

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, December 12, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilwoman Kasofsky, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Ambulance Corps Stipend
Borough Administrator

Building Department
DPW
Municipal Court
Police Department Extra Duty Employment &
Crossing Guards
Police Department - Contracts for Police
Chief and Deputy Chief
Public Health Supervisor
Recreation Department - Seasonal Employees

Contracts: Main Street and Kaufers Lane - Affordable
Housing Strategy
Millennium Strategies
Redevelopment Agreement with Sapthagiri
LLC - Redevelopment Area 6

Tax Appeal Litigation: Jason & Adrianna Kim vs.
Borough, at 1355 15th Street, Block 2251, Lot 3,

Property Acquisition: 1253 Inwood Terrace, Block 1653,
Lots 1 and 2

Litigation: Borough vs. BCUA (Memorandum of
Understanding)

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Supplemental Topographic Survey - Main Street - Limits Between Center Avenue and Lemoine Avenue

Mr. Mignone stated that in furtherance for a conceptual plan for realigning Main Street there is a need to modify the crown of the sidewalks.

A resolution authorizing Boswell McClave Engineering to prepare a supplemental topographic survey for Main Street between Center Avenue and Lemoine Avenue at a cost of \$2,800 will be placed on the December 19th regular meeting agenda.

Mr. Mignone added that this will also work in conjunction with the force main project.

Change Order #1 for Classic Turf Company LLC for Rehabilitation of Tennis and Basketball Courts

Mr. Mignone stated that originally the Borough was going to do this project next spring, but Bergen County requested that the Borough spend its grant money by the end of this year; therefore, the Borough began the project earlier and due to the winter temperatures additional chemicals and labor were needed which cost \$8,500. The Borough will be receiving 50% of the cost of the change order back through its Bergen County Open Space grant.

A resolution approving a change order for Classic Turf Company in the amount of \$8,500 will be placed on the December 19th regular meeting proposed consent agenda.

Mr. Mignone congratulated Ms. Thomas on her retirement and wished her well.

GENERAL DISCUSSION

Reorganization Meeting Date and Time

The Mayor and Council agreed to schedule the Reorganization Meeting for January 2nd at 6:00 p.m. The expected recessed meeting of December 19th will actually commence at 6:00 p.m. followed shortly thereafter by the Reorganization Meeting,

Mr. Grant will send out the required legal notice.

Pilot Program Proposal - Hoarding Syndrome

Ms. Thomas explained that hoarding has been classified by the AMA as a psychological illness and that it affects 6% of the population. The Health Department and Fire Prevention Bureau

have been dealing with major hoarding problems. The courts have also been spending a lot of time with hoarding violations.

Ms. Thomas has put \$15,000 in next year's budget in order for the Borough to hire a MSW or CSW to work with the Borough's various departments who are dealing with the issue. Jillian Langham, Human Services Director, would monitor the Hoarding Pilot Program.

The Mayor and Council were all supportive of the proposal.

Richard B. Thompson Tennis Court

Ms. Thomas explained that one of the tennis courts in William T. Birch Park will be re-named after the late Richard. B. Thompson.

A sign that will identify the tennis court will be presented to Mrs. Thompson and her son at the December 19th regular meeting.

The sign will be officially placed on the tennis court when tennis season begins in March/April 2014.

Advertising for Bids for a Pickup Truck and SUV & Hotbox for Potholes for the DPW

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for a pickup truck, a SUV and a hotbox for potholes for the DPW/General Services will be placed on the December 19th regular meeting proposed consent agenda.

Ms. Thomas stated that some old bonds will be re-appropriated in January to effectuate the purchases of the vehicles and equipment.

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 19, 2013

Ord. #2013-30--Amending Chapter 388, Sections 14 and 69, Schedule XXIII – Handicapped Parking Space at 1560 West Street

Ord. #2013-31--Amending Chapter 193, Construction Codes, Uniform - Schedule C: Plumbing Sub-Code Fees – Water Service/Gas Service Fee Reduced From \$100.00 to \$25.00

Ord. #2013-32--Amending Chapter 289, Section 34, Regulations Concerning Municipal Parking Lot – Add Subsection (L) – Portion of Parking Lot Reserved for Borough Employees Monday Through Friday From 8:00 a.m. Until 4:30 p.m.

On motion by Councilman Sohmer, seconded by Councilman Cervieri, and carried unanimously, the meeting was opened to the public for discussion.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Expiration of Older Americans Act - Requesting Support to Extend the Act	
Charles Sobel 2175 Hudson Terrace	.Rent Leveling Amendments	Mayor Sokolich Mr. Cervieri

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Goldberg at 8:52: p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, November 7, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Kasofsky, Cervieri

ABSENT: Councilman Sargenti

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sohmer and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Fire Prevention Bureau
Health Department
Police Department Extra Duty Employment

Contracts: Main Street and Kaufers Lane - Affordable
Housing Strategy
RFQ's for Professional Services for 2014/
Evaluation Matrix
Fastcom Consulting Services, LLC - Small
Cell Sites on Borough Property
Fort Lee Housing Authority
Municipal Parking Lot
Tucker Redevelopment Agreement - License
Amendment

Tax Appeal Litigation: Alkis & Helen Meimaris vs.
Borough at 1160 Crescent Way, Block 1452, Lot 2.01

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Boswell McClave Engineer Proposal for Construction Inspection Services for Roadway Improvements to Gerome Avenue and Beverly Hills Road

Ms. Thomas stated that Boswell McClave submitted a proposal on October 28th to provide construction inspection services for the above project. The Borough has received a Community Development Block grant in the amount of \$100,000.00 for the project.

A resolution accepting Boswell's proposal to provide construction inspection services in the amount not to exceed \$8,000.00 will be placed on the November 14th regular meeting proposed consent agenda.

Boswell McClave Engineer Proposal for Design, Bid and Construction Phase for Emergency Generators for Fire Houses #2 and #4

Ms. Thomas stated that Boswell McClave also submitted a proposal on November 4th to perform design, bid and construction inspection services for the above project.

A resolution accepting Boswell's proposal to prepare the design, bid documents and provide construction inspection services in the amount not to exceed \$7,920.00 will be placed on the November 14th regular meeting proposed consent agenda.

Civil 1 Proposal for Construction Inspection Services for Installation of the Post-Tension Concrete for Tennis Courts at William T. Birch Park

Ms. Thomas stated that Civil 1, out of Noodbury, Connecticut submitted a proposal on November 1st to provide construction inspection services for the installation of the post-tension concrete for the rehabilitation of the tennis courts.

Mayor Sokolich stated that this is a big project. The concrete for the tennis courts actually floats so as to project against cracks.

A resolution accepting Civil 1's proposal to provide the construction inspection services for the aforementioned project in the amount not to exceed \$7,950.00 will be placed on the November 14th regular meeting proposed consent agenda.

BCCD Block Grant Application for a New Emergency Generator for the Senior Citizen Center - \$100,000.00

An application applying for the community development block grant for a new emergency generator for the senior citizen building in the amount of \$100,000.00 will be placed on the November 14th regular meeting proposed consent agenda.

Authorizing Bids for a New Roof and Windows for Borough Hall at 309 Main Street and Prefabricated Garage in the Rear of the Police Department Facility

Ms. Thomas spoke about the above with regard to the authorizing of bids. She added that the Police Department this afternoon sent a letter formally requesting two emergency generators and an uninterruptable battery system. Ultimately, capital accounts will have to re-appropriated to reflect the inclusion of these items,

Mayor Sokolich stated that the prefabricated garage will be paid through the Police Department's confiscated funds account.

A resolution authorizing the purchasing consultant to prepare specifications and advertise for bids for a new roof and windows for Borough Hall, a prefabricated garage in the rear of the police facility and two diesel generators and uninterruptable battery system for the police department will be placed on the November 14th regular meeting proposed consent agenda.

Fort Lee Improvement District Incorporation

Ms. Thomas stated that after the ordinance establishing the Fort Lee Improvement District (FLID) is approved next week then the official incorporation of the FLID will occur.

Amending Municipal Parking Lot Regulations

Ms. Thomas stated that Gloria Gallo, Executive Director of the Parking Authority, sent a letter requesting to amend the municipal parking lot regulations by establishing a portion of the lot for restricted employee parking during Monday through Friday business hours.

An ordinance amending Chapter 289, Section 34, of the ordinance creating the new section will be prepared by Mr. Cohen's office and placed on the November 14th regular meeting agenda for introduction.

Mayor Sokolich said the lot is full and the expected expansion of the lot will create more spaces. One of the things that need to be accomplished during the expansion of the lot is that the façade wall on Main Street has to be pretty and there needs to be multiple openings on Main Street to access the expanded lot.

Bus Stop on Palisade Avenue, Far Side of Bridle Way - Changing Location to Near Side of Bridle Way Northbound

Mr. Grant stated that the Borough previously passed an ordinance in April of this year that changed the bus location. The State has reviewed the ordinance and has requested that a change be made to the measurements. The State in addition to the original ordinance also requires a supporting resolution.

A resolution authorizing the State's review of the bus stop and making the requested changes to the distance cited in the original ordinance will be placed on the November 14th regular meeting proposed consent agenda.

Amending Chapter 193 Construction Code Fees - Gas Piping Fee

Ms. Thomas stated that Brian Ribarro, Building Sub-Code Official, has requested that the Borough's gas piping fee be reduced from \$100.00 to \$25.00 and be placed in a different section of the code.

Mayor Sokolich stated that Mr. Ribarro reviewed other town's municipal code and realized that the Borough was charging more for the fee than most municipalities and therefore recommended that the fee be reduced.

An ordinance prepared by Mr. Cohen's office reducing the fee and placing it in a different section of the code will be placed on the November 14th regular meeting for introduction.

Authorizing United Water to Place One Fire Hydrant for Tucker Development Corp. (TDC, LLC) - East Side of Lemoine Avenue, 425 Feet North of Main Street

Mr. Cervieri recused himself on this matter and left the meeting room.

A resolution approving United Water's request to locate a fire hydrant within Tucker's portion of Redevelopment Area 5 will be placed on the November 14th regular meeting agenda.

Mr. Cervieri returned to the meeting room at this point in the meeting.

Mayor Sokolich stated that the professional contractors who are working currently within Redevelopment Area are amazing.

Handicapped Parking Space by 1560 West Street

Mr. Grant stated that Nina Levinson had requested a handicapped parking space in front of her house. The request has been reviewed and approve by the police department.

An ordinance establishing a handicapped parking space in front of 1560 West Street will be placed on the November 14th regular meeting for introduction.

Authorizing Submission of a Grant Extension for the Fort Lee Municipal Alliance Committee

Ms. Thomas stated that Bergen County has recommended the Borough extend its Municipal Alliance Committee grant to June of 2014.

Purchase of Four Police Department Vehicles

Ms. Thomas stated that the police department has requested the purchase of four (4) police vehicles with emergency equipment. All of the vehicles are being paid through confiscated funds.

A resolution authorizing the purchase of the four vehicles through State Contract from Winner Ford, Cherry Hill, New Jersey, at a cost of \$124,244.00 which includes emergency equipment and a three-year warranty for all four vehicles will be placed on the November 14th regular meeting proposed consent agenda.

Person-to-Person Liquor License Transfer From Baden Fort Lee Inc. to B-Story USA Inc. at 799 Abbott Boulevard

Mr. Grant stated that the police department has reviewed and approved the applicant for the above person-to-person liquor license transfer.

A resolution approving the transfer will be placed on the November 14th regular meeting if the required New Jersey Division of Tax Clearance certificate is received before the November 14th meeting.

Person-to-Person/Place-to-Place Liquor License Transfer From Phi Enterprises LLC (Pocket License) to Sobia LLC at 1671 Bergen Boulevard

Mr. Grant stated that the police department has almost finished their review of the applicant for the above person-to-person liquor license transfer. He said he's still awaiting the approval letter from the police department which is expected to be sent to him tomorrow.

A resolution approving the transfer will be placed on the November 14th regular meeting if the police department approval letter is received and the required New Jersey Division of Tax Clearance certificate is also received before the November 14th meeting.

PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 14, 2013

Ord. #2013-26--Amending Chapter 261, Land Use Procedures, Article VII, Affordable Housing Development Fees

Ord. #2013-27--Amending Chapter 289, Parking, Article IV, Parking Meters, Section 15, Parking Meter Zones for Linwood Avenue and Lewis Street and Section 36, Subsection {R} Residential Permit Parking

Ord. #2013-28--Amending Chapter 42 Advisory Committee for the Disabled – Changing Name of Committee to “Advisory Committee for Individuals With Disabilities”

Ord. #2013-29--Establishing a Fort Lee Improvement District Within the Borough of Fort Lee and Designating a District Management Corporation

Mayor Sokolich offered his congratulations to Councilman Goldberg and Councilwoman Kasofsky on their election victory. He stated that's it's nice to be part of a really great team.

He also said that the Borough has received a \$6,000 grant for new canine dog from the Ben Roethlisberger Foundation K-9 program.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Gas Generators for Public Buildings	Mayor Sokolich
	.Municipal Alliance Program	Ms. Thomas
Charles Sobel 2175 Hudson Terrace	.Rent Control Ordinance	Mayor Sokolich

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, at 8:18: p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 3, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Sohmer, Goldberg, (Arrived at 8:00 p.m.) Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Pohan

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sohmer, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Borough Administrator
Fire Prevention Bureau
Police Department Extra Duty Employment

Contracts: Holy Name Hospital Advanced Lift Support
Billing Agreement
Main Street and Kaufers Lane - Affordable
Housing Strategy

Litigation: Shri Ganesh, Inc. vs. Louis Monico and
Alan Citarella - ZBA 21-13

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Mr. Goldberg arrived for this portion of the meeting.

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Treatment Works Approval (TWA) for TDC Fort Lee, LLOC (Hudson Lights at Fort Lee)

Mr. Cervieri recused himself on this matter.

Mr. Mignone stated that this is for the west parcel of Redevelopment Area 5 and TWA approval is required by the NJDEP.

A resolution approving the TWA which was prepared by Bohler Engineering on behalf of TDC Fort Lee, LLC (Hudson Lights at Fort Lee) and reviewed by Boswell McClave on behalf of the Borough will be placed on the October 10th regular meeting agenda.

Bids for Roadway Improvements to Gerome Avenue and Beverly Hills Road

Mr. Mignone stated that bids for this project will be received on October 11th. He added that because this is CDBG monies there is a time frame involved. The bid must be awarded at the October 17th executive session meeting or otherwise the Borough may lose its grant funding for the project.

HAB Holdings, LLC - 2162 & 2164 Jones Road

Mr. Mignone explained the situation regarding this application which has been carried for some time at the Board of Adjustment. It relates to an old sub-division. The applicant has agreed to extend the sewers at their own expense. The issue at hand is that development of these two duplexes which are both two family homes is that their walkways would extend into the Borough's right-of-way.

Doug Sugarman, Board of Adjustment Chairman, stated that the Board has concerns about the right-of-way.

Mayor Sokolich stated that the Board referred it to the governing body because a portion of the project is on borough property. If the Borough said no, the belief is that the Borough will be open to litigation from the applicant.

The Mayor and Council concurred that a hold harmless agreement, granting the borough access and the owner to conduct repairs at the owner's expense along with a right of access agreement would be needed between the applicant and the Borough. The Borough is inclined to grant the hold harmless agreement with the conditions as long as the Board of Adjustment ultimately approves the project.

Mr. Cohen asked Mr. Mignone to call him to determine what needs to be placed within a hold harmless agreement.

NJ Sustainable Grant (Added on Item)

Mr. Mignone stated that the Borough was one of fifteen municipalities overall that received a NJ Sustainable Grant in the amount of \$10,000 for its proposed Borough Community Garden. There were eighty applications statewide overall.

