

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, December 11, 2014 @ 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, Suh, Sargenti, Kasofsky, Cervieri

ALSO PRESENT: Alfred Restaino, Borough Administrator
Evelyn Rosario, Deputy 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 2, 2014, 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 3, 2014 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.

Prior to entering into closed session **Councilman Pohan, seconded by Councilman Cervieri** and approved **unanimously**, moved item on agenda entitled "**Guntzer Street Parking Lot Project - Updated Concept Plans**" **into closed session.**

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Pohan, seconded by Councilman Cervieri 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
Borough Clerk
Chief Financial Officer
Tax Collector
Housing Authority
Police Department Crossing Guards
Sign Consultant/Inspector
Recreation Department/Community Center
Seasonal Employees

Collective Bargaining: White Collar Unit - Memorandum Of Agreement

Contracts: William Share-Electrical Engineer Consulting Services

Millennium Strategies, LLC
McNerney & Associates

Tim Donohue, Esq. (Arleo, Donohue & Biancamano) -
GWB Lane Closures

Tax Appeal Litigation: Lukoil vs. Borough at 2550
Fletcher Avenue

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

Emergency Repairs to Edwin Avenue - Payment to CNS Construction Corp.

It was the consensus of the Governing Body to authorize payment to CNS Construction Co. regarding the emergency sewer repairs at 3001 Edwin Avenue.

A resolution authorizing payment to CNS Construction Co. in the amount of \$4,400.00 will be placed on the December 18, 2014 regular meeting consent agenda.

GENERAL DISCUSSION

Redevelopment Area 3 - Paul Kaufman, Esq. in Attendance & Ray Reduce (470 Main Street)

At this point in the meeting Mayor Sokolich recused himself and exited the conference room @ 8:45 P.M.

Mr. Paul Kaufman, Esq. came forward and stated that Mr. Ray Reduce is interested in purchasing certain properties located within Redevelopment Area 3. He is seeking to develop a mix of residential and retail uses. Mr. Kaufman respectfully requested that the Borough's Redevelopment Plan be re-visited and updated as the plan was adopted approximately 10 years ago. Mr. Kaufman asked that the Borough authorize Paul Philips, Borough Planner to review the redevelopment plan. Mr. Kaufman asked that Mr. Ray Reduce be designated as the redeveloper. Councilman Pohan stated that prior to designating Ray as the developer the plan should be reviewed accordingly.

A resolution authorizing and directing the Borough Planner to Re-Examine the Redevelopment Plan for Redevelopment Area 3 for certain properties will be placed on the December 18, 2014 regular meeting consent agenda.

Mayor Sokolich at 8:56 P.M. re-entered the conference room.

Reorganization Meeting Date and Time

It was the consensus of the Governing Body to hold their reorganization meeting on January 1, 2015 at 12 Noon.

New Jersey Leaders in Support of Solar Energy

It was the consensus of the Governing Body to endorse and support the New Jersey Leaders in Support of Solar Energy.

A supporting resolution endorsing the use of solar energy for a path to clean energy will be placed on the December 18, 2014 regular meeting consent agenda.

Recommended Policy/Ordinance Changes - New Downtown Business District

No discussion held concerning this topic.

Energy Aggregation

Mr. Restaino addressed the Governing Body concerning seeking consent to solicit firms for a Borough wide energy aggregation initiative. Essentially the Borough residents would receive lower energy rates and will have the option to opt-out if they chose not to participate.

It was the consensus of the Governing Body to authorize the Borough Administrator to solicit forms for a Borough wide energy aggregation initiative.

A resolution authorizing the issuance of requests for qualifications for energy aggregation services will be placed on December 18, 2014 regular meeting consent agenda.

Auditing of Borough Energy Accounts

Mr. Restaino stated requested that the Borough Request for proposals to conduct an analysis of the Borough's electrical usage, the analyst would review each bill line by line and provide a cost savings report of our usage.

It was the consensus of the Governing Body to authorize a request for proposals for an "Energy Audit."

A resolution authorizing the issuance of Request for Qualifications for an Energy Audit will be placed on the December 18, 2014 regular meeting consent agenda.

Direct Install Grant Program Approval

Mr. Restaino stated that the Borough has been pre-qualified by Lime Energy (State Contractor for the Direct Install Grant Program) to receive approximately \$103,546.09 worth of heating, ventilation, air conditioning and lighting upgrades at the

Recreation Center and Senior Center. Seventy percent (70%) of the funding would be provided by the New Jersey Board of Public Utilities Office of Clean Energy through the Direct Install Program, thirty percent (30%) would be matched by the Borough.

It was the consensus of the Governing Body to enter into an agreement with the New Jersey Board of Public Utilities Office of Clean Energy through the 2014 Direct Grant Install Program for the upgrades at the Recreation Center and Senior Center.

A resolution authorizing the agreement between the Borough of Fort Lee and the New Jersey Board of Public Utilities Office of Clean Energy through the 2014 Direct Grant Install Program will be placed on the December 18, 2014 meeting consent agenda.

Liquor License Transfer from Hae H. Kim to Namoo LLC at 799 Abbott Boulevard, 2nd Floor

It was the consensus of the Governing Body to authorize the person to person liquor license from Hae H. Kim to Namoo LLC.

A resolution authorizing the person to person liquor license from Hae H. Kim to Namoo LLC will be placed on the December 18, 2014 meeting consent agenda.

Residential Permit Parking Fee

Councilman Sohmer commented that the Parking Authority will be instituting their new sticker program which will consist of a \$5.00 increase per year. Further discussions will be held at a future Mayor and Council executive session meeting.

RESOLUTIONS

Action is Expected to be Taken on the following items:

R-1 - Approving Liquor License Renewal for Fort Lee Athletic Club, Inc. for 2014-2015

Councilman Cervieri recused himself on this matter and R-2.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following club liquor license for the year **2014/2015** be issued to the applicant listed below.

STATE LICENSE # LICENSEE

0219-31-054-001 Fort Lee Athletic Club Inc.
(One Year Special Ruling Received from the State of NJ, ABC dated December 4, 2014 for 2014-2015)

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** on the following roll call:

**AYES: Council Members Pohan, Sohmer, Suh, Sargenti,
Kasofsky**

ABSENT: Councilman Cervieri

**R-2 - Fort Lee Athletic Club - Place-to-Place Liquor License
Transfer to 2029 Lemoine Avenue, Suite 301**

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

WHEREAS, an application has been filed by Fort Lee Athletic Club, Inc. for a place-to-place transfer of Club License number **0219-31-054-001**, located at a mailing address of 1063 Kingsland Lane, (Pocket License) Fort Lee, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the applicant has complied with N.J.S.A. Title 33, and the license has been properly renewed for the current license term; and

WHEREAS, said application has been approved by the Building Sub-Code Official and the Fire Official,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby approve, effective **December 11, 2014**, the place to place transfer of the aforesaid Club License, to include the premises located at **2029 Lemoine Avenue, Suite 301, Fort Lee, New Jersey.**

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

**AYES: Council Members Pohan, Sohmer, Suh, Sargenti,
Kasofsky**

ABSENT: Councilman Cervieri

PUBLIC HEARINGS SCHEDULED FOR DECEMBER 18, 2014

Ord. #2014-40--Amending Chapter 388, Sections 14 and 69, Schedule XXIII –
Handicapped Parking Space by 432 Plateau Avenue

Ord. #2014-41--Authorizing the Reverse Subdivision of Block 3351, Lots 1 & 2
and the Change of Zoning of Property Previously Identified as Block 3351, Lot 2,
Located at 1589 Parker Avenue to Public Parkland and Open Space

Ord. #2014-42--Amending Bond Ordinance 2013-25 for Furnishings for Previous
Acquisition of Property at 1363-1365 Inwood Terraces – Supplemental
Appropriation of \$50,000.00 and Authorizing the Issuance of \$47,500.00 Bonds or
Notes

Ord. #2014-43--Bond Ordinance for Main Street Force Main Project and
Streetscape Revitalization Project – Appropriating \$5,362,000 and Authorizing the
Issuance of \$3,040,000 Bonds or Notes

Ord. #2014-44--Amending Chapter 289, Section 15B, “Parking” to Include

Ord. #2014-45--Amending Chapter 388, Section 66, Schedule XX, Traffic
Movement and Parking on Board of Education and Municipal Properties

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

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	Rent Control	Mr. Restaino
*Doug Sugarman 2100 Linwood Ave.	Commented -Parking Permit Fee \$5.00 as listed on the agenda	
	Commented -Energy Aggregation as listed On the agenda	

There being no further discussion the meeting was adjourned
**on motion by Councilman Cervieri, seconded by Councilwoman
Kasofsky, at 9:25 p.m.**

Evelyn Rosario, RMC, CMC
Municipal Clerk

Approved at the February 12, 2015
Regular Session Meeting

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, November 6, 2014 @ 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, Suh, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Pohan

ALSO PRESENT: Alfred Restaino, Borough Administrator
Evelyn Rosario, 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:

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2. On January 3, 2014 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 2014 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: Borough Clerk
Building and Grounds
Building Department
CFO/Tax Collector
Communications
EMT's
Police Department
Senior Citizen

Contracts: Munidex & ADP (Payroll Services)
RFQ's for Professional Services for 2015/
Evaluation Matrix
Solid Waste/Recycling Bids
Bergen County Humane Enforcement
Englewood Hospital

Tax Appeal Litigation: William Lee vs. Borough at 1620
Lemoine Avenue

2000 Linwood Owners (Med South) at 2000 Linwood Avenue

TD Bank/Schmidt vs. Borough at 1400 Palisade Avenue

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

Authorizing Advertising of Bids for a Generator for the Recreation Department

It was the consensus of the Governing Body to advertise for bids for the "Generator for the Recreation Department."

A resolution authorizing the bid advertisement will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

GENERAL DISCUSSION

Gran Fondo NY Roadrace

A brief discussion was held concerning the letter submitted by Gran Fondo New York organization. The Gran Fondo New York is requesting the assistance of the Fort Lee Police Department to assist in the areas of various traffic matters for their cycling event scheduled for Sunday, May 17, 2015. Councilman Sargenti asked if the organization would also absorb the costs involving the EMS, DPW and Fire Department. Mr. Restaino will inquire and confirm and contact Councilman Sargenti.

It was the consensus of the Governing Body to authorize the request submitted by Gran Fondo New York for their event scheduled for Sunday, May 17, 2015.

Person to Person Liquor License Transfer from Poong Lim LLC to Poong Lim Victoria Corp.

Mr. Restaino briefly stated that this was a routine person-to-person liquor license transfer.

A resolution authorizing the person to person transfer will be listed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

Handicapped Parking Space Request for 432 Plateau Avenue

Mr. Restaino briefly stated that the resident has submitted a written request asking for the placement of a handicap parking space in front of 432 Plateau Avenue.

An ordinance creating the handicapped parking space as approved by the Police Department will be prepared and listed for introduction on the November 13, 2014 regular meeting agenda.

Amending Chapter 388-66 Prohibited Parking on Municipal Property

Mr. Restaino briefly stated that that the Parking Authority has requested an amendment to said ordinance which would prohibit vehicles from parking in the Borough Hall parking lot during the hours of 12:00 a.m. to - 8:00 a.m. Monday through Friday and at all times Saturday and Sunday.

An ordinance authorizing the amendment will be prepared and listed for introduction on the November 13, 2014 regular meeting agenda.

Replacing Bond Ordinance #2014-29 for Force Main Project

Mr. Restaino briefly stated that this ordinance is a modification from pervious Bond Ordinance #2014-29, there was a misfiling with the required Supplemental Debt Statement.

An amending bond ordinance will be prepared and listed for introduction on the November 13, 2014 regular meeting agenda.

New Jersey Highlands Coalition - 2004 Highlands Water Protection and Planning

Mr. Restaino briefly stated that Mr. George Stafford, Outreach Director from the New Jersey Highlands Coalition came before the Mayor and Council on October 16, 2014 and provided an overview of the 2004 Highlands Water Protection & Planning Act.

A resolution supporting the goals, policies and objectives of the 2004 Highlands Water Protection & Planning will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

Solid Waste/Recycling Services Bids

It is anticipated a resolution awarding bid to Miele Sanitation - options 2 & 3 will be listed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

No Overnight Parking Zones

An ordinance amending Chapter 289 "Parking" to include no overnight parking zones in certain designated areas of the Borough of Fort Lee will be introduced and listed on the November 13, 2014 regular meeting.

Execution of Open Space Agreement for Coytesville Park Improvements With Bergen County

It was the consensus of the Governing Body to move forward and execute the Open Space agreement with the County of Bergen concerning the "Coytesville Park Playground Rubber Surfacing Project."

A resolution acknowledging the grant disbursement will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

Community Development Grant for Milling and Re-Paving of Old Bergen Boulevard from Route 5 to Deerwood Road

It was the consensus of the Governing Body to authorize the endorsement of the Bergen County Community Development Grant in the amount of \$99,725.00 for the milling and re-paving of Old Bergen Boulevard from Route 5 to Deerwood Road.

A resolution authorizing the endorsement of the grant will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

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

It was the consensus of the Governing Body to authorize the endorsement of three Community Development Block Grant applications for the following:

1. Child Day Care Assistance, \$30,000.00
2. F.L.A.S.H Corporation Rehabilitation RAMBO HOUSE, \$100,000.00
3. Improvements - Harry J. Holtje House, \$40,000.00

A resolution authorizing the endorsement of the three grants will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

Approving Developers Agreement for Joseph Romana at 280 Myrtle Avenue and Bergen County United Way/Madeline Housing Partners, LLC at 1253 Inwood Terrace

Mr. Sargenti recused himself with regard to 280 Myrtle Avenue and left the meeting room.

The governing body had no objections the Joseph Romana developer's agreement.

A resolution authorizing the Joseph Romana developer's agreement will be placed on the November 13, 2014 regular meeting agenda for consideration and approval.

Mr. Sargenti returned to the meeting room and he with the rest of the governing body concurred that action can be taken on Bergen County United Way developers agreement.

A resolution authorizing the Bergen County United Way developers agreement will be placed on the November 13, 2014 regular meeting proposed consent agenda for consideration and approval.

Merging of Monument Park/Fort Lee Museum for Parkland Purposes

It was the consensus of the Governing Body to authorize the merging of Monument Park/Fort Lee Museum for parkland purposes.

An ordinance authorizing the merger will be introduced and listed on the November 13, 2014 regular meeting agenda.

2015 Arts & Music Festival

The Mayor and Council agreed that the 2015 Arts & Music Festival will be held on Sunday, June 7, 2015.

PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 13, 2014

Ord. #2014-38--Bond Ordinance Providing for Various Capital Improvements to Parks & Municipal Lots – Appropriating \$100,000.00 and Authorizing the Issuance of \$95,000.00 Bonds or Notes

Ord. #2014-39--Amending Bond Ordinance 2011-14 for Various Capital Improvements for the Police Department to Include the Acquisition of a Generator

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 Terrace	Rent Leveling	Mayor Sokolich

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti, seconded by Councilman Sohmer,** at 8:42 p.m.

Evelyn Rosario, RMC, CMC
Deputy Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, October 2, 2014 @ 6:10 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, Suh, Sargenti (Arrived at 6:15 p.m.), Kasofsky, Cervieri

ALSO PRESENT: Alfred Restaino, Borough Administrator
Neil Grant, Borough Clerk
Evelyn Rosario, Deputy 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 2, 2014, 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 3, 2014 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 2014 to cover the cost of providing notice.

3. On September 22, 2014, a copy of said change in scheduled meeting time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2014 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:

Rent Leveling

Personnel: Police Department
Parking Authority
CFO/Treasurer

Contracts: Lease Agreement With Northbridge Park Co-Op
at 2200 North Central Road

Johnson Soils Company - Police Department Soil Testing

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

Fort Lee Police Facility Garage

Mr. Restaino stated that the Borough will be terminating the contract of Security Structures Inc. with regard to the above project. In depth soil samples have to be taken on the property before the project can be started.

A resolution terminating Securities Structures contract and authorizing rebid of the project once the new soil samples have been completed will be placed on the October 9th regular meeting proposed consent agenda.

Bids for Leaf Removal Service

Mr. Restaino stated that two bids were received for this project on September 23rd. The bids still have to be reviewed by

the Borough Attorney for compliance. It's expected that a bid will be awarded to the low bidder Environmental LLC at the October 9th regular meeting if the bid is deemed compliant

Bids for Window Replacement & Masonry Upgrades to Borough Hall

Mr. Restaino stated that there were multiple bidders who bid on this project on October 1st. There are also multiple alternates for this project.

Mr. Grant added that one bidder made a request to withdraw his bid in writing the day after the bids were received. Mr. Cohen's office is reviewing that request.

Mr. Grant added that due to the complexity of the bids and alternates it's unlikely that this item will be settled by the October 9th regular meeting.

It's expected that Mr. Cohen's office will be receiving the bids from the Purchasing Consultant tomorrow for review/compliance.

Bids for Police Department Vehicle Conversion

Mr. Restaino stated that two bids were received for this project on October 1st.

It's expected that Mr. Cohen's office will be receiving the bids from the Purchasing Consultant tomorrow for review/compliance.

Mr. Grant added that the funds for this purchase will be through federal confiscated funds.

It's expected that this bid will be awarded at the October 9th regular meeting if the lowest responsible bid is compliant.

Cancelling of Taxes for Borough Property

Mr. Restaino stated that Borough properties at 183 Main Street and 2423 First Street which were privately owned at one time have to come off the tax rolls as they are owned now by the Borough.

A resolution prepared by the Chief Financial Officer authorizing the cancellation of taxes on the aforementioned properties will be placed on the October 9th regular meeting proposed consent agenda.

Best Practices Guidelines (Schedule {A})

Mr. Restaino explained that the Best Practices Checklist is required to be discussed by the Mayor and Council at an open public meeting. It was sent to the Mayor and Council for review.

Mr. Restaino added that he, Mr. Grant and Joseph Iannaconi, CFO, are 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.

Attached Schedule (A) will be filed with the Borough Clerk and will be made part of the permanent record.

Bond Ordinance for Improvements to Parks & Municipal Lots - \$100,000

Mr. Restaino explained that funds have to be put in place for the paving of the municipal lot behind borough hall and the new ice skating rink by the Northbridge Park complex.

Mr. Restaino added that he's hopeful the entire \$100,000 will not be needed.

A bond ordinance in the amount of \$100,000 will be prepared by bond council and will be placed on the October 9th regular meeting agenda for introduction.

Clothing Bins - Proceeds to Fire Prevention Bureau

Mr. Restaino handed out a diagram which showed two private locations at Linwood Plaza and the Fort Lee Town Center which proceeds will be turned over to the Fire Prevention Bureau.

Discussion ensued between the Mayor and Council as to the location of the bins within the private property; specifically related to the Linwood Plaza location.

An agreement will have to be executed between the vendor and the Borough to turn over the proceeds for use by the Fire Prevention Bureau. It's expected that approximately \$1,500 in revenue will be generated annually. In addition the vendor will have to license the clothing bins through the Borough Clerk's office as required by law.

Agreement to Enter Into a Purchasing Cooperative With National Purchasing Intergovernmental Purchasing Alliance Company (National IPA)

Mr. Restaino stated that National IPA is an opportunity to purchase certain items at a cost-efficient rate. There is no cost to joint the purchasing cooperative.

Mr. Cohen's office will review the documents sent to Mr. Restaino to make sure that all the criteria are legally met for the Borough to join this particular purchasing cooperative.

The Mayor and Council voiced no objection to join the purchasing cooperative.

If there are no problems then a resolution authorizing the Borough's participation in the National IPA will be placed on the October 9th regular meeting proposed consent agenda.

No Overnight Parking Zones

Mr. Cervieri stated that the information was just received by the Mayor and Council within the last day. He believes that everyone needs time to review the recommended requested ordinance that was requested by the Parking Authority.

The Mayor and Council concurred with Mr. Cervieri and agreed that this item should be placed on the November 6th executive session agenda for further discussion.

