

**ALPINE MAYOR AND COUNCIL  
REGULAR MEETING  
Wednesday, March 24, 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, March 24, 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, and the Governor's Emergency Declaration the notice of this regular meeting of the Alpine Mayor and Council held on Wednesday, March 24, 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. In addition, due to the current COVID-19 pandemic, instructions to the public on how to access this meeting by telephone have been posted in the Borough lobby and on the Borough website as part of the posted meeting agenda.*

**ROLL CALL \*members who attended telephonically**

Paul Tomasko, Mayor	Present	Vicki Frankel, Council President	Present
Michael Cacouris, Councilman*	Present	Gayle Gerstein, Councilwoman	Present
Laurence Shadek, Councilman*	Present	Arthur Frankel, Councilman*	Present
Scott Bosworth, Councilman	Present		

**Staff Present on Dais:** Borough Attorney Russ Huntington, Borough Engineer Perry Frenzel\*, Municipal Clerk Stephanie Wehmann

**PUBLIC COMMENTS** Mayor Tomasko opened the meeting for public comments.

Harold Davis, Esq. counsel for Philip Sauma of 5 Frick Drive, Demarest advised last week Richard Kurtz called a meeting on short notice to inform Mr. Sauma and his neighbors that he had come to some understanding with the Borough of Alpine to build approximately 110 condos on the former Frick Estate. Mr. Kurtz provided few additional details and left the meeting abruptly without answering questions. As can be imagined, Mr. Sauma and his neighbors were deeply disturbed and would like any consideration of the Kurtz project adjourned so that they can gather additional information on the status of the proposed development of these remaining parcels of the former Frick Estate. Mayor Tomasko asked Attorney Huntington to respond who explained the Borough must appear at a Case Management Conference before Superior Court and the Court-Appointed Master to present their position at that time the Court will determine future proceedings to enable the Borough to maintain its protection against builder's remedy lawsuits. The Borough only just received a conceptual sketch and this meeting is the first opportunity for the governing body to review. They are awaiting comments from the Borough's engineer and planner. He does not believe they are in a position to postpone these proceedings but the public will, at a minimum, have an opportunity to be heard at a Fairness Hearing. Attorney Davis stated while he understands the Borough's position, he still requests this matter be postponed to afford the public an opportunity to understand the project and consider their rights. Attorney Huntington understands noting the Borough will proceed with that knowledge to the extent possible given the nature of the proceedings.

Being no further public members who wished to speak, the public comment portion of the meeting was closed.

**REPORT OF THE FINANCE COMMITTEE** Councilman Cacouris

**Bank of New Jersey Current Operating Account**

**\$4,147,616.01**

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

**Resolution #075:3'2021: Emergency Appropriation #2 to Increase the 2021 Temporary Budget**

OFFERED BY: Councilman Cacouris SECONDED BY: Councilwoman Frankel

**WHEREAS**, an emergency has arisen with respect to Current Fund appropriations; and

**WHEREAS**, no adequate provision has been made in the 2021 Temporary Budget for the aforesaid purpose, and R.S. 40A:4-20 provides for the creation of an emergency appropriation for the purpose, and,

**WHEREAS**, the total temporary emergency resolutions adopted in the year 2021 pursuant to the provision of Chapter 96, P.L. 1951 (R.S. 40A:4-20) including this resolution total \$23,732.91 and shall be provided for in the 2021 budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, County of Bergen, that in accordance with R.S. 40A:4-20, temporary emergency appropriations be and the same is hereby made for the following and that upon adoption, one certified copy of this resolution be filed with the Director of Local Government Services.

**OPERATIONS: Within "Cap"**

Employee Group Insurance	1-01-23-220-021	\$14,200.65
Police Dept. O/E	1-01-25-240-020	\$ 2,582.94
Street Lighting	1-01-31-435-020	\$ 824.51
Telephone & Fax Lines	1-01-31-440-020	\$ 929.38
Public Service Electric & Gas	1-01-31-446-020	<u>\$ 1,657.38</u>
	<b>TOTAL:</b>	<b>\$21,149.97</b>

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

**Resolution #076:3'2021: 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, March 24, 2021 to approve the bills and claims copies of which are appended.