GENERAL DISCUSSION

Best Practices Inventory Checklist (See Attached Schedule (A))

Ms. Thomas stated that she sent the best practices inventory checklist to the Mayor and Council. She added that Mr. Grant as the Borough Clerk is mandated to certify on the worksheet that the inventory and the results were discussed publicly, and that the inventory results will be referenced in the meeting minutes.

The Mayor and Council had no additional comments on the checklist which is required to be filled out annually.

Fort Lee Improvement District (FLID)

Ms. Thomas stated that Mr. Cohen sent everyone a draft of the ordinance establishing the Fort Lee Improvement District. There will be a minor tweak to the draft which will allow the Mayor and two Council members to be represented within the District Management Corporation.

The FLID will be created and established by ordinance that will be introduced at the October 10, 2013 regular meeting.

Amending Chapter 42, Advisory Committee for the Disabled

Ms. Thomas stated that the ADA committee has requested a name change to the committee. The committee name current established is the "Advisory Committee for the Disabled" and they want to change their name to the Advisory Committee for Individuals with Disabilities".

An ordinance changing the title of the committee and making the ordinance consistent throughout with the new name will be introduced at the October 10th regular meeting.

Amending Chapter 261, Land Use Procedures - Fort Lee Residential Development Fee Ordinance

Ms. Thomas explained the ordinance which will be introduced at the October 10th regular meeting which ordinance was recommended by Mr. Cohen's office.

**Amending Chapter 289, Parking - Linwood Avenue and Lewis Street
Parking Meters**

An ordinance amending the parking meter time at the above locations from nine hours to six hours will be placed on the October 10th regular meeting agenda.

1363 Inwood Terrace (Parking Meters)

The Mayor and Council agreed to install parking meters in front of the old Blue Ribbon market/bank which property the Borough will officially own once the ordinance approving the acquisition is approved in October.

Mr. Grant will speak to Gloria Gallo, Parking Authority Executive Director, to see if the current ordinance for the parking meters on Inwood Terrace needs to be amended.

Charitable Foundation for Fort Lee, Inc.

Ms. Thomas stated that Mr. Cohen submitted an outline to the Mayor and Council who now have to review it.

Mayor Sokolich summarized that having a charitable foundation avails the Borough to more potential grant money.

Sole Source Procurement for Police Department for an Elevated Platform Surveillance System

Ms. Thomas stated that Kevin Conti reviewed the documents from the police department and confirmed that this purchase is allowed through a sole source procurement. It will be paid through the police department's confiscated funds account.

A resolution awarding a contract to FLIR Skywatch for an elevated hydraulic platform system for the Police Department will be placed on the October 10th regular meeting proposed consent agenda.

Mayor Sokolich added that with the number of large events the borough sponsors and/or holds, that attract thousands of people, that this is a good purchase.

Liquor License Transfer from Joe & Max Inc., to Rodem House Inc. at 1629 Schlosser Street

Mr. Grant stated that a resolution authorizing the above person-to-person liquor license transfer which has been approved by the police department will be placed on the October 10th regular meeting proposed consent agenda.

Liquor License Transfer from Gary Jacobson Trustee to Angry Chick LLC at 1642 Schlosser Street

Mr. Grant stated that a resolution authorizing the above person-to-person/place-to-place liquor license transfer which has been approved by the police department, building department and fire prevention bureau will be placed on the October 10th regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 10, 2013

Ord. #2013-24--Authorizing the Acquisition of Property at 1363-1365 Inwood Terrace, Block 2253, Lot 2 - \$1,750,000

Ord. #2013-25--Bond Ordinance for Purchase of Property at 1363-1365 Inwood Terrace, Block 2253, Lot 2 - \$1,850,000

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Asked About Charitable Foundation	Mayor Sokolich

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 8:23 p.m.

Neil Grant, RMC
Borough Clerk

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved unanimously, the meeting moved back into closed session at 8:23 p.m. to discuss the following matter.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Contract: Holy Name Hospital Advanced Lift Support
Billing Agreement

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

There being no further discussion the meeting room door was re-opened and with no one from the public present the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, at 8:26 p.m.

Neil Grant
Borough Clerk

	BEST PRACTICES CHECKLIST SUMMARY AND CERTIFICATION (SCHEDULE A)
0	Select
36	Yes
7	No
2	N/A
5	Prospective
50	Total Answered:
43	Score (Yes + N/A + Prospective)
86%	Score %
0%	Percent Withheld
	Chief Administrative Officer's Certification
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.
	Name & Title
	Peggy Thomas, Borough Administrator – 10-9-13
	Chief Financial Officer's Certification
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.
	Name
	Joseph Iannaconi, Jr - 10-9-13 – Certification License # T-0897
	Municipal Clerk's Certification
	I hereby certify that the Governing Body of the Borough of Fort Lee in the County of Bergen County discussed the CY 2013/SFY 2014 Best Practice Inventory as completed herein at a public meeting on October 3rd, with the Inventory results, and the certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to be stated in the minutes of said public meeting.
	Name
	Neil W. Grant – 10-9-13 - Certification License # C-1081
	Red = Repeat Question; Prospective answers not permitted
	Blue = Questions where neither "not applicable" nor "N/A" answers are permitted
	Green = Repeat questions where neither "Prospective" nor "Not Applicable" are permitted
	No Color = "Yes"; "No"; "Prospective" and "Not Applicable" are all permissible answers

# of Questions scored yes, prospective, or "not applicable"	Amount of Aid Disbursed	Impact on final 5% aid payment/impact on total aid
41-50	100%	No penalty
33-40	80%	Lose 20% which equals 1% of total aid
25-32	60%	Lose 40% which equals 2% of total aid
17-24	40%	Lose 60% which equals 3% of total aid
9-16	20%	Lose 80% which equals 4% of total aid
0-8	0%	Lose 100% which equals 5% of total aid

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 12, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Sharon Scheiner, Assistant Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sohmer and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Recreation/Community Center Seasonal
Employees
DPW
Park's Department
Police Department - School Crossing Guards
Board of Health Appointment (JG)

Contract: Fort Lee Housing Authority - Use of
Affordable Housing Funds

Property Acquisition: 1363 Inwood Terrace, Block 2253,
Lot 2

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Comfort Women Memorial

Mayor Sokolich stated he doesn't know if a consensus has been reached amongst all groups. He added that his enthusiasm for the project is waning.

Howard Joh stated that he's trying to get consensus between Vietnam War Veterans and the Bergen County group. He added that everyone agrees that the monument should be placed by the existing Korean War monument on Abbott Blvd/Route 5. The outstanding issue is the wording to be used for the monument.

Mayor Sokolich offered his service to moderate discussion between the dissenting groups.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

NJDOT Traffic Signal Agreement for Route 9W & Kelby Street

Mr. Mignone briefly explained the agreement and said the Borough will be responsible to pay for electricity for any changes made. He added that the Borough is already paying for the electricity at the light.

A resolution authorizing execution of a traffic signal agreement with the New Jersey Department of Transportation (NJDOT) for traffic signal improvements at Route 9W & Kelby Street will be placed on the September 19th regular meeting proposed consent agenda.

Mr. Cervieri asked that the Borough tie in the agreement with the sound barrier issue for the residents living on Edwin Avenue. Residents hear constant loud banging as vehicles exit Route 46 eastbound as they approach the Route 9W/Kelby Street light.

Mayor Sokolich stated that he's supportive of Mr. Cervieri's request as long as it doesn't impede the much needed updated traffic signalization for Route 9W and Kelby Street.

NJDOT 2014 Grant Application for Roadway Improvements to Tom Hunter Road

Mr. Mignone stated that the Borough applied to the NJDOT and was approved last year for roadway improvements to Whiteman Street in the amount of \$150,000.00.

A resolution authorizing submission of a grant application for 2014 with the NJDOT for roadway improvements to Tom Hunter Road in the amount of \$150,000.00 will be placed on the September 19th regular meeting proposed consent agenda.

Bids for Rehabilitation of Basketball & Tennis Courts at the Recreation Center

Mr. Mignone stated that there were two bids and only one was compliant. Half of the cost for this project is being paid through a Bergen County open space trust grant.

A resolution awarding a bid for the rehabilitation of the tennis and basketball courts at William T. Birch Park to Classic Turf Company, Woodbury, Connecticut, in the amount of \$300,000.00 will be placed on the September 19th regular meeting proposed consent agenda.

Community Development Project - Improvements to Whiteman Street, Gerome Avenue & Beverly Hills Road

Mr. Mignone stated that the Borough received a community development block grant in 2012 for this project. HUD is pushing Bergen County to move forward with the project.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids in consultation with the Borough engineer will be placed on the September 19th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Endorsing Three (3) Bergen County Community Development Applications for the Fort Lee Housing Authority

Resolutions endorsing three Bergen County Community Development Block Grant Applications as proposed by the Fort Lee Housing Authority for improvements to the Harry J. Holtje House, renovation and restoration of a historic building and an application for tuition assistance for the cost of child care for children of family self-sufficiency participants for the Fort Lee Assistance and Support Housing Corporation will be placed on the September 19th regular meeting proposed consent agenda.

Purchase of a 2013 Ford Sport Utility Vehicle for the Fire Prevention Bureau

A resolution authorizing purchase of a 2013 Ford 350 Sport Utility Vehicle via New Jersey State Contract #83558 from Winner Ford, Cherry Hill, New Jersey, for the Fire Prevention Bureau at a cost of \$38,834.00 which includes a 36,000 mile, three-year warranty, will be placed on the September 19th regular meeting proposed consent agenda.

Constitution Park

Ms. Thomas asked if the Mayor and Council want to continue with the Pilot Program with regard to dogs being allowed to be brought in to the park and allowed to be able to be walk on the paved path with leashes.

Mayor Sokolich stated that he's been hearing of isolated events that there are people violating the law by not picking up after their doges as well as unleashed dogs running into children. He made it clear that he wants the program to succeed, but more enforcement is needed.

After a brief discussion is was agreed that the Health Department should be issuing summonses to any person violating the laws as well as being more of a presence in the park.

Bond Ordinance for Purchase of Property at 1363 Inwood Terrace, Block 2253, Lot 2

Ms. Thomas stated that the Borough will be issuing a bond ordinance for purchase of property at 1363-1365 Inwood Terrace for \$1,850,000. The cost of the property is \$1,750,000, but the additional \$100,000.00 will be used to cover small repairs as well as professional fees associated with the bond ordinance.

The bond ordinance as prepared by bond counsel will be introduced at the September 19th regular meeting.

Emergency for Down-Payment Account - \$50,000.00

Ms. Thomas explained that a resolution increasing the Borough's emergency down-payment account by \$50,000.00 will be placed on the September 19th regular meeting agenda. This relates to the purchase of the property listed above.

Place-to-Place Liquor License Transfer of Kerrspo LLC (Pocket License) to 2139 Hudson Terrace

A resolution authorizing the above liquor license transfer as approved by the Building Department and Fire Prevention Bureau will be placed on the September 19th regular meeting proposed consent agenda.

Person-to-Person Liquor License Transfer From 9W Wines & Spirits LLC to 2450 Lemoine Avenue LLC

A resolution authorizing the above liquor license transfer as approved by the Police Department will be placed on the September 19th regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 19, 2013

Ord. #2013-21--Amending Chapter 55, Fire Department Section 14, Life Insurance to Amend Policy Amounts

Ms. Thomas stated that she and Mr. Grant met with the Fire Chief and Deputy Fire Chief yesterday and explained that the Borough's insurance company had upped death benefits for members of the Fire Department; however, the benefit goes down if there is an active firefighter over the age of 65. Basically insurance companies don't encourage firefighters being over the age of 65 which is consistent with the retirement age of police personnel. In addition even though the Borough's ordinance has not been updated, the benefit language has been in play for some time.

Ord. #2013-23--Amending Chapter 372, Article 2, Limousines, Various Fee and Other Minor Amendments

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

Port Authority Bridge Traffic (Added on by Mayor Sokolich)

Mayor Sokolich stated that last Monday morning without any notice to the Borough the Port Authority changed their traffic patterns during the morning rush hour. They took three dedicated lanes that the Borough residents use down to one lane which of course had to be a combined EZ-Pass/Cash Lane. It created unbelievable traffic gridlock on Monday. As a result of their policy the Borough's emergency service vehicles have been delayed which is a detriment to the Borough's health, safety and welfare. He could not reach anyone at the Port Authority for their reasoning on why the change was made and to make matters worse the Port Authority officers have been telling angry motorists that it was a decision made by Fort Lee's government which he stated is as far off as humanely possible. He's disenchanted and hurt and he's not sure why he's not getting a response. He plans on going to the Port Authority offices tomorrow unannounced.

Mr. Cervieri stated that when the Port Authority paves lanes on the bridge, the Borough gets noticed, but nothing was sent for this situation which he found to be ridiculous.

Mayor Sokolich added that this change in traffic pattern is reeking more havoc then the repairs to the Alexander Hamilton Bridge which was supposed to cause traffic gridlock for upwards to nine months which it hasn't when it was announced last year.

Mr. Cervieri stated that that the Port Authority property in the Borough is kept like a dump

Mayor Sokolich stated that the Borough is the host community to the busiest bridge in world and he likes to have an open line of communication with the Port Authority, but this situation has him particularly vexed.

Mr. Cervieri stated that the Port Authority should be treating the Borough as a host, not as a doormat.

Mr. Goldberg stated the Borough can order the Police Department to close down its streets, but the surrounding towns have to be told it that action is ultimately taken.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Constitution Park - Dog Walking Complaints - Ask People to Take Pictures to Verify Complaints	
	.Against Requested United Water Rate Hike - Request for Mayor and Council to Pass Resolution Against Rate Increase	
	.Against Requested PSE&G Rate Hike - Request for Mayor and Council to Pass Resolution Supporting AARP Fight Against Rate Increase	

The Mayor and Council agreed to place supporting resolutions against rate increases from United Water and PSE&G on the September 19th regular meeting proposed consent agenda

Charles Sobel 2175 Hudson Terr.	.Port Authority Helix Ramp	Mayor Sokolich Ms. Thomas Mr. Cervieri
	.Rent Control	

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti, seconded by Councilman Cervieri**, at 8:31 p.m.

Neil Grant
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, August 15, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Kasofsky, Cervieri

ABSENT: Councilman Sargenti

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sohmer and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Building Department
Police Department Extra Duty Employment
& Communications Center

Contracts: Tucker Development
Brown & Brown Metro Inc.
COAH-Affordable Housing Funds - Fort Lee
Housing Authority

Property Acquisition: 1363 Inwood Terrace, Block 2253,
Lot 2

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Boswell McClave Proposal for Inwood Terrace Park Improvements

Mr. Mignone stated that proposal is for design work for the basketball courts and gazebo at Inwood Terrace Park. The Borough is expected to be receiving \$32,000 from an open space trust fund grant. This is a 50-50 matching grant application the Borough has previously applied for.

A resolution accepting Boswell's McClave's Engineering proposal for preparation of design and construction plans, for improvements to Inwood Terrace Park at a fee not to exceed \$6,500.00 will be placed on the August 22nd regular meeting proposed consent agenda.

2013 Open Space Trust Fund Program Application for Rubberized Playground Surface at Coytesville Park

Mr. Mignone stated that this is a matching 50-50 grant application.

Mayor Sokolich asked Mr. Mignone what would the life expectancy of the new surface be.

Mr. Mignone replied about twenty five years plus the old mulch would be replaced with new mulch.

A resolution endorsing a Bergen County Open Space Trust Fund application for installation of a rubberized playground surface at Coytesville Park in the amount of \$35,000.00 will be placed on the August 22nd regular meeting proposed consent agenda.