PUBLIC HEARINGS SCHEDULED FOR OCTOBER 9, 2014

Ord. #2014-35--Bond Ordinance Providing for the Architect and Design Costs of the Fort Lee Theater/Museum in the Eastern Portion of Redevelopment Area #5 – \$100,000.00

Ord. #2014-36--Bond Ordinance for ADA Construction Improvements – Appropriating \$252,750.00 and Authorizing the Issuance of \$240,000.00 Bonds or Notes

Ord. #2014-37--Amending Salary Ordinance #2013-15 for White Collar Employees – Establishing Title and Salary for “Deputy Municipal Clerk”

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

PUBLIC PARTICIPATION

No one from the public chose to speak during this portion of the meeting.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terr.	.Rent Leveling	Mayor Sokolich Mr. Pohan Mr. Cervieri Mr. Sohmer

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky,** at 8:30 p.m.

Evelyn Rosario
Deputy Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 18, 2014 @ 7:00 p.m.

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PRESENT: Mayor Sokolich, Council Members Pohan, Sohmer, Suh, Sargenti, Cervieri

ABSENT: Councilwoman Kasofsky

ALSO PRESENT: Alfred Restaino, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney

MAYOR'S STATEMENT

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RESOLUTION FOR CLOSED SESSION

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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/IT

Contracts: Municipal Services Agreement With Westgate Condominium Association Inc.

Seer Farms - Centered Animal Sanctuary - New York Avenue Park

Harris Corporation - Borough Radio System

Tax Appeal Litigation: 2000 Linwood Avenue Owners - (Med South) vs. Borough - Steve Muhlstock, Tax Appeal Attorney and Kevin Hartley, Tax Assessor in Attendance

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

Mayor Sokolich asked that Mr. Suh be named as a Council Liaison to the Board of Education. He will replace Mr. Cervieri who was a co-chair with Mr. Sargenti.

Mr. Pohan requested that Mr. Suh be named as a co-chair with him as the Finance liaison. This way Mr. Suh can be involved from the beginning with regard to the 2015 budget process.

Bi-Directional Amplifiers for the Radio System

Mr. Restaino stated that some additional research has to be done on this before bringing it back to the Mayor and Council for discussion.

Energy Aggregation

Mr. Restaino stated that energy has been deregulated. He has been contacted by a variety of vendors that permit towns to

provide electric energy to its entire municipality. Everyone would be included and then people would actually have to opt out. Their electric bill would look similar to the bill they are already provided by PSE&G. The price per kilowatt would be different. Some presentations have to be made to the public if the Borough decides to go this route. He added that Jan Goldberg, Management Specialist, has been working on this as part of the many projects he's pursuing.

Mr. Cohen stated that he sent a memo on this subject a couple of months ago to the Mayor and Council. He added that the Borough would need a consultant. He mentioned that he deals with the consultant who does it for the Borough of Princeton, who has suggested waiting for a couple of months as he believes the energy prices will be falling.

Mayor Sokolich asked that Jan Goldberg be included in the memo.

Mr. Restaino speaking about the Borough's energy costs said the town as part of the South Bergen Joint Insurance Fund (JIF) is receiving the lowest possible rate for its insurance, but he will be checking other sources to verify what the JIF is telling him is true.

Signage at Jack Alter Fort Lee Community Center

Mr. Restaino stated that a couple of weeks ago a temporary sign board was put up at the community center to give the Mayor and Council a chance to review what they may like to see permanently displayed at the community center.

He added that he will be purchasing a 4x10 billboard display which will show events and can also be lit up in various colors for various type display civic/public use as needed.

A resolution authorizing the purchase of the sign will be purchased through State contract and will be placed on a future regular meeting agenda for action once all the details have been ironed out.

Town Historian

Mr. Sohmer brought up that the Borough has no official town historian as the previous town historian Robert Boylan passed away in February of this year. Tom Meyers, Director of Cultural & Heritage Affairs, asked him if he could be named to replace Mr. Boylan.

Mayor Sokolich stated that he had no objection to Mr. Meyer's request.

The Mayor and Council concurred that a resolution authorizing Tom Meyers to be named as the Borough's Town Historian will be placed on the November 13th regular meeting. It will become effective on January 1, 2015.

Senior Center - Execution of Grant Agreement with Bergen County

Mayor Sokolich stated that the execution of the grant agreement is administrative in nature.

A resolution executing a Bergen County Community Development grant agreement with Bergen County in the amount of \$90,000 for the installation of a generator for the senior citizen center will be placed on the October 9th regular meeting proposed consent agenda.

Inwood Terrace Park Gazebo

Mr. Restaino stated that the Borough is going to purchase this through State Contract.

The governing body concurred with Mr. Restaino.

A resolution authorizing the purchase of the gazebo will be placed on a future regular meeting of the Mayor and Council once Mr. Restaino reviews and decides which gazebo will best work for the park.

Developers Agreement for Premier Developers at 141 English Street

Mayor Sokolich recused himself on this matter and left the meeting room.

Council President Pohan chaired this portion of the meeting.

Mr. Cervieri asked Mr. Cohen what was approved for the developer's agreement.

Mr. Cohen gave a brief detail of the project.

A resolution approving the aforementioned developer's agreement will be placed on the October 9th regular meeting agenda.

RESOLUTIONS

R-1 - Submission of a NJDOT Local Aid Grant Application for Wilson Avenue Roadway Improvements

Mr. Pohan also chaired this portion of the meeting.

Mr. Grant explained that the Borough usually applies/submits a grant application annually to the NJDOT for various roadway improvement projects.

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

Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Wilson Avenue Improvements Project.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Fort Lee formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Fort Lee Borough-00201 to the New Jersey Department of Transportation on behalf of the Borough of Fort Lee; and.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fort Lee, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The Resolution was **approved unanimously.**

PUBLIC PARTICIPATION

Mayor Sokolich returned to the meeting room and chaired the remainder of the meeting.

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>
Charles Sobel 2175 Hudson Terrace	.Rent Leveling	Mayor Sokolich

It was agreed that Rent Leveling would be discussed in closed session at the October 2nd regular meeting.

Mr. Cohen deemed that this item can be discussed by the Mayor and Council in closed session.

Mr. Pohan stated that he would like to meet with Mr. Sobel and Matt Shapiro, pro-tenant rent leveling advocates, before the October 2nd meeting. He will meet with them as his schedule permits.

The Mayor and Council concurred that the October 2nd executive session meeting will begin at 6:00 p.m. so as to afford the Mayor and Council time to discuss the rent leveling issue in closed session.

Mr. Grant will send out the required legal publication notice.

There being no further discussion the meeting was adjourned **on motion by Councilman Sargenti seconded by Councilman Suh,** at 8:55: p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, September 4, 2014 @ 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

ALSO PRESENT: Alfred Restaino, 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 2, 2014, 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 3, 2014 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
CFO/Tax Collector
DPW
Fire Prevention Bureau
Senior Citizen Center

Contracts: ADP/Munidex - Representatives to Attend

Tim Donohue, Esq. (Arleo, Donohue & Biancamano) -
GWB Lane Closures

Tax Appeal Litigation: Papavasiliou vs. Borough at
1083 Cumbermeade Road

Appleman vs. Borough at 1090 Arcadian Way

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.

Bids for Inwood Terrace Park Improvements

Mr. Mignone stated that the Borough has a \$32,500 matching Bergen County Open Space Trust Grant for this project and there is \$125,000 bonding in place; however, all the bids received on September 3rd came way over the bid estimate. The open space grant is set to expire this year. His recommendation is to reject the bids and re-scope the project.

Mr. Mignone stated that he has a call in to Bergen County TO see if the grant deadline can be extended for this project.

Mayor Sokolich asked what part of the project could be potentially done in-house.

Mr. Mignone replied that the basketball courts could be done by the Borough's Department of Public Work employees.

It was agreed a resolution rejecting all bids and authorizing a rebid of same will be placed on the September 11th regular meeting proposed consent agenda.

Contract for ADA Curb Ramp Improvements

Mr. Mignone stated that there has been some miscommunication with Bergen County whether the Borough has to enter into a contract with the contractor making the curb improvements or whether just a payment voucher has to be done.

Mr. Grant added that a bond ordinance in the amount of \$252,750 has been placed on the September 11th regular meeting for introduction. This is to set-up the required funding which funding the Borough will be getting back in full from Bergen County through federal funds.

Fort Lee Police Garage - Potential Change Order

Mr. Mignone stated that the Borough awarded a bid to Security Structures in the amount of approximately \$330,000 a few months ago. There were a certain amount of design details and preliminary soil tests were done. However, the soil issues are much more complex than originally thought. It requires a much more complex foundation system. Originally there would be some spread footings but pilings are now required. Because this information was found out in a field encounter the public contracts law allows for a change order, but a substantial change order in the amount of \$150,000 will be needed to do the work.

Mr. Cervieri stated that the Police Department facility is all on pilings.

Mr. Mignone replied that initially because the structure was being put as an addition to a framed building that it would not end up as such a complicated issue.

Mayor Sokolich asked about the initial soil tests.

Mr. Mignone stated that Security Structures took many more soil samples after the bid was awarded and it showed that pilings

will have to be put in place which is the reason the change order will have to be so large if approved.

Mr. Pohan stated that \$150,000 is a huge change order based on the original bid amount of \$330,000. He believes the best measure may be to rebid the project.

Mayor Sokolich stated that some sort of diligence has to be done to confirm that the extra \$150,000 that Security Structures said it will cost for the project is accurate. Mr. Mignone can come back at the next executive session meeting once he has confirmed the pricing from other engineering sources if in fact that is the case.

Mayor Sokolich added in creating Mr. Mignone's position a number of years ago that this type of situation is one of the reasons why he believed the Borough should have an in-house engineer on staff.

GENERAL DISCUSSION

Municipal Services Agreement With Westgate Condominium Association Inc.

Mr. Grant stated that Borough's municipal services agreement with Westgate Condominium Association, Inc. expired at the end of 2013.

Mr. Restaino will reach out to their Board President to let him know unless there are any changes that they are requesting that the Borough will approve a resolution renewing the municipal services agreement with Westgate with the same price and conditions staying in place. Such resolution will be placed either on the September 11th or October 9th regular meeting proposed consent agenda based on when Mr. Restaino speaks to their Board President.

Clothing Containers - Proceeds to Fire Prevention Bureau

Mr. Restaino stated that a request has been made by Steve Curry to have additional clothing bins placed on private bins which proceeds will go to the Fire Prevention Bureau for additional educational training. It's expected that about \$1,500 would be given annually.

The Mayor and Council questioned the 1365 Inwood Terrace location, but Messrs. Restaino and Grant said the bins would be placed on private property. The location for placement of the bids was unknown at the time of the meeting

Editor's Note: It was found out on Friday, September 5th by Mr. Restaino that the private clothing bin locations will be at Linwood Plaza and Fort Lee Town Center.

County Executive's Volunteer of the Year Nominations

After a brief conversation the Mayor and Council agreed that Bobbi Wailes, Chairwoman of the Borough's ADA Committee and Michael Klein, President of Fort Lee Girls Basketball League should be nominated as the Borough's representatives for the "County Executive's Volunteer of the Year Recognition Ceremony" which will be held at the Bergen County Technical High School in Paramus on Wednesday, October 9th at 6:30 p.m.

Bergen Municipal Employee Benefits Fund Renewal

A resolution authoring the Borough to renew within the B-MED fund will be placed on the September 11th regular meeting proposed consent agenda.

Handicapped Parking Space for Resident - Added on Item by Mr. Cervieri

Mr. Cervieri stated that he has a letter in his car from a resident requesting a handicapped parking space. Mr. Cervieri will give Mr. Grant the letter which he will then forward to the Police Department for review.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 11, 2014

- Ord. #2014-31--Amending Salary Ordinance #2013-15 for White Collar Employees
– Establishing Title and Salary for "Management Specialist"
- Ord. #2014-32--Amending Chapter 273, Mobile Food Trucks and Restaurants
- Ord. #2014-33--Amending Chapter 372, Section 30, Article II Limousines,
Maximum Number of Vehicles Allowed Sixteen (16)
- Ord. #2014-34--Amending Chapter 138 Animals, Article III, Feeding of Wildlife
and Domesticated Animals

PUBLIC PARTICIPATION

On motion by Councilman Pohan, 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>
Diane Sicheri 1525 12th Street	.School Board Referendum Concerned About New Road Past Recreation Center .Taxes from Redevelopment Area 5	Mr. Pohan Mr. Sargenti Mayor Sokolich Mr. Cervieri Mr. Cohen
George Porto Central Boulevard	.Taxes from Redevelopment Area 5 .Room to Build New Schools	Mayor Sokolich Mr. Pohan Mr. Cervieri Mr. Cervieri Mr. Sargenti Mayor Sokolich
Doug Sugarman 2100 Linwood Ave.	.Board of Education Referendum Request for Mayor and Council and Board of Education to Meet	Mayor Sokolich

Peter Suh, Board of Education Member, also responded to Ms. Sicheri's concerns.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Pohan,** at 9:31 p.m.

Neil Grant, RMC
Borough Clerk

SPECIAL MEETING

MAYOR AND COUNCIL

Thursday, August 21, 2014 @ 6:00 p.m.

The Special Meeting 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, Cervieri

ABSENT: Councilwoman Kasofsky

ALSO PRESENT: Alfred Restaino, 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:

All members of this body have been advised both orally and in writing at least 48 hours prior to this meeting of the time, place and proposed agenda hereof.

On August 19, 2014 a written notice of the time, place and proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, N.J.

On the same date a copy of said written notice was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE filed with the Borough Clerk, and copies were mailed to all persons who have requested same, and have prepaid the fee fixed for the year 2014.

The agenda of the special meeting to the extent presently known, is as follows:

1. Potential School Board Referendum - Paul Saxton, School Board Superintendent in Attendance
2. Public Participation

It is expected that **no formal action** will be taken at this meeting.

Special Meeting

August 21, 2014

SCHOOL BOARD REFERENDUM DISCUSSION

Candy Romba and Peter Suh, Board of Education members, were present for this meeting.

In addition David Rinderknecht, School Board Administrator, was present for the meeting.

Scott Mihalick, Principal of SSP Architectural Group, made a presentation explaining the Fort Lee Public Schools Action Plan which is expected to go to referendum by the end of this year or early next year.

The action plan is available in the Office of the Borough Clerk. The action plan was also presented by the Board of Education at a meeting they held on August 18th.

Discussion ensued with regard to an access road being needed through the Middle School property running up to and including a portion through William Birch Park by the Borough's Recreation Center. Other items touched upon were the size of the new roadway, security such as crossing guards and/or a police presence when the school is opened, as well as ingress and egress and traffic patterns for the new addition to the middle school.

Discussion also ensued between the governing body and Mr. Saxton with regard to the potential use of Holy Trinity for class space and/or administration space.

Mr. Cervieri stated that he thinks the Board of Education should take a very serious look at using Holy Trinity if not for classrooms, then for administration space.

Mr. Pohan also made it very clear that the Planning Board had no input with regard to giving numbers to the Board of Education for the number of students who may be coming out of the residential units within Redevelopment Area 5. There were experts at the Planning Board meetings who gave figures and the Board of Education numbers were different than the experts; however, in no way, shape or form did the Planning Board ever inform the Board of Education how many school age children may potentially be coming from the residential units within Redevelopment Area 5.

PUBLIC PARTICIPATION

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

No one from the public spoke chose to speak at this point in the meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** the meeting was adjourned at 7:05 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, August 14, 2014 @ 4:00 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 (Left At Approximately 5:45 p.m.)
Council Members Pohan, Sohmer, Sargenti, Kasofsky,
Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Alfred Restaino, 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 2, 2014, 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 3, 2014 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.

3. On August 4, 2014, a written notice of the change in starting time for this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2014 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: Borough Clerk - Interviewing of Potential Candidates
Management Specialist

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.

Council President chaired the open portion of the meeting in the Mayor's absence.

ENGINEERING DISCUSSION

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

Boswell Proposal for Emergency Generator for the Recreation Center

Mr. Mignone stated that electrical panels will have to be rewired at the Recreation Center for this project.

A resolution accepting Boswell McClave's engineering proposal for preparation of bid plans and specifications for an emergency generator for the Recreation Center at a fee not to exceed \$6,000 will be placed on the August 21st regular meeting proposed consent agenda.

Boswell Additional Proposal for Construction Inspection Services for ADA Ramps for Palisade Avenue to Columbia Avenue

Mr. Mignone stated that ultimately the Borough will be reimbursed for this project through federal funds through a

Bergen County Open Space Trust Fund Grant. An interlocal agreement is in place with Bergen County for construction and engineering services.

A resolution accepting Boswell McClave's engineering proposal for construction inspection services for Borough-wide handicap accessible ramp improvements for Palisade Avenue to Columbia Avenue at a fee not to exceed \$5,400 will be placed on the August 21st regular meeting proposed consent agenda.

Bonding for ADA Curb Ramp Improvements - Reimbursement by Bergen County

A bond ordinance in the amount of 252,750 will need to be done with regard to the ADA curb ramp improvements. A down payment will be required.

A bond ordinance will be introduced at the September 11th regular meeting.

Contract for ADA Curb Ramp Improvements

Mr. Mignone stated that the Borough will be getting reimbursed for this project, but the Borough may have to enter into a separate contact with the vendor Concrete Construction Corp. Mr. Mignone will follow-up with Bergen County representatives to get further details before the Borough moves forward.

Inwood Terrace Park Improvements

Mr. Mignone stated that the Borough wants to make improvements to Inwood Terrace Park which include plans to upgrade the gazebo and basketball courts. The money will be coming from the Bergen County Open Space Trust Fund. The project has to be completed by the end of the year in order for the Borough to receive its \$32,500 matching grant which the Borough has previously been awarded.

Bids are expected to be received on September 3rd.

Private Sewer Line for Manatauck Avenue

Mr. Mignone stated that a new home is being built on Route 5 at the end of Arcadian Way. There is an existing sewer easement through the adjacent private property; however, to tie into the borough's pump station a hold harmless/license/easement agreement will be necessary. This is for a private sewer lateral. There may be potential in the future to expand the pump station so any agreement will need to take that into consideration.

Mr. Cohen asked if there is enough room for expansion.

Mr. Mignone replied affirmatively.

Mr. Cervieri stated that a sewer line may need to be modified.

Mr. Pohan asked if a license agreement and/or easement have to be done.

Mr. Cohen stated that a revocable license agreement needs to be in place.

Mr. Cohen will work on the license agreement with Mr. Mignone which ultimately will be approved by the Mayor and Council at a future regular meeting.

Waterware Proposal for Combined Sewer Overflow (CSO) Regulator Inspections

Mr. Mignone stated that an engineering assessment of the borough's CSO regulator's is required by the BCUA.

He recommended that a contract be authored to Waterware Corporation.

A resolution awarding a contact to Waterware Corporation, Philadelphia, Pennsylvania for CSO regulator inspections at the Palisades Road Pump Station, the Main Street Pump Station and the Bluff Road Pump station in the amount of \$12,319 will be placed on the August 21st regular meeting proposed consent agenda.

Mak Group LLC - Change Order #1 for Roof Repairs at 309 Main Street

Mr. Mignone stated that a change order for some extra metal needed around the perimeter of the roof at 309 Main Street needs to be approved.

A change order authorizing the change order to Mak Group LLC in the amount of \$7,335 will be placed on the August 21st regular meeting proposed consent agenda. EXTRA metal needed on the perimeter.

Mr. Mignone added that he's Hopeful that some credits will be coming back to the Borough for this project.

Emergency Repairs to the Force Main on Old Palisade Road and Federspiel Street

A resolution authorizing payment to J. Fletcher Creamer & Son, Inc. for emergency repairs made to the force main made on July 25th for the area listed above in the amount of \$30,791.25 will be placed on the August 21st regular meeting proposed consent agenda.