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

**Resolution #077:3'2021: Return of Bonds and/or Escrow:**

OFFERED BY: Councilman Cacouris SECONDED BY: Councilwoman Frankel

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 24, 2021 to approve the following bonds and/or escrow:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
30	1	Steier, Richard	Septic Bond	\$10,000.00
			Engineering	<u>\$956.00</u>
				\$10,956.00
81.06	29	Choi/Lee	Septic Bond	\$10,000.00
			Engineering	<u>\$3,108.00</u>
				\$13,108.00
72	25.02	25 Warren LLC/Gofman	Re-veg Bond	\$850.00
			Performance Bond	3,000.00
			Septic Bond	10,000.00
			Engineering/Soil	1,134.00
			Tree Bond	<u>1,400.00</u>
				\$16,374.00
72	27	Lee, Alex	Septic Repair escrow	\$101.00
Alpine Scout Camp		ROR Show LLC	Film Permit Escrow	\$5,000.00
Alpine Scout Camp		Ghost Productions, Inc.	Film Permit Escrow	\$5,000.00
			<b>TOTAL:</b>	<b>\$50,539.00</b>

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

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

**MAYOR'S REPORT** No report

**REPORTS OF THE STANDING COMMITTEES**

**Administration Department** Councilman Bosworth advised no report.

**Building Department** Councilman Shadek advised no verbal report. A report is on file.

**Department of Public Works** Councilman Frankel advised no verbal report. A report is on file.

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

**Fire Department** Councilwoman Gerstein requested approval of two applications:

**Resolution #078:3'2021: Approval of Firefighter Application – Evan Abad**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 24, 2021 to approve the application for **Evan Abad** for Membership as a Firefighter in the Alpine Volunteer Fire Department.

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

**Resolution #079:3'2021: Approval of Junior Firefighter Application – Cole Veras**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 24, 2021 to approve the application for **Cole Veras** for Membership in the Alpine Volunteer Fire Department as a Junior Firefighter, subject to receipt of supplemental documentation as required.

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

**Police Department** Councilwoman Frankel noted report is on file.

**Resolution #080:3'2021: 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, March 24, 2021 to accept the reports of the Standing Committees.

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

**BOARD OF EDUCATION LIAISON'S REPORT** Councilman Shadek provided positive news regarding the teacher COVID-19 vaccination rate and work on the school budget.

**BOROUGH ATTORNEY'S REPORT** Deferred to Executive Session

**BOROUGH ENGINEER'S REPORT** Mr. Frenzel's highlighted the 2019 NJDOT Municipal Aide Project for Allison Road may begin as early as next week per the preconstruction meeting held with AJM Contractors this past Monday. The rest of the report is on file.

**UNFINISHED BUSINESS** None

**NEW BUSINESS - CONSENT AGENDA RESOLUTIONS** Resolutions #081:3'2021 - #090:3'2021

**1a. Resolution #081:3'2021 Approval of Minutes Regular Meeting February 24, 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, March 24, 2021 to approve the minutes of the regular meeting held on February 24, 2021.

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

**1b. Resolution #082:3'2021 Approval of Minutes Executive Session Meeting February 24, 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, March 24, 2021 to approve the minutes of the regular meeting held on February 24, 2021.

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

**2. Resolution #083:3'2021: 2021 Alpine Swim Club Fees**

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

At this regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, March 24, 2021

**WHEREAS,** Borough Ordinance 754 provides that the Mayor and Council shall annually set the fees of the Alpine Swim & Racquet Club; and

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

WHEREAS, the Alpine Swim and Racquet Club Subcommittee have recommended the following fee schedule replace in whole, the schedule previously approved for the 2020 season:

2021 Fee Schedule for Alpine Swim & Racquet Club	
Alpine resident, single or family	\$ 375.00
Non-resident, family	\$ 950.00
Non-resident, single	\$ 600.00
Non-resident discount for payment before May 1 <sup>st</sup> <i>Applies to all non-resident memberships</i> <i>*Discount deadline to be extended to May 15<sup>th</sup> for 2021 applications only</i>	\$ (50.00)
Alpine resident discount for payment before May 1st	None
Alpine resident nanny addition* <i>* Requires documentation of proof of employment</i>	\$ 150.00
Non-resident nanny addition* <i>*Requires documentation of proof of employment</i>	\$ 150.00
Guest Fees per person/per visit (over 2 years of age)* <i>* Limit: three visits per guest per season</i>	\$ 10.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Alpine adopt same as the 2021 Fee Schedule for the Alpine Swim and Racquet Club.

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

**3. Resolution #084:3'2021: Authorizing Agreement between Bergen County and the Interboro Regional Police Communications Network**

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

at a regular meeting of the Mayor and Council of the Borough of Alpine held on March 24, 2021

WHEREAS, the Boroughs of Closter, Alpine, Harrington Park, Haworth, Northvale, Norwood, and Rockleigh collectively operate the Interboro Regional Police Communications Network formed under the Interlocal Services Act (N.J.S.A.40:8a-1 et seq.), herein after referred to as ("Interboro") providing 9-1-1 Public Safety Answering Points ("PSAP") and Public Safety Dispatch Points ("PSDP"); and