United Water - Request for Water Main Extension for 16th Street

A resolution approving application by GPC Homes LLC to install an extension to United Water's distributing system on Sixteenth Street will be placed on the August 22nd regular meeting proposed consent agenda.

On questioning from Mr. Cervieri, Mr. Mignone stated that there is no cost to the Borough to install the aforementioned extension.

Change Orders for Various Handicapped Ramp Installation From JAK Construction Corp t/a Diamond Contracting

Mr. Mignone stated that this is part of community development monies the borough applied for in 2012 which the borough originally requested \$160,000 and then requested an additional \$40,000 to add more handicapped ramps. The change orders will be ultimately covered by the grant monies the borough will be getting reimbursed by community development.

A resolution approving change orders 1 & 2 for Jak Construction Corp. t/a Diamond Construction for the previous construction and installation of various handicap ramps in the Borough at a cost of \$13,830.00 will be placed on the August 22nd regular meeting proposed consent agenda.

GENERAL DISCUSSION

Suicide Awareness Walk over George Washington Bridge (GWB) - Susan Troya in Attendance

Mayor Sokolich stated that Ms. Troya visited with him a couple of weeks ago with regard to this event.

Ms. Troya stated that she represents "Out of the Darkness" a group that is concerned about the alarming number of suicides on the GWB over the last few years. She's would like to hold an awareness walk and rally support on Saturday, November 2nd 8:00 a.m. It would be one of many staged nationalized walks that will be occurring September through December. The Fort Lee event would be done by 12:00 noon. She added that the Palisades Interstate Parkway (PIP) superintendent was helpful. To emphasize the walk she would want to use the PIP Historic Park and would like to allow walkers access to the GWB.

Mayor Sokolich asked Ms. Troya what portion of the event would be on Borough property.

Ms. Troya replied that her event would be mostly on PIP property and Ross' Dock was also recommended as a potential location. In particular this being the first year she wants to be able to use the GWB. It would be a minimum three mile walk.

Ms. Thomas told Ms. Troya she should contact the police department with regard to traffic control.

Mayor Sokolich replied that no matter what route Ms. Troya's organization uses, he and the Borough in general would be supportive of this event and will try to help her in any way possible.

Creation of 501{C}{3} Non-Profit Status for Fort Lee

Mayor Sokolich stated that in conversation with the Borough's grant consultant they indicated that if the Borough could get non-profit status the Borough would qualify for many grants that they can't apply for at this time.

He's asking Mr. Cohen to begin the process to apply for 501{c}{3} status which will take some time before ultimately the IRS vets it.

Electronic Message Board for Community Center

Mr. Cervieri stated that when he attended the farmer's market at the community center a number of people came up to him and asked him why the Borough doesn't advertise the event better than it currently does. He thought that adding an electronic message sign board similar to what the library has in place at the community center would be a great way of advertising this and other Borough events.

Mayor Sokolich concurred that the electronic signboards are a very effective way to advertise Borough events.

Purchase of Five (5) Police Vehicles

Ms. Thomas stated that the Police Department is requesting to replace five older police vehicles new vehicles at a cost of \$198,234. The monies for the vehicles are in their current budget.

Mr. Pohan requested that he and the entire governing body be given the years and mileage of the older vehicles being replaced.

Date for 2014 Fort Lee Arts & Music Festival

Ms. Thomas stated that Tom Meyers, Director of Cultural & Heritage Affairs, has requested that Sunday, June 1st be the date for the 2014 Fort Lee Arts & Music Festival.

The Mayor and Council approved the date.

Ms. Thomas added that the Special Improvement District might already be in play at that time, but the Mayor and Council did not think that should cause any disruption and/or change to the June 1st date.

Chapter 372 Limousine Ordinance - Various Amendments

Mr. Grant explained that the amendments have to do with State mandated fees allowed for the operation of limousine services.

Mr. Cohen added that the new structure of the fees was put in place to keep it revenue neutral for the Borough.

An ordinance as prepared by Mr. Cohen's firm amending the Borough's current limousine ordinance will be introduced at the August 22nd regular meeting.

Conducted Energy Devices for Police Department (Added on Item)

Ms. Thomas stated that she received a memo late this afternoon from Chief Bendul requesting the purchase of approximately sixty (60) conducted energy devices (TASERS) through State contract. It will be paid out of the Police Department's confiscated funds.

Mr. Cervieri added that having the potential to carry a non-lethal weapon along with the normal police weapons is in the best interest of the police department and the public.

A resolution awarding a contract for the (TASERS) will be put together by Mr. Grant once the Police Department forwards the vendor information to him.

PUBLIC HEARINGS SCHEDULED FOR AUGUST 22, 2013

Ord. #2013-20--Appropriating \$1,757,000 for Various Capital Improvements and Authorizing the Issuance of \$1,673,318 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Ord. #2013-21--Amending Chapter 55, Fire Department Section 14, Life Insurance to Amend Policy Amounts

Ord. #2013-22--Authorizing the Acquisition, Rehabilitation and Re-Conveyance to the FLASH Corporation for Property Located at 2423 First Street, Block 6969, Lot 11, for Use as Two or More Units of Affordable Housing

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Doris Levan 1530 Palisade Ave.	.Senior Bridge Group - Request to Reinstate Teacher Ruth Bernstein	
Cynthia Klein 2000 Lemoine Ave.	.What Happened to Bridge Club Explanation for Leader's Dismissal	Mayor Sokolich

Crissa Skarimbas, Senior Citizen's Director, stated that the bridge game was moved because of on-going construction in the schools which the community center had to host summer camps which normally would have been held in the public schools. In addition, Cheryl Westeyn, Recreation Director, will be putting in place new programming in the community center.

Ms. Thomas stated that space was found in the Jewish Community Center on the Palisades in Tenafly. This only affected the Friday bridge game. The Wednesday group was not displaced.

Lee Stand 555 North Avenue	.Rumors About Game Moving and About Dismissal of Ms. Bernstein .Sanctioned Bridge Game With Over 100 Players
-------------------------------	--

Mr. Cohen expressed concern about privacy issues regarding discussion of the director of the bridge game in this forum.

Marvin Eiseman 800 Palisade Avenue	.Rumors Floating Impugning Director of Bridge Game .He's Looking for Some Transparency .Asked Mayor and Council to Quell or Formalize Rumors
---------------------------------------	--

Anita Alweis 2055 Center Avenue	.Wants Game Back at Community Center .Expressed Concerns About Temporary Location
------------------------------------	---

Ms. Skarimbas stated that hopefully the bridge game will be brought back to Fort Lee in October.

Mr. Cervieri stated that Ms. Skarimbas has control of the Richard A. Nest Senior Citizens Center, but she has no control

over the use of the community center, high school or any other facility other than the senior center.

Mayor Sokolich requested that this item be placed in closed session at the next executive session agenda.

Susan Segal .Spoke About Instructor Who
555 North Avenue Was Terminated

Mayor Sokolich stated that Borough assigns the task to run the borough to the department heads. Unless there is something egregious going on he and the governing body don't interfere with the day-to-day operations.

Albert Nissim .Look Into Rumors Regarding
1530 Palisade Avenue Dismissal to Get All the Facts From
All Sources
.Displaced During Construction
Wants to go Back to Community Center
And Stated Bridge Group was There First
.Charges for Non-residents

Mayor Sokolich thanked everyone for coming and expressing their opinions.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** at 8:35 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, July 11, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Joseph Iannaconi, CFO

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Police Department
Police Department Extra Duty Employment
Senior Citizen Center

Contracts: Interlocal Agreement with the Borough of
Paramus - Conflicts Related to Construction Permits

HDR/Hydroqual - Ongoing BCUA Litigation

Litigation: Borough vs. BCUA
COAH Spending Plan

Property Acquisition: 2423 First Street

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Submission of Sustainable NJ Grants Funded by Wal-Mart (Community Garden) & (Capacity Building Grant)

Mr. Mignone stated the Borough is applying for grants from Wal-Mart for the two projects listed above. Because the Borough has been certified by Sustainable New Jersey it can now apply for these grants which it wasn't allowed to previously.

A resolution authorizing the submission of the grant applications for both projects will be placed on the July 18th regular meeting proposed consent agenda.

Mayor Sokolich expressed his appreciation to Ms. Kasofsky for her efforts in getting the Borough certified in the New Jersey Sustainable program.

Pedestrian Safety Improvement Project Main Street/Center Avenue - Discussion of Proposals

Mr. Mignone explained that bids were received twice for this project and rejected both times due to the bidders being over the cost estimate. Once the bids were rejected, twice, because of pricing the Borough had the right to negotiate with the previous bidders and now the Borough is going to enter into a contract with Orchard Holdings LLC. He added that there were a few unknowns in the original bids which now have been ironed out and which probably caused the bidders to bid over the cost estimate.

A resolution awarding a contract to Orchard Holdings LLC in the amount of \$85,445.00 as prepared by Mr. Cohen's firm to Orchard Holdings LLC will be placed on the July 18th regular meeting proposed consent agenda.

Bids for Tennis and Basketball Reconstruction at the Recreation Center

Mr. Mignone explained that the low bidder did not have a proper consent of surety and the second bidder's bid was way over the cost estimate for the project.

A resolution authorizing rejection of bids and authorizing rebid of same for the project listed above will be placed on the July 18th regular meeting proposed consent agenda.

Brinkerhoff Avenue (Section 2 - NJDOT) Change Order (-\$4,344.75)

A resolution approving change orders 1 and 2 for Reggio Construction Inc., Fort Lee, New Jersey, to close out the project for roadway improvements to Brinkerhoff Avenue completed last year in the amount of a negative (-4,344.75) will be placed on the July 18th regular meeting proposed consent agenda.

Berkley Palisades Park LLC - Shared Services Agreement for Connection Into Borough Sewer System

Mr. Mignone explained that this is for a sixteen unit residential unit in Palisades Park which the developer is installing a long section of gravity sewer which Fort Lee will

ultimately own and operate. In addition there will be a force main which Palisades Park will maintain themselves. Palisades Park will reimburse Fort Lee for the sewer charges based on the Bergen County Utilities Authority rates.

A resolution authorizing the execution of a shared services agreement with Palisades Park for an interconnection of a specific property located within Palisades Park and running through the Fort Lee sanitary sewer system will be placed on the July 18th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Liquor License Transfer From Vin Romanee LLC (Pocket License) to YS Beverage LLC at 1651 Bergen Boulevard

A resolution authorizing person-to-person and place-to-place liquor license transfer of the liquor license listed above as approved by the Police Department, Building Department and Fire Prevention Bureau will be placed on the July 18th regular meeting proposed consent.

Fire Department Ordinance - Life Insurance Amendments

Ms. Thomas stated that when the Borough changed its life insurance company to Standard Life Insurance the life insurance benefits were increased for firefighters but had not been reflected in the borough's ordinances.

An ordinance amending Chapter 55, Section 14, of the borough code will be amended to reflect the proper insurance benefits. Such ordinance will be crafted by Mr. Cohen's firm and placed on a future regular meeting for introduction.

Purchase of Computer Consoles for the Police Department Through State Contract

Ms. Thomas stated that this item was originally placed out for bid, but both times the bids were rejected for various legal reasons. Since the time the bids were received Ergoflex is now a bonafide State contractor.

A resolution authorizing purchase of police department communication consoles and the related equipment from Ergoflex System Inc., d/b/a XYBIX System Inc., Littleton, Colorado through New Jersey State Contract #83922 T-0109 at a cost of \$66,467.46 will be placed on the July 18th regular meeting proposed consent agenda. The monies for the purchase will be coming from the police department's capital account.

Police Department Accreditation Ceremony

The Police Department Accreditation Ceremony will be officially held during the Mayor and Council's regular scheduled meeting of September 19th.

South Bergen Municipal JIF Renewal

A resolution authorizing renewal of membership in the South Bergen Municipal Joint Insurance Fund for three years for 2014-2016 will be placed on the July 18th regular meeting proposed consent agenda.

Closed Captioning of M&C Televised Meetings

Mr. Grant stated that Time Warner Cable did not offer the Borough any additional monies that it currently gives the Borough with regard to offering closed captioning of the Mayor and Council regular meetings.

After a brief conversation the Mayor and Council agreed to pay the approximately \$3,500 to \$5,000 cost it may incur annually to offer such service. The belief is the Borough may be the first town in the State that would offer this service to its disabled residents.

COAH Spending Plan

A resolution authorizing request, review and approval of a Municipal Affordable Housing Trust Fund spending plan will be placed on the July 18th regular meeting proposed consent.

Mr. Cohen added that the spending plan to be approved is actually the setting up an appropriation line.

PUBLIC HEARING

Ordinance #2013-19 - Execution of a Financial Agreement Between the Borough and Assad Y. Daibes Memorial Urban Renewal Foundation for Special Needs, Inc. for Property Located at 69 Main Street, Block 4355 Lots 17,18,19 and a Part of Lot 13

Mayor Sokolich explained that this ties into Redevelopment Area 5 with regard to the special needs initiative as well as affordable housing. There are a couple of questions that were brought up during closed session that need clarification before final action is taken.

Mr. Pohan suggested that the public hearing be opened tonight and then continued at the public meeting of July 18th.

On motion by Councilman Pohan, seconded by Councilwoman Kasofsky and carried, the public hearing was opened relative to **Ord. #2013-19** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, BERGEN COUNTY, NEW JERSEY APPROVING AND AUTHORIZING THE MAYOR AND BOROUGH CLERK PURSUANT TO N.J.S.A. 40A:201- ET SEQ. AND/OR N.J.S.A. 55:14K-1 ET SEQ. TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF FORT LEE AND ASSAD Y. DAIBES MEMORIAL URBAN RENEWAL FOUNDATION FO SPECIAL NEEDS, INC. FOR PROPERTY LOCATED ON MAIN STREET, FORT LEE, ALSO KNOWN AS A PORTION OF LOT 13 AND LOTS 17, 17 & 19 IN BLOCK 4355 AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FORT LEE FOR A MIXED INCOME RESIDENTIAL PROJECT."

Esther Han Silver, 2426 Fifth Street, asked how many children may be coming into the schools when the project is completed.

Mr. Cohen replied that the numbers will be extraordinary low especially with the special needs portion of the project.

Mr. Cervieri stated that the Board of Education has done surveys over the years on new high rise developments that show very few students come out of those projects compared to single and two-family homes.

Mayor Sokolich stated that there were two non-waivable conditions for Redevelopment Area 5. The Borough would not subsidize the housing and offer a Payment in Lieu of Taxes (PILOT) to either of the developers which in fact the Borough stayed true to its word. He added that this ultimately will be a win-win position for the Fort Lee Board of Education (FLBOE) as when Redevelopment Area 5 is built out the FLBOE will be receiving \$5,000,000 to \$7,000,000 annually in tax dollars.

Mr. Cervieri spoke about the 10% figure as part of the PILOT. He estimated that maybe ten children would come out of the project excluding the special needs people. He added that the Board of Education will receive their funds for their budget which would be collected by the town as a whole.

Mr. Pohan stated that he would like to see the public hearing continued until next Thursday's regular meeting in order to deal with a few questions about language issues that came before the Mayor and Council tonight.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti** and on the same motion it was agreed to continue the public hearing at the July 18, 2013 regular meeting on the following roll call:

AYES: Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky Cervieri

Mr. Pohan stated that he's sorry he won't be attending next week's meeting but added that if he was present he would be voting affirmatively for the ordinance in question and the project as a whole. An affirmative vote will make up the affordable housing credits that this project affords the Borough's Round 2 Affordable Housing Obligation

Mr. Cervieri stated that he expects that his questions will be answered before next week's public meeting and that he's hopeful that he will be satisfied so he can vote for the ordinance in question.

