland Electric and its personnel for their efforts to restore power and to remain in touch with Borough officials throughout that time.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Honorable Governor Chris Christie, Kristi Izzo, Secretary of the Board of Public Utilities, the Borough's State Senator Loretta L. Weinberg, Representatives in the General Assembly Assemblyman Gordon M. Johnson and Assemblywoman Valerie Vainieri Hittle, and Bergen County Executive, Kathleen A. Donovan.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Councilman Cacouris wished to recognize the Mayor for the inordinate amount of time he expended on the phone with Rockland Electric officials.

Mayor Tomasko noted he has already commended the Emergency Management Team specifically Police Chief Jerry Beckmann, Fire Chief Josh Schneeweiss, Emergency Management Coordinator Charles Hoffmann and DPW Superintendent Ralph Wehmann as well as their various departments for the efforts they and their men made on behalf of our residents over the course of that time.

The Mayor advised everyone who has not yet done so should visit the Borough's website Emergency Notification System and sign up for emergency alerts. Although

not everyone could obtain access, it was still one of the best ways to get information out to residents on a daily basis during the storm and its aftermath.

The Mayor noted a few years back the Borough invested in a natural gas backup generator which enabled emergency services to function and the Borough Hall to remain open. It was noted the Borough Hall served a shelter for at least one family during the storm and also as a daytime source of warmth with charging stations for dozens of residents during the extended power outage.

Councilwoman Gerstein also wished to thank Borough Clerk Tanno and staff for providing coffee and refreshments to residents in the lobby during the days immediately following the storm.

Mayor Tomasko advised the DPW is in process of cleaning up the massive amount of storm debris which to a considerable degree will be reimbursable by FEMA. They are close to wrapping up debris removal operations.

REPORTS OF THE STANDING COMMITTEES

Administration Department No report.

Building Department Councilman Halbreich advised there were 59 scheduled inspections, 1 driveway permit, 1 fence permit, 6 tree permits, 4 soil moving applications, 8 zoning review applications. The rest of the report is on file in the Clerk's office.

Department of Public Works Councilman Garjian continues his recuperation. Councilwoman Frankel felt it important to read the report into the record. Prior to the storm all trucks and equipment were readied; application submitted for Temporary Debris Staging Area as required by NJDEP and ongoing communication with DEP inspectors regarding the TDSA and Air Quality requirements pending grinding operations, storm response through the afternoon, night and following day to clean roads of massive tree damage as limbs fell during high winds. Minor damage to COAH housing, salt bin roof and '98 backhoe; estimates obtained for repairs. Townwide cleanup of storm debris continues along with leaf pickup. Preliminary OEM and FEMA reporting initiated with Chief Jerry Beckmann and Deputy Borough Clerk Wehmann.

Fire Department Councilwoman Gerstein advised statistics are on file for review.

Police Department Councilwoman Frankel advised 10 summonses were issued for the month. There were 8 accidents. The Category I Hurricane resulted in high winds and moderate rain in NJ. The Alpine OEM, Police, Volunteer Fire and Public Works Departments completed all necessary preparations in advance of the weather and responded to several emergencies as the storm impacted the area. Following the storm an extended power outage affected the entire town which lasted approximately 6 days. Borough Officials worked closely with Rockland Electric in an effort to restore power to the community as quickly as possible. A Preliminary Damage Assessment was submitted to the County which identified four

residential homes with major damage, the COAH housing and Alpine Public School with minor damage and many other homes impacted. The town weight debris pickup is estimated at 1,500 cubic yards or 188 tons. A Public Assistance Applicants briefing was attended by Chief Beckman and OEM Coordinator Hoffmann on 11-15-2012 commencing the FEMA reimbursement process to the Borough. The rest of the report is on file. Mayor Tomasko advised Chief Beckmann will be attending another FEMA meeting at 10 AM on Friday in Mahwah.