WHEREAS, the Bergen County Department of Public Safety currently operates a state- of- the- art Public Safety Communications Center and has the capability to provide 9-1-1 communications and dispatch services to the municipalities throughout Bergen County; and

WHEREAS, Interboro and the County are currently party to a shared services agreement under which the County of Bergen provides 9-1-1 communications and public safety dispatch services for the Interboro Regional Communications; and

WHEREAS, the initial term of this agreement was for five years (January 1, 2011- December 31, 2015, and was renewed for a second five year term (January 1, 2016 – December 31, 2020); and

WHEREAS, the County and Interboro wish to enter into a new agreement with each other for the aforesaid services for a five (5) year term retroactive from January 1, 2021 and ending on December 31, 2025; and

WHEREAS, an agreement memorializing the duties and responsibilities has been prepared, and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpine, as follows:

1. The Borough of Alpine as a member of the Interboro Regional Communications Network agrees to enter into an agreement with the County of Bergen authorizing the County to provide 9-1-1 communications and public safety dispatch services for the Interboro, including the Borough of Alpine, subject to approval of the Mayor and Council and its attorney's review;
2. That said agreement shall be for a period of five (5) years retroactive to January 1, 2021 and ending on December 31, 2025 at an annual payment of \$300,900.00 to be paid by Interboro in quarterly installments on February 1, May 1, August 1 and November 1 of each year;
3. The Mayor, Borough Attorney and Chief of Police or their designees, be and hereby are authorized and directed to negotiate the specific terms of the contract to be entered into with the County of Bergen subject to final review of the Mayor and Council;

4. That the Mayor and Council support the continuation of the Interboro Regional Communications Network and its more formal organization/formation as a legally recognized entity to act as a contracting unit for its members.

5. The Mayor and Borough Clerk be hereby authorized and directed to execute such contract on behalf of the Borough.

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

**4. Resolution #085:3'2021: Adoption of the Bergen County Multi-Jurisdictional Hazard Mitigation Plan**

**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, March 24, 2021

**WHEREAS**, the **Borough of Alpine**, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

**WHEREAS**, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk through the adoption of a Bergen County Multi-Jurisdictional Hazard Mitigation Plan ("Hazard Mitigation Plan"); and

**WHEREAS**, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Hazard Mitigation Plan; and

**WHEREAS**, a draft Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

**WHEREAS**, the draft Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

**WHEREAS**, the draft Hazard Mitigation Plan was provided to each participating jurisdiction and was posted on the Bergen County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Hazard Mitigation Plan and request comments, as required by law; and

**WHEREAS**, the draft Hazard Mitigation Plan was submitted by the Bergen County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020; and

**WHEREAS**, the New Jersey Office of Emergency Management and the Federal Emergency Management Agency have approved the draft Hazard Mitigation Plan as submitted; and

**WHEREAS**, formal adoption and maintenance of the Hazard Mitigation Plan by the governing body is a condition of receipt of federal disaster aid; and

**WHEREAS**, the Bergen County Office of Emergency Management has recommended to the County Executive and Board of Chosen Freeholders that the Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020, be adopted as the official Hazard Mitigation Plan of the County of Bergen.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the **Borough of Alpine**, Bergen County, New Jersey that:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the County of Bergen; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. A hard copy of the Hazard Mitigation Plan shall be kept on file at the Bergen County Office of Emergency Management, and a digital copy shall be posted on the web site of the Bergen County Office of Emergency Management.
3. Any action proposed by the Hazard Mitigation Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Borough of Alpine**, and this resolution shall not be interpreted so as to mandate any such appropriations.

4. The **Borough of Alpine** Emergency Management Coordinator shall coordinate with their local offices and officials; and periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The Bergen County Office of Emergency Management shall prepare an annual progress report on the goals and mitigation actions set forth in the Hazard Mitigation Plan. Copies of those reports will be kept on file at the office of the Board of Chosen Freeholders and the Bergen County Office of Emergency Management. Municipal status reports may be submitted at any time to the County Coordinator to amend mitigation actions identified in the Hazard Mitigation Plan. At a minimum, municipal status reports shall be submitted to the County Coordinator on an annual basis. The County Coordinator will identify one meeting per year that will address hazard mitigation updates, as required by the State of New Jersey's Hazard Mitigation Plan and its Standard Operating Procedure.

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

**5. Resolution #086:3'2021: Grantee Authorizing Resolution – Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund – 2020 Funding Round – Acquisition of 6 East Main Street Project Block 47 Lot 9**

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

At this regular meeting of the Mayor and Council, Borough of Alpine, County of Bergen, State of New Jersey held on March 24, 2021

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpine wish to enter into a grant agreement with the County of Bergen for the purpose of using a \$150,000.00 grant award from the 2020 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the acquisition of open space property in the project entitled "Acquisition of 6 East Main Street" located in Block 47, Lot 9, on the tax maps of the Borough of Alpine.