GENERAL DISCUSSION

Parking Updates - Gloria Gallo, Parking Authority Executive Director in Attendance

Ms. Gallo stated that a couple of ordinances will be needed for the new residential towers and garage within Redevelopment Area 5 as well as creation of a business district. Overnight parking laws will be needed within the business district.

She added that all of this has to happen concurrently to include the license plate recognition program the Parking Authority will be changing over to. She's hopeful to have this done by November so the ordinances hopefully can be introduced in October and be adopted in November.

She's also looking to make the Residential Permit Parking program renewable annually rather than every four years and believes the overnight parking issues are the most important thing.

She has set up a meeting in September with the architects for final design criteria with regard to the parking garage in the municipal parking lot. The garage is expected to be about 1000 spaces over five levels with 24 hour security. It will be a pre-cast structure with the ability to be extended.

Redevelopment Area 5 (West) - Park - Corner of Lemoine Avenue and Main Street

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

Mr. Pohan stated that the Mayor had sent the plan around that shows what the opening will ultimately look like with regard to entrance of the western portion of Redevelopment Area 5.

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

Potential Area in Need of Redevelopment - 1679-1685 Bergen Boulevard & 604-608 Main Street

Mr. Cohen stated that this would have to be referred to the Planning Board as the area in question has the characteristics for an area in need of redevelopment. It has limited access. and facially it fits the criteria.

Mr. Cervieri stated that the property has laid fallow for years even though a number of years back a potential proposal was made and then ultimately dropped.

Mr. Pohan stated that someone has a concept to develop it so therefore the Planning Board should review whether the area qualifies as an area in need of redevelopment.

A resolution authorizing and directing the Planning Board to Examine whether certain lands located at 1679-1685 Bergen Boulevard and 604-608 Main Street should be determined to be an area in need of redevelopment will be placed on the August 21st regular meeting agenda.

Accepting 2013 Audit

A resolution approving the 2013 audit report which report was prepared by the Borough Auditor will be placed on the August 21st regular meeting proposed consent agenda.

Amending Chapter 138-17.1, Animals (Prohibited Items)

Mr. Restaino stated that the Borough is trying to limit residents handling of animal in parks which will rectify certain deficiencies the Borough has in its current animal ordinance. He added that residents should not be feeding wild strays. An amended ordinance will give the Police and Health Departments enforcement tools.

Mr. Cervieri asked will the amended ordinance approve quality of life for the residents.

Mr. Restaino stated that it will as the New York Avenue Park is inundated with animals rather than children.

An ordinance amending Chapter 138-17.1, animals will be introduced at the August 21st regular meeting.

Amending Chapter 372-29, Limousine Owners - Number of Vehicles

Mr. Grant stated that a request has been made by one of the Borough's limousine companies to change the number of vehicles allowed by any one limousine company from its current number of eight.

The Council agreed that the limousine ordinance should be amended to allow any one limousine company the ability to own sixteen (16) limousines at any one time.

Mr. Cohen will prepare the appropriate ordinance which will be introduced on August 21st regular meeting of the Mayor and Council.

Amending Chapter 273, Mobile Food Vendors

After a brief discussion the governing body agreed that the time limit for mobile food vendors should be increased from ten

minute to twenty minutes and also concurred with some minor language changes with regard to mobile food trucks at Borough sanctioned events.

An ordinance amending Chapter 273, Mobile Food Vendors will be introduced at the August 21st regular meeting.

Bond Ordinance for Theater/Museum

A bond ordinance in the amount of \$100,000 to cover design and architect costs for the Theater/Museum being built by the redeveloper in Redevelopment Area 5 (Eastern Portion) will be introduced at the September 11th regular meeting.

No down payment will be needed because the theater/museum is within a redevelopment area.

Windows and Masonry Work for Borough Hall

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the above listed work is expected to be approved later in this meeting.

Pending Limousine Applications

Mr. Grant stated that there are two pending limousine applications which approvals have been given by both the Building Department and Fire Prevention Bureau. He's still awaiting the final police report. If the police reports are received before next week's regular meeting then action is expected to be taken at that time.

Starting Time for August 21, 2014 Regular Meeting

The Mayor and Council agreed to change the starting time for the August 21st regular meeting from 8:00 p.m. to 7:00 p.m.

Mr. Grant will send out the required legal notice.

Amending Sign Ordinance - Window Signage

Mr. Cervieri stated that he met with Mayor Sokolich, Mr. Restaino, Don Porrino, Sign and Façade Committee Chairman and Brian Ribarro, Building Sub-Code Official with regard to the disconnect between what the Sign and Façade Committee approves and what it ultimately approved by the Building Department based on final inspection.

An ordinance is needed so that professional window signs would be allowed to cover up to 20% of a window. This would be a change in the borough's current zoning ordinance. It would have to be done professionally. Other amendments such as a definition from a back wall will also have to be looked at.

This item will be checked into by Lee Cohen's office as well as the Borough Planner to make sure any new ordinance doesn't conflict with any current ordinances that may already exist.

Board of Education Middle School Expansion

Mr. Cervieri stated that the Fort Lee Board of Education with its expected referendum would be adding a fifth and sixth grade onto the current middle school building.

He added an egress agreement would have to be done with the Borough as the Board of Education would be creating a roadway that would cut through William T. Birch Park at the bottom of Stillwell Avenue through the current fields within the middle school property.

Mr. Restaino stated that the roadway would only be used during school hours.

Mr. Cervieri added that he would also like the Board of Education to look at the Holy Trinity Church property for either classrooms or business offices.

Community Development Contract

Mr. Restaino stated that the Borough of Fort Lee's inclusion in the Bergen County Community Development Program for 2015 Through June 30, 2018 was previously approved June 12th.

Community Development has made some language changes to the agreement so a new resolution needs to be approved.

A resolution authorizing an amended agreement with Bergen County will be placed on the August 21st regular meeting proposed consent agenda.

Exterminating Contract

There was no discussion on this item tonight.

RESOLUTIONS

R-1 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for Inwood Terrace Park Improvements and for Windows and Masonry Work for Borough Hall

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 Purchasing Consultant is hereby authorized and directed to obtain specifications and advertise for bids for:

- . Improvements to Inwood Terrace Park
- . Windows and Masonry Work for Borough Hall at 309 Main Street

The Resolution was **approved unanimously**.

PUBLIC HEARING SCHEDULED FOR AUGUST 21, 2014

Ord. #2014-30--Mandating Direct Deposit for Municipal Employees by the Borough of Fort Lee Pursuant to C:52-14-15f et. seq.

PUBLIC PARTICIPATION

No one from the public chose to speak during this portion of the meeting.

There being no further discussion the meeting was moved back into closed session **on motion by Councilman Cervieri, seconded by Councilman Sohmer**, at 6:51 p.m. to discuss the following matters.

Personnel: Film Commission

Contracts: Pritchard Industries Inc./Seasonal Employees
Fiber Technologies Networks, LLC - Public
Rights-of-Way Within the Borough for Fiber
Optic Network Extension

Release of Various Closed Session Minutes - GWB
Lane Closures 2013-2014

Property Acquisition: Request to Purchase Borough
Property at 33 Main Street

Tax Appeal Litigation: Osso vs. Fort Lee at 1630
Lemoine Avenue & Mangnone Bank of America vs. Fort Lee
at 2088 Lemoine Avenue

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.

With the front door being reopened to the public and no one from the public present, the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 7:30 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, July 10, 2014 @ 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: 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 2, 2014, 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 3, 2014 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: Municipal Court
Police Department - Temporary Dispatcher

Legal Advice Concerning: Discussion of Grievance(s)
Processing Procedures

Dodd-Frank Federal Security Regulations

Contract: Galaxy Management

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 McClave Amended Proposal for ADA Ramps

Mr. Grant stated that Boswell McClave Engineering has amended their original proposal to include additional ADA ramp upgrades on Palisade Avenue by the Cliffside Park border as well as on Columbia Avenue near the Route 5 intersection. The engineering costs for this project are being reimbursed to the Borough through Bergen County Community Development.

A resolution amending/increasing Boswell's contract by \$1,800.00 for construction inspection services for the additional ADA ramps will be placed on the July 17th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Senior Housing Qualification/Selection Process

Mayor Sokolich stated that he's a bit perplexed as to the precise protocol the senior housing buildings use in Fort Lee to place new tenants in unoccupied units. The Mayor asked how someone obtains an application and who reviews the application for tenancy.

Mr. Cervieri stated that the two building are Malcolm Towers and Mediterranean Towers. Malcolm Tower was supposed to give the list to Peggy Thomas when she was Borough Administrator.

Mayor Sokolich asked if the Borough is even entitled to the waiting list, and if this is a topic that needs to be discussed by the him and the governing body.

Mr. Sohmer said he's still interested in finding out why the Borough did not get the list it requested close to two years ago.

Mr. Cohen replied that he's not sure, but there is nothing wrong in asking for the list and see how it plays out.

Mr. Cervieri added that he would like to see the lists used for the last few years.

Local Assistance Board Appointment

Ms. Kasofsky stated that it has been recommended by Jillian Raimondo, Human Services Director, as well as Joan Alter, Local Assistance Board member, to place Rabbi Kenneth Stern onto the Local Assistance Board.

Mr. Grant added that there is a current vacancy on the Local Assistance Board which term runs through December 31, 2014.

The Mayor and Council will take the necessary action to appoint Rabbi Stern at their July 17th regular meeting.

Historic District - Request to Merge Monument Park and Fort Lee Museum

Mr. Sohmer stated that the merging of the property will help the Borough with potential grant opportunities.

Mr. Cohen's office will review the request and if any action needs to be taken i.e. resolution and/or ordinance it will be discussed and ultimately placed for action by the Mayor and Council at a future public meeting.

Fire Department Stipend - Language Amendment

Mr. Grant read the following Fire Department recommendation to change the existing Volunteer Fort Lee Fire Department stipend program. The change has been recommended by William Chiappane, Fire Chief.

Members shall only receive credit for responding to incidents when their assigned company has been dispatched, "except when covering a duty shift at another company per Section 18.3E. Members may also receive credit for attending calls at other than their assigned company when the Chief of the Department authorizes same by directive to address manpower issues".

The Mayor and Council voiced no objection to the language change and a resolution will be prepared by the Borough Attorney so action can be taken by the Mayor and Council at their July 17th regular meeting.

Auctioning of Various Borough Property

Mr. Grant stated that the Police Department along with the Borough has some older computer equipment it wishes to get rid of and therefore auction off.

A resolution authorizing the Borough to auction off the equipment through PropertyRoom.com which list of equipment will be available in the Office of the Borough Clerk will be placed on the July 17th regular meeting for action.

Dilapidated/Condemned Buildings

Mayor Sokolich stated that there are unsightly buildings on North Central Road and Parker Avenue.

Mr. Cervieri stated that the North Central Road property is owned by a local developer and architect. He concurred with the Mayor that it's unsightly and it should be torn down.

Mr. Grant mentioned that the Borough previously approved an abandoned property toolkit back in June 2013. This gives the Borough specifically, the Building Department, the tools it needs to deal with abandoned/condemned properties.

PUBLIC HEARINGS SCHEDULED FOR JULY 17, 2014

- Ord. #2014-24--Amending Salary Ordinance #2013-15 for White Collar Employees for Various Full Time Personnel in the Fire Prevention Bureau
- Ord. #2014-25--Amending Salary Ordinance #2013-12 for Department Heads for 2013-2016 - Fire Official/Fire Protection Sub-Code Official/Safety Officer
- Ord. #2014-26--Amending Bond Ordinance 2013-25 for Furnishings for Previous Acquisition of Property at 1363 Inwood Terrace – Supplemental Appropriation of \$50,000.00 and Authorizing the Issuance of \$47,500.00 Bond or Notes
- Ord. #2014-27--Amending Chapter 388, Section 57, Schedule XIII, Establishing a Mid-Block Bus Stop, on Route US9W Northbound Between Washington Avenue and Irving Avenue (Englewood Cliffs)
- Ord. #2014-28--Amending Chapter 90, Section 2, Police Department Formation and Rank
- Ord. #2014-29--Bond Ordinance for Main Street Force Main Project and Streetscape Revitalization Project – Appropriating \$3,200,000 and Authorizing the Issuance of \$3,040,000 Bonds or Notes

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

PUBLIC PARTICIPATION

No one from the public chose to speak during this portion of the meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** at 8:20 p.m.

Neil Grant, RMC
Borough Clerk

SPECIAL MEETING

MAYOR AND COUNCIL

Thursday, July 10, 2014 @ 6:00 p.m.

The Special Meeting 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: 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:

All members of this body have been advised both orally and in writing at least 48 hours prior to this meeting of the time, place and proposed agenda hereof.

On June 26, 2014 a written notice of the time, place and proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, N.J.

On the same date a copy of said written notice was mailed to THE RECORD, JERSEY JOURNAL, and TIME WARNER CABLE filed with the Borough Clerk, and copies were mailed to all persons who have requested same, and have prepaid the fee fixed for the year 2014.

RENT CONTROL DISCUSSION

Bruce Shapiro, NJAR Local Government & Regulatory Affairs Coordinator and Catherine Best, NJAR Local Grassroots and Legislative Affairs Coordinator were present for this meeting.

Mayor Sokolich welcomed everyone. He said this is a continuation of last year's meeting that took place in August 2013. It's to get input from numerous people with regard to the Borough current rent control laws. Last year's meeting dealt mainly with a tenant's perspective and this evening a different perspective is going to be heard.

Catherine Best Eastern Bergen County Realtors and New Jersey Realtors read the following statement advising against changing the Borough's current rent control ordinance.

"My name is Catherine Best and I am here on behalf of the Eastern Bergen County Board of REALTORS® and the New Jersey REALTORS®. I am here tonight to give a brief statement on our Association's position on rent control; a topic that I know has been subject to much discussion by this Council. As a State Association, we have frequently advocated at the local level for changes to rent control ordinances, or what's called "vacancy decontrol."

Our concerns regarding rent control are as follows:

- 1st - In markets with rent control, it may be very difficult to find an available apartment and, as the price of rent controlled units are artificially depressed, the price of non rent-controlled units may be inflated to compensate;
 - 2nd - Tenants with favorable lease terms that reside in rent controlled units may hold on to rentals longer, perhaps even illegally subletting them rather than putting them back on the market;
 - 3rd - If a landlord owns a building with rent controlled units, there is a higher incentive for the landlord to convert the building to condominiums;
 - 4th - Rent control may drive out affordable housing, as many people living in rent controlled units are professionals, while the seniors and the poor are excluded;
 - 5th - Cities where rent control exists typically have two housing markets. A market where the prices are held down, and a shadow market where prices skyrocket. While on a much larger scale than Fort Lee, cities like New York and San Francisco are perfect examples of this;
- and finally - Reports showed that not being able to collect fair market rents prevent apartment buildings from paying their fair share of taxes, thus homeowners and renters end up paying more.

Thank you for allowing me to share the concerns of the NJ REALTORS® with you this evening. Up next you will be hearing from Randy Kative, a Fort Lee native REALTOR® who will speak to her personal experiences with rent control."

Randy Lyn Kative, Realtor Party New Jersey Rep. for twenty years, Envolvement Comm. and a forty year resident of the Borough read the following statement:

"As REALTORS® we represent tenants and landlords, to quote National Association REALTORS® Chief Economist, Lawrence Yoon, Harvard economist speaking about rent control.

If there is a persistent housing shortage-the battle begins. Landlords from hell versus rent control. Rent control is never an answer! It is the worst possible solution. There are two ways to destroy a city, one is to bomb it-and the second is rent control, and wait twenty years for results".

Rent leveling has existed in Fort Lee since 1972. Moving forward to 1990, when all new construction, by State statue, became exempt for 30 years. This resulted in the older affordable housing stock being the most affected, causing it to continue to deteriorate. However, all rental buildings constructed prior to 1990 that converted to co-ops and condos have been able to maintain their properties; irrespective of necessary cost to the housing highest quality and standards.

Conversions including but not limited to Linwood Park, Horizon House, Hampshire House, Colony, the Meds (North, South, West), Northbridge, 201 Bridge Plaza, 1 Wall Street, 1415 Palisade Avenue, and Lacrosse House- were all done to the confiscatory effect of the enactment of the Fort Lee Rent Leveling ordinance.

The lack of a primary residency requirement, in my opinion is a void in the ordinance.

Furthermore, it is unfair that due to the senior income exemption, senior residents with incomes up to \$192,960.00 are subject to paying a much lower annual rent increase.

Overall rent control is a detriment to the community at large. It adversely affects investment and tax revenue generation for our community. It affects the value of neighboring properties and the appearance of the community as a whole.

Rent control is a disadvantage to our local economy."

One year ago simplistic hand-out annual expenses. Landlord does not serve as a non-profit. He's subsidizing town's abilities to be able to keep up housing stock not to have blight. She's a realtor not a landlord, represents everyone. No blighted areas in fort lee. Infrastructure is kept up i.e. boilers, maintenance.

She said the current senior income exemption amount is 193,000.

She said that owners are taxed on the use approach, rentals are taxed on the income approach. There is more per unit in taxes then on rentals.

Mayor Sokolich stated that he believe government should be able to provide housing stock that is reachable to all of its residents.

Ms. Kative questioned why one specific industry should be controlled. If you want to meet in the middle then take out vacancy de-control. Condos and cooperative have it. She thanked the Mayor and Council for it. There were very few foreclosures in Fort Lee and other towns were hit hard much harder. It contributes to vacancy decontrol.

Mr. Pohan stated that he's a shareholder in The Colony. He asked Ms. Kative if her numbers include capital assessment.

Ms. Kative said about 25%.

Mr. Pohan stated what landlords can do under the existing ordinance.

Ms. Kative said the owners have to open their books which she believes is unfair.

Messrs. Pohan and Sokolich both concurred that other industries open their books. The Mayor added that this is a quality of life issue.

Mr. Pohan stated that the Borough is still present after forty years of rent control.

Ms. Kative stated that the majority of Fort Lee high rise housing is condos and cooperatives.

Mr. Pohan asked why they didn't convert. He spoke to the Borough's original rent leveling ordinance.

Ms. Kative said she doesn't know as she doesn't own the building.

Mr. Cervieri stated that certain mortgages may not be convertible. They may be large penalties if converted.

Mr. Pohan stated that after forty years of rent control and twenty years with no change he doesn't think this body is going to get rid of rent control. He asked Ms. Kative if she could change two things what would they be.

Ms. Kative stated that she would change vacancy decontrol and that she would want a means test as well as making sure renters are actually New Jersey residents.

Bruce Shapiro, worked with Bayonne which instituted vacancy decontrol. Tenants voluntary left. Positive changes occurred. Vacancy decontrol may be locked out. Bayonne had stabilization of their taxes, ratable went out and mom and pops who rented their homes.

Ms. Kative asked what obligation does the Borough have? Is it to protect a \$193,000 income limit or others who have no income or limited income. She believes government is supposed to keep her safe, maintain the landscape and the integrity of the town.

Mayor Sokolich replied that he believes government has a certain social component to it.

Mr. Goldberg asked Ms. Kative since 1972 how many properties under rent control have been sold.

Ms. Kative said that the Carriage House and Presidential rentals are the only ones that she's aware of that sold.

Mr. Grant added that Palisades Garden also was sold.

Mr. Goldberg stated that if there is a market for profit or non-profit people can get out of it.

Ms. Kative stated that only two out of twenty buildings have converted. It's a very small amount. The question that really needs to be answered is how many rent control units are there vs. condominiums and cooperatives.

Mr. Pohan stated that no one has come in for a hardship.

Ms. Kative stated that owners don't want to open their private books and make them public.

Messrs. Sokolich and Mr. Cohen cited examples where the books have been opened.

Mayor Sokolich same tax rate, but you may not have so many police officers and other services. Government shouldn't forget its social need. He acknowledged it could cause a blight problem, but rent control ones are with the biggest blight program.

Mr. Pohan stated that before rent control three months free would be given than later the market changed.

Ms. Kative stated that 2050 Center Avenue is offering free rent.

Mr. Cervieri stated that its 60% rented and had been open for six months to be rented which is a good amount of units rented at this point in time.