RESOLUTIONS

R-1 - Determining the Form and Other Details of \$10,000,000 General Improvement Bonds, Series 2013 of The Borough and Providing for Their Sale

Councilman Cervieri introduced, and Councilman Sargenti seconded, the following Resolution:

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$10,000,000 GENERAL IMPROVEMENT BONDS, SERIES 2013 OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

Section 1. (a) The \$10,000,000 General Improvement Bonds, Series 2013 of the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough"), referred to and described in a resolution of the Borough adopted on July 11, 2013, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2013 of the Borough of Fort Lee, in the County of Bergen, New Jersey Into a Single Issue of Bonds Aggregating \$10,000,000 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds, Series 2013" (the "Bonds").

(b) The Bonds shall mature in the principal amounts on August 1 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2014	\$500,000	2021	\$775,000
2015	500,000	2022	900,000
2016	500,000	2023	900,000
2017	800,000	2024	900,000
2018	475,000	2025	900,000
2019	475,000	2026	950,000
2020	475,000	2027	950,000

(c) The Bonds are subject to redemption prior to maturity in accordance with the terms set forth in the Notice of Sale and in the form of the Bond contained in this resolution.

(d) The Bonds shall be fourteen in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-14, inclusive.

(e) The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of

February and August in each year until maturity, commencing on February 1, 2014, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

(f) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 2. (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000, or any integral multiple thereof except, where necessary, also in the amount of \$1,000, through book-entries made on the books and the records of the Securities Depository and its participants.

(b) The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding January 15 and July 15 (the "Record Dates" for the Bonds).

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of the Securities Depository:

REGISTERED
NUMBER GI- _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN

BOROUGH OF FORT LEE

GENERAL IMPROVEMENT BOND, SERIES 2013

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER
ANNUM:

CUSIP NUMBER:

BOROUGH OF FORT LEE, in the County of Bergen, New Jersey (the "Borough") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the MATURITY DATE specified above, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE of this bond until the MATURITY DATE at the RATE OF INTEREST PER ANNUM semiannually on the first day of February and August each year until maturity, commencing on February 1, 2014. Interest on this bond will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of January 15 and July 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Borough will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to August 1, 2024, are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after August 1, 2024 are redeemable at the option of the Borough in whole or in part on any date on or after August 1, 2023 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough or a duly appointed Bond Registrar. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Borough; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

So long as CEDE & Co., as nominee of DTC, is the registered owner of the Bonds, the Borough shall send redemption notices only to CEDE & Co.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Borough adopted on July 11, 2013, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2013 of the Borough of Fort Lee, in the County of Bergen, New Jersey Into a Single Issue of Bonds Aggregating \$10,000,000 in Principal Amount" and the bond

ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the BOROUGH OF FORT LEE has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATED DATE as specified above.

BOROUGH OF FORT LEE

[SEAL]

Mark J. Sokolich, Mayor

ATTEST:

Neil Grant
Borough Clerk

Joseph Iannaconi, Jr. CFO

Section 4. (a) The Bonds shall be sold on July 23, 2013, or such other date as may be determined by the Chief Financial Officer, by electronic auction in accordance with the Full Notice of Sale authorized in Exhibit A attached hereto.

(b) Pursuant to N.J.S.A. 40A:2-34, the Borough hereby designates the Chief Financial Officer to sell and to award the Bonds in accordance with the Notice of Sale authorized herein,

and such financial officer shall report in writing the results of the sale to this Borough Council as required by law. The Chief Financial Officer is hereby authorized and directed, consistent with the terms of the Notice of Sale, to retain the good faith deposit of the successful bidder and to immediately return such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 5. The Borough Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized in Exhibit B in the form provided herein in The Record or such other authorized newspaper of the Borough and McManimon, Scotland & Baumann, LLC, is hereby directed to arrange for the publication of the Summary Notice of Sale authorized in Exhibit C in the form provided herein in The Bond Buyer, a financial newspaper published and circulating in the Borough of New York, New York, such publications to be not less than seven days prior to the date of sale.

Section 6. The Full Notice of Sale shall be substantially in the form attached hereto as Exhibit A with additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of The Depository Trust Company and MuniAuction. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of The Depository Trust Company and MuniAuction. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of The Depository Trust Company and MuniAuction.

Section 7. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 8. The law firm of McManimon, Scotland & Baumann, LLC is authorized to arrange for the printing of the Bonds and is authorized to arrange for the printing of the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC and Borough officials. The Mayor and the Chief Financial Officer are authorized to execute any certificates

necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Borough by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 9. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 10. (a) The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

(b) In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof except, if necessary, also in the amount of \$1,000. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 11. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the

Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31 of the year in which such the Bonds are issued, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Data Port (the "MSRB") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (i) the Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough, (ii) the Borough's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB;

(b) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB and to the State Repository, if any, notice of any of the following events with respect to the Bonds (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;

- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) In a timely manner to the MSRB, and to the State Repository if any, notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(d) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(e) In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this certificate, the Borough shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefore.

Section 12. This resolution shall take effect immediately.

The Resolution was **approved** on the following roll call:

**AYES: Council Members Pohan, Sohmer, Goldberg, Sargenti,
Kasofsky, Cervieri**

**R-2 - Providing for the Combination of Certain Issues of
General Improvement Bonds, Series 2013 of the Borough Into a
Single Issue of Bonds Aggregating \$10,000,000 in Principal Amount**

**Councilman Cervieri introduced, and Councilman Sargenti
seconded, the following Resolution:**

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS, SERIES 2013 OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$10,000,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough") authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds, Series 2013 in the principal amount of \$10,000,000 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Number of Ordinance	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Ordinance	Useful Life
#2010-04	\$855,000	Acquisition of a fire truck and related equipment, finally adopted February 11, 2010.	10 years
#2010-22	\$95,000	Park improvements to William T. Birch Park, finally adopted August 19, 2010.	15 years
#2010-23	\$370,000	Improvements to the combined sewer overflow abatement, finally adopted August 19, 2010.	40 years
#2010-24	\$2,270,500	Various improvements, finally adopted August 19, 2010.	9.92 years
#2011-14	\$1,831,500	Various capital improvements, finally adopted July 21, 2011.	9.80 years

#2011-21	\$356,000	Various capital improvements, finally adopted December 15, 2011.	21 years
#2012-19	\$34,000	Improvements to Brinkerhoff Avenue, finally adopted July 19, 2012.	10 years
#2012-21	\$2,558,000	Various capital improvements, finally adopted July 19, 2012.	11.62 years
#2012-35	\$35,150	Improvements to Inwood Terrace Park Playground, finally adopted November 15, 2012.	15 years
#2012-43	\$1,427,380	Acquisition of land, finally adopted December 5, 2012.	40 years
#2013-06	\$167,470	Improvements to tennis and basketball courts, finally adopted April 11, 2013.	15 years

Executive Session

**July 11, 2013
Page #19**

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The period of usefulness, is not less than 16.29 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully

b. pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately. The foregoing resolution was adopted by the following vote:

The Resolution was **approved** on the following roll call:

AYES: Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

PUBLIC HEARINGS SCHEDULED FOR JULY 18, 2013

- Ord. #2013-15--Establishing Salary and Wages for White Collar Employees for 2013-2016
- Ord. #2013-16--Amending Chapter 388, Sections 14 and 69, Schedule XXIII - Handicapped Parking Spaces for Horizon Road and Deletion of Handicapped Parking Space by 1593 Palisade Avenue
- Ord. #2013-17--Amending Chapter 90-2 Police Department Formation and Rank
- Ord. #2013-18--Amending Chapter 261, Land Use Procedures, Appendix B, Fees and Escrow Funds
- Ord. #2013-19--Execution of a Financial Agreement Between the Borough and Assad Y. Daibes Memorial Urban Renewal Foundation for Special Needs, Inc. for Property Located at 69 Main Street, Block 4355 Lots 17,18,19 and a Part of Lot 13

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Doug Sugarman 2100 Linwood Ave.	.Center Avenue/Main Street Left Hand Turn Signal	Mayor Sokolich Mr. Cervieri

There being no further discussion the meeting was adjourned
on motion by Councilman Cervieri, seconded by Councilman Pohan,
at 9:20 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 20, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Building Department
Fire Department

Police Department 9-1-1 Coordinator & Extra
Duty Employment

Contract: Garland/DBS Inc. - For Roof Replacement,
Window Replacement & Mason Repairs for Borough Hall

Property Acquisition: 2423 First Street

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Boswell Proposal for Main Street Corridor Alignment Study

Ms. Thomas stated that Boswell McClave Engineering submitted a proposal to evaluate the feasibility of narrowing the Main Street corridor between Lemoine Avenue and Center Avenue at a fee not to exceed \$8,500.00. She added that the amount Boswell has requested seems high so the Borough has asked that they review and amend their initial proposal.

This item will be re-discussed at the July 11th executive session.

Boswell Proposal for 2013 New Jersey Department of Transportation Local Aid Project - Whiteman Street

Ms. Thomas stated that the Borough will be receiving a \$150,000.00 New Jersey Department of Transportation grant for this project.

A resolution authorizing Boswell McClave Engineering to do the preliminary preparation of construction plans and specifications for the project at a cost of \$12,500.00 will be placed on the July 18th regular meeting proposed consent agenda.

Decking of Municipal Parking Lot

Mayor Sokolich stated that the municipal parking lot is full and he's concerned about a parking short fall. He would like to explore the prospect of potentially decking a portion of lot. The property line for the lot is up to the Plaza Diner.

Mr. Goldberg added that if it's done it should be based on what is most cost effective.

Ms. Thomas stated that the Parking Authority is going to hire parking and engineering consultants to see if it's feasible.

Mr. Sohmer added that he's looking for the endorsement of the Mayor and Council to begin the process of potentially decking the lot.

Mayor Sokolich closed by stating that the idea sounds good, but more research with definitive numbers will have to be seen and discussed before any potential action is taken.

Mr. Cervieri explained this was proposed many years ago by the Port Authority when they were considering constructing a helix from the Palisades Interstate Parkway to the George Washington Bridge.

River Road Hudson Waterfront Corridor

Ms. Thomas stated that the Borough of Edgewater has turned down the report it received from Bergen County. The county wants to add a bicycle lane and narrow certain roadways.

Mr. Cervieri added that the Borough's Police Department is not thrilled with the idea of narrowing a portion of the Borough's roadways to make room for a dedicated bicycle lane.

GENERAL DISCUSSION

Audit Report for 2012

A resolution approving the 2012 audit report which report was prepared by the Borough Auditor will be placed on the July 18th regular meeting proposed consent agenda.

Capital Ordinance for 2013

Ms. Thomas stated that the 2013 capital request was circulated to everyone. The departments asked for a lot more than they are being allocated.

It was agreed that the 2013 capital ordinance will be introduced at the July 18th regular meeting.

Sharing the Burden of Property Assessment Appeal Refunds

Mayor Sokolich explained how taxes are divided between the town, county and school board. Tax appeal refunds come from the Borough and there are no other contributions from any other source.

After a brief discussion it was agreed the accounting mechanism on the Board of Education side would be very difficult.

The Borough will not offer a resolution calling on the State Legislature and Governor to require fire districts, school districts and county government to share in the burden of property assessment tax appeal refunds.

RESOLUTION

R-1 - Approving Various Liquor License Renewals for 2013-2014

Mr. Grant stated that there are two liquor licenses being approved tonight. The two licensees have received tax clearance from the State of New Jersey since last week's regular meeting which the majority of the liquor licenses were approved. He added that 9W Wines & Spirits LLC tax clearance is expected by tomorrow morning and he will include their renewal if the tax clearance is received by tomorrow morning.

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following plenary retail consumption licenses, and plenary retail distribution license, for the year **2013/2014** be issued to each of the applicants listed below for premises

designated opposite their respective names for the distribution or sale of alcoholic beverages.

STATE LICENSE #	LICENSEE	TRADE NAME
0219-44-009-003	9W WINES & SPIRITS LLC	QUENCH WINES & SPIRITS
0219-33-022-005	BADEN FORT LEE, INC.	
0219-33-028-008	FNF INC.	TOTWAH

BE IT FURTHER RESOLVED that the Borough Clerk be and hereby is authorized and directed to sign said licenses and affix the corporate seal of the Borough of Fort Lee thereto.

The Resolution was **approved unanimously**.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Board of Education Surplus Regarding Tax Burden	Mayor Sokolich
Doug Sugarman 2100 Linwood Ave.	.Quench Liquor License	Mr. Grant

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 8:17 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 6, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Joseph Iannaconi, CFO

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Clean Communities
Community Center/Recreation Department
Police Department - Chief Bendul to Attend

Hiring Preference for Fort Lee Residents
Finance Department

Collective Bargaining: White Collar Unit Contract

Contracts: Millennium Strategies
McNerney & Associates, Inc.
PILOT for Diabes Affordable Housing Project

Tax Appeal Litigation: Rupen and Lisa Stepanian at
1 Manatauk Avenue, Block 953, Lot 3

Negotiations for Property Acquisition: 2423 First St.

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Bond Anticipation Notes - Steve Wielkocz, Borough Auditor, in Attendance

Mr. Wielkocz distributed his letter from April which explained that there are over \$10,300,000.00 in monies in notes that come due in the middle of August. He's recommending that this is a good time to fix the notes and sell bonds. Municipal tax free debt is still at historical lows. With new bonds the Borough's debt service will go down \$200,000.00.

Mr. Cervieri stated that the Borough could pay off the balance due and raise taxes for everyone which obviously the Borough does not want to do.

Discussion ensued when long-term interest rates may turn upward.

The Mayor and Council concurred with Mr. Wielkocz's recommendation to move forward to permanently finance its notes that are coming due in the middle of August.

Mr. Wielkocz closed by stating the Borough will fix payments on all notes that haven't been financed yet.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Bids for Pedestrian Signal Improvements on Main Street/Center Avenue

Mr. Mignone stated that the three bids came in over the bid estimate of \$60,000. Once a resolution is authorized rejecting the bids the Borough will be allowed to negotiate with any of the bidders. If an agreement can't be reached the Borough may ultimately do the work itself.

A resolution rejecting the bids will be placed on the June 13th regular meeting proposed consent agenda.

Community Development Appointments and Open Space Trust Fund Appointment

The Mayor and Council will make their annual appointments to the above committee at the June 13th regular meeting.

Authorization to Bid for Redevelopment Area 5 Force Main Project & Lower Main Street Reconstruction Project

Mr. Cervieri recused himself with regard the force main project with regard to Redevelopment Area 5.

Mr. Mignone stated that he's waiting for the NJDEP to get their permits in place for the force main project. With regard to lower Main Street, Prestige Auto Body Shop has not shown any signs that they are moving to their expected new location on Route 4 East anytime soon.

Resolutions authorizing the Purchasing Consultant to prepare specifications in consultation with the Borough Engineer which will ultimately lead to the advertisement of bids for both projects will be placed on the June 13th regular meeting agenda.

GENERAL DISCUSSION CONTINUED

Ch. 159 - Purchase of Two Buses From the Port Authority of NY/NJ for the Parking Authority

Messrs. Pohan and Sargenti both recused themselves on this matter and left the meeting room.

A resolution requesting Approval From Director of Local Government Services to Approve Special Item of Revenue, for the "Purchase of Two Buses from the Port Authority for the Parking Authority" for 2013 at a cost of \$123,420.00 will be placed on the June 13th regular meeting agenda.

Mayor Sokolich explained that new bus routes will be added to the Borough's schedule in order to use ferry service.

Messrs. Pohan and Sargenti returned to the meeting room at this point of the meeting.