Resolution #201:11'2012 Acceptance of 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, November 28, 2012 to accept the reports of the Standing Committees.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

BOARD OF EDUCATION LIAISON'S REPORT No report

BOROUGH ATTORNEY'S REPORT No report

BOROUGH ENGINEER'S REPORT Mr. Vander Veer distributed his report and highlighted Closter Dock Road Drainage Improvements Phase I is ready to go out to bid for next year and the County is ready to pursue the next section. The balance of this work would extend from around Ridge Road/Old Dock Road to about Warren Lane. The County requires a letter from the Mayor and Council requesting County participation for engineering costs for bid document preparation and construction costs.

Resolution #202:11'2012 Authorizing Borough Engineer to Draft a Letter from Mayor and Council to Bergen County Re: Next Section Closter Dock Road Drainage Improvements

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, November 28, 2012 to authorize Mr. Vander Veer to draft required correspondence from the Mayor and Council to the County requesting County assistance with the next section of Closter Dock Road Drainage Improvements (Approximately Ridge Road/Old Dock Road to Warren Lane)

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

UNFINISHED BUSINESS None

NEW BUSINESS

A. CONSENT AGENDA RESOLUTIONS Resolution #203-205:11'2012

1. Resolution#203:11'2012: Approval of Minutes Regular Meeting October 24, 2012

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, November 28, 2012 to approve the minutes of the Regular Meeting of October 24, 2012.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

2. Resolution#204:11'2012: Legislative Approval A-3393

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, November 28, 2012

WHEREAS, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

WHEREAS, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax ("BPPT"); and

WHEREAS, the statute defines local exchange companies as those telecommunications carriers "providing dial tone and access to 51% of a local telephone exchange"; and

WHEREAS, Verizon's self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

WHEREAS, Hopewell Borough's challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

WHEREAS, Verizon's appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation's self-serving interpretation of the law; and

WHEREAS, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

WHEREAS, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

WHEREAS, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Alpine commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

3. Resolution#205:11'2012: Legislative Opposition S-2/A-1171

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, November 28, 2012

WHEREAS, S-2/A-1171 are meant to promote the more effective operation of local government and sharing of services among local units and

WHEREAS, initially S-2 removed or reduced many of the roadblocks that increase the costs of shared services – things like terminal leave, pay, civil service mandates, employee tenure requirements – many of the original provisions in the bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers; and

WHEREAS, the recent amendments to S-2 removed many of the labor provisions that would have given municipalities tools to implement a shared service without the time consuming hurdles that diminished the savings and will now discourage shared services from a municipalities' perspective by continuing the hindrances imposed by Civil Service; and

WHEREAS, the amendments removed not only the preamble language that the bill would "supersedes existing Civil Service and tenure provisions" but also removed the suspension of Civil Service rules regarding layoff, transfer, seniority, testing, bumping rights and tenure; and

WHEREAS, the amendments would now require that any non civil service municipality who has a shared service agreement with civil service municipality serving as the Lead Agency be brought into the civil service system, thus expanding the civil service system; and

WHEREAS, the amendments would require that municipalities entering into the shared service agreement be subject to civil service rules and collective bargaining agreements for determining which employee stays, protects the seniority provisions removing management prerogative on retaining the best qualified and most efficient work force; and

WHEREAS, the amendments would require that any contractual provision dispute be settled by mediation, or if necessary, arbitration which will impede the process from moving expeditiously and will not result in cost savings, which will likely result in mediation and arbitration becoming the norm thus leading to delays and additional cost; and

WHEREAS, S-2 would, on the one hand, allow the voters to express their will; but on the other hand, inform those voters that they will lose their State Aid if their will does not comport with that of a majority of the appointed members of the Local Unit, Realignment and Consolidation Commissioner, (LUARCC); and

WHEREAS, while we appreciate the consideration and acceptance of the amendments that would clarify the process, on balance, the benefits of those amendments are outweighed by the loss of the suspension of the Civil Service rules and regulations; and

WHEREAS, S-2/A-1171 is based on the misconception that municipalities do not share services when in fact shared Services are not a new concept to municipalities, dating back well before the Interlocal Services Act of 1973; and

WHEREAS, S-2/A-1171 is also based on the misconception that smaller governments are less efficient and effective than larger ones, an assumption that is not necessarily the case and contrary to lessons learned from recent events in which the municipal elected officials and professionals were very effective in pooling their resources and responding quickly; and