Mr. Pohan stated that there is always an area between gouging and greed which rent control deals with it. He has some sympathy for renters who have to deal with greedy landlords.

Mr. Cervieri stated that there should be equal protection. 30-40 years ago it was anticipated in the rent subsidy. Several years ago he put in a proposal. (FAIRNESS TO ALL) His suggestion was to follow section 8 housing proposal 25% as your rent and the town would subsidize the rest. It could be made effective with a certain future date. It would have to be well-defined. Spoke to landlord tax credits and then tax appeals. Only about 2,000 apartments are affected by rent control. If there is an assured affordable housing stock then landlords would never invest in housing stock.

Mayor Sokolich stated that there would be collateral damage removing all safeguards against rent control. The Borough would end up with a full time fire department. Without rent control the Borough would cause a blockage to a vibrant community and many people who currently live in Fort Lee wouldn't be able to live here.

Mr. Cervieri stated that the current rent leveling ordinance exemption is three times higher than the county average.

Mayor Sokolich said that should be looked at.

Mr. Sobel replied only the senior discount would be affected.

Mr. Pohan asked if a senior citizen should have more of an entitlement.

Ms. Kative replied that she believes that she should.

Mayor Sokolich stated that the majority of seniors are on a limited and fixed income.

Ms. Kative said Medicare should be used as the litmus test.

George Porto, 450 Central Boulevard, stated that he believes in protecting the people that are already in Fort Lee. He spoke to his family history. He has a house under rent control. He spoke to value of properties from 1976-2007 and believes renters are a small portion of the problem. He mentioned that the 6434 units of cooperative assessed 2007 on average of \$180,000. He mentioned homeowners voted down two board of education referendums. Getting conversions to create is a good idea. Spoke to what homeowners pay compared to co-ops. He spoke to the Abeles report.

Mayor Sokolich speaking to Mr. Porto said his argument is not much stronger as a homeowner then it is for cooperative and condo owners. The law dictates the borough value cooperatives. The valuation is a per-share value, plus the underlying mortgage.

George Porto stated that the Borough should create an incentive to convert. He doesn't want tenants and/or homeowners to get ripped off. He added that Fort Lee is different then Leonia.

Mayor Sokolich stated that if every cooperative was converted in the Borough, he be thrilled. He added that the Borough has complex ownership.

Mr. Porto spoke to what he pays in taxes.

Mayor Sokolich replied that Mr. Porto would sell his house for conservatively in the \$375,000 to \$400,000 range then the average cooperative unit selling at \$180,000.

Mr. Cervieri stated that condo and cooperative owners pay for their physical plant. People are maintaining their own community. Cooperative assessment is based on sales per share, dollar per share, plus the underlying mortgage. It's an artificial mechanism.

Mayor Sokolich replied that the Abeles report is not worth the paper it's written on.

Ms. Kative said that Med South is converting from a cooperative to a condominium. The building never refinanced and it has had no underlying mortgage for the past few years. Seniors will have to pay more in property taxes, but the cost of \$300,000 or more per unit will off-set the tax increase when units are sold.

Mayor Sokolich stated that the biggest incentive is a Payment in Lieu of Taxes (PILOT) program. Even at reduced condo rate more that co-op ownership. Problem with New Jersey law is that it has to be on either a blighted property or an area in need of redevelopment. That's what Med South wanted the Borough to do for them, but that never occurred.

Mr. Cervieri stated that with a PILOT nothing is paid to the schools.

Mayor Sokolich stated that he found the discussion productive. He grasped the situation and made sure the debate was stimulated from all sides.

Charles Sobel, 2175 Hudson Terrace, spoke about rent decontrol and its previous history. The majority of landlords are getting 5% every year. The current CPI is 2%. Landlords use it for other things and to buy other properties and then using his building refinance every seven years. His owner tried to

convert for \$44,000,000 but he didn't think it was worth more than \$20,000,000. He believes the Borough has the obligation to provide affordable housing.

Charles Sobel spoke to Ms. Kative's arguments and believes nothing has really changed.

Mr. Cervieri stated that managing certain rental properties he spoke to his good tenants and he has maintained the same rents for tenants in some cases up to five years because it's easier having a good consistent then raising the rent and then not sure if you can rent the unit or get a bad tenant. He thought Mr. Sobel could have not used a worse example.

Mr. Pohan asked Mr. Sobel if he could change two things to the Borough's current ordinance, what would they be.

Mr. Sobel stated that he would go to the MAP formula. It's fairly equitable and takes into account landlord's expenses.

Mr. Pohan asked if Mr. Sobel would trade down for a lower threshold.

Mr. Sobel replied that he wants it across the board. Most people don't apply for it.

Ms. Kative retorted that forty to fifty people applied for hardship at the Colony.

PUBLIC PARTICIPATION

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

No one from the public spoke chose to make any further comments at this point in the meeting meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti,** the meeting was adjourned at 7:13 p.m.

Special Meeting

July 10, 2014
Page #10

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, June 19, 2014 @ 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: Alfred Restaino, 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 2, 2014, 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 3, 2014 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 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: Borough Clerk's Office
Building & Grounds
Emergency Management Coordinator

Police Department
Recreation Department

Tax Appeal Litigation: 2500 Lemoine Avenue Associates,
vs. Borough at 2500 Lemoine Avenue, Block 7151, Lot 7

Contracts: Boswell McClave Engineering for Force Main
Project et al.

Design Consultant for Construction of
John Barrymore Museum

Englewood Hospital Medical Director

Municipal Court Prosecutor/Health Benefits

Tax Appeal Conflict Counsel

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

Mandatory Direct Deposit for Borough Employees

Mr. Restaino stated that the State has created law where by municipalities can mandate direct deposit for certain government employees effective July 1st. The governing body may grant exemptions on a case-by-case basis. The Borough will save approximately 50 cents for every check written. It will make the payroll process more efficient for the Borough. This does not affect seasonal employees such as community service employees/summer camp counselors.

An ordinance to mandate direct deposit for municipal employees will be introduced at the July 17th regular meeting.

Utility Rate Analysis

There was no discussion on this item at tonight's meeting.

Purchase of Four (4) Police Vehicles Through State Contract

Mr. Restaino stated that the request was made by the Police Department. The money is budgeted and the goal is to turn over the fleet of vehicles on a regular basis so as to keep the fleet of vehicles efficient for the Police Department. On some of the older vehicles the repairs are very costly.

Resolutions authorizing the purchase of four police vehicles from Winner Ford of Cherry Hill through State contract will be placed on the July 17th regular meeting proposed consent agenda.

The total cost of the four vehicles is approximately \$140,000.00

Advertising for Bids for Suburban Truck for Police Department

Mr. Restaino stated that the Police Department has also requested to go out to bid to convert two pick-up trucks to ESU vehicles as well as to purchase a new suburban truck.

The estimated cost is \$75,000.00.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the aforementioned procurement will be placed on the July 17th regular meeting proposed consent agenda.

RESOLUTIONS

R-1 - Approving Various Liquor Licenses Renewals for 2014-2015

Mr. Grant explained that the licenses being approved tonight were licenses that received tax clearance from the State of New Jersey since last Thursday's regular meeting.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that plenary retail consumption licenses, plenary retail distribution licenses, plenary retail consumption w/broad package privilege, and club licenses for the year **2014/2015** be issued to each of the applicants listed on the attached pages for premises

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

STATE LICENSE #	LICENSEE	TRADE NAME
0219-44-014-004	BELLA ASHTON INC.	BANNER LIQUOR III
0219-33-016-006	NTN FORT LEE INC.	CHILLERS GRILL
0219-33-019-008	ZENEX ENTERPRISE INC.	HANABI JAPANESE CUISINE
0219-33-025-005	ARAXTHOS INC.	SANTORINI TAVERNA
0219-33-040-011	KERRSPO LLC	G.W. GRILL
0219-44-039-006	YS BEVERAGE LLC	

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**.

R-2 - Authorizing Renewal of Liquor License for Jabadou Inc., t/a Soho at 2027 Lemoine Avenue for 2014-2015 With Special Conditions Imposed

Messrs. Cohen and Grant explained the special conditions that are being implemented against the licensee and that only special conditions can be implemented at the time of renewal.

Councilman Cervieri introduced, and Councilwoman Kasofsky seconded, the following Resolution:

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE 0219-33-006-012, JABADOU INC., t/a SOHO, 2027 LEMOINE AVENUE, FOR THE SALE OF ALCOHOLIC BEVERAGES, FOR THE LICENSING YEAR JULY 1, 2014 - JUNE 30, 2015.

WHEREAS, Jabadou, Inc. t/a Soho, ("Soho") is the owner and was the holder of a plenary retail consumption liquor license for

property known as Soho Night Club located at 2027 Lemoine Avenue;
and

WHEREAS, Soho has applied to the Governing Body of the Borough of Fort Lee ("Fort Lee") for the reissuance of the liquor license for the subject property; and

WHEREAS, Soho has taken appropriate measures to significantly improve their operations and to minimize the negative impacts that were previously prevalent; and

WHEREAS, the Borough Attorney ("Attorney") and the Fort Lee Police Department ("FLPD") have reviewed the current operating conditions of Soho and have submitted proposed operating conditions for the premises which would have the effect of Significantly improving the use and operation of the Night Club,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that plenary retail consumption license 0219-33-006-012, Jabadou Inc., t/a Soho, 2027 Lemoine Avenue, for the licensing year July 1, 2014 - June 30, 2015 be renewed for the sale of alcoholic beverages with the following Special Conditions imposed on the license:

1. No person(s) under the age of 21 (including employees) are permitted on premises when alcohol is being distributed. "Teen" nights or "Special Events" allowing persons under age 21 access to the establishment shall not be permitted.
2. Security personnel must be clearly identifiable and display their full name and photographic identification on their outer most garments. The word "SECURITY" in large 8" print must be prominently displayed on the back of the outermost garment of each security guard. Furthermore, each security guard must also have the word "SECURITY" in large 3" print prominently displayed on the front of the outermost garment of each security guard.
3. A minimum of (7) seven dedicated security personnel shall be employed and on duty during hours of operation and an additional (3) three per 100 patrons after the 1st 100. Security is to remain on duty until all patrons have safely left the premises. Personnel shall include both male and female security. Security shall keep and record an accurate and continuous real time count of all persons present in the facility and shall accurately and immediately report that number upon any

inquiry of a Fort Lee Police Officer. Licensee must designate with prior written notice to the Fort Lee Police Department, each day of operation, one person responsible, on site, for occupancy load compliance and all safety and security issues.

4. Licensee must immediately contact and report to the Fort Lee Police Department, any and all action taken by security which involves the use of physical force to restrain and/or remove any patron, visitor, or employee.

5. Licensee shall not conduct promotional events on the premises including but not limited to: discount offerings based on dress, social status, race, gender, ethnicity, etc. There shall be no promotional or sponsored events in coordination with media outlets, private disc jockeys, sports or entertainment related events, without (7) seven days prior approval from the Fort Lee Police Department. For the purposes of these License conditions, all media spokespersons, including radio disc jockeys, acting for themselves or the Licensee AND directly or indirectly effectively promoting the Licensee or the Licensed Premises, shall be deemed to be agents and representatives of the Licensee and they shall be bound by the terms and conditions of this License, for its purposes. Licensee and its agents and representatives, shall obtain the prior written approval of all promotions for or on behalf of the Licensed Premises and/or themselves in connection with the Licensed Premises, at least 7 days prior to the aforesaid scheduled promotion.

6. The licensee's parking lot and adjacent sidewalks shall be secured and patrolled by licensee's security personnel to assist in the orderly entry and exiting of patrons.

7. Licensee shall provide such security and safety control as requested by the Fort Lee Police Department (FLPD). In the event the licensee fails to provide such control; the Borough shall have the right to prohibit operation.

8. Patrons and employees shall be immediately barred from the premises if they are wearing gang related clothing or gesturing in a fashion commonly associated with gang related activity.

9. Management shall assign security personnel to all restrooms to monitor for any unsafe conditions. The Licensee must report any criminal activity immediately.

10. Licensee shall provide exterior cleaning every Saturday and Sunday morning prior to 9:00 AM.

11. Licensee shall provide monthly updates, in writing, to the Fort Lee Police Department, of employee turnover including photographs and contact information of all current and new employees.

12. Licensee shall, prior to all operations commencing and at all times thereafter, improve and maintain the video camera system to include (fully operable) digital quality surveillance of the interior and the exterior area of the front, rear and sides of the building, including the patio/deck, to the satisfaction of the Fort Lee Police Department. Real Time and Password computer access to all audio/visual systems shall be provided to the Fort Lee Police Department and 90 day retention of video images, shall be provided, prior to commencing operations.

13. Licensee shall provide such additional security controls as may be, from time to time, requested by the Fort Lee Police Department. Licensee is required to make available to the Fort Lee Police Department, upon request, a list and contact information of and for personnel employed by Licensee for the premises.

14. Licensed premise deemed to include adjacent and accessory Premises including, but not limited to the parking lot(s), street, sidewalk and alike.

15. No admittance into the establishment after 1:45 AM. Last call at 2:40 AM. All patrons off premises by 3:00 AM.

16. Occupancy (inclusive of the patio/deck) shall be limited to 550 persons at any given time. With the exception of up to eight (8) articulated events agreed upon annually under separate amendment, on which occasions, occupancy of 650 persons will be permitted.

17. • Use and occupancy of the patio/deck facilities shall be strictly limited to not more than 70 seated patrons and food and beverage service.

• Entertainment (e.g., audio, visual, strobe lights, speakers, live music, D.J. and dancing) is not permitted on the patio/deck.

- Serving/service bars and cooking facilities are not permitted on the patio/deck.
- The patio/deck shall be surrounded, on all aspects not immediately adjacent to a building wall, by a secure enclosure/railing not less than 48 inches from patio floor to top of enclosure, sufficient in strength to prevent occupants from falling over or being thrust through said enclosure/railing. Neither the top nor sides of the enclosure shall be capable of being employed as a resting place for any other objects, including food and beverage vessels. Said enclosure/railing must be preapproved by the Borough's Police, Fire and Building Departments, prior to commencement or continuation of operation.

18. In the event of noise being emitted from the premises, including the patio/deck, becoming in the sole opinion of the Police Department, a nuisance, said shall be a violation of the terms and conditions of this license. Failure to immediately abate such nuisance or repeated instances of nuisance noise conditions, shall be a violation of the terms and conditions of the license.

19. No valet parking is to be provided/offered.

20. Failure to comply with any portion of the above stated terms and conditions shall subject Licensee to liability for any reasonable cost of enforcement or abatement incurred as a result of such non-compliance, including but not limited to, cost of additional police or other emergency service personnel, and may subject Licensee to the revocation of its liquor license.

The Resolution was **approved unanimously**.

R-3 - Awarding Contract for Municipal Court Debt Collection Services

Mr. Grant explained the detailed process that the Borough went through before a contract for this type of procurement could be authorized.

Councilwoman Kasofsky introduced, and Councilman Sohmer seconded, the following Resolution:

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH
OF FORT LEE AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL COURT DEBT COLLECTION SERVICES PROCURED
THROUGH A COMPETITIVE CONTRACTING PROCESS UNDER THE
LOCAL PUBLIC CONTRACTS LAW**

WHEREAS, on prior occasion, pursuant to duly adopted resolution, the Mayor and Council of the Borough of Fort Lee ("Borough") determined that there existed a need to retain the services of a private collector of certain outstanding debt owed to the Borough's Municipal Court, in order to maximize the revenue available to the Borough from the delinquent fees, fines, costs, surcharges, and other penalties or assessments imposed by the Municipal Court; and

WHEREAS, the specialized services of a private collector of debt owed to a municipal court is a service enumerated as a concession, contained within the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the New Jersey Administrative Code, N.J.A.C. 5:34-9.4; and

WHEREAS, on prior occasion, pursuant to duly adopted resolution, the Borough authorized the issuance of Request for Proposals ("RFP") in accordance with the competitive contracting provisions of the Local Public Contracts Law in order to obtain the specialized services of a private collector of certain outstanding debt of the Borough's Municipal Court; and

WHEREAS, on April 16, 2014, the Borough issued an RFP to solicit Proposals for the private collection of certain outstanding debt of the Borough's Municipal Court ("Collection Services"), pursuant to the Comprehensive Enforcement Program Fund Act, N.J.S.A. 2B:19-1 et seq., the Supreme Court Procedures Governing the Private Collection of Municipal Court Debt, and the competitive contracting provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on April 30, 2014, the Borough received Proposals from the following companies in response to the RFP:

1. Account Control Systems, Inc.
Northvale, New Jersey
2. Gila, LLC d/b/a Municipal Services Bureau
Austin, Texas

3. Pioneer Credit Recovery, Inc.
Arcade, New York
4. TaxServ Capital Services NJ, LLC
McLean, Virginia

; and

WHEREAS, to evaluate Proposals, the Borough organized an evaluation team comprised of the Borough Administrator, Borough Clerk, Municipal Court Administrator, and counsel from the Borough attorney's office (collectively, "Evaluation Team"), who developed the RFP, administered the procurement process, reviewed and evaluated the Proposals, and drafted the Evaluation Report for the Borough; and

WHEREAS, the Evaluation Team engaged in a comprehensive evaluation of the Proposals based upon qualifications, experience, approach, financial strength, price and other factors, in accordance with an evaluation matrix utilizing certain criteria and weighting factors; and

WHEREAS, the Evaluation Report was issued on June 16, 2014 and made available to the public on the Borough's website in accordance with the competitive contracting provisions of the Local Public Contracting Law on June 17, 2014; and

WHEREAS, the Evaluation Report summarizes the individual reviews of the Proposals undertaken by each member of the Evaluation Team and includes a recommendation of a two-year contract award to TaxServ Capital Services NJ, LLC for the provision of Collection Services; and

WHEREAS, the Borough is permitted under State law to assess an administrative fee to be added to the amount to be paid by the debtor of up to 22% of the amount outstanding and, therefore, no funds are required to be paid by the Borough for the Collection Services; and

WHEREAS, the Borough has determined that the award of a contract for the provision of Collection Services is necessary for its efficient operations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, New Jersey as follows:

1. The recitals set forth above are hereby incorporated into the body of this Resolution.

2. That TaxServ Capital Services NJ, LLC, 1313 Dolley Madison Boulevard, Suite LL-130, McLean, Virginia, 22101-3926 is hereby awarded a contract for the provision of Collection Services in the Borough, in accordance with the RFP and its Proposal.

3. That the Mayor be and is hereby authorized to execute a contract with TaxServ Capital Services NJ, LLC for the provision of the Collection Services in the Borough.

4. That the Proposal security of the remaining Proposers be returned in accordance with N.J.S.A. 40A:11-1 et seq.

5. That a copy of this resolution, Proposals, Evaluation Report, and contract shall be maintained in the Borough Clerk's Office, and made available for public inspection.

6. That this Resolution shall take effect immediately.

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

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

APPOINTMENT

A-1 - Planning Board Alternate

Mayor Sokolich appointed the following to the Fort Lee Planning Board:

Cameron Keng - Class IV Alternate #2 - for a Term Expiring December 31, 2014

RESOLUTIONS CONTINUED

R-4 - Awarding Contract to John Bang, Esq. as Tax Appeal Conflict Counsel

Mayor Sokolich explained the details as to why the Borough needs special counsel in certain situations.