Estimated Tax Bills

Mr. Iannaconi stated that even though Bergen County adopted the county budget this week the State won't certify the tax rate until September. He's requesting the Borough send out estimated tax bills for the third quarter.

On questioning from Mayor Sokolich he said that the county budget makes up 10% of the overall budget.

A resolution authorizing the sending out of estimated tax bill for the third quarter will be placed on the June 13th regular meeting proposed consent agenda.

Support to Protect Tax Exempt Municipal Bonds

Mr. Goldberg requested that the Borough endorse support for

United States House of Representatives (HOR) Bill 112 which will protect the tax exemption for municipal bonds.

A resolution endorsing support of HOR Bill 112 will be placed on the June 13th regular meeting proposed consent agenda.

Liquor License Renewals for 2013-2014

Resolutions approving liquor licenses for 2013-2014 including certain licenses to be renewed with conditions will be placed on the June 13th regular meeting proposed consent agenda.

Mr. Grant added that any licenses not approved on June 13th will be placed on the June 20th executive session meeting for action based on receiving late renewal applications along with also receiving required State tax clearance approvals that come in after June 13th.

Amending Ordinance #2009-28 - Appendix B Fees and Escrow Funds

Mr. Cervieri stated that he's in agreement with increases to certain escrow funds that Barbara Klein, Planning and Zoning Administrator requested a few months ago.

An ordinance amending the escrow fees will be prepared by Mr. Cohen's office and placed on the June 13th regular meeting for introduction.

Bid for Computer Consoles for the Police Department

Ms. Thomas stated that the sole bid for the above project will have to be rejected because of an improper consent surety. Because this is the second time the project has been bid the Borough may negotiate for the procurement. In addition the sole bidder is now on the State contract list for such service and the price is only approximately \$150.00 more than the actual bid was.

A resolution rejecting the bid will be placed on the June 13th regular meeting proposed consent agenda.

Handicapped Parking Spaces for Horizon House Complex & Elimination of Space by 1593 Palisade Avenue

An ordinance creating handicapped parking spaces in Horizon House and eliminate a handicapped parking space at 1593 Palisade Avenue as recommended by the Police Department will be placed on the June 13th regular meeting agenda for introduction.

Fort Lee Fire Department 125th Anniversary Celebration

Ms. Thomas stated that she received a hand written note from Terry Holtje requesting \$15,000.00.

Mr. Pohan stated that the Borough has a budget process and it would have been very helpful if this request had been made during that time.

Mr. Cervieri stated that he would like to know what the Fire Department has in their treasuries.

Ms. Thomas stated that the Fire Chief's account has \$10,000.00 but that money is not from their accounts. Ms. Thomas will get more information and will bring this item back to the Mayor and Council for further discussion.

Rent Leveling Discussion to be Held August 15th

It was agreed that a special rent leveling meeting will be held before the regular August 15th executive session. The time for the meeting will be set-up by Mr. Grant sometime in July.

RESOLUTIONS

R-1 - Authorizing Submission of an Application for Funding for the Fort Lee Municipal Alliance foe 2013

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

WHEREAS, the Borough of Fort Lee, County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough of Fort Lee's Governing Body further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Fort Lee's Governing Body has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Fort Lee, County of Bergen, State of New Jersey, hereby recognizes the following:

1. The Borough of Fort Lee's Governing Body does hereby Authorize submission of an application for the Fort Lee Municipal Alliance grant for calendar year 2013 in the amount of \$15,279.00.

2. The Borough of Fort Lee's Governing Body acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

The Resolution was **approved unanimously**.

R-2 - Authorizing the Borough's Staff to Revise, Update and Prepare Necessary Components of the Borough's Rehabilitation Program and Affordability Assistance Program Consistent With Prior Approvals of the Borough's Affordable Housing Trust Fund and Spending Plan

Councilman Cervieri introduced, and Councilman Pohan seconded, the following Resolution:

Mr. Cohen asked that this resolution be approved tonight and explained the details of the resolution and also why it needed to be approved tonight.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE REGARDING THE BOROUGH'S AFFORDABILITY ASSISTANCE PROGRAM AND REHABILITATION PROGRAM

WHEREAS, the Governing Body of Borough of Fort Lee, County of Bergen, State of New Jersey ("Borough"), has petitioned the Council on Affordable Housing ("COAH") for substantive

certification of its Housing Element and Fair Share Plan as on December 18, 2010 and submitted an updated Housing Element and Fair Share Plan to COAH on February 2, 2010; and

WHEREAS, the Borough has long maintained an affordable housing trust fund, at least since November 1, 1996, when the Court approved the Borough's Second Round compliance plan, and 1992 Development Fee Ordinance, in the matter of East/West Venture v. Borough of Fort Lee, Docket No. L-35840-89, modified in part and affirmed in part, 286 N.J.Super.311,323 (App.Div. 1996); and

WHEREAS, COAH last approved a Borough Development Fee Ordinance on March 19, 2010, which the Borough adopted on July 22, 2010, and that approval remains in effect; and

WHEREAS, the Development Fee Ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or affordable housing funding obtained through any other means; and

WHEREAS, the Fair Housing Act, N.J.S.A. 52.27D-329.2 and COAH Regulations, N.J.A.C. 5:97-8.1(d), provide that a municipality with an affordable housing trust fund receive approval of a spending plan from COAH of its spending plan on December 15, 2010 which included and authorized expenditure of trust funds towards the Borough's rehabilitation program and affordability assistance program; and

WHEREAS, On November 15, 2012 the Borough petitioned COAH for approval of an amendment to its spending plan to allocate a portion of its affordable housing trust fund to the Fort Lee Housing Authority for further rehabilitation of existing affordable housing and the creation of new special needs housing, as set forth in a Revised Spending Plan dated October 2012; and

WHEREAS, COAH has yet to act upon the Borough's Petition for Substantive Certification or application for approval of a Revised Spending Plan; and

WHEREAS, the Borough nonetheless seeks to proceed to implement important components of its Spending Plan, as already approved by COAH on December 15, 2010, including, without

limitation its rehabilitation program and affordability assistance programs,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee, County of Bergen, that Borough staff is hereby authorized and directed to revise, update and prepare necessary components of the Borough's rehabilitation program and affordability assistance program consistent with prior approvals of the Borough's affordable housing trust fund and spending plan.

The Resolution was **approved unanimously**.

PUBLIC HEARINGS SCHEDULED FOR JUNE 13, 2013

- Ord. #2013-9--Adopting a Redevelopment Plan (Chapter 319 Redevelopment) for Redevelopment Area 7, Block 4355, Lots 17-19 and a Portion of Lot 13
- Ord. #2013-10--Amending Chapter 388-36, Schedule XXI, Parking Prohibited Certain Times During Winter Months and Amending Chapter 388-37, Schedule XXII, Parking Prohibited When Road is Snow Covered – Anderson Avenue
- Ord. #2013-11--Establishing Salaries and Wages for Blue Collar Employees for 2013-2016
- Ord. #2013-12--Establishing Salaries and Wages for Department Heads, Borough Administrator, Borough Clerk, Chief Financial Officer, Tax Assessor, Tax Collector and Certain Non-Union Employees for 2013-2016
- Ord. #2013-13--Amending Chapter 388 Vehicles and Traffic, Article V, Schedules, Section 56 Schedule XII Taxi Stands – Penalties for Unauthorized Vehicles in the Taxi Cab Stand
- Ord. #2013-14--Establishing Chapter 311, Property, Abandoned – Establishment of an Abandoned Property Toolkit

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	.Rent Leveling Meeting Scheduled for August 15th	
	.Parking Signs on Hudson Terrace/Weekend Parking - No Enforcement	Mayor Sokolich

Nina Levinson .Parking Permits Allows Mr. Sohmer
1560 West St. for Hanging of Two Tags
 For Guests

.Advertising of Special Rent
Leveling Meeting

Donna Brennan .Status of Rambo House Mayor Sokolich
1231 Inwood Terr. First Street Property Mr. Cervieri

There being no further discussion the meeting was adjourned
on motion by Councilman Cervieri, seconded by Councilman Sohmer,
at 8:38 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, May 2, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sohmer, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Legal: Acquisition of Historic Site

Potential Litigation: COAH

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

Editor's Note: Due to the large crowd attending with regard to the Comfort Women Korean Memorial discussion, the meeting was moved downstairs to the first floor Council Chambers.

GENERAL DISCUSSION

Saint Rocco's Italian Mutual Aid Society - Phil Arfuso, Sal Luppino and other Members of Saint Rocco's in Attendance

After a brief conversation between the members of Saint Rocco's and the Mayor and Council, it was agreed that Saint Rocco's will hold their annual feast from August 7th through August 11th on Main Street between Parker Avenue and Central Road.

In addition Martha Washington Way will be shut down on Saturday, August 10th at 3:00 p.m. in order for Saint Rocco's to put on a special fireworks presentation.

Comfort Women Korean Memorial

The following people spoke on this issue tonight.

James Viola, VFW Post 2342 Commander - Dorie Greenlaw, 2000 Linwood Avenue - Paul Lee, Korean American Association of Bergen County - Phil Arfuso, 1051 Bergen Boulevard - Howard Joh, 2147 Hudson Terrace - Andrew Kim, Upper Saddle River resident and Fort Lee business owner at 1617 Center Avenue - Dongchan Kim, President of Korean American Civic Empowerment (KACE) - Douglas Sugarman, 2100 Linwood Avenue.

Some of the above people representing different groups made their case for different versions of the monument explaining the disagreements have stemmed from regional and international meanings of the form and wording of the monument to be built.

Messrs. Arfuso and Sugarman in particular stated that the various groups have to come to a consensus and put their fighting behind them to move the project forward.

Dongchan Kim apologized to the Mayor and Council for the threatening tone that he used in the letter he sent to the Mayor and Council from KACE on April 1st.

Mayor Sokolich stated that he appreciated Mr. Kim's apology and he's hopeful that the apology will get the monument issue going in the right direction.

Some speakers asked the Mayor and Council to make the final decision in the absence of a consensus among the groups.

In short there is still no overall consensus from multiple groups with regard to what the memorial should look like as well as the wording.

Redevelopment Plan for Redevelopment Area 7

The property for this redevelopment plan is the Daibes property on lower Main Street.

A redevelopment plan for Redevelopment Area 7 as prepared by Paul Phillips, Borough Planner, and reviewed by Mr. Cohen's office will be introduced at the May 9th regular meeting.

Once introduced the redevelopment plan will be referred to the Planning Board who will then make their recommendation within the legal timeframe before the Mayor and Council can adopt the ordinance.

Cancellation of Capital Ordinances and Grants

Ms. Thomas stated that the money being cancelled from the capital ordinances will go back into surplus.

Two resolutions as prepared by Steve Wielkocz, Borough Auditor, and approved by Joe Iannaconi, CFO, cancelling various capital ordinances and grants will be placed on the May 9th regular meeting agenda proposed consent agenda.

Abandoned Property Toolkit

Mr. Cohen stated that he sent out the first amendment of the abandoned property toolkit earlier in the week. It's a very complex ordinance.

It was agreed that an ordinance establishing an abandoned property toolkit will be introduced at the May 9th regular meeting.

Anderson Avenue - Winter Parking Restrictions

Mr. Grant stated that he spoke to Sgt. Mirkovic who stated to him that the Police Department has no objections to changing the current winter parking restrictions for overnight parking on Anderson Avenue; however, parking will still be prohibited overnight if there is snow on the ground between midnight and 6:00 a.m.

An ordinance amending Chapter 388-36 prohibited parking certain times during winter months and amending Chapter 388-37, Schedule XXII, parking prohibited when road is snow covered on Anderson Avenue will be introduced at the May 9th regular meeting.

Purchase of Three DPW Vehicles

Ms. Thomas stated that the DPW is requesting the purchase of a Ford F350 Mason Dump Truck and two Ford F250 pick-up trucks from Winner Ford, Cherry Hill, New Jersey, Through State Contract. The cost of all three vehicles is \$84,622.38. She added that the money for the purchase is in the DPW's capital account.

Amending Taxicab Stand Ordinance

Mr. Grant stated that the Police Department has requested an amendment to the current taxicab stand ordinance which will subject violators who park illegally at the taxicab stands to a fine. The Police Department requested a \$45.00 fine, but Mr. Grant said he spoke to June Keelen, Court Administrator, who told him that the majority of the fines for parking violations under Chapter 388 are \$40.00.

The Mayor and Council concurred that the fine should be consistent with the present Borough Code.

An ordinance amending taxicab stands will be placed on the May 9th regular meeting for introduction.

Developers Agreement for 1026 Morningside Lane, LLC

Mayor Sokolich recused himself on this matter.

A resolution approving a developer's agreement for 1026 Morningside Lane, LLC will be placed on the May 9th regular meeting proposed consent agenda.

Fort Lee Fire Department 125th Anniversary Celebration

It was agreed that more information is needed from the Fire Department with regard to the event.

Ms. Thomas will schedule a meeting to meet with the Fire Department representatives.

PUBLIC HEARING SCHEDULED FOR MAY 9, 2013

Ord. #2013-8--Amending Chapter 79, Section 2, Parking Authority – Increase of the Membership of Commissioners From Five (5) to Seven (7)

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	.Scheduling of Rent Control Meeting	Mr. Cervieri Mayor Sokolich
Tom Meyers 1590 Anderson Ave.	.Update on Rambo House	Mayor Sokolich Mr. Cohen

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Fenton Turck 300 Winston Drive Cliffside Park	.Rambo House Historical Significance/Education Opportunity	Mr. Cervieri
Donna Brennan 1123 Inwood Terrace	.Rambo House - Thanked Mayor & Council for Their Efforts	

There being no further discussion the meeting was adjourned
**on motion by Councilman Cervieri, seconded by Councilman
Sargenti, at 9:30 p.m.**

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 18, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sohmer and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: DPW
General Services
Police Department Records Room

Contracts: Department Heads
Parking Authority

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Comfort Women Korean Memorial

Mayor Sokolich opened up the meeting for the interested parties to articulate their thoughts and positions.

Mr. Kyu Kim, representing the Fort Lee VFW, stated that last week that the Korean Community would be represented by one voice which is the Korean American Civic Empowerment (KACE). Nuri Han, New Jersey Program Director for KACE, will present what the Korean community wants with regard to the memorial.

Ms. Han stated that finalized wording and a design has been approved. After the last meeting various local Korean-American groups objected to the image of the Japanese imperial flag in the background. The memorial is not being presented as an anti-Japanese monument.

Howard Joh representing various local Fort Lee Korean organizations stated that a letter was sent to the Mayor and Council earlier in the week which indicated a consensus had been reached among all the groups.

Mr. Pohan stated that the Mayor and Council received a letter on April 17th which was dated April 11th. He read the wording and then additional wording had been added. It's still not clear to him what the statue is supposed to look like as well as what the wording is supposed to be.

Mr. Joh stated that additional explanatory wording has been agreed upon which is to be put on the side of the monument.

Mr. Cervieri stated that it seems disingenuous to have substantial additions after the council had approved an inscription that KACE had only asked to change previously.

Ms. Han replied that KACE believes that the additional explanation is important to put in.

Mr. Cervieri replied that the Borough had given its approval and then to dump a major change to what had been previously approved puts the governing body in an untenable position. In addition threats had been issued by KACE which no apology has been given to the Mayor and Council. Then public property was opened up last weekend with a four foot hole that was not properly sealed. He's offended by how this whole situation has played out.

Mr. Pohan asked who dug the hole. It was done on public property and it shocked him. He's very concerned about the hole being dug. If something is put up that is not approved it would be very bad.

Mr. Joh stated that he was not aware of it.

Mr. Kim. Stated that Commandeer James Viola made a mistake and there was a lack of communication.