WHEREAS, there is no overnight cure to our property tax crisis and Shared services, consolidation or other cost saving measures are long-term actions where benefits/savings may not be seen for a number of years down the road;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpine, in the County of Bergen strongly opposes S-2/A-1171 not only on the issue of the voter penalty but on the lose of the Civil Service reform; and

BE IT FURTHER RESOLVED that S-2/A-1171 be reviewed by the Red Tape Review Commission, which has tirelessly worked to remove government hurdles, and the Civil Service Commission before the bill proceeds to ensure that the proposed amendments do not create additional Civil Service burdens and hurdles that further impede shared services and drive up cost; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

Vote: Ayes: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

END OF CONSENT AGENDA

COMMUNICATIONS: WRITTEN AND ORAL

The Mayor noted they have received several compliments on the storm cleanup:

11-20-2012 to Mayor and Council from Ronny Siegal of 12 Highwood Place, Alpine, NJ 07620:

Dear Mayor and Council,

I want to extend my deep appreciation and praise for the tremendous and successful efforts of the Mayor and Council, Police Department, Borough Hall Staff and Department of Public Works on behalf of the Alpine community.

While staying with my family out of state, I appreciated the daily and detailed information posted on our website.

Chief Jerry Beckmann, Patrol Officer Wendell Simpson, Nancy Wehmann, Gail Warming-Tanno and Catherine Booth warmly provided me with status reports, and the DPW led by Ralph Wehmann have completed a Herculean task in removing all the debris from Highwood Place.

You have underscored another reason why I am so fortunate to reside in our Town, Sincerely, Ronny

In addition to the above letter, Bob Burns and the Zoning Board of Adjustment as well as Bob and Ellie Ferdon wished to relay their compliments to the Council regarding the job done by the DPW.

The Mayor read to Council a proposed notice to residents from the DPW regarding completion of debris pickup operations and asked they advise him of any comments prior to its posting on Friday.

IMPORTANT NOTICE TO ALL RESIDENTS

The massive job of cleaning up tree debris left by Hurricane Sandy coupled with a high volume of seasonal leaves has placed a heavy burden on the resources of our department. The D.P.W. wishes to thank residents for their patience and to remind all residents of the following at this time:

On Monday, Dec. 3rd No More Brush/Leaves May Be Put At Curbside

The Following Must Be Removed Immediately

By The Homeowner as the D.P.W. can NOT pick up:

- **Piles Flagged with Yellow Tape**
- **Tree Parts & Logs > 5" Diameter**
- **Large Tangled Brush,**
- **Brush Put Out by Hired Workers**
- **Leaf Piles Mixed with Brush, Hay, etc.**

Residents living on heavily trafficked roads Closter Dock Road or Hillside Avenue should expect delays in picking up debris due to volume and safety issues. Do not add to piles already there.

The D.P.W. is making a final sweep of the town and will track where debris has been cleared. Placement of additional brush and yard waste at curbside or in the road after the Sunday 12-2 cutoff date is a violation of Borough Ordinance 76-5(2). Residents may be fined and violators are responsible for removal of the debris. Please call 201-784-2900 ext. 50 if you have any questions and again, thank you for your patience.

Mayor Tomasko observed Sue Zuch had arrived and let her know Council did pass a resolution commending Rockland Electric as she had suggested.

Resolution #206:11'2012 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: Councilwoman Frankel **SECONDED BY:** Councilwoman Gerstein
at a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, November 28, 2012

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 the Litigation, Negotiation and Attorney Client Privilege

1. Legal Matter
2. Personnel Matter

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, November 28, 2012, 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: Cacouris, Frankel, Gerstein, Halbreich, Ornstein **Absent:** Garjian

MOTION CARRIED

Executive Session began at 7:51 p.m. and the public portion reconvened at 8:08 p.m.

ADJOURNMENT **OFFERED BY:** Councilman Cacouris **SECONDED BY:** Councilwoman Gerstein

And approved by all to adjourn the regular meeting of the Mayor and Council of the Borough of Alpine, held on Wednesday, November 28, 2012 at 8:09 PM.

Respectfully submitted,

Gail Warming-Tanno, Municipal Clerk