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

A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FORT LEE AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO JOHN H. BANG, ESQ., ATTORNEY AT LAW, P.A., AS SPECIAL/CONFLICT COUNSEL PURSUANT TO THE PROVISIONS OF CHAPTER 40 OF THE CODE OF THE BOROUGH OF FORT LEE

WHEREAS, there exists a need to retain the services of a licensed attorney to serve as special/conflict counsel to the Borough and provide professional legal services during 2014; and

WHEREAS, the provision of legal services to the Borough as special/conflict counsel is recognized as a "professional service" as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6) and N.J.S.A. 40A:11-5(1); and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, the Borough, upon the determination of the Borough Attorney, wishes to retain the services of John H. Bang, Esq., Attorney at Law, P.A. ("Attorney") to perform professional legal services; and

WHEREAS, the Attorney possesses the requisite expertise and skilled personnel required to provide such professional legal services; and

WHEREAS, the Governing Body of the Borough is desirous of awarding a contract for professional legal services to the Attorney in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the professional legal services will be performed by the Attorney at a cost of less than \$17,500, including all out-of-pocket expenses, which amount is below the threshold under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the award of a contract for professional legal services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That John H. Bang, Esq., Attorney at Law, P.A., 2422A Leighton Street, Fort Lee, New Jersey 07024 shall be and is hereby appointed special/conflict counsel to perform professional legal services in connection with certain legal matters of the Borough.

2. That the Borough Attorney is authorized to negotiate and that the Mayor is hereby authorized to execute a contract to appoint the Attorney as special/conflict counsel to perform professional legal services on behalf of the Borough, for a term to commence June 19, 2014 and expire December 31, 2014, for an initial sum total not to exceed amount of Seventeen Thousand Five Hundred (\$17,500) Dollars; and

3. The contract shall include the usual and customary terms of retention, including but not limited to hourly rates; and

4. The contract shall expressly state that said firm shall be obligated to provide notice to the Borough when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the Borough shall have no liability for payment of funds in excess of the not to exceed amount; and

5. That the Attorney is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127; and

6. That a notice of this contract award shall be published, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.; and

7. That no further action of the Borough shall be required.

The Resolution was **approved unanimously**.

PUBLIC PARTICIPATION

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

No one from the public chose to speak during this portion of the meeting.

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, June 5, 2014 @ 7:30 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: Alfred Restaino, Borough Administrator
Maryanne Leodori, Executive Assistant
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 2, 2014, 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 3, 2014 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.

3. On May 28, 2014, a written notice of the change in starting time for this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2014 to cover the cost of providing notice.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Sargenti, seconded by Councilman Cervieri 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 Table of Organization -
Keith Bendul, Police Chief to Attend
Police Department Hires
Police Department Promotions
Police Department Crossing Guards

Contracts: JPods - Right-of-Way Access for
Transportation Innovations - Representative to Attend

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 and began at 9:12 p.m.

ENGINEERING DISCUSSION

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

Bids for Pump Station Upgrades and Force Main Project

Mr. Restaino indicated that we have received the bids but are not ready to award the bid at this time.

Bids for Whiteman Street Roadway Improvements

The Borough has received a \$150,000.00 Local Aid Grant for this project.

The bids were reviewed by Boswell Engineering and the Borough Attorney for compliance.

A resolution awarding the bid to Reggio Construction Inc., Fort Lee New Jersey in the amount of \$130,340.31 will be placed on June 12th regular meeting proposed consent agenda.

LAN Associates - Window Replacement & Masonry Upgrades for Borough Hall

Mr. Restaino stated that professionals are to be retained who have a history of dealing with these types of buildings. He added that he's mindful of the historic nature of Borough Hall.

He added that the required non-fair and open procurement paperwork has been completed within the required ten day period to award a contract. In addition a repair of the front door to the building needs to be done. Also included in their proposal is re-pointing and sealing of the building. They have already done a preliminary walk around. Mr. Restaino advised that the AM Antenna will be reinstalled in accordance with the warranty prior to the final layer of roof materials, based on an inquiry from Councilwoman Kasofsky.

A resolution awarding a Non-Fair and Open Contract to LAN Associates, Midland Park, New Jersey, for the above services at a fee not to exceed \$44,000.00 for the design and construction phase will be placed on the June 12th regular meeting proposed consent agenda.

Submission of Safe Routes to Schools Grant Application

A resolution authorizing submission of Safe Routes to Schools Grant application as requested by Mr. Restaino and agreed upon by the Mayor and Council will be placed on the June 12th regular meeting proposed consent agenda.

License Agreement for Retaining Wall at 442 Stillwell Avenue

Ed Mignone indicated that one of the items to be addressed was the retaining wall, which was encroaching in the right-of-way as well as maintaining the sidewalk.

The Mayor and Council concurred with Mr. Mignone.

A resolution authorizing a license agreement with Elliot Delshad at 442 Stillwell Avenue, for the purpose of constructing a new retaining wall which will be prepared by the Borough Attorney. The item will be placed on the June 12th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Fort Lee's Inclusion in the Bergen County Community Development Program - 2015 Through June 30, 2018

A resolution authorizing the Borough's inclusion in the Bergen County Community Development Program for 2015 through June 30, 2018 will be placed on the June 12th regular meeting proposed consent agenda.

Community Development/Open Space Trust Fund Appointments

The Mayor and Council will make their annual appointments to the above committee at the June 12th regular meeting.

Garbage/Recycling/Waste Disposal Contracts

Mr. Restaino briefed the Mayor and Council that the contracts expire in October and the Borough will have to begin preparing bid documents as well as authorizing bids.

Mr. Goldberg stated that he would like to see the adding of five times a week for recycling; and for newspaper & commingled items to be made into one pick-up.

A resolution authorizing the Purchasing Consultant to prepare specifications and advertise for bids for the aforementioned services will be placed on the June 12th regular meeting.

RFP's for Municipal Court Debt Collection Services

Mr. Restaino stated that in lieu of legislation, the Borough is allowed to seek outside assistance for collection of outstanding municipal court debt. The Borough has completed the RFP process and is ready to award a contract to Tax Serve, McClean, Virginia. There is a significant amount of outstanding municipal court debt that can be recovered.

The review committee was made up of Mr. Restaino, Neil Grant, Borough Clerk and former Deputy Clerk in the Municipal Court and June Keelen, Court Administrator. Kevin Conti from Mr.

Cohen's office reviewed the RFP's and has handled the required legal notices.

Mr. Cohen indicated that it was also reviewed by the Administration of Courts (AOC) and it was authorized by the governing body.

A resolution awarding a contract to Tax Serve out of McLean Virginia is being prepared by Mr. Conti and is expected to be placed on the June 12th regular meeting proposed consent agenda.

Amending Bond Ord. #2013-25 - Additional Appropriation of \$50,000 for Furnishings at 1363-1365 Inwood Terrace

Mayor Sokolich commended Administrator Restaino on a job well done for the professional office space at 1365 Inwood Terrace.

Mr. Restaino spoke about the Human Services Department. He indicated that the current space is not the best benefit for them. Since the Recreation Office is now available, his suggestion is to relocate them to that location. There is ample parking. With the food pantry and clothing drive that Human Services deals with there will be more space. Jillian Raimondo, Human Services Director, can enhance her programs and her clients with more space and confidentiality. The Recreation Offices were relocated to the Recreation Center. Tom Meyers, Cultural & Heritage Affairs, will be relocated to the former Blue Ribbon Market space, which is next to the new Building Department and Fire Prevention offices.

Request for Installation of a Bus Shelter on Center Avenue, Near Side of Bruce Reynolds Boulevard

A resolution authorizing the installation of a bus shelter within the existing bus stop at the above located be placed on the June 12th regular meeting proposed consent agenda.

Amendments to Four (4) Previously Approved Developers Agreements

Mayor Sokolich recused himself on this matter and left the room at 9:27 pm.

Council President Pohan chaired this portion of the meeting.

Mr. Cohen stated that this relates to the 10% set-aside ordinance. It takes prior conditional language from COAH and substitutes affirmative action from the ordinance.

The following developer's agreements have been amended to reflect the changes being made to the borough ordinance.

Fort Lee Associates LLC - 147 Cedar Street

V & R Developers - 2103 Hudson Terrace

Cedar Street Associates - 140 Cedar Street & 1639
Federspiel Street

TGSI Development, LLC - 159-165 and 167 Cedar Street

The governing body concurred with Mr. Cohen's synopsis and agreed that the above listed developers agreements can be approved with the new language at the June 12th regular meeting.

Mayor Sokolich returned to the meeting room at this point in the meeting.

Liquor License Renewals/Special Conditions

A resolution approving special conditions for two liquor licenses, Jabadou Inc., at 2027 Lemoine Avenue and Hangar Inc., (inactive license) at 2143 Route 4 East, as agreed upon by the Police Department, Borough Attorney and the owners of the above licenses will be placed on the June 12th regular meeting agenda or sometime later based on the payment of the required liquor license fees as well as submission of the required New Jersey State tax clearance certificate.

Liquor License Transfer from Ristorante Il Limoncello LLC (Inactive) to IPIC-Gold Class Entertainment LLC (Inactive)

A resolution approving the above liquor license transfer will be placed on a future Mayor and Council regular meeting for action once both the purchaser and seller both agree to a date of the transfer.

PUBLIC HEARINGS SCHEDULED FOR JUNE 12, 2014

- Ord. #2014-21--Amending Chapter 388, Section 26, Schedule XIII, Bus Stop on a Municipal Road, Along Central Avenue, Westbound on the Northerly Side Thereof at Bigler Street (Far Side)
- Ord. #2014-22--Providing for New Inclusionary Zoning Requirements, Chapter 410, for Affordable Housing and Repealing Existing Set-Aside Ordinances and the Residential Development Fee Ordinance, Chapter 261, Section 46, Land Use Procedures
- Ord. #2014-23--Bond Ordinance for Main Street Force Main Project and Streetscape Revitalization Project – Appropriating \$2,000,000 and Authorizing the Issuance of \$1,900,000 Bonds or Notes

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

PUBLIC PARTICIPATION

No one from the public chose to speak during portion of the meeting.

There being no further open public discussion the meeting moved back into closed session **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky** at 9:32 p.m.

RESOLUTION FOR 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
Clean Communities - Spring/Summer Help
Various Departments
DPW
Municipal Court - Maternity Leave Request
Recreation/Community Center Summer Camp
Employees
Youth League Background Check Criteria

Contracts: Tim Donohue (Arleo, Donohue & Biancamano) -
Mayor's Attorney - GWB Lane Closures

Bids for Pump Station Upgrades and Force Main Project
- Financing

Litigation: Discussion of Legal Privilege Regarding
Subpoena

Tax Appeal Litigation: Bournias vs. Borough at 2132
Linwood Avenue

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 closed session discussion the meeting room door was opened and the meeting was reopened to the public **on motion by Councilman Cervieri, seconded by Councilman Sohmer,** at 10:05 p.m.

Maryanne Leodori,
Executive Assistant

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, May 1, 2014 @ 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, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Pohan

ALSO PRESENT: Alfred Restaino, 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 2, 2014, 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 3, 2014 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 Cervieri 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 Civilian Positions (4)

New Theater/Museum - H3 Architects in Attendance

Boswell McClave Proposal for Construction Inspection Services for Lower Main Pump Station & Force Main With Main Street Street Revitalization Project - Kevin Boswell in Attendance

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 McClave Proposal for Construction Inspection Services for Lower Main Pump Station & Force Main With Main Street Street Revitalization Project

This item was discussed in closed session. Action will be taken at the May 8th regular meeting.

GENERAL DISCUSSION

Historic Preservation Commission Appointments

The Mayor and Council requested that Mr. Grant forward the list given to him by Tom Meyers.

Once the Mayor and Council review the list it's expected that appointments to the Historic Preservation Commission will be made at the May 8th regular meeting.

Interlocal Agreement with Palisades Park Swim Club

Mr. Grant stated that the Borough of Palisades Park has already approved a resolution and an interlocal agreement and that the Borough needs to do the same on its end.

A resolution for authorizing execution of a shared services agreement with the Borough of Palisades Park for the use of the Palisades Park Swim Club by residents of the Borough of Fort Lee will be placed on the May 8th regular meeting.

Estimated Tax Bills

Mr. Grant stated that at the request of Joseph Iannaconi, Chief Financial Officer, estimated tax bills be sent to the residents beginning for the third quarter. This is based on the State not adopting its budget in a timely fashion.

A resolution authorizing the estimated tax bills will be prepared by Mr. Iannaconi and be placed on the June 12th regular meeting proposed consent agenda.

Proposed Bus Stop on Central Avenue (White Hall Towers)

A resolution and ordinance creating a bus stop on a municipal roadway at the above location as approved by New Jersey Transit will be placed for expected action at the May 8th regular meeting.

Request for Proposals (RFP's) for Debt Collection Services for the Municipal Court

Mr. Grant stated that RFP's were received on April 30th for the aforementioned services. There were four (4) proposers and Mr. Cohen's firm is reviewing the proposals.

It's expected that action will ultimately taken at the June 12th regular meeting on this matter.

New Jersey Department of Transportation (NJDOT) Grant Application for 2014 Transportation Alternative Program for Main Street Beautification Program

A resolution authorizing approval to submit a grant application and execute a grant agreement with the NJDOT for the 2014 Transportation Alternative Program for the Main Street Beautification Project will be on the May 8th regular meeting proposed consent agenda.

Council on Affordable Housing (COAH) - Revised Municipal Affordable Housing Trust Fund Spending Plan

Mr. Cohen stated that this is an mended spending plan.

A resolution approving review and approval by COAH of a revised municipal affordable housing trust fund spending plan will be placed on the May 8th regular meeting proposed consent agenda.

Employee Manual Amendments

Mr. Cohen's firm will be preparing a resolution which makes some amendments to the Borough's employee manual.

A resolution will be placed on the May 8th regular meeting proposed consent agenda.

Place-to-Place Liquor License Transfer for Jabadou Inc., at 2027 Lemoine Avenue (Outdoor Seating)

Mr. Grant stated that the aforementioned location above has added an outdoor seating area. In order to get café permit from the Building Department a place-to-place liquor license transfer has to be approved for the new outdoor seating area.

Mr. Cohen mentioned that when the liquor license is renewed in June that the current special conditions on the license should be reviewed to include amended conditions with regard to the outdoor seating area.

Mr. Grant replied that once the place-to-place transfer is approved he will forward the resolution to the Police Department.

Mr. Grant added that the approvals for the transfer have already been received from the Building Department and Fire Prevention Bureau.

A resolution approving the place-to-place transfer will be placed on the May 8th regular meeting proposed consent agenda once Mr. Grant receives the affidavit of publication from the applicant.

Place-to-Place Liquor License Transfer for Angry Chick LLC, at 1642 Schlosser Street (Outdoor Seating)

Mr. Grant stated that the aforementioned location above has added an outdoor seating area. In order to get café permit from the Building Department a place-to-place liquor license transfer has to be approved for the new outdoor seating area.

Mr. Grant added that the approval for the transfer has been received from the Building Department, but there are some issues with the Fire Prevention Bureau.

It's expected that no action will be taken on this transfer until the issues with the Fire Prevention Bureau are rectified.

PUBLIC HEARINGS SCHEDULED FOR MAY 8, 2014

- Ord. #2014-17--Establishing Chapter 350, "Smoking" – Prohibiting Smoking in Public Parks and Recreational Facilities
- Ord. #2014-18--Amending Chapter 293, Parks and Recreation Summer Camp Fees and Miscellaneous Ministerial Changes
- Ord. #2014-19--Establishing Chapter 198, Criminal Background Checks for Youth Coaches and Volunteers (**Minor Amendments Needed**)
- Ord. #2014-20--Amending Chapter 388, Section 57, Schedule XIII, Bus Stops, on Route 9W Northbound on Myrtle Avenue and Washington Avenue

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

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terrace	.Rent Leveling Amendments	Mayor Sokolich

Mayor Sokolich and the governing body agreed to have this item discussed in July and to hopefully to reach a conclusion at that time with regard to the above matter.

There being no further discussion the meeting moved back into closed session **on motion by Councilman Cervieri, seconded by Councilman Kasofsky,** at 8:57 p.m.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and approved unanimously, the meeting moved back into closed session at 8:58 p.m.

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
OEM

Contracts: Advanced Data Processing, Inc. (Intermedix) for Third-Party Ambulance Billing Services

Litigation: Board of Adjustment Appeal for Property at 2040 Hoefley's Lane, Block 4951, Lot 5

Potential Litigation: COAH - Inclusionary Zoning Requirements for Affordable Housing and Repealing Existing Set-Aside Ordinances and the Residential Development Fee Ordinance

Authorizing Revisions to Current and New Developers Agreements to Address the Requirements of the Council on Affordable Housing (COAH) Regarding Compliance with the Municipality's Prior Round and Third Round Affordable Housing Obligations

Borough Right-of-Ways on Central Road

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 door room was opened and the meeting was reopened to the public **on motion by Councilman Cervieri, seconded by Councilwoman Kasofsky** to take action on the following matter.

RESOLUTION

R-1 - Authorizing Revisions to Current and New Developers Agreements to Address the Requirements of the Council on Affordable Housing (COAH) Regarding Compliance with the Municipality's Prior Round and Third Round Affordable Housing Obligations (Action May be Taken)

Councilman Goldberg introduced, and Councilwoman Kasofsky seconded, the following Resolution:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FORT LEE AUTHORIZING REVISIONS TO CURRENT DEVELOPERS AGREEMENT AND NEW DEVELOPERS AGREEMENT TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Borough has approved developers agreements which include affordable housing requirements for 20% set aside; and

WHEREAS, the Borough intends to address the requirements of COAH regarding compliance with the municipality's prior round and third round affordable housing obligations; and

WHEREAS, the Borough proposes requiring developers to meet affordable housing requirements for 10% set aside and any other requirements that might be applicable pursuant to the proposed COAH regulations to be published on June 2, 2014,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council, that they authorize revisions to current developers agreement approved and/or executed over the last six months and any new developers agreements to include affordable housing requirements for a 10% set aside and any other requirements that might be applicable pursuant to the proposed COAH regulations to be published on June 2, 2014.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The Resolution was **approved unanimously**.

There being no further discussion and no public present the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 9:25 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, April 3, 2014 @ 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: Alfred Restaino, Borough Administrator
Neil Grant, Borough Clerk
J. Sheldon Cohen, Borough Attorney
Keith Bendul, Police Chief

MAYOR'S STATEMENT

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

1. On January 2, 2014, 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 3, 2014 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: Office of Emergency Management
Communications

Public Safety Issue: Fletcher Avenue Dedicated Left-
Turn Signal - Keith Bendul, Police Chief in Attendance

Contract: Port Authority Street Sweeping and Snow
Removal Contracts

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

Northbound Bus Stops on 9W/Myrtle Avenue and 9W/Washington Avenue

Zeffrey Rodrigues, 2461 8th Street, handed out a 1992 certification that he had requested and received from the NJDOT that approved bus stops at the far side of Myrtle Avenue and the near side of Washington Avenue. He said that if Joe DeMauro, NJ Transit representative, can live with one parking meter removed only at the near side of Washington Avenue then no one has to go to the State for more approvals.

Mayor Sokolich asked Mr. Grant to explain where the Borough is at with this ongoing situation.

Mr. Grant stated that a couple of weeks ago he along with Messrs. Restaino and DeMauro went to both Myrtle Avenue and Washington Avenue to review the situation. There is no problem with regard to removing three meters on the far side of Myrtle Avenue and making that area a bus stop. However, Mr. DeMauro indicated that three meters would have to be removed at Washington Avenue in order to place a bus stop there.

Mr. Grant added that once Myrtle Avenue becomes a bus stop it will be up to New Jersey Transit to decide if they will stop at the existing Wall Street bus stop as the Myrtle Avenue stop is only separated by approximately two blocks.

Christina Yoo, 142 Washington Avenue, confirmed Mr. Rodrigues' statement.

Mayor Sokolich told Mr. Rodrigues the Borough will make the near side of Washington Avenue a bus stop if only one meter has to be removed.

Mr. Rodrigues stated based on Mr. Grant previously telling him that it could take close to a year to install a new bus stop based on the wait for State approval that he does not want to wait that long and that he wants the near side of Washington Avenue installed as a temporary bus stop until such time the far side of Washington Avenue becomes a permanent bus stop, or if only one meter has to be removed on the near side of Washington Avenue to make that that the permanent bus stop. He believes that the certification letter he received from the NJDOT will expedite the situation.