Mr. Sargenti spoke about the few month history of the memorial to clean up the wording. He said that everyone came back and was happy with the decision.

Mr. Pohan concurred that after previous meetings the local groups were happy.

Ms. Sargenti spoke about threatening letter from KACE. He asked Ms. Han two weeks ago and again tonight where is the KACE President. He stated that until the KACE President comes to the Mayor and Council and apologizes that he will not move forward on the memorial. He said that KACE doesn't have the right to handcuff the Fort Lee government. He also spoke to the Palisades Park and Bergen County Comfort Women Memorials. He added that the Mayor and Council are getting a lot of letters from people who said the memorial should not be done.

Mr. Pohan stated that based on the new verbiage if he had to vote tonight his answer would be no. He added that he's unsure of which photograph the group wants.

Mr. Goldberg said there is confusion as to what the monument is supposed to look like.

Mayor Sokolich mentioned that Mr. Kovic, Esq. originally represented the New York delegation.

Mr. Joh stated that there is a consensus with KACE who is aggressive. The extra language is for the public to understand the monument better.

Mayor Sokolich stated that he will only act once cohesive, clear, precise verbiage is presented as well as a definite set of design plans. He said that he respects Mr. Joh's efforts.

Mr. Sohmer speaking to Mr. Joh who is also a Board of Adjustment member that the Mayor and Council want everything just like the Board of Adjustment receives from applicants with regard to a proper set of plans.

Mayor Sokolich stated that the problems are not with the Mayor and Council. The language has to be clear as well as the design of the monument including dimensions.

Mr. Cervieri stated that speaking for all Fort Lee residents that threats are not taken lightly and that the Mayor is very clear about not moving forward until a consensus is reached with a proper set of plans being given to the Mayor and Council.

Mr. Joh stated that the Korean-American Association and the VFW will make a final presentation at an upcoming executive session of the Mayor and Council.

Closed Captioning of Televised Mayor and Council Meetings

Mr. Grant explained that the ADA committee has requested that the televised meetings of the Mayor and Council be done in closed captioning. The cost would be approximately \$4,500 per year based on the number and total hours of the meetings. The Borough would have to enter into a contract with a closed captioning service at approximately \$150.00 per hour plus an

additional telephone line would be needed.

Mr. Cervieri thinks Time Warner should pay for the closed captioning service.

Limousine Ordinance Licensing Requirements

There was no discussion on this item tonight.

Richard A. Nest Senior Citizen Center Hours

Ms. Thomas stated that Crissa Skarimbas, Senior Citizen's Director, has requested that her staff's hours be changed from 8:30 a.m. to 4:00 p.m. to 8:00 a.m. to 3:30 p.m. due that all the programs are completed before 3:30 p.m.

Mayor Sokolich stated that Ms. Skarimbas is going a great job and had no objections to the requested in work hours for her staff.

The governing body also voiced no objections to the change in hours.

Auctioning of Borough Property Through PropertyRoom.Com

Mr. Grant sent a list of property that the Police Department has requested to be auctioned off.

A resolution authorizing the auctioning of property will be placed on the May 9th regular meeting proposed consent agenda.

Arbor Day (Added on Item)

Ms. Kasofsky stated that April 26th is Arbor Day and she would like permission to purchase a tree to be placed at a location to be determined. She's hopeful that in the near future that the Borough will be able to receive grant money for these types of purchases because the Borough is now an accredited NJ Sustainable town.

Mr. Cervieri recommended that the tree could be placed at either by the PIP rink behind Hudson Terrace or at the library which lost a tree during Hurricane Sandy.

Mayor Sokolich and the governing body agreed that Ms. Kasofsky could buy the tree and spend approximately \$300.00 for it.

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Arbor Day Tree/Weeping Cherry in PIP Park	Mayor Sokolich
	.Rent Control	Mr. Cervieri Mayor Sokolich
Charles Sobel 2175 Hudson Terr.	.Rent Leveling Meeting Cancellation - Upset That Meeting Was Cancelled	Mayor Sokolich Mr. Pohan Mr. Cervieri

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** at 8:50 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 4, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sargenti, seconded by Councilman Sohmer and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Police Department
Police Department Crossing Guards

Recreation Seasonal Employees

Legal: Acquisition of Historic Sites

Property Acquisition: National League Little League
Field

Potential Litigation: Comfort Women Memorial

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Comfort Women Korean Memorial

Nuri Han, New Jersey Program Director, Representing the Korean American Civic Empowerment (KACE), was present for this portion of the meeting.

Ms. Han stated that her organization believes the wording for the proposed memorial is inappropriate. KACE wants the design and wording changed.

Mr. Sohmer asked Ms. Han if KACE is paying for the statue.

Ms. Han replied with a "no".

Ms. Han expressed her concerns and stated that this is not a political issue.

Mayor Sokolich spoke to the presented changes. The Borough seems to have aggravated every group. There has been a lack of cohesion. The original committee tried to make sure the memorial was proper and tried to achieve a consensus which apparently wasn't done. The Mayor said he serves Fort Lee and that he and the council are responsible to our local agencies. He added that some of the questions and changes now proposed are not surprising.

Ms. Han said this memorial is not just about Koreans and the Japanese. This is about Fort Lee residents which she is also a resident of the Borough.

Mayor Sokolich asked if KACE has conferred with other Korean-American groups on this issue, and if there was a consensus among the groups.

Ms. Han said that two groups have agreed and that KACE is taking over the project and that the groups have agreed to a new design and wording.

Mr. Pohan stated that one group came to the Mayor and Council a couple of months ago and the Mayor and Council told them that they did not agree with the wording offered. He added that the Mayor and Council do not conduct foreign affairs. New text was then given and there were grammatical problems. He explained that the wording agreed upon by the Mayor and Council and approved by the committee was his draft. At the last work session everyone said thank you and there was no dissension. His concern is if changes are made again who is going to come in and complain next. He and the Mayor met with local Korean-American Association. He said everyone has to come together with regard to the text and design. The Mayor and Council want to make everyone happy but also want the memorial to be restrained and dignified. He said the wording of East Asia has a specific meaning and includes all the people. His words are not etched in stone and words can be changed. He, along with the Mayor and Council want what local people want.

Mr. Goldberg concurred that the local organizations have to agree in a written consensus with regard to design and text.

Mayor Sokolich asked Ms. Han if she saw the e-mail that was sent to the Mayor and Council by the President of KACE basically saying that if the statue is not built the way KACE wants it that KACE will fight the Mayor and Council during election time.

Mayor Sokolich added that he was offended by the threat. This is a volunteer job and he's proud of what he and the governing body have accomplished. He's willing to overlook the threat as long as everyone is on the same page.

Ms. Han stated that her group is working on a petition.

Messrs. Goldberg and Sokolich stated that a petition is not needed just a consensus among the groups who are involved with the memorial.

Mayor Sokolich stated that when a written consensus is brought to the Mayor and Council and if doesn't shock anyone's conscience it's going to get approved, but only after a written consensus has been agreed upon by all organizations.

Mr. Pohan stated that with regard to the wording of East Asia which he believes is the correct way to go, he asked, do you use countries that exist now or when the event occurred? By saying East Asia it makes it inclusive. This memorial can't just be for Korean people.

Ms. Han closed by thanking the Mayor and Council for their time and added that the Fort Lee government's efforts to have the memorial are appreciated.

Improvements to Old Palisade Road - Tom Meyers in Attendance

Mayor Sokolich stated that a person is going to donate \$1,000 of plantings to improve the area.

Ms. Thomas stated that there is going to be a capital improvement in the area. A new force main is going to be built which will be an upgrade to the lower main street pump station to accommodate Redevelopment Area 5.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Bid for Pedestrian Safety Improvement Project Main Street and Center Avenue

Mr. Mignone stated that the one bid that came in for the project far exceeded the engineer's estimate for the project.

A resolution rejecting the sole bid and authorizing rebid of the project will be placed on the April 11th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Anderson Avenue Parking Restrictions

Mayor Sokolich stated that this is a continuation of previous conversations with regard to easing winter overnight parking restrictions when there is no snow on the ground.

After a brief conversation it was agreed to see what the current ordinance states with regard to winter parking regulations as well as which streets are prohibited to park on during snow events.

Mr. Grant will review the ordinance and report back to the Mayor and Council.

Fair School Funding

There was no discussion on this item tonight.

New Ambulance Bid

Ms. Thomas stated that the bid will be awarded to the sole bidder for the project. The bid came in at \$307,747.00 but the Borough does not need a specialized stretcher which was part of the alternate bid which will reduce the overall cost by \$14,127.00.

A resolution awarding bid to Bay Head Investments, Inc., d/b/a VCI, Emergency Vehicle Specialists, Berlin, New Jersey for the purchase of a new ambulance, at a cost of \$293,620.00 will be placed on the April 11th regular meeting proposed consent agenda.

Bids for Computer Consoles for Police Department

Ms. Thomas explained that two bids were received. Both bids were non-compliant.

A resolution rejecting the bids and authorizing rebid for the same project will be placed on the April 11th regular meeting proposed consent agenda.

Abandoned Property Toolkit

Ms Thomas stated that this ordinance when completed will give the Building Department guidelines on how to deal with abandoned properties.

Mr. Cohen stated that this ordinance is very complicated and that only the first draft has been done by his firm at this point in time.

Mayor Sokolich stated that there are at least a half-dozen properties that are abandoned and guidelines are needed in dealing with them.

Amending Ordinance #2009-28 - Appendix B Fees and Escrow Funds

Mr. Cervieri asked that this item be carried and placed on the April 18th executive session agenda for discussion.

Chabad of Fort Lee - Request to Close Portion of Abbott Boulevard on Monday, June 3rd (1:00 to 8:00 p.m.)

Mayor Sokolich recused himself on this matter.

The Council voiced no objections to the Chabad of Fort Lee holding their annual festival which entails the closing of a portion of Abbott Boulevard during the event

Liquor License Transfer From Chrisovalantis Inc. to NTN Fort Lee Inc. or NTN Brothers Inc. at 2191 Fletcher Avenue

Mr. Grant stated that a resolution authorizing a person-to-person liquor license transfer will be placed at the April 11th regular meeting agenda once a required New Jersey Division of Tax Clearance has been received by the Borough. The original clearance did not match the liquor licenses application so Mr. Grant spoke to the attorney for the license transfer and explained what needs to be done before the Mayor and Council can take official action.

PUBLIC HEARINGS SCHEDULED FOR APRIL 11, 2013

Ord. #2013-4--Amending Chapter 388, Section 57, Schedule XIII, Bus Stops – Relocation of Palisade Avenue/Bridle Way Northbound Bus Stop Far Side of Bridle Way to Near Side of Bridle Way at Traffic Light

Ord. #2013-5--Amending Chapter 388, Sections 14 and 69 to Include an Additional Handicapped Parking Space on William Street

Ord. #2013-6--Bond Ordinance for Rehabilitation of Tennis and Basketball Courts at William T. Birch Park (50-50 Open Space Trust Fund Match) – Appropriating \$357,684.00 and Authorizing \$169,900.00 Bonds and/or Notes

Ord. #2012-7--Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4-45.14)

Municipal Budget 2013

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Tom Meyers 1560 Anderson Ave.	Rambo House/April 23 rd Board of Adjustment Meeting	Mayor Sokolich

Mayor Sokolich stated that the Mayor and Council believe that they have come upon a novel approach to potentially save the Rambo House. The Mayor and Council definitely recognize the historic and cultural significance of the property. The Borough is going to ask an architect to find out the costs to make it ADA compliant. There is another unique initiative where funding is readily available which he will discuss at a later time if it comes to fruition.

Palisades Park Book Signing
By Author Alan Brennan on
April 9th

Greg Cervieri 2055 Edwin Ave.	Placement of Plaque Honoring the Late Nat Infurna	Mr. Goldberg
----------------------------------	--	--------------

It was agreed to place a memorial plaque outside of the American Legion Room in the Municipal Building.

Charles Sobel Rent Leveling Matter for Discussion at
2175 Hudson Terr. The April 18th Executive Session Meeting

Mr. Sohmer stated that for the month of April the Jack Alter Fort Lee Community Center is being lit up in blue as part of Autism Awareness Month.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** at 8:35 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 7, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Borough Clerk
Health Department
Municipal Court

Use of Fire Official's Vehicle

Property Acquisition: 1253 Inwood Terrace, Block 1653,
Lots 1 and 2

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Budget 2013 - Steve Wielkocz, Borough Auditor to Attend

Mr. Wielkocz handed out the attached (Appendix A) with regard to the budget numbers for 2013.

Mr. Wielkocz explained some of the issues that kept this budget from being zero based. Police overtime, Hurricane Sandy costs, and a \$760,000 increase (19%) in BCUA fees were the major factors from keeping the budget from being at zero. The Borough's BCUA increase was the highest in the county. The Borough did receive a large building permit fee for the two new forty-seven structures being built on east side or Redevelopment Area 5.

Mayor Sokolich stated that Borough was hoping to capitalize on the building permit fee to get the budget to 0%.

Mr. Wielkocz added that the budget will be going up \$127.83 based on the average assessed home value of \$465,000.

Mr. Cervieri stated that last year's increase was \$109.00.

Mayor Sokolich stated that representatives of the Borough will be meeting with the BCUA tomorrow. He said that the Borough's combined sewers cannot continue to haunt the budget every year.

He and the governing body expressed major displeasure at the increase being given to the Borough by the BCUA.

It was discussed that some of the Hurricane Sandy monies will eventually be reimbursed to the Borough, with the caveat being that any monies reimbursed will take a long time before the Borough receives them so the belief is that it will not help this year's budget.

It was agreed that the budget will be introduced at next week's regular meeting with a public hearing scheduled for the budget on April 11th.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Treatment Works Approval (TWA) Endorsement for 2100 North Central Road

Mayor Sokolich recused himself on this matter.

Mr. Mignone stated that this project was approved by the Fort Lee Zoning Board of Adjustment to convert commercial space into ninety-eight units for residential use.

Because the project's estimated sewer generation is in excess of 8,000 gallons per day it requires a Treatment Works Approval (TWA) from the New Jersey Department of Environmental Protection (NJDEP).

A resolution authorizing approval of the TWA for the project will be placed on the March 14th regular meeting agenda.

Playground Surface for Inwood Terrace Park

Mr. Mignone stated that the Borough has a \$34,000 Bergen County matching grant for this project.

A resolution authorizing the purchase of a playground rubber Surface for Inwood Terrace Park from Rubbercycle LLC, Lakewood, New Jersey through State Contract #A81417 at a cost of \$63,867.00

will be placed on the March 14th regular meeting proposed consent agenda.

Bond Ordinance for William T. Birch Park Tennis Courts and Basketball Court Rehabilitation (50-50 Match)

A bond ordinance appropriating \$357,684 and authorizing \$169,900 bonds and/or notes will be introduced at the March 14th regular meeting. This is a (50-50 Match) through the Bergen County Open Space Recreation Farmland and Historic Preservation Trust Fund.

New Jersey Sustainable (Added on Item)

Ms. Kasofsky announced that after a long process the Borough has finally been certified as a New Jersey Sustainable community.

GENERAL DISCUSSION CONTINUED

Memorial Monument (Comfort Women)

Mayor Sokolich stated that he and Councilman Pohan perfected the original language offered at the last executive session from the Korean-American community with regard to a Comfort Women Memorial.

Mayor Sokolich added that with the governing body voicing no objections to the perfected language that such language can now be placed at the memorial.

Howard Joh speaking on behalf of the Korean-American community thanked the Mayor and Council for their approval of the language. He added that there is insufficient time to collect enough money to build the memorial for its original dedication date, but once a new date for the dedication is set he will advise the Mayor and Council and the community at large.