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize the Mayor to be a signatory to the aforesaid grant agreement contract; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize Mayor Paul Tomasko to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

This resolution was adopted by the Mayor and Council of the Borough of Alpine at a meeting on March 24, 2021

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

**6. Resolution #087:3'2021: Authorizing Shared Services Agreement with Bergen County for Road Resurfacing Projects**

**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, March 24, 2021

**WHEREAS**, the County of Bergen maintains and controls approximately 450 miles of County roads; and

**WHEREAS**, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

**WHEREAS**, the County's Department of Public Works performs this resurfacing through periodic Road resurfacing Projects; and

**WHEREAS**, the County's Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

**WHEREAS**, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities will serve to memorialize the respective responsibilities of the County and the municipality in connection with a Road Resurfacing Project; and

**WHEREAS**, N.J.S.A. 40A:65-4(a)(l) states, in part, that "any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;" and

**WHEREAS**, the County and the seventy municipalities within Bergen County are "local Units" under N.J.S.A. 40:65-4 (a)(l), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq.; and

**WHEREAS**, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of shared services agreement for execution between the County of Bergen and each municipality in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto as Exhibit A; and

**WHEREAS**, the form of shared services agreement has been reviewed by Alpine's Borough Attorney and Borough Engineer.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Alpine as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Mayor and Council hereby approve and authorize the execution of a shared services agreement between the Borough of Alpine and the County for Road Resurfacing Projects.
3. The Mayor is hereby authorized to execute a shared services agreement with the County for this purpose.

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

**7. Resolution #088:3'2021: Appointment – Council Liaison to Board of Health and Americans with Disabilities Act (ADA) Compliance Committee**

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on March 24, 2021 to confirm the Mayor's appointment of **Councilman Scott Bosworth** to fill positions vacated by Councilman John Halbreich as Liaison to the Board of Health and member of the American Disabilities Act (ADA) Special Committee.

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

**8. Resolution #089:3'2021: Appointment – Deputy Emergency Management Coordinator**

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

at this regular meeting of the Mayor and Council of the Borough of Alpine held on March 24, 2021 that **Councilman Scott Bosworth** is hereby appointed to the position of Deputy Emergency Management Coordinator vacated by Councilman John Halbreich

**BE IT FURTHER IT RESOLVED**, that copy of this resolution be forwarded to Alpine Emergency Management Coordinator Charles A. Hoffmann, fellow Deputy Emergency Management Coordinator Brian Bourke and the Bergen County OEM Coordinator Sgt. Matthew Tiedemann at the Bergen County Office of Emergency Services.

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

**9. Resolution #090:3'2021: Appointment – Board of Health – Anthony Inguaggiato, Sr.**

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

at the regular meeting of the Alpine Mayor and Council held on Wednesday, March 24, 2021 to appoint **Anthony Inguaggiato, Sr.** as member of the Alpine Board of Health for the unexpired portion of a four-year term ending December 31, 2022.

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

**End of Consent Agenda**

**COMMUNICATIONS: WRITTEN AND ORAL** Mayor Tomasko wished to note the nice correspondence received from the Closter Ambulance Corps.

**Resolution#091:3'2021: 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, March 24, 2021

**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: 1) Affordable Housing, 2) Alpine Three, LLC 3) Private Roads 4) Open Public records Act**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpine, assembled in public session on Wednesday, March 24, 2021, 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, Cacouris, Gerstein, Shaddek **MOTION APPROVED**

Mayor and Council convened the Executive Session at 7:48 PM, reconvened in public session at 8:51 PM. Councilman Shaddek having recused from the matter on Alpine Three, LLC due to a potential conflict of interest did not rejoin the meeting. Mayor Tomasko noted the following resolution was approved unanimously at last evening's Planning Board meeting.

**Resolution #092:3'2021: Authorizing Execution Second Amendment to Settlement Agreement Alpine Three May 24, 2000**

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

At a regular meeting of the Mayor and Council of the Borough of Alpine held on Wednesday, March 24, 2021

**BE IT RESOLVED** that the Council hereby authorizes the Mayor and Borough Clerk, on behalf of the Borough of Alpine to execute a second amendment to the Settlement Agreement dated May 24, 2000 and thereafter amended December 14, 2015 between Edward Norian and George Haralabatos trading as Alpine Three, LLC, the Borough of Alpine and the Alpine Planning Board which for the moment, because of the pending nature of this litigation, must remain confidential until properly executed.

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

**ADJOURNMENT**

**OFFERED BY:** Councilwoman Frankel **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 March 24, 2021 at 8:54 P.M.

Respectfully submitted,

Stephanie Wehmann  
Municipal Clerk