Municipal Parking Lot Garage Project - Tom Helmer, Architect from Tim Haahs & Associates Inc., in Attendance

Vicky Gagliano, Parking Specialist & Chris Gray Director of operations also from Tim Haahs' firm, were also present for this portion of the meeting.

Mr. Helmer stated that a study supply and demand study for potential need and demand along with a financial analysis, initial cost estimate for the structure, operational costs and a pro-forma are all necessary with regard to a potential new municipal parking lot.

Ms. Gagliano stated that back in January Tim Haahs firm was looking at different parking counts within the boundary areas. There are 1032 public spaces on and off street combined. The peak hour was a weekday at 12:00 noon with 74% of the spaces taken. There was a surplus of 142 spaces at the peak hour. She also broke it down through a zone analysis. The central and east zone has the majority of the parking. There is a shortage in the center. The occupancy count done in January is the tenth lowest month. They are looking to build the garage at an 85% percentile. Ten months would be okay and two months would be tight. Different time periods were looked at. She spoke to demand in the next five years particularly with regard to Redevelopment Area 5 built out.

Mr. Pohan asked if spaces are going to be lost on Lemoine Avenue.

Mayor Sokolich stated that there is a 126 space shortfall on the east side and the west side was not as bad as the 100 space shortfall in the other two sectors.

Ms. Gagliano spoke to the east side development impacting east and central zones. Weekend evening parking will be short even with the decking of the lot.

Mr. Helmer stated that the best file would be a three bay y parking garage with vehicular circulation with direct access to the garage. Potential sliding of the deck can be accomplished which will have better pedestrian connectivity. There are currently 419 existing parking spaces in the municipal lot. A five level garage would have a net gain of 550 spaces and a six level garage would have a net gain of 737 spaces. On the ground there would be the ability to have some small retail component like a Dunkin Donuts. The garage built would use the existing surface grade.

Ms. Sohmer spoke to a major sewer line under the current parking lot.

Mr. Helmer replied the design would be for expansion horizontally which will keep the cost down later.

Mr. Cervieri stated that the biggest part of the expansion would be closer to Main Street which won't affect the Port Authority.

Mayor Sokolich stated that a clear pedestrian path is needed.

Mr. Helmer concurred with the Mayor and the design would encompass sustainable materials, with pre-cast concrete and up to date technology. He will be able to generate an architectural rendering.

Mayor Sokolich stated that there are two major decisions one being a five or six story lot and how many rows of existing fencing would be used.

Mr. Helmer stated that the right size is important, but the location is most important.

Mr. Pohan asked where the people are going to once in the garage.

Mr. Helmer replied south to Main Street and northeast to Lemoine Avenue.

Mr. Cervieri replying to the Mayor's comments earlier said he's in favor of a six level garage.

Mayor Sokolich asked for an analysis of the money that would come into the garage structure.

Mr. Helmer stated that he would provide that to the Mayor and Council in the near future.

Mayor Sokolich stated that the Borough doesn't want a concrete box especially on the side facing Main Street.

Mr. Cervieri stated that the SID would also get involved with this issue specifically with regard to the design.

Mr. Helmer stated that the parking lot is efficient to the cost design. The stair towers maintain as much transparency with glass. This is a great branding opportunity.

Mayor Sokolich asked that the postmaster general be reached out to so that the post office is aware what the Borough is intending to do.

Mayor Sokolich left at this point in the meeting at 8:58 p.m.

Council President Pohan chaired the remainder of this meeting from this point forward.

Mr. Restaino said he would reach out to the Main Street postmaster.

Mr. Pohan asked that the six floor design plan, the overall cost and pro-forma be prepared for the Mayor and Council.

Mr. Cervieri stated that the south park of the garage will be part open and therefore ready for expansion if needed.

ENGINEERING DISCUSSION

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

Matrix Design Group for Police Department Fiber Optics

Mr. Mignone explained that this is an off-shoot of the force main project. This is to add extra conduit to the existing camera system. With the two new developments under way more cameras will be needed. Matrix Design Group submitted a proposal in the amount of \$15,200.00.

Mr. Grant added that if the price goes over \$17,500.00 a non-fair and open procurement will have to be done.

A resolution accepting Matrix's engineering proposal for the municipal private fiber optic wide area network for the police department camera system at a fee not to exceed \$15,200.00 will be placed on the April 10th regular meeting proposed consent agenda.

2013 NJDOT Local Aid Project for Whiteman Street

Mr. Mignone stated that the Borough has been approved for a \$150,000 NJDOT grant for roadway improvements to Whiteman Street. The improvements are from Center Avenue going east to Palisade Avenue.

A resolution accepting Boswell McClave's engineering proposal for construction inspection services in an amount not to exceed \$15,000.00 as well as authorizing the Purchasing Consultant to prepare bid specifications and advertise for bids for the roadway improvements will be placed on the April 10th regular meeting proposed consent agenda.

Bids for Borough Hall Roof Reconstruction

Mr. Mignone stated that two bids were received. The lowest bid was \$439,000.00. There is \$100,000 in contingencies that were part of bid for electrical work and reducing the number of rooftop air conditioning units from seventeen to eight. The bid

came in \$20,000.00 less than was expected. This is a complete tear down and rebuild of the roof at 309 Main Street.

Mr. Cohen's office is reviewing the bid for compliance and if there are no issues it's expected that a resolution awarding the bid to Mak Group, LLC, Clifton, New Jersey in the amount of \$439,000.000 will be placed on the April 10th regular meeting proposed consent agenda.

Mr. Cervieri asked where the money is coming from.

Mr. Grant stated that no bonding is needed for this project.

Mr. Restaino stated that once the roof is replaced, masonry work will commence as well as new windows being installed.

Bids for Police Department Emergency Vehicle Garage

Two bids were received for this project which is being built in the northwest corner of the existing police facility.

The low bidder was Security Structures Inc. The Police Department is waiting for approval from the Bergen County Prosecutor's Office to use its confiscated funds for this project. If an approval letter is received before next week's meeting and if the low bid is compliant then a resolution awarding the bid to Security Structures in the amount of \$332,482.00 will be placed on the April 10th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Municipal Court - Private Collection Agency

Mr. Restaino stated that the Borough has received approval from the Administration of Courts to go out for request for proposals for third party collection billing of outstanding municipal court unpaid summonses. He added that the percentage charged goes directly to the person who has not paid their summonses. The Borough does not pay any percentage with regard to any revenue ultimately received.

A resolution authorizing the use of competitive contracting for the specialized service of a private collector of Municipal

Court debt will be placed on the April 10th regular meeting proposed consent agenda.

Charitable Foundation for Fort Lee Inc.

Mr. Restaino stated that the Charitable Foundation of Fort Lee, Inc. has received its certificate of incorporation.

A resolution officially establishing the charitable foundation will be placed on the April 10th regular meeting proposed consent agenda.

Municipal Recycling Tonnage Grant Application for 2013

Mr. Grant explained that this is required to be done every year for the previous recycling year and is ministerial in nature.

A resolution authorizing the DPW Superintendent to file a 2013 application for a municipal recycling tonnage grant with The New Jersey Department of Environmental Protection will be placed on the April 10th regular meeting proposed consent agenda.

Auctioning of Various Police Department Property

A resolution authorizing the sale of the Borough's surplus property from the Police Department through the public use of an online auction website (PropertyRoom.com) will be placed on the April 10th regular meeting proposed consent agenda.

Mr. Grant will send out the required legal notice of publication of the auction once the enabling resolution is approved by the governing body.

Upgrades to the Motor Vehicle Recorders for Motor Vehicle Stops for the Police Department

Chief Bendul stated that the onboard camera system for the police vehicles needs upgrading. A lot of the key fobs are no longer manufactured and are outdated. The technology has changed a great deal in the last five years.

A resolution awarding a contract to L3 Mobile-Vision, Inc., Boonton, New Jersey, to replaced the Police Department's backend server and to upgrade the original twenty five flash back hardware units through State Contract #A81311 at a cost of \$101,165.41 will be placed on the April 10th regular meeting proposed consent agenda.

Bids for Police Department Emergency Vehicle Garage

Chief Bendul stated that the garage will house the mobile command unit, EUS vehicles with heavy weapons as well as the motorcycle mechanic and the new light tower equipment. In short the new garage will protect expensive equipment.

Mr. Cervieri asked if the new garage matches the current design of the police facility.

Chief Bendul replied in the affirmative.

Mr. Mignone stated that Security Structures Inc. was the apparent low bidder in the amount of \$333,482.00.

Chief Bendul stated that the Police Department is awaiting an approval letter from the Bergen County Prosecutor's Office (BCPO) for the use confiscated funds for this procurement. The Borough cannot award the bid without this approval.

A resolution awarding bid to Security Structures, Basking Ridge, New Jersey, for the construction of an emergency vehicle garage at the existing police facility in the amount of \$332,482.00 will be placed on the April 10th regular meeting proposed consent agenda if the bid is found to be compliant as well as if the Borough has received an approval letter from BCPO for use of its confiscated funds.

Bergen County Employee Assistance Program

A resolution authorizing a professional services agreement for 2014 with the Bergen County Employees Assistance Program at a cost of \$19.00 per employee will be placed on the April 10th regular meeting proposed consent agenda.

RESOLUTION

R-1 - Port Authority Street Sweeping and Snow Removal Contract
(Added on Item)

Mr. Cohen stated that this is a three-year extension of an existing contract through June 30, 2017. The Port Authority owes the Borough approximately \$105,000 in back payments for roadway sweeping and snow removal services that the Borough has undertaken based on the current agreement.

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FORT LEE
AUTHORIZING THE EXTENSION OF THE AGREEMENT WITH THE PORT
AUTHORITY OF NEW YORK AND NEW JERSEY AS AND FOR CERTAIN ROADWAY
SWEEPING SERVICES AND SNOW REMOVAL AND DE-ICING SERVICES**

WHEREAS, the Mayor and the Council of the Borough of Fort Lee, New Jersey ("Borough") previously entered into an agreement with the Port Authority of New York and New Jersey (the "Port Authority"), wherein the Port Authority agreed to pay the Borough for the Borough to perform roadway sweeping services and snow removal and de-icing services (the "Work") on certain roadways within Fort Lee, in the vicinity of the George Washington Bridge (the "Agreement"); and

WHEREAS, the Borough and the Port Authority wish to enter into an extension of the Agreement for the fees and services previously agreed upon (the "Extension Agreement"); and

WHEREAS, the Extension Agreement shall be effective as of July 1, 2012 and shall remain in effect through June 30, 2017; and

WHEREAS, as the Council believes it to be in the best interest of the Borough to extend the Agreement between the Borough and the Port Authority for those previously agreed upon fees and services; and

NOW THEREFORE, BE IT RESOLVED, on this 10th day of April, 2014, that the Council of the Borough does hereby authorize the Mayor to execute and the Clerk to witness the Extension Agreement with the Port Authority, effective as of July 1, 2012 and which shall remain in effect through June 30, 2017.

This resolution shall take effect immediately upon the approval and publication of adoption as may be provided by law.

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

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

PUBLIC HEARINGS SCHEDULED FOR APRIL 10, 2014

Ord. #2014-11--Amending Chapter 356A – The Fort Lee Special Improvement District within the Borough of Fort Lee and Designating a District Management Corporation

Ord. #2014-12--Amending Chapter 388, Sections 14 and 69, Schedule XXIII – Elimination of Certain Handicapped Parking Spaces at 1593 Palisade Avenue, 240 & 263 Warren Avenue and William Street

Ord. #2014-13--Amending Chapter 388, Section 43, Schedule I, No Parking Along the West Curb Line of 13th and Extending to its Terminus at 15th Street

Ord. #2014-14--Approving Amended Redevelopment Plan for Redevelopment Area 6, Block 5452, Lots 3.01 through 3.06 and 4

Ord. #2014-15--Repealing and Replacing Chapter 64 Historic Site, Structure, Cultural & Landmark Committee and Replacing it with The Historic Preservation Commission

Ord. #2014-16--Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40A:4- 45.14)

2014 Municipal Budget

2014 Borough of Fort Lee Special Improvement District Budget

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

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terrace	.Rent Leveling Discussion	Mr. Grant

There being no further discussion the meeting was adjourned
on motion by Councilman Cervieri, seconded by Councilman
Sargenti, at 9:21 p.m.

Neil Grant, RMC
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 20, 2014 @ 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: Alfred Restaino, 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 2, 2014, 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 3, 2014 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: Fire Department Stipend
Recreation Department/Community Center -
Seasonal Employees
Planning & Zoning Board Recording Clerk

Contract: RFQ for Health Benefits Consultant

Tax Appeal Litigation - C&K Holdings vs. Borough
at 2117 Route 4 East, Block 4952, Lot 10

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

Display of Sculpture - Ernest R. Liberatore Jr. of Veridian Consultants, LLC in Attendance

Anne Stanner, Arts Student League of New York instructor, was also present for this portion of the meeting.

Mayor Sokolich stated that Mr. Liberatore used to run the local Edgewater Chamber of Commerce.

Mr. Liberatore's proposal is to work with the Borough so as to install the monumental sculpture created by Ms. Stanner in one of its parks. The sculpture known as "Wave" is a metal sculpture currently being displayed in Riverside Park South in Manhattan and would be available around June 1st. The cost would be \$15,000 for the purchase and the Borough would also be responsible for picking up the piece from Riverside Park and for its reinstallation in the Borough.

He added that the artwork represents water and ongoing storm water management and environmental issues. The Arts Student League is a 136 year old organization. He came to Fort Lee with this proposal due to his previous and ongoing relationship he has with the Borough. Photographs of the sculpture were shown to the Mayor and Council.

Mayor Sokolich stated that the proposer wants the Borough to buy the artwork and then display it in the Borough.

Ms. Stanner stated that her work is designed for a river environment. Her sculpture has stripped bass which represents a cycle of life. She spoke to the failed New York Westway project thirty years that never came to fruition as environmental groups fought it.

She thought Fort Lee would be an ideal location for her artwork. The Arts Student League of New York actually owns the artwork. The sculpture is 9.5 feet high, 6 feet wide and 7 feet deep.

Mr. Pohan stated that the Borough is not a waterfront community. Hoboken, Jersey City and/or Weehawken communities that got hit hard during Hurricane Sandy are examples of communities where the sculpture could be placed.

Mr. Cervieri stated that the Palisades Interstate Parkway (PIP) controls the only waterfront property in the Borough down in Ross' dock.

Mr. Liberatore replied that the art work doesn't necessarily have to be in a waterfront community. The symbolism is very important. This is an awareness campaign for water management solutions.

Mr. Cervieri suggested that the requestors should also get in touch with the Bergen County Utilities Authority who deals with all the communities in Bergen County with regard to water and sewage.

Mayor Sokolich stated that he and the governing body are in charge of public dollars and he's in favor of education and arts; however, he has to be careful with regard to buying art with taxpayer's money. He spoke about Tucker's development on the west side of Redevelopment Area 5 as well as the three acre park being built between the two towers on the east side of Redevelopment Area 5. He said he would give Mr. Liberatore the developer's contact information so he could in touch with them about potentially placing certain artwork in the new parks being built.

Smokefree Parks

Karen Blumenfeld, Esq. Executive Director for Global Advisors on Smokefree Parks (GASP) and Cindy Meakem, Coordinator for Tobacco Free for a Healthy NJ, were also present tonight.

Mayor Sokolich stated that the Mayor and Council all seem to be in agreement to ban smoking in the parks. Cigarette butts continue to be one of the largest trash items in the parks.

Mr. Goldberg was not at the last meeting so this item was placed back on this meeting to get final confirmation to create an ordinance to ban smoking in the borough's parks.

An ordinance establishing an ordinance to ban smoking in all of the borough's parks will be prepared by the borough attorney and be placed on the April 10th regular meeting for introduction. The public hearing will be set for May 8th.

Ms. Blumenfeld stated that she appreciates the Mayor and Council going forward with this initiative and that the World Health's Organization "World No Tobacco Day" is scheduled for May 31st so the timing of this ordinance is very good. She said she would speak to Mr. Grant with regard to how many signs the Borough will need for all of its parks and she's hopeful that Borough Officials will hold a ribbon cutting ceremony in one of its parks to formalize the action they will be undertaking.

Northbound Bus Stops Along Route 9W

Mayor Sokolich stated that he met with the residents on March 7th at the bus stop in question. He supported what Mr. Grant had previously informed the Mayor and Council at the March 6th executive session. He mentioned that the residents he met with want the creation of a Route 9W northbound bus stop on the far side of Myrtle Avenue, but he believes that it would block traffic at the intersection/traffic signal on Myrtle Avenue and that additional parking meters would also have to be taken out.

The Mayor and Council agreed that the bus stop on the far side of Route 9W northbound of Washington Avenue should be created with the understanding that three parking meters will have to be removed.

The Mayor and Council agreed that Mr. Restaino should sign the NJDOT approval authorization form sent to him by New Jersey Transit which will create a permanent bus stop at the aforementioned location.

Background Checks for Youth Sports Coaches

Mr. Sargenti stated that Mr. Restaino and Cheryl Westeyn, Recreation Director, brought the above issue to everyone's attention and he believes it would be in the Borough's best interest to pursue and implement background checks for volunteer coaches.

Mayor Sokolich stated that background checks are much more streamlined than they used to be. He's also supportive of the measure.

Mr. Restaino explained that for \$299.00 the Borough hosts a link on its website which volunteer coaches process online and either a "yes" or "no" background check clearance comes back. Certain criteria would have to be established when a "no" is received. If the charge that eliminated someone from coaching was a long time ago as well as the type of infraction would have to be looked at. He added that the cost is \$9.00 per person and the background check comes back with state and national results.

Mr. Pohan asked if the results come back with a negative result how a potential volunteer would proceed to challenge the result.

Mr. Sargenti said that the Borough can set the standard.

Mr. Restaino replied that he has a standards list from other municipalities that the Borough could use as a guide.

Mayor Sokolich believes items like domestic violence may come up on some checks and that some people are going to be disqualified.

Mr. Cervieri replied it's based on people being convicted, not charged.

Mr. Sohmer asked who would pay for the cost.

Mayor Sokolich replied that he believes its incumbent upon government to pay for the background check.

Mr. Pohan asked if the Borough's insurance carrier, The South Bergen Joint Insurance Fund (JIF), has any opinion or standards on this issue.

Messrs. Restaino and/or Grant will reach out to the JIF with regard to Mr. Pohan's inquiry.

The Mayor and Council authorized Mr. Restaino to go forward on this issue.

Mr. Cohen stated that if implemented the Borough should pass at a minimum a resolution updating its employee handbook.

Mayor Sokolich stated that if the leagues use a volunteer coach who has failed the background check then the Borough would have to let the league know it would not be able to use the Borough's facilities. This is predicated on that the Borough already gives the various sports league a certain amount of funding every year.

Mayor Sokolich asked that this item be placed back on the April 3rd executive session agenda for further discussion.

Municipal Court - Private Collection Agency

Mr. Restaino stated that even though this item was placed on the agenda, it's not ready to be discussed tonight as certain details are still unclear.

Mr. Cohen stated that the Administration of Courts has guidelines with regard to private collection agencies.

This item will be brought back at a future executive session.

2004 Highlands Water Protection and Planning Act

The Mayor and Council took no action on this item.

Fletcher Avenue - Dedicated Left Hand Turn Signal Southbound by Kelby Street (Added on Item)

Mr. Pohan asked that Keith Bendul, Police Chief, be brought in to discuss this issue. There seems to be confusion to the governing bodies request for a dedicated left-turn signal at the above listed location.

Messrs. Restaino or Grant will contact the Chief Bendul to have him attend the April 3rd executive session.

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

PUBLIC PARTICIPATION

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Charles Sobel 2175 Hudson Terrace	.Rent Leveling	Mayor Sokolich

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Pohan,** at 8:57 p.m.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and approved **unanimously,** the meeting moved back into closed session at 8:58 p.m.

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:

Potential Litigation/Redevelopment Area 5 - Tucker Development

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 opened and with no one from the public present the meeting was adjourned **on motion by Councilman Goldberg, seconded by Councilman Sargenti**, at 9:20 p.m.