Budget Appropriation Transfers

A resolution approving budget appropriation transfers for 2012 will be placed on the March 11th regular meeting proposed consent agenda.

By law the appropriation transfers have to be done and approved by March 31st.

Anderson Avenue Parking Restrictions

Mayor Sokolich stated that the residents are complaining vehemently about the lack of parking during December 1st through March 31st when they are prohibited from parking overnight for any reason. He and the residents are aware that when there is snow on the roadway or a major storm is coming overnight that the residents would not be allowed to park on Anderson Avenue until the snow is cleared, but for the few snow days a year the residents are being truly inconvenienced in a community of multiple family residences with limited parking.

Mr. Sohmer stated that he would like to get Chief Bendul's opinion on this matter.

This item will be placed back on the April 4th executive session for further discussion.

Ambulance Bid

Mr. Goldberg stated that he and members of the Ambulance Corp went to see the Borough mechanic and they went over the differences between a smaller ambulance and a larger sized one. He said that the load capacities tend to be safer on the bigger ambulance plus they also tend to last a lot longer than the smaller ambulances.

This item will be placed back on the April 4th executive session for further discussion.

Amending Ordinance #2009-28 - Appendix B Fees and Escrow Funds

This item will be placed back on the April 4th executive session agenda for discussion.

Review of Third-Party Ambulance Billing Service Proposals

Ms. Thomas stated that Kevin Conti, Esq. prepared his analysis of the four proposals and that his recommendation the contract be awarded to Advance Data Processing, Inc. d/b/a/ Intermedix, Mineola, New York. They would be receiving 5% of any revenue collected.

A resolution awarding the contract to Intermedix will be placed on the March 11th regular meeting proposed consent agenda.

Additional Handicapped Parking Space on William Street

Mr. Grant explained that the existing handicapped location will be increased to be able to include two vehicles as a resident from Jane Street made the request.

Mr. Grant added that the Police Department reviewed the request and has recommended amending the current locating by creating a second handicapped parking space.

An ordinance amending the existing ordinance will be introduced at the March 14th regular meeting.

Earth Hour - March 23rd

Ms. Thomas stated that a number of residents have been e-mailing the Mayor and Council and herself with regard to Saturday, March 23, at 8:30 p.m. where thousands of cities around the world will go dark for one hour during Earth Hour.

Ms. Thomas will send out a memo to all the department heads reminding them that the Borough will take part in this environmental awareness campaign.

Mayor Sokolich will also announce this environmental awareness event during the March 14th regular meeting.

Potential Property Acquisition for Board of Education (Added on Item)

Mr. Cervieri stated he and Shari DePalma met with two members of the Board of Education (BOE) earlier this evening regarding BOE property for potential use for special needs housing. The Board members will speak to the entire Board to see if they are interested in selling a portion of their property that is adjacent to the south side of the parking lot at the high school.

PUBLIC PARTICIPATION

No one was present from the public who chose to speak during this point of the meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 8:35 p.m.

Neil Grant, RMC
Borough Clerk

**BOROUGH OF FORT LEE
2013 MUNICIPAL BUDGET
INITIAL SUMMARY SHEET
(Appendix A)*****

Total Appropriations 2012	\$69,421,074	
Total Appropriations 2013	\$71,728,194	
Increase	<u>\$2,307,120</u>	
Percentage	<u>3.32%</u>	
Tax Levy 2012	\$58,700.923	0.9845
Tax Levy 2013	\$60,289,544	0.9920
Increase	<u>1,090,972</u>	0.2749
Percentage	<u>2.71%</u>	

Tax Point = \$607,763.00 **\$127.83**
Increase on a Typical \$465,000 Home

Appropriation Increases

Salaries and Wages - Police	835,750
Salaries and Wages - Other	585,944
Health Benefits	(1,080,000)
Other Insurance	108,657
BCUA	758,656
Debt Service	(386,739)
Pension	(80,042)
Reserve for Uncollected Taxes	100,000
Prior Year Deferred Charges	1,073,782
Social Security	62,000
Other Expenses	<u>194,112</u>
	<u>\$2,307,120</u>

***** Editor's Note - These Figures are Not the Guaranteed Final
Adoption Budget Figures**

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 21, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Affordable Housing Project - Shari DePalma and Tom Toronto in Attendance

Denial of Taxi Driver's License for Grigoriy Mikhaylov

Appeal of Police Department Grievances - Antonio Hernandez

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

Comfort Women Memorial Monument

Mayor Sokolich stated that he wanted the governing body to have a chance to review the Comfort Women Memorials that have been done in Palisades Park and Bergen County. He has not had a chance at this point to pass along certain information to the governing body about the monuments.

Mr. Pohan stated that this issue is not without controversy. The last language version presented mentioned certain countries China, Korea et al. There probably wasn't a county in the east Asian zone that did not have sex slaves during World War II. Most of the sex slaves were Korean and Chinese; however, to list only four countries would be remiss. He's looking to cover the field but also to particularly recognize constituents in this community that are most prominent in Fort Lee.

Mr. Kee Kim (kavwvkjk@gmail.com) representing the Korean VFW contingent, handed out language that they would like to see on the monument. He stated that among the Korean community this is a historical and educational issue and that he would like to preserve history.

Mr. Cervieri stated that the Borough's language doesn't have to be the same as Bergen County.

Mayor Sokolich stated that he would actually prefer the language to be different. He added that after looking what was presented by Mr. Kim that he was conceptually okay with the language.

Mr. Sokolich added that the language presented seems to be a better fit than the language initially offered up.

Ms. Pohan in reviewing the language said using east Asia rather than southeast Asia makes more sense as most Korean people recognize Korea as east Asia rather than southeast Asia.

Mr. Pohan will be reviewing the language to make some needed grammatical corrections only.

Mayor Sokolich requested that this item be placed on the March 7th executive session for a final review of the language that will be placed on the monument.

Anderson Avenue Parking Restrictions

Mayor Sokolich stated that this issue is similar to the one on Hudson Terrace. Residents have been complaining that moving their vehicles during the winter at 12:00 mid-night is a burden when there is no snow on the ground. He would like to see a trial period implemented. He stated that if there is snow the residents would have to move their vehicles.

Mr. Cervieri mentioned the trial area could be from Tri-Angolo on Anderson Avenue until the intersection of Route 5.

Mr. Sohmer stated that he would like some input from the DPW and Police Department.

Mayor Sokolich requested that this item to be placed back on the March 7th executive session agenda for further discussion.

Extension of Time for Bid for New Ambulance

Mr. Goldberg requested that the bid be extended by thirty days through April 16th.

He added that he's going to take a test ride in a rig that is similar to the one the Borough put out for bid next Monday morning at 9:30 a.m. He invited Ms. Thomas to come along.

Relocation of Bus Stop Northbound at Bridle Way

Mr. Grant explained that he and Police Officer Glen Ifrate reviewed the northbound Bridle Way/Palisade Avenue bus stop and it was agreed that the current location which is on the far side of the intersection of Bridle Way/Palisade Avenue should be relocated to the near side of Bridle Way at the traffic signal. The change once approved will create a safer bus stop zone.

Mr. Grant added that even after the Mayor and Council's approval the State has to give final approval and that is expected to take some time.

The Mayor and Council concurred that an ordinance amending the Borough's bus stop ordinance to relocate the Bridle Way bus stop will be placed on the March 14th regular meeting for introduction.

Mayor Sokolich added that he's upset at the way the jitney buses are abusing the traffic laws in town mainly by not stopping in the designated bus stop areas.

Amending Ordinance #2009-28 - Appendix B Fees and Escrow Funds

Ms. Thomas stated that Barbara Klein circulated a memo that would raise certain application fees and escrow funds for new developments.

Mr. Cervieri stated that he did not get a chance to review Ms. Klein's memo.

Mayor Sokolich stated that even with the projected increases the Borough's fee would still be very reasonable compared to other communities.

It was agreed that this item would be placed back on the March 7th executive session agenda for further discussion.

Shared Services Agreement with Borough of Edgewater

Ms. Thomas stated that the Borough would like to enter into a shared services agreement with the Borough of Edgewater. The person the towns would be sharing is William Share, who is an expert with regard to communication systems. His expertise would

be used for integrating communication systems in newly constructed buildings.

Mayor Sokolich stated that the Borough has done a good job in having a number of executed shared service agreements with other municipalities.

RESOLUTIONS

R-1 - Authorizing Official Renaming of Martha Washington Way to Park Avenue

Mr. Cervieri recused himself on this matter and left the meeting room,

Mayor Sokolich said that the developer has agreed to name the open space park in correlation with the Borough's history.

Also included will be placards and educational devices so that when people come to visit the park they will learn about Fort Lee's significant history.

After a brief conversation that spoke about the contest that initially named the roadway Martha Washington Way and the lack of a true historical significance of Martha Washington in the Borough, the resolution listed below was introduced.

Councilman Pohan introduced, and Councilman Sargenti seconded, the following Resolution:

A RESOLUTION RENAMING A STREET IN THE BOROUGH OF FORT LEE

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey, that in accordance with N.J.S.A. 40:67-1(k), the street easement now known as Martha Washington Way, located in the Borough of Fort Lee, is hereby renamed as follows:

Section 1. Martha Washington Way shall be known as "Park Avenue".

Section 2. This resolution shall retroactively take effect on February 14, 2013, following adoption.

The Resolution was **approved** on the following roll call:

AYES: Council Members Pohan, Sargenti, Kasofsky

NAY: Councilman Sohmer

ABSTAIN: Councilman Goldberg

ABSENT: Councilman Cervieri

Mr. Cervieri returned to the meeting room at this point in the meeting.

On motion by Councilman Sargenti, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Diane Sicheri 1525 12th St.	Street Sweeping Enforcement	Ms. Thomas Mr. Sohmer
	Out of State Cars Parking on Residential Roads/Parking Authority Sticker Program	Mr. Sohmer Ms. Thomas
	Request to Remove Bus Stop On Anderson Avenue by Public School #4	Mr. Grant

There being no further discussion the meeting was adjourned **on motion by Councilman Pohan, seconded by Councilman Cervieri,** at 8:28: p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 7, 2013 @ 7:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
Kevin Conti, Esq. for Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilman Sargenti and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: DPW
Rent Leveling
Municipal Court

Tax Appeal Litigation: CCA Crest at Fort Lee, LLC,
at 3 Executive Drive, Block 6451, Lot 6

Contracts: Administrative Purchasing Consultants
Medical Director

Denial of Limousine License for Justin Sasso

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

ENGINEERING DISCUSSION

Ed Mignone, Borough Engineer, was present for this portion of the meeting.

Shared Services Agreements with Palisades Park for Sewer Services for Plaza West and Berkley Heights

Mr. Mignone stated that Palisades Park wants to enter into a shared services agreement with the Borough for Plaza West at 1475 Bergen Boulevard, which sewers discharge into an ejector station. Fort Lee would be self-reporting and then would submit bi-annual payments to Palisades Park.

A resolution approving the shared service agreement for Plaza West will be prepared by Mr. Conti and placed on the February 14th regular meeting proposed consent agenda.

Mr. Mignone added that Berkley Height is the reverse situation from Plaza West. The Borough will ask Palisade Park to pay for Berkley Heights flow similar to the terms with Plaza West. There is no shovel in the ground at this point so language issues are still to be worked out with Palisades Park.

Authorizing to Bid for Pedestrian Signals for Main Street and Center Avenue and Upgrade of Tennis Courts at Stillwell Avenue

Mr. Mignone explained that is to upgrade the Main Street/ Center Avenue traffic signals with pedestrian countdown timers. The estimated cost is \$62,000.00, but the project has to be formally bid. The work that needs to be done should not be too disruptive to the intersection.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for pedestrian countdown timers will be placed on the February 14th regular meeting proposed consent agenda.

Mr. Mignone also stated that there is money available from an open Bergen County Open Space Trust to make repairs to four tennis courts and the basketball court at William T. Birch Park commonly referred to as the Fort Lee Recreation Center.

A resolution authorizing the advertising of bids for the repairs to the tennis courts and basketball court will be placed on the February 14th regular meeting proposed consent agenda.

Ms. Thomas asked Mr. Mignone to check with the Chief Financial Officer to make sure that funding is in place before the projects go forward.

Kelby Street (Added on Item)

Mr. Mignone stated there are jurisdictional issues and that the DOT maybe preparing a jurisdiction agreement before amending the current signalization.

Mayor Sokolich replied that this issue has been out there for close to three years and that he will craft a letter which will be jointly signed letter by the governing body. He wants to be on record with the State DOT that if something bad happens in the area in question that the Borough has tried to get the DOT to make changes that he believes are necessary for safety reasons.

GENERAL DISCUSSION

Renaming of Martha Washington Way (MWW)

Mr. Cervieri recused himself on this matter and left the meeting room

Mayor Sokolich stated that he has been asked by FLRA, the developer of the east portion of Redevelopment Area 5, to change the name of the road from (MWW) to Park Place for marketing purposes. He said he rather not, but it doesn't shock him that a request has been made when the developer is spending in the vicinity of \$500,000,000.00. However, in exchange for the name change he will request that the two acre park being built within the project be given a historical name that reflects the Borough's history. In addition historical placards should be placed in the park which presents a good educational opportunity for students and residents. Also the public theater that is being built could also be given an appropriate historical name. He closed by stating that he's not dismissive of how (MWW) was originally named by school children in a contest, but a compromise for all parties involved can be reached.

Mr. Pohan stated that he has no attachment to (MWW) as Martha Washington never set foot in Fort Lee.

Mr. Cervieri returned to the meeting room at this point in the meeting.

Memorial Monument

Mayor Sokolich gave a brief overview on how he was approached. He mentioned that the original group was out of New York and he told them they should speak to the VFW and local Korean associations. He reminded everyone that the location on Abbott Boulevard next to the existing Korean Monument was conditionally approved at the January 10th executive meeting, but the language for the monument was not. He stated that the way Mr. Pohan expressed the original language objections was fantastic.

Mr. Pohan stated that he has seen the amended language from Howard Joh, but he was not sure if Mr. Joh is representing the VFW and the Korean Group, that came in with James Viola at the January 10th executive session.

Mr. Pohan stated that everyone has a right to speak their mind but once a proposal is presented to the Mayor and Council that deals with the use of public property that the issue becomes the Mayor and Council's to deal with.

Ms. Thomas stated that the Bergen County language is the same as Howard Joh's version. She believes the language is provocative.

Mayor Sokolich stated that the interaction of everyone involved has been a little off putting.

It was agreed that this item should be placed back on the February 21st for further discussion and hopefully with a final resolution with regard to the wording.

Gun Control Resolution

Mayor Sokolich stated that Rosemary Manger, Borough resident and former President of Mediterranean West Cooperative, asked to speak about gun control in the wake of the Newtown shootings and other mass shootings.

Ms. Manger stated that wanted to do something to stem gun violence based in particular on the Newtown shootings. She volunteered to do something with Fort Lee as she is a Fort Lee resident and has asked the Mayor and Council to join other towns in passing a resolution that can hopefully eliminate some gun violence by enacting gun safety laws. She does not believe nor does she buy into the NRA's current argument that nothing needs to be done with regard to gun control in the country. The tragedies cannot be forgotten. It's important as a collective community to get some changes to the current gun laws in the country.

Mayor Sokolich thanked Ms. Manger for her comments and spoke to sections 1 through 4 of the resolution listed below. He said that there has to be a consensus among the governing body to pass the resolution Ms. Manger wants.

Mr. Pohan stated that State statue charges local towns through the police department to enforce the laws. He believes with the current laws the Police Department is somewhat handicapped.

Ms. Kasofsky stated that she would like to see more thorough background checks completed.

The governing body in its entirety concurred with Ms. Manger and agreed that the resolution she requested to be passed can be done so at tonight's meeting.

Mayor Sokolich stated that Councilman Goldberg who is absent tonight, also wanted it to be on the record that he endorses gun control initiatives.

RESOLUTION

R-1 - In Support of Legislative and Other Initiatives to Promote Public Safety by Reducing Gun Violence

Councilman Cervieri introduced, and Councilman Sohmer seconded, the following Resolution:

IN SUPPORT OF LEGISLATIVE AND OTHER INITIATIVES TO PROMOTE PUBLIC SAFETY BY REDUCING GUN VIOLENCE

WHEREAS, the epidemic of gun violence is spreading unchecked in cities, suburbs and rural areas across the United States; and

WHEREAS, in the one month since 20 school children were murdered in Newton, Connecticut, on December 14, 2012, more than 900 of our fellow Americans, including children, were slain by people with guns; and

WHEREAS, there is growing revulsion among the residents of Fort Lee, New Jersey, toward this violence; and

WHEREAS, we are cognizant of our duty as an elected council to protect the safety and security of our friends and neighbors who have trusted us with the opportunity to serve them,

NOW, THEREFORE, BE IT RESOLVED,

1. Our Mayor, Mark Sokolich, shall join the more than 800 mayors who have to date joined the nationwide Mayors' Against Illegal Guns, co-chaired by Mayor Michael Bloomberg of New York City and Thomas Menino of Boston, Massachusetts, and supported by mayors in cities, suburbs and rural towns across the United States.

2. By copy of this resolution, we will convey to the federal government and to our elected Senators and Representatives our support of the plan to end gun violence outlined by President Barack Obama and Vice President Joseph Biden on January 16, 2013.

3. By copy of this resolution, we will convey to Governor Chris Christie and to our elected State Senator and Assembly members our support of the legislative initiatives proposed by Senate Majority Leader Loretta Weinberg and others, a summary of which is attached, along with such other legislative initiatives as may be introduced, to strengthen New Jersey's laws promoting safe and responsible ownership of firearms.

4. We will, from time to time, revisit the issue of gun violence for the purpose of considering further measures to help end the plague of gun violence in our community.

The Resolution was **approved** on the following roll call:

**AYES: Council Members Pohan, Sohmer, Sargenti, Kasofsky,
Cervieri**

Steven Rothman Proclamation

Mayor Sokolich stated Councilman Goldberg initiated a request to give former Congressman Steven Rothman a proclamation for all of his years in service in Congress in which he was always a friend to the Borough.

Mr. Pohan made a recommendation to remove one paragraph of the draft that was sent to him by the Mayor as prepared by Mr. Grant.

It was agreed the Borough will honor Steven Rothman with a proclamation at an upcoming regular meeting.

Jack Hausler Proclamation

Mr. Sargenti requested that a proclamation also be given to Jack Hausler who headed up the Fort Lee Boy's Basketball Program for many years until his recent resignation from the program.

Mayor Sokolich said it will be an effort to get Jack to a meeting as he tends not to call attention to himself.

Mr. Sargenti requested when the Borough honors Mr. Hausler with a proclamation that it be given to him one on a different date than Mr. Rothman's ceremony.

Police Department Equipment - Add-On for Storage for Virtual Infrastructure to Maintain Data

Ms. Thomas explained this equipment is needed by the Police Department as add-on storage for its virtual infrastructure to maintain data.

A resolution to purchase the equipment from Hewlett-Packard Company, Omaha, Nebraska, through State Contract #70262 at a cost of \$40,470.80 will be placed on the February 14th regular meeting proposed consent agenda.

Review of Bid for New Ambulance

Mr. Grant stated that the lone bid was reviewed by Mr. Cohen's office for compliance and that the bid is compliant.

Ms. Thomas stated the money for the purchase is available through the Ambulance Corps capital account fund.

A resolution awarding bid to Bay Head Investments, Inc. d/b/a VCI, emergency vehicle specialists, Berlin, New Jersey for purchase of the ambulance at a cost of \$293,620.00 will be placed on the February 14th regular meeting proposed consent agenda.

Review of Bids for Mini-Buses

Messrs. Pohan and Sargenti recused themselves on this matter and left the meeting room.

Ms. Thomas stated that the Port Authority has not yet signed the contract authorizing the agreement with the Borough for funding for an Edgewater ferry landing shuttle.

The bid for the two adult mini-buses will be awarded at next week's regular meeting to Alliance Bus Group Inc., Carlstadt, New Jersey in the amount of \$123,420.00. The buses will take four to six weeks before they are delivered once the contract is executed.

Mayor Sokolich stated that he receives many calls from residents asking him when the added routes are going to be put on. He expects the added routes to be a big success.

Messrs. Pohan and Sargenti returned to the meeting room at this point in the meeting.

Special Bingo License for Jewish Community Center of Fort Lee at 1449 Anderson Avenue

Mr. Grant stated that a special bingo license for the Jewish Community Center of Fort Lee will be placed on the February 14th regular meeting proposed consent agenda. He added that this license can only be used by the members of the Jewish Community Center and is not open to the public.

Extension of Picco Inc. (Debtor in Possession) Liquor License to Gary Jacobson, Chapter 7 Trustee

Mr. Grant explained the liquor license is in bankruptcy and that a Chapter 7 Trustee will be auctioning off the license in the Borough on March 5th.

A resolution extending the license to the Chapter 7 Trustee as required by the State Alcoholic Beverage Control will be placed on the February 14th regular meeting proposed consent agenda.

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 14, 2013

Ord. #2013-2--Amending Bus Stop Ordinance on Main Street by Center Avenue (Mid-Block) Westbound

Ord. #2013-3--Amending Chapter 388, Sections 14 and 69, Schedule XXIII – Additional Handicapped Parking Spaces on North Central Road

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilman Sohmer, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Diane Sicheri 1525 12 th Street	.Dangerous Roadway by the Trianglo Restaurant Across from the Community Center	Mayor Sokolich
	.Sweeper Issues	Mr. Sohmer Ms. Thomas
	.Cost Involved in Changing Name of Martha Washington Way to Park Place - Doesn't Want Borough to Incur Cost	Mayor Sokolich
Charles Sobel 2175 Hudson Terrace	.Rent Leveling Legislation	Mr. Cervieri

It was agreed that rent leveling legislation would be discussed at the April 18th executive session. The meeting will commence at 6:00 p.m. with the open portion of the meeting beginning at 7:00 p.m.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Kasofsky**, at 8:52 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 10, 2013 @ 6:00 p.m.

The Executive Session of the Mayor and Council of the Borough of Fort Lee was held on the above date in Executive Conference Room #201, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Goldberg, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

1. On January 3, 2013, this body by resolution adopted a schedule of regular meetings. The time, date and location of this meeting was accurately set forth therein.

2. On January 4, 2013 a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE and filed with the Borough Clerk. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2013 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and approved **unanimously**, the meeting moved into closed session.

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that:

1. This body shall hereafter discuss in closed session, pursuant to Section 7B of the Open Public Meetings Act, certain items which may generally be described as follows:

Personnel: Part-Time Building Inspectors
Community Center
Emergency Management
Fire Sub-Code Official
Recreation Department
Senior Center
Police Department - Chief Bendul in
Attendance

Contracts: Borough Planner
Conflict Counsel
Purchasing Consultant
Traffic Engineer
McNerney & Associates

Collective Bargaining: Blue Collar, White Collar &
Department Head Negotiations

Tax Appeal Litigation: Mediterranean West Coop
Association at 555 North Avenue vs. Borough

Linwood Realty LLC at 2115 Linwood Avenue vs. Borough

BFE Polygon Plaza at 2050 Center Avenue vs. Borough

Potential Litigation: Joshua Lazarus vs. Board of
Adjustment Appeal with Regard to 1018 Morningside
Lane, Block 159, Lot 4

2. The minutes of the discussion in closed session may be disclosed to the public when the Mayor and Council has determined that the need for confidentiality has been satisfied.

The open portion of the executive session began upon completion of the closed portion.

GENERAL DISCUSSION

St. Rocco Feast - Phil Arfuso, President & Sal Luppino, Feast President, in Attendance

Editor's Note: There were two other members of St. Rocco's present during this portion of the meeting.

Mr. Arfuso stated that obviously construction has started on the east side of Redevelopment Area 5. He wanted to know if it was still feasible for St. Rocco's to use Martha Washington Way (MWW) for their annual feast. The dates are Wednesday, August 7th through Sunday, August 11th. A different location will have to be found if MWW is not available.

Mayor Sokolich suggested to Mr. Arfuso that he should speak to the principal owners with regard to potential usage at MWW. MWW. He added that St. Rocco's and their annual festival is an important part/event for the community.

Mr. Arfuso replied that his organization has gotten permission from Tucker Development to use the west side as a staging area; however, this would prohibit fireworks which he realizes not everyone would be to upset by.

Everyone concurred that the fireworks display is a secondary issue.

Mr. Cervieri mentioned potentially using the Palisades Interstate Parkway Historic Park.

Also discussed was the municipal parking lot across from JD'S by Federspiel Street which would mean the shutting down of Main Street. It's a good area for his organization as it's in front of their Chapel.

Mayor Sokolich added that the triangular parking lot is going to be resurfaced before the event and may well be a good spot if MWW is unavailable.

Korean Memorial - James Viola, VFW Post #2342 in Attendance

Andrew Kim, Fort Lee business owner, and other Korean VFW members were in attendance for this portion of the meeting.

Mr. Viola stated that he and the VFW would like to build a memorial to honor Korean women (Comfort Women), who were used as sex slaves during World War II. Many of the Korean people in the Borough would like to see this memorial built.

Mayor Sokolich stated that a Korean group approached him regarding a memorial for "Comfort Women". Ultimately it's a Mayor and Council decision. He did urge them to confer with the

VFW under James Viola's leadership. He did not tell them at that time whether he would or would not agree to the memorial until a more formal presentation was made to the governing body

Mr. Viola stated that the people are going to finance it. He would like to be put the memorial behind the existing Korean Memorial on Abbott Boulevard. There would be no names just the story of what happened. It would cost approximately \$40,000.00. He needs a letter from the Mayor and Council agreeing to the memorial.

Mr. Pohan expressed concern about the lettering in the memorial which asks for an official apology from the Japanese government. He would not approve the memorial if the wording is not changed.

Andrew Kim, Fort Lee business owner, stated that it's a human rights issue. It wasn't just Korean women. He stated that the Bergen County Executive visited women in Korea and the Bergen County Freeholders approved a resolution.

Mr. Pohan replied that the monument is okay, but asking another Country's government to apologize is not where this issue should stand. It would be needed to be taken up by the United State government. It's not for local government to take an official position on national issues. He cited the atrocities of the Turkish government against the Armenian people. As a local official he would not have a statue put in place asking for an apology from the Turkish government in 1915 with regard to the over 1,500,000 Armenians killed by the Turkish government which the Turkish government never apologized for.

Mr. Cervieri stated that the wording doesn't belong on the local level.

Mayor Sokolich concurred with Messrs. Pohan and Cervieri with regard to the verbiage, and his initiative would be to go forward once the wording has been brought back for review.

Mr. Viola stated that he would need an official letter from the Borough. The goal is to have the memorial done by April 27th.

Mr. Pohan stated that the concept is fine as well as the location, but would be subject to the wording on the monument.

Mayor Sokolich stated that the monument could be built as long as the wording is changed and abided by the theme that Councilman Pohan articulated.

AM Radio Frequency

Mayor Sokolich stated that the Borough does have an AM radio station, but it hasn't been really used properly. Specifically more could have been done with the station to get out announcements during Hurricane Sandy. He added that Ms. Thomas has someone coming next week to do an assessment. In addition the Port Authority has given a commitment to purchase 250 radios.

Ms. Thomas confirmed that the testing of the station will be done next Tuesday.

Generator Ordinance for Hi-Rise Buildings

Mayor Sokolich stated that Steve Curry, Fire Sub-Code Official, has told him that there are local ordinances that allow for municipalities to mandate that generators be placed in hi-rise buildings. This allows for a phase-in period. The Mayor asked the governing body if they would consider such an ordinance.

Mr. Pohan stated that cooperatives and condominium buildings can do this already if they so choose.

Mayor Sokolich concurred with Mr. Pohan, but asked if they should be compelled to do have the generators in place.

This item will be brought back for discussion at a future executive session after the governing body gets a chance to think about the Mayor's suggestion.

Proposed Redevelopment Area 7 - Block 4355, Lots 17-19 and a Portion of Lot 13 (Action Motors Site)

Mr. Cohen stated that the Borough needs to pass an enabling ordinance in order to qualify for State funding.

The Planning Board has recommended that the area listed above be designated as Redevelopment Area 7.

Mayor Sokolich added that this leaves open the option to pursue a Payment in Lieu of Taxes program; commonly known as a (PILOT).

Mr. Pohan added that the State funding related to the building of special needs housing.

Advertising for Bids for Computer Consoles for the Police Department

Ms. Thomas stated that there is \$60,000 in the Police Department's capital budget.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for computer consoles for the police department's communication's department will be placed on the January 17th regular meeting proposed consent agenda.

Awarding Bid for Two Adult Passenger Mini-Buses

Mr. Pohan recused himself on this matter.

Ms. Thomas stated that she's expecting the Port Authority to agree to fund the mini-buses by February 1st.

Mr. Grant added that the bids have been extended on two separate occasions because the Port Authority has not yet formally agreed to the mini-buses.

Amending Bus Stop Ordinance on Main Street by Center Avenue (Mid-Block) Westbound

Mr. Grant stated that the Police Department has requested that the westbound Main Street bus stop in front of Borough Hall be amended so as to have the buses stop further back from the crosswalk between Borough Hall and the Frank Patti Funeral Home. This request was made by Bergen County because Main Street is a county roadway.

An ordinance changing the existing measurements to the recommended measurements by the Police Department will be introduced at the January 17th regular meeting.

Liquor License Place-to-Place Transfer for Zenex Enterprise LLC (Pocket) to 1550 Lemoine Avenue, Suite 106

A resolution authorizing place-to-place liquor license transfer of the above listed license which is currently inactive will be listed on the January 17th regular meeting proposed consent agenda.

Liquor License Person-to-Person Transfer from Pizza Chef Inc. to Dong Kang t/a Dong Chun Hong at 144 Main Street

Mr. Grant stated that if an approved Police Department report is received before next Thursday's meeting a resolution authorizing person-to-person liquor license transfer of the above listed liquor license will be placed on the January 17th regular meeting proposed consent agenda.

Liquor License Person-to-Person/Place-to-Place Transfer From Vin Romane LLC (Pocket) to YS Beverage LLC at 1651 Bergen Boulevard

Mr. Grant stated that if an approved Police Department report is received before next Thursday's meeting a resolution authorizing person-to-person/place-to-place liquor license transfer of the above listed liquor license will be placed on the January 17th regular meeting proposed consent agenda.

Additional Handicapped Parking Spaces by 2200 North Central Road

Mr. Grant stated that the Police Department has sent a report requesting two additional handicapped parking spaces by the Northbridge Park cooperative.

An ordinance creating the additional handicapped parking spaces will be placed for introduction at the January 17th regular meeting.

PUBLIC HEARING SCHEDULED FOR JANUARY 17, 2013

Ord. #2013-1--Amending Chapter 90-2 Police Department Formation and Rank

PUBLIC PARTICIPATION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky, and carried unanimously, the meeting was opened to the public for discussion.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	Asked About the Location With Regard to Redevelopment Area 7	Ms. Thomas

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sargenti, at 8:37: p.m.

Neil Grant, RMC
Borough Clerk