Neil Grant
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, March 6, 2014 @ 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, Sargenti, Kasofsky, Cervieri

ABSENT: Councilman Goldberg

ALSO PRESENT: Alfred Restaino, 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 2, 2014, 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 3, 2014 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.

3. On February 13, 2014, a written notice of the change in starting time for this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey. Copies have also been mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2014 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: Borough Clerk

Contract: Health Benefits Consultant - Vozza Agency, Inc., & Reliance Insurance Group in Attendance

Affordable Housing Project - Shari Depalma in Attendance

Contracts Continued - Tim Donohue (Arleo, Donohue & Biancamano) - Mayor's Attorney - GWB Lane Closures

Personnel: Fire Prevention Bureau/Fire Department Stipend - William Chiappane, Fire Chief and Steven Curry, Fire Prevention Sub-Code Official and Other Fire Prevention Bureau and Fire Department Officials in Attendance

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

Washington Avenue Northbound Bus Stop

Mr. Cervieri stated that there have been a number of e-mails sent to Mr. Grant who in responding back to the residents has received e-mails that have not been deserved. The question comes down to what the Borough can do to take into account transit riders as well as businesses that rely on having certain metered parking. The State makes the final decision with regard to placement of bus stops on State highways. With that said the Police Department when making their reports take into account site lines and overall safety issues in determining where a bus

stop could be potentially placed? He added that there is a lack of overall parking in the Coytesville section of the Borough. Three meters will have to be taken out and he expressed his opinion that the business owners will come forward expressing their dissatisfaction at losing parking the same way a number of residents are present tonight expressing their need to having a bus stop added.

Mr. Grant explained that currently there is a bus stop northbound at Wall Street and then the next stop is Bayview Avenue in Englewood Cliffs. He said that leaves a large gap for commuters. He added that the route 9W, Washington Avenue northbound bus stop may have been previously a courtesy bus stop, but he said he could not find any record in the Borough Code indicating that. Through the years he has spoken to the managers at the bus depot in Fairview and has asked that the drivers stop at Washington Avenue; however, New Jersey Transit frowns upon their drivers stopping at areas that have not been approved by the Borough and/or State in this situation because Route 9W is a State highway. Mr. Grant added that he met with Joseph DeMauro, the Borough's NJ Transit representative, who measured out the area in front of 2460 Lemoine Avenue which would allow for a bus stop on the far side of the traffic light at Washington Avenue which is approximately 60 yards north of the current traffic signal. The Parking Authority would have to remove three meters to have the bus stop installed. He said that many years ago the buses were smaller so having stops on the far side of traffic signals was more common as the buses were not blocking intersections, but over the years the majority of the New Jersey transit buses are tandem buses.

Mr. Rodrigues, 2461 Eighth Street, representing him and other mass transit users, stated that this is a quality of life issue. He expressed his displeasure with the potential bus location at Washington Avenue. He would like to see a bus stop on the near side of Washington Avenue traffic signal. He also indicated that he would like to see a bus stop on the far side of Myrtle Avenue which many years ago there was before the Wall Street stop came into play. He added that the Commissioner of Transportation has ordered designated bus stops on Route 9W at the intersections of Myrtle Avenue and Washington Avenue.

Mr. Grant confirmed that the northbound Myrtle Avenue, far side bus stop did exist, but was removed when the Wall Street stop was added years ago. Mr. Grant asked Mr. Rodrigues to

please remove his petition that he placed in the bus shelters on the southbound side of the area in question as the residents have made themselves heard and that the Mayor and Council are now fully aware of the situation.

Mr. Sargenti explained that transit vehicles cannot be blocking intersections. He believes that putting in the bus stop far side of Washington Avenue northbound is the best solution.

Mayor Sokolich stated that he would meet with Mr. Rodrigues and anyone else who was interested at 7:30 a.m. tomorrow morning at the area in question.

This item will be placed back for further discussion at the March 20th executive session so the Mayor can report what he observed and heard from the residents after reviewing the situation in further detail tomorrow morning.

Municipal Budget 2014 - Steve Wielkocz, Borough Auditor in Attendance

Mr. Wielkocz handed out the attached 2014 budget summary handout sheet. (Appendix A)

Mr. Wielkocz stated that based on the average assessment of \$467,000 residents will see an increase of \$48.36 for 2014. He added that debt service is down \$375,000 from last year's budget based on the refinancing of bonds. The biggest increase still remains the BCUA assessment against the Borough.

Other items briefly discussed were deferred charges based on Hurricane Sandy and the cost of overtime related to snow removal.

The budget will be officially introduced at the March 13th regular meeting of the Mayor and Council with the public hearing scheduled to be heard at the April 10th regular meeting.

ENGINEERING DISCUSSION

Kevin Boswell, Boswell McClave Engineering, was present for this portion of the meeting.

Boswell McClave - Force Main Project - Finalized Design Criteria

Mr. Boswell explained that a major issue with the Borough's sewer system is that the Palisade Terrace Pump Station is directly connected to the Lower Main Street Pump Station. This additional flow results in higher velocities than desirable in the existing force main and puts stresses on the pipe. The new force main will result in independent operation of the Lower Main Street Pump Station and the Palisade Terrace Pump Station. The new force main will run up through Main Street until around Anderson Avenue where it will then run by gravity along Linwood Avenue to its final connection around Fletcher Ave/Edwin Ave. The entirety of Redevelopment Area 5 (both "The Modern" and "Hudson Lights" projects) will have completely separate storm and sanitary sewers with a net result of 16 acres of area being removed from the combined sewer system. Mr. Boswell will also be speaking to Ed Mignone, Borough's Assistant Engineer, about separating any remaining combined systems on Main Street should it be discovered that some buildings may still have roof leaders that may not have been separated during previous projects affecting Main Street.

Mayor Sokolich stated that this is a big project and is the first step that will be coinciding with pedestrian improvements along Main Street and in the municipal parking lot which Mr. Boswell will be discussing in more detail.

Boswell Proposal for ADA Curb Cuts Along Main Street

Mr. Boswell spoke about this project in conjunction with the Borough's Main Street revitalization streetscape project.

A total of 67 barrier sidewalk ramps will be upgraded for portions of Main Street as defined by Bergen County.

A resolution accepting Boswell McClave's engineering proposal for the design and construction phase for curb ramp improvements to Main Street in conjunction with the American Disabilities Act at a fee not exceed \$5,750 for the design phase and a fee not to exceed \$16,800 for the construction phase will be placed on the March 13th regular meeting proposed consent agenda.

Boswell Proposal for Main Street Revitalization Streetscape Project

Mr. Boswell spoke about south side of Main Street and how narrow it currently is. He met with Mr. Restaino and the Fort Lee Special Improvement District (SID) members last month. There are some real challenges to make Main Street pedestrian friendly so that they will comply with New Jersey Transportation standards. The goal is to add sidewalk place so that the sidewalks are eight feet wide. He spoke to the current 668 parking spaces in the municipal lot. He gave a presentation to what Main Street will look like in the future and spoke to potential funding mechanisms.

Mayor Sokolich stated that the Borough is looking for a wow affect. The plan will be done in two phases in which Bergen County will pay the Borough back 100% of its costs after the Borough has laid out the money. The goal is for the work to be done by the end of the year and then everything would get paved in the spring. This is part of the force main project that will start near Parker Avenue and run through Main Street. The streetscape improvements will be in conjunction with the building of the force main. Including the expected parking deck in the municipal lot there will be a lot of activity which will definitely cause some inconveniences for a short time, but once all the entire projects are tied in, Main Street will have a new look and should be a boon for the entire business community as well as to the residents.

Mr. Cervieri asked how long would the disruptions last.

Mr. Boswell replied that there will be eight months of construction.

Mr. Restaino stated that the Borough will try not to disrupt the merchants particularly during the holiday shopping season. He added that Mr. Boswell ran the plan through the SID members last week and they were very supportive of the overall plan. There will be a pre-construction meeting with PSE&G next week and the Borough's portion of the project will be about six to eight weeks behind PSE&G'S required work.

A resolution accepting Boswell's engineering proposal for various professional services with regard to the Main Street

Revitalization Streetscape project which includes renovation of the Main Street corridor between Lemoine Avenue and Center Avenue for an amount not to exceed \$70,000 will be placed on the March 13th regular meeting proposed consent agenda.

GENERAL DISCUSSION CONTINUED

Smokefree Parks - Karen Blumenfeld, Esq. Executive Director for Global Advisors on Smokefree Parks (GASP) in Attendance

Albert Ferrara, Jr., Bergen County Department of Health Services, Community Tobacco Program Coordinator and Cindy Meakem, Coordinator for Tobacco Free for a Healthy NJ, were also present tonight.

Ms. Blumenfeld stated that her organization is an education resource. There are 200 municipalities in the State and so far 24 in Bergen County have ordinances to ban smoking in public parks. She has worked with Steve Wielkocz, Health Officer for the Borough. The Borough through its Health Code currently has in place, no smoking in its wading pools as well as no smoking on their tennis courts. She believes that no smoking in the Borough's parks is just the next logical step. She recommended the Mayor and Council consider taking that step.

Mr. Ferrara, Jr. stated that different counties join together and Bergen County is working with Hudson County. With core intervention for smokefree parks and recreation ordinances it has been shown that smoking levels have dropped. It's an environmental initiative. It sends a message to the kids that smoking is harmful.

Ms. Meakem stated that she's an alcohol and drug counselor and that her organization tries to promote healthy living. It has been proven that cigarettes are a gateway drug and children usually start smoking between the ages of fourteen through eighteen.

Mayor Sokolich stated that he's part of the 15% who do smoke, but he's supportive of this initiative. Cigarette butts remain one of the biggest trash items the Borough has in its parks.

Mr. Cervieri added that even if the Borough does agree to have a smokefree park ordinance people will still be able to step outside of the park if they so desire to smoke.

Ms. Blumenfeld stated that her organization offers a free health line phone number and also gives a free two week supply of the patch and counseling services. Signs can be placed in multiple languages.

Ms. Blumenfeld added that Brian Yeandle, Assistant Superintendent of Recreation, has also been supportive with regard to this issue. In addition the Borough would receive points from Sustainable New Jersey if it agrees to have no smoking in its parks.

The Mayor and Council all seemed to be in agreement to adopt an ordinance prohibiting smoking in the Borough's public parks, but because Mr. Goldberg was not present tonight it was agreed that this item should be placed back on the March 20th executive session for expected finalization of the issue.

Amending Chapter 356A Fort Lee Special Improvement District (FLID) & Authorizing CFO to Issue Check to SID

An ordinance amending the original FLID that was adopted November 14, 2013 will be introduced at the March 13th regular meeting of the Mayor and Council.

In addition the Chief Financial Officer will not authorize a check to the FLID until such time the amended ordinance and FLID budget is officially adopted which is expected to be on April 10, 2014.

Endorsing Support for Northern Branch Corridor Project

A resolution endorsing support for the above project as requested by District 37 Senator Loretta Weinberg and District 37 Assemblyman Gordon Johnson will be placed on the March 13th regular meeting proposed consent agenda.

Gran Fondo New York Bicycle Tour

The Gran Fondo bicycle challenge will be held on May 18, 2014. This year's finish will take place in Ross' Dock picnic year and Historic Park will be used as a return shuttle drop-off point. The Police Department is aware of the event and will be handling traffic control for the event.

Elimination of Certain Handicapped Parking Spaces No Longer Being Used by Respective Requestors

An ordinance eliminating certain handicapped parking spaces as requested by the Police Department in their report of February 19th will be deleted from the Borough's ordinances.

An ordinance as prepared by Mr. Grant will be placed for introduction at the March 13th regular meeting.

No Parking Zone - Portion of Thirteenth Street

Mr. Grant stated the Police Department submitted a report on February 19th requesting that an additional no parking zone be placed on a portion of Thirteenth Street.

An ordinance amending the borough's current code to include the no parking area as prepared by Mr. Grant will be placed on the March 13th regular meeting for introduction.

Amending Redevelopment Plan for Redevelopment Area 6

An ordinance amending the original redevelopment plan for Redevelopment Area 6 will be introduced at the March 13th regular meeting of the Mayor and Council. The amendment has taken into account that the developer has downsized his project. Once Introduced, Mr. Grant will send copies of the ordinance and redevelopment plan to the planning board members and planning board attorney for their review.

Amending Recreation Department Fees and Section 293, Parks and Recreation Ordinance

Mr. Restaino stated that Cheryl Westeyn, Recreation Director, has requested that the recreation summer camp fees be increased from \$25.00 to \$50.00. This is the first time in many years that there is going to be an increase. He added that there will also be a volume discount with a family has more than one member attending camp.

He added that there are a few other items that Ms. Westeyn has requested be updated in the Borough code. She has forwarded her requested updates to Mr. Grant who is working with Mr. Cohen's firm so as to update the Borough code within the next month or so.

Mr. Sargenti stated that even at \$50.00 the Borough's summer camp fee is very affordable and much less expensive than just about any community that he's aware of.

Extended Borough Hall Hours

Mr. Sargenti spoke to potentially a few departments being open one night a week in order to provide better service to the residents. He's been speaking to Mr. Restaino recently to see how a plan could be implemented. Certain departments such as the building and fire department would shift their employee hours so as to cover the one or maybe two nights they would be open.

Mayor Sokolich stated that fifteen years ago before certain technology had been implemented that this would have been very important, but it's not quite as important as it used to be as many applications and forms are available on the Borough's website.

Repealing and Replacing Chapter 64, Historic Site et al Ordinance

Mr. Sohmer stated that Tom Meyers, Director of Cultural & Heritage Affairs, has been working with him and the borough attorney to create an historic overlay district. It's being done so that historical artifacts found in the area around Constitution Park can be preserved pursuant to the criteria identified in survey reports as which shall be consistent with the National Register criteria. The newly created Historic

Preservation Commission will be able to make recommendations to the planning board.

Mayor Sokolich stated that he has received a phone call from the Palisades Interstate Parkway Commission who expressed interest in a historic dig on Lower Main Street.

Mr. Cohen added that the Historic Preservation Commission will be able to make recommendations to the planning board and that the planning board could implement certain conditions based on the reports they get from the Commission; however, the Commission, does not have the power to tell the planning board to place conditions on applicants who may have applications with regard to property that will be identified in the Historic Preservation Commission Ordinance.

An ordinance amending Chapter 64, repealing the current Historic Site et al. committee and replacing it with a Historic Preservation Committee as prepared by Mr. Cohen's office will be introduced at the March 13th regular meeting.

Liquor License Transfer from Fort Lee Four LLC to Hangar Inc.

Mr. Grant explained that the above transfer will be placed on a future regular meeting once the police department report has been completed and the required tax clearance certificate has been received from the State of New Jersey.

Charitable Foundation for Fort Lee Inc.

Mayor Sokolich stated that this is important because the Borough will be able to qualify for certain grants it has not been able to apply for in the past by establishing a charitable foundation.

Mr. Restaino stated that this item is just about ready to be voted on. The charitable foundation will have 503c tax status. He added that initially the Mayor and Council can be named as trustee members and then the trustees can be modified at some point in time, if need be.

Mr. Cohen will prepare a resolution for the Mayor and Council to vote on the establishment of the charitable foundation in the near future.

RESOLUTION

R-1 - New Jersey Transit 5310 Grant Application

Mr. Grant explained that the Borough through the Parking Authority is applying for buses through a New Jersey Transit Grant. Because the entire application needs to be completed and received by the State by March 14th action is expected to be taken on this item at tonight's meeting.

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

BE IT RESOLVED, by the Council of the Borough of Fort Lee on this 6th day of March 2014, that the Mayor and Borough Clerk be and hereby are, authorized to execute a grant application in connection with the NJ Transit - FTA Section 5310 Grant Program,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and hereby are authorized to execute any additional documents in connection with said grant program.

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

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

PUBLIC HEARINGS SCHEDULED FOR MARCH 13, 2014

Ord. #2014-7--Amending Bond Ordinance #2013-20, Providing a Supplemental Appropriation of \$250,000 for a Replacement of a Generator for the Police Station and Authorizing the Issuance of \$238,095 Bonds or Notes of the Borough

Ord. #2014-8--Bond Ordinance for Inwood Terrace Park Improvements - Appropriating \$125,000 and Authorizing \$119,047 Bonds or Notes of the Borough - Borough Receiving \$32,000 Bergen County Open Space Grant

Ord. #2014-9--Bond Ordinance for Whiteman Street Improvements - Authorizing the Issuance of \$225,000 Bonds or Notes of the Borough - Borough Expected to Receive \$150,000 NJDOT Grant

Ord. #2014-10--Amending Chapter 388, Section 37, Schedule XXII, Parking Prohibited When Road is Snow Covered - South Street, Entire Length of West Side

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

PUBLIC PARTICIPATION

No one from the public chose to speak during this portion of the meeting.

There being no further discussion the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 9:40 p.m.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky and approved **unanimously**, the meeting moved back into closed session at 9:41 p.m.

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 Contract
Building Department
Human Services
Police Department

Contracts - Interlocal Agreement with the Borough of Palisades Park for Use of Palisade Park Municipal Swimming Pool

Fastcom Consulting Services, LLC - Small Cell Sites on Borough Property

Tax Appeal Litigation: CHI 2200 Fletcher Avenue vs. Borough, Block 5854, Lot 1

South Pole LLC vs. Borough, 222 Bridge Plaza South, Block 4751, Lot 1

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 open and with no one from the public present the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, at 9:50 p.m.

Neil Grant
Borough Clerk

**BOROUGH OF FORT LEE
2014 MUNICIPAL BUDGET
INITIAL SUMMARY SHEET
(Appendix A)*****

Total Appropriations 2013	\$71,440,482	
Total Appropriations 2014	\$72,012,454	
Increase	<u>\$571,972</u>	
Percentage	<u>0.79%</u>	
Tax Levy 2013	\$60,289,544	99.1
Tax Levy 2014	\$61,053,915	100.14
Increase	<u>764,371</u>	1.040
Percentage	<u>1.27%</u>	

Tax Point = \$609,684

\$48.36 Increase on a Typical \$467,000 Home

Appropriation Increases

Salaries and Wages - Police	236,225
Salaries and Wages - Other	488,716
Health Benefits	(199,200)
Other Insurance	38,603
BCUA	543,934
Utilities	10,000
Debt Service	(375,125)
Pension	145,817
Legal	71,000
Capital Improvement Fund	150,000
Garbage and Trash	249,000
Prior Year Deferred Charges	(965,771)
Social Security	28,000
Buildings and Grounds Other	45,400
Road-Other Expenses	37,100
All Other Expenses	<u>68,273</u>
	\$571,972

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

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, February 6, 2014 @ 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: Alfred Restaino, 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 2, 2014, 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 3, 2014 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.

3. On January 16, 2014, 2014 a copy of said change in scheduled starting time was posted at 309 Main Street, Fort Lee, New Jersey. On the same date, copies of the change in meeting time were also mailed to all persons who have requested same and who have prepaid the \$10.00 fee for the year 2014 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

Potential Litigation: GWB Lane Closures

Contracts: Health Benefits Consultant - Brown & Brown Metro, Inc. and Alamo Insurance Group in Attendance

Fire Prevention Bureau

Fire Department Stipend - William Chiappane,
Fire Chief in Attendance

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.

D.S. Meyer Enterprises, LLC - (-13,719.08) Change Order for 2013 CDBG Road Resurfacing Program

Mr. Mignone stated that the as-built quantities were significantly lower than expected so there is a change order that reduced the project amount by \$13,719.08. This was for the road resurfacing of Gerome Avenue and Beverly Hills Road.

A resolution approving the change order will be placed on the February 13th regular meeting proposed consent agenda.

Orchard Holdings, LLC - (-18,867.50) Change Order for Main Street/Center Avenue Pedestrian Safety Project

Mr. Mignone stated that there was less excavation needed than expected so therefore the as-built quantities were lower. This was for the Main Street/Center Avenue countdown timers.

A resolution approving the change order will be placed on the February 13th regular meeting proposed consent agenda.

SSP Architectural Group Inc. - Proposal for Roof Reconstruction and Replacement at 309 Main Street

Mr. Mignone stated that SSP has submitted a proposal for design and construction inspection services for the replacement of the borough's roof at 309 Main Street.

Mr. Cervieri asked about the time-frame with regard to the roof replacement.

Mr. Mignone replied that it's expected that bids for the roof replacement will be received in March with expected approval and reconstruction to commence sometime in April.

HDR Engineering Inc. - Proposal for Additional Flow Metering Services

Mr. Mignone stated that this is part of the sewer meter flow monitoring investigation related to the borough's sewer use billing methodology with the Bergen County Utilities Authority. A couple of meters are being added by Executive Park and by the Linwood Avenue apartments which is part of the overall collection system. There may be a need at some point for additional flow monitoring.

A resolution authorizing a contract amendment with HDR Engineering to monitor the additional flow metering services at a fee of \$14,800.00 will be placed on the February 13th regular meeting proposed consent agenda.

GENERAL DISCUSSION

St. Rocco's Italian Mutual Aid Society - Phil Arfuso, Rocco Palia and Sal Luppino in Attendance

Mr. Arfuso stated that St. Rocco's once again is asking for help and permission to hold the feast in Fort Lee. It's the 85th anniversary of the feast. The feast is scheduled from Wednesday, August 6th through Sunday, August 10th.

Discussion ensued about the borough's required force main project which relates to Redevelopment Area 5.

Mr. Sohmer asked when is the force main project expected to commence and where does it start from.

Mr. Mignone stated that the project will start on Old Palisades Road on Parker Avenue, but when it starts hasn't been decided yet.

Mayor Sokolich stated that the timing will probably work out for this year as the first tower is not expected to be completed until the end of the year.

Mr. Arfuso stated that he will work closely with the merchants on Main Street and he also requested that a staging area be allowed on Martha Washington Way.

The Mayor and Council replied affirmatively to Mr. Arfuso's request with regard to the staging area and they voiced no objections to the feast being held on Main Street, commencing east of Parker Avenue and continuing to Central Road where it will run north onto the borough's newly paved parking lot on Central Road.

Government Energy Aggregation Program

Mr. Restaino stated that he mentioned that numerous companies have come forward to inquire if the borough is interested in joining various energy aggregation programs that could affect residents energy rated. He added that people no longer have to be serviced just by PSE&G.

The Mayor and Council were not in favor of taking any action. The borough is already part of an energy aggregation group through the South Bergen Joint Insurance Fund.

Developer's Agreement Between the Borough and TGS Development LLC at 159, 165 & 167 Cedar Street

Mayor Sokolich recused himself on this matter and left the meeting room.

Council President Pohan chaired this portion of the meeting.

Mr. Grant stated that the developer's agreement and resolution were prepared by conflict counsel. Mr. Grant has been dealing with the developer's attorney who wanted to make some minor changes to the developer's agreement, but it won't have any effect with regard to passing an endorsing resolution.

A resolution approving the developer's agreement will be placed on the February 13th regular meeting agenda.

Mayor Sokolich returned to the meeting room at this point in the meeting and chaired the remainder the meeting of the meeting.

Route US 9W - No Passing Zone Through Out Borough (New Jersey Department of Transportation (NJDOT Request))

Mr. Grant stated that the State NJDOT has requested that the borough approve a resolution that will continue to keep the existing centerline markings along Route 9W in the borough a "No Passing Zone".

After a brief conversation amongst the Mayor and Council it was agreed that the police department should send a confirming letter to the Mayor and Council agreeing to the recommendations of the NJDOT.

If such letter is received before next week's regular meeting then a resolution supporting the recommendation of the NJDOT will be placed on the February 13th regular meeting proposed consent agenda.

HGAC Interlocal Contract for Cooperative Purchasing

Mr. Grant stated that the borough is expected to pass a resolution to join the Houston-Galveston Area Council (H-GAC) cooperative purchasing program out of Houston, Texas. He added that Kevin Conti, Esq. is reviewing the paperwork submitted by Maureen Holtje, Purchasing Consultant, to make sure the cooperative offers the best price related to the item below.

It's expected that a resolution authorizing the ratifying of an application to join H-GAC will be placed on the February 13th regular meeting proposed consent agenda.

Purchase of Tandem Vibratory Roller for the DPW

Mr. Grant stated that vibratory roller may be purchased once the borough officially joins the H-GAC purchasing cooperative and it's also deemed that the borough can get the best possible price for the equipment through H-GAC.

Supporting Bergen County Mutual Aid Plan and Rapid Deployment Force as Submitted by the Bergen County Chief's Association.

Mr. Grant stated that numerous municipalities have passed resolutions supporting the above program.

Mr. Grant added that Chief Bendul is reviewing the plans and there is a chance that he may request to bifurcate the above into two resolutions as there are two separate and distinct programs that are related to the above.

Once the Chief has made a final review it's expected that the Mayor and Council will endorse potentially two resolutions related to the above.

RESOLUTION (Action is Expected to be Taken)

R-1 - GWB Lane Closures - Designating Legal Counsel for Mayor Sokolich

R-1 - Awarding Contract to Tim Donahue, Esq. of Arleo, Donohue & Biancamano, LLC as Special Legal Counsel With Regard to the Port Authority of NY-NJ Toll Lane Diversions on and About September 9th Through September 13th - Fee Not to Exceed \$17,000.00

Mayor Sokolich recused himself on this matter and left the meeting room.

Council President Pohan chaired this portion of the meeting.

Mr. Cohen stated that this would be a normal and customary hiring based on this type of situation. The City of Hoboken has done this on behalf of Mayor Zimmer. There are currently four different investigations going on as follows: (Inspector General, special Assembly-Senate committee/United States Attorney and a proto investigation from the United States Senate.

Mr. Cohen added that the borough needs someone to coordinate responses and conflicting issues amongst the various jurisdictions and that there are attorney-client privileges involved. He strongly suggests the governing body award a contract for specialized counsel for the Mayor. Mr. Donohue has reduced his normal hourly fee of \$600.00 to \$350.00 and there will be cap on his overall fee not to exceed \$17,000.

Mr. Cervieri asked if Mr. Donohue is representing anyone else in this matter.

Mr. Cohen replied that Mr. Donohue is required to be conflict free on this matter which he confirmed that Mr. Donohue is.

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

A RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FORT LEE TO AUTHORIZE THE AWARD OF A PROFESSIONAL SERVICE CONTRACT WITH TIM DONAHUE, ESQ., OF ARLEO, DONOHUE & BIANCAMANO, LLC AS SPECIAL LEGAL COUNSEL WITH REGARD TO THE PORT AUTHORITY OF NY-NJ TOLL LANE DIVERSIONS, ON AND ABOUT SEPTEMBER 9-13, 2013, AND RELATED MATTERS PURSUANT TO THE PROVISIONS OF CHAPTER 40 OF THE CODE OF THE BOROUGH OF FORT LEE

WHEREAS, the Borough Attorney has recommended providing additional legal advice, representation and/or indemnification, pursuant to the terms of Chapter 40 of the Borough Code, in connection with those legal matters which may arise from, in connection with or in relation to, the events of September 9-13, 2013, with regard to the Port Authority of NY and NJ's toll lane diversions from the George Washington Bridge access points located in the Borough;

WHEREAS, service to the Borough as Special Legal Counsel is recognized as "professional services" as same shall be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with N.J.S.A. 40A:11-2(6) and N.J.S.A. 40A:11-5(1); and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, the Borough, upon the determination of the Borough Attorney, wishes to retain the services of Tim Donahue, Esq., of Arleo, Donohue & Biancamano, LLC (collectively, "Donohue") to perform, on behalf of the Mayor, such professional legal services in connection with or in relation to the events of September 9-13, 2013, with regard to the Port Authority of NY and NJ's toll lane diversions from the George Washington Bridge access points located in the Borough; and

WHEREAS, Donohue possesses the requisite expertise and skilled personnel required to provide such professional legal services; and

WHEREAS, the Governing Body of the Borough, on the recommendation of the Borough Attorney, is desirous of awarding a contract for professional legal services to Donohue in accordance with the procedures mandated under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for "professional services" without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the retention of Donohue to provide professional legal services is pursuant to a non-fair and open process in accordance with the provisions of New Jersey Local Unit Pay-To-Play Law; and

WHEREAS, the award of a contract for professional legal services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee, in the County of Bergen, State of New Jersey as follows:

1. That Donohue of, 622 Eagle Rock Avenue, West Orange, New Jersey 07052 shall be and is hereby appointed Special Legal Counsel to perform professional legal services in connection with those legal matters which may arise from, in connection with or in relation to, the events of September 9-13, 2013, with regard to the Port Authority of NY and NJ's toll lane diversions from the George Washington Bridge access points located in the Borough.

2. That the Borough Attorney is authorized to negotiate and that the Council President is hereby authorized to execute a contract to appoint Donohue of as Special Legal Counsel to perform professional legal services on behalf of the Mayor, in connection with those legal matters which may arise from, in connection with or in relation to, the events of September 9-13, 2013, with regard to the Port Authority of NY and NJ's toll lane diversions from the George Washington Bridge access points located in the Borough, for a term to commence February 6, 2014 and expire February 5, 2015, for an initial sum total **not to exceed amount of Seventeen Thousand (\$17,000) Dollars;** and

3. The contract shall include the usual and customary terms of retention, including but not limited to hourly rates; and

4. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts law, N.J.S.A. 40A:11-5(1) since this contract is for services performed by a business authorized to practice a recognized profession and it was not necessary to obtain competitive bidding; and

5. The contract shall expressly state that said firm shall be obligated to provide notice to the Borough when its invoicing reaches 80% of the not to exceed amount if the firm believes additional funds will be necessary, and the Borough shall have no liability for payment of funds in excess of the not to exceed amount; and

6. That Donohue is specifically placed on notice that it will be required to comply with the Affirmative Action regulations of P.L. 1975 c. 127; and

7. That a notice of this contract award shall be published, and this resolution must be available for public inspection, in accordance with the requirements of N.J.S.A. 40A:11-1 et seq.

8. That no further action of the Borough shall be required.

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

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

Mayor Sokolich returned to the meeting room and chaired the remainder of the meeting.

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 13, 2014

Ord. #2014-1--Amending Salary Ordinance #2013-12 Establishing Salaries and Wages for Non-Union Personnel, Schedule (B) for the Borough Administrator for 2014-2016

Ord. #2014-2--Amending Salary Ordinance #2013-25 Establishing Salaries and Wages for White Collar Employees – Public Health Nurse Supervisor

Ord. #2014-3--Amending Salary Ordinance #2011-4 for the Chief of Police and Establishing Salary for the Chief of Police from 2013-2019 and for the Deputy Chief of Police from 2013-2015

Ord. #2014-4--Amending Chapter 388, Section 37, Schedule XXII, Parking Prohibited When Road is Snow Covered – Morningside Lane East Side from Route 5 to Bluff Road

Ord. #2014-5--Deleting Chapter 388, Section 10 & Section 48, Schedule V: Time Limit Parking

Ord. #2014-6--Amending Chapter 1, Section 17, Article III, Penalties for Failure to Remove Snow and Ice from Various Types of Properties

Mayor Sokolich returned to the meeting room at this point in the meeting.

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

PUBLIC PARTICIPATION

No one chose to speak during this portion of the meeting.

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sargenti, at 8:30 p.m.

RESOLUTION FOR CLOSED SESSION

On motion by Councilman Pohan, seconded by Councilwoman Kasofsky and approved unanimously, the meeting moved back into closed session at 8:31 p.m.

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: Administrative Purchasing Consultants

Personnel: Payroll
Police Department
Police Department Crossing Guards

Local Assistance Board

Tax Appeal Litigation: Lofaro vs. Fort Lee at 1568
John Street, Block 3754 Lot 3

Carsalve Corp vs. Fort Lee at 2152 Lemoine Avenue,
Block 6151, Lot 9

Lease of Real Property

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 open and with no one from the public present the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilman Kasofsky**, at 8:57 p.m.

Neil Grant
Borough Clerk

EXECUTIVE SESSION

MAYOR AND COUNCIL

Thursday, January 9, 2014 @ 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: Alfred Restaino, 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 2, 2014, 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 3, 2014 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: Fire Department Stipend
Building Department
DPW
Health Department
Police Department Extra Duty Employment
Senior Citizen Center

Affordable Housing Project - Shari DePalma and Tom
Toronto in Attendance

Contracts: Borough Planner
Conflict Counsel
Health Benefits
Purchasing Consultant
Traffic Engineer
McNerney & Associates, Inc.

Lease of Real Property

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 McClave Engineering Proposal for Emergency Generator for the Police Department

Mr. Restaino stated that Boswell McClave has submitted an engineering proposal in order to install an emergency generator at the police facility. Boswell's cost is \$9,600.00 which covers all phases of the project.

A resolution accepting Boswell's proposal will be placed on the January 16th regular meeting proposed consent agenda.

Bond Ordinance for Inwood Terrace Park Improvements

A bond ordinance in the amount of \$100,000.00 of which the Borough will be receiving a \$32,000.00 grant from the Bergen County Open Space Trust Fund will be placed on next week's

regular meeting agenda or at the February 13th regular meeting of the Mayor and Council.

Bond Ordinance for Whiteman Street Improvements

A bond ordinance in the amount of \$200,000.00 of which the Borough will be receiving a \$150,000.00 grant from the New Jersey Department of Transportation will be placed on next week's regular meeting agenda or at the February 13th regular meeting of the Mayor and Council.

Gotthold Paving - Emergency Sewer Repairs to 2169 Route 4 East on December 27th

Mayor Sokolich recused himself on this matter.

A resolution authorizing payment to Gotthold Paving at a cost of \$19,500.00 for emergency sewer repairs made at the above listed location on December 27th will be placed on the January 16, 2014 regular meeting agenda for approval.

PSE&G Energy Strong Program

Mr. Restaino stated that PSE&G has asked the Borough to endorse their energy strong program which deals with energy related issues. There is no cost to the Borough.

A resolution endorsing the PSE&G resolution will be placed on the January 16th regular meeting proposed consent agenda.

GENERAL DISCUSSION

Bond Ordinance to Re-appropriate Police Department Capital Budget for Generators et al.

Mayor Sokolich explained that this needs to be done for administrative reasons.

Joseph Iannconi, CFO, will review the accounts that need to be re-appropriated and a bond ordinance is expected to be introduced at the February 13th regular meeting of the Mayor and Council.

RESOLUTIONS

R-1 - Commissioners for South Bergen JIF, Bergen Municipal Employees Benefits Fund and New Jersey Sustainable Energy Meeting

Mr. Restaino explained that he will be replacing Ms. Thomas as the Borough's representative on the above listed committees. An enabling resolution needs to be approved tonight because there is a JIF meeting next Wednesday and the Mayor and Council don't meet again until next Thursday. The JIF will not let him sit on the committee until such time a resolution has been approved.

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

WHEREAS, the Borough of Fort Lee belongs to the South Bergen Municipal Joint Insurance Fund, the Bergen Municipal Employee Benefits Fund and the New Jersey Sustainable Energy Joint Meeting; and

WHEREAS, the by-laws of these entities require that each member municipality appoint a Commissioner,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee appoint Alfred Restaino, Jr. as Commissioner of the South Bergen Municipal Joint Insurance Fund, the Bergen Municipal Employee Benefits Fund and the New Jersey Sustainable Energy Joint Meeting.

The Resolution was **approved unanimously.**

GENERAL DISCUSSION CONTINUED

Borough Administrator - Hearing Officer

Mr. Grant stated that Ms. Thomas was the hearing office for all taxi and limousine license appeals. Mr. Grant will check his records to see if the previous resolution listed the Borough Administrator or Ms. Thomas specifically as the hearing officer. If the previous resolution was for the Borough Administrator then no further action will be required.

Mayor Sokolich added that a contract for Mr. Restaino needs to be worked on.

Removal of Snow and Ice Penalties

Mr. Restaino stated that Brian Ribarro, Building Sub-Code Official, sent a memo to the Mayor and Council requesting increased fees for property owners who fail to remove and snow and ice from their properties within the required time frame to do so.

An ordinance as prepared by the Borough Attorney will be placed for introduction on the January 16th regular meeting of the Mayor and Council.

Amending Snow Streets to Include No Parking on East Side of Morningside Lane to Bluff Road

An ordinance to include no parking when the road is snow covered on the east side of Morningside Lane between Route 5 and Bluff Road will be placed on the January 16th regular meeting for introduction.

This was requested by a resident of the street and then reviewed and agreed to by the Parking Authority.

Amending Chapter 388-10, Schedule V: Time Lime Parking

Mr. Grant explained that this ordinance is going to be deleted because it conflicts with the borough's residential permit parking program which allows people to park for two hours throughout the Borough. The above ordinance existed before the borough included every street to be part of the residential permit parking program.

He added that this has been discussed with Gloria Gallo, Parking Authority Administrator, who is in concurrence of the ordinance being deleted.

An ordinance deleting the above section of the Borough code will be introduced at the January 16th regular meeting of the Mayor and Council.

Holy Name EMS Billing Agreement

Mr. Restaino stated that there is a desire and need to enter into a new EMS billing agreement with Holy Name Hospital otherwise Holy Name would be billing borough residents directly.

A resolution authorizing the billing agreement with Holy Name Hospital will be prepared by the Borough Attorney and is expected to be placed for action on the February 13th regular meeting of the Mayor and Council.

Proclamation to Honor Joanne Santiglia

Mr. Pohan stated that New York 1 is terminating its New Jersey news segment. Joanne Santiglia, host of the show over the years, has always promoted the interests of the town and he believes she should be recognized with a proclamation presented to her at a public meeting.

The Mayor and Council concurred with Mr. Pohan and it was agreed that a proclamation honoring Ms. Santiglia will be presented at the February 13th regular meeting of the Mayor and Council.

Fire Department Command Vehicle

Mr. Sohmer stated that the Fire Department has requested replacing a 2007 vehicle with 75,000 miles on it. The old vehicle will be turned over to the DPW which will then get rid of a 1983 vehicle. Monies for the vehicle will be paid out of their dedicated penalties fund.

The Mayor and Council voiced no objection over the purchase.

It's expected the purchase of the command car will be under \$36,000.00 and is being purchased under State contract so therefore no formal Mayor and Council approval will be needed.

Developer's Agreement Between the Borough and Torosian Construction, LLC at 147 Cedar Street

A resolution approving a developer's agreement as prepared by conflict counsel will be placed for action on the January 16th regular meeting agenda.

Developer's Agreement Between the Borough and Cedar Street Associates, LLC at 140 Cedar Street and 1639 Federspiel Street

A resolution approving a developer's agreement as prepared by conflict counsel will be placed for action on the January 16th regular meeting agenda.

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

Mr. Grant explained that this license is being transferred back to the old owner because the previous transfer approved in November fell through at the closing. Legally, the original licensee had to go through the complete transfer application process in order to get the license back in his name.

A resolution approving the above listed liquor license transfer will be placed for action on the January 16th regular meeting proposed consent agenda.

GWB Lane Closures (Added on Item)

With regard to the ongoing GWB lane closures Mayor Sokolich thanked everyone for their support guidance, and friendship. It has meant a lot to him as he continues to serve the community in the best interests of the people of Fort Lee.

Mr. Cervieri stated that the Mayor has done a great job representing the Borough during this period.

PUBLIC PARTICIPATION

On motion by Councilman Pohan, 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.	.Rent Control	Mayor Sokolich
Doug Sugarman 2100 Linwood Ave.	.Time Warner Cable Taking North Jersey News Off the Air - He Asked Governing Body to Express Their Displeasure Over the Loss of the Show	

Mayor Sokolich said that he would send a letter asking Time Warner Cable to reconsider.

There being no further discussion the meeting was adjourned on motion by Councilman Cervieri, seconded by Councilman Sargenti, at 8:41: p.m.

Neil Grant, RMC
Borough Clerk