

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, December 18, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that last night an historic agreement was finalized between Bergen County and the Borough. He explained the background to the agreement which involved the closing of lower Main Street and making it a one-way roadway heading east. It is an unusual temporary configuration, but it was done because there was an alarming increase of serious accidents on lower Main Street and River Road. Bergen County engineers examined the problem and once the temporary configuration was put in place, accidents were reduced by two-thirds. Last night he and Ray Levy, Director of Economic Development, met with the Board of Freeholders and explained the Borough's position to having a permanent solution in place to fix the temporary configuration as well as easing traffic in the Borough. The Freeholder Board agreed to pay the Borough \$1,000,000 a year for seven years. The Borough would take over the permanent redesign of the intersection on lower Main Street. The Borough may have to finance a year or two of the project, but the money will be paid to the Borough to complete all the necessary changes to make that roadway a much better road for the residents and for anyone who uses that road. He expects that engineering and the work will start next year.

He mentioned the other agreement with the Port Authority of New York and New Jersey by which the Borough will receive \$3,000,000 a year for five years from the Port Authority. That money was to match \$15,000,000 from other sources so that the Borough may essentially have a \$30,000,000 traffic improvement. A global agreement is being put in place for the reconfiguration of a number of Fort Lee intersections.

He closed by saying that the resources of the Borough's small community are not sufficient to solve the traffic conditions of the entire region. The Borough is doing what it

can do. He thanked Dennis McNerney, County Executive, for making the offer to the Freeholder Board. He also thanked the entire Freeholder Board for giving the Borough an unanimous vote to approve the allocation of money for the project. He was pleased with the result and believes that the impact to the taxpayers should be very minimal.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried unanimously, the minutes of the November 6, 2003 Executive Session were approved with Councilman Cervieri abstaining.**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the minutes of the November 13, 2003 Regular Meeting were approved.**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the minutes of the December 4, 2003 Executive Session were approved.**

**PUBLIC HEARINGS**

**Ordinance #2003-39 - Capital Ordinance - Agreement With Bergen County Community Development for a Non-Medical Handicapped Van - \$50,000**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried, the public hearing was opened relative to Ord. #2003-39 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$50,000 GRANT TO BE RECEIVED FROM THE BERGEN COUNTY COMMUNITY DEVELOPMENT FUND FOR ACQUISITION OF A NON-MEDICAL VAN BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY" was introduced and passed on first reading."**

**There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Pohan.**

**On motion by Councilman Cervieri, seconded by Councilman Pohan, the Ordinance was adopted on the following roll call:**

**AYES: Council Members Pohan, Kasofsky, Villano, Voss, Sargenti, Cervieri**

**Ordinance #2003-40 - Amending Chapter 388, Section 65, Schedule XIX: Vehicle Movement on Private Property Open to the Public**

**On motion by Councilman Cervieri, seconded by Councilman Pohan and carried, the public hearing was opened relative to Ord. #2003-40 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 65, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED 'VEHICLES AND TRAFFIC - SCHEDULE XIX: VEHICLE MOVEMENT ON PRIVATE PROPERTY OPEN TO THE PUBLIC."**

**There being no further discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

Mr. Cervieri stated that this amending ordinance was a recommendation that came from the Police Department in conjunction with the overall traffic study that was completed by Schoor DePalma.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted unanimously.

**Ordinance #2003-41 - Amending Chapter 388, Section 69, Eliminating Handicapped Parking Space at 1657 Maple Street**

On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried, the public hearing was opened relative to Ord. #2003-41 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "HANDICAPPED PARKING SPACES."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Pohan.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the Ordinance was adopted unanimously.

**Ordinance #2003-42 - Amending Chapter 328, Section 20, Hours of Operation for Outdoor Cafés - March 1<sup>st</sup> Through December 31<sup>st</sup>**

On motion by Councilman Cervieri, seconded by Councilman Pohan and carried, the public hearing was opened relative to Ord. #2003-42 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 328, SECTION 20, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "RESTAURANTS" TIMES OF OPERATION FOR OUTDOOR CAFES."

There being no further discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Pohan.

Mr. Cervieri stated that this ordinance extends the time that cafes can operate their facilities outdoors. The prior ordinance forced owners who operated cafes to close by September 30<sup>th</sup>. This ordinance will enable more pedestrian traffic for businesses that have cafes an overall better feeling of community in the Borough.

On motion by Councilman Villano, seconded by Councilman Pohan, the Ordinance was adopted unanimously.

**Ordinance #2003-43 - Amending Chapter 388, Section 40, "Vehicles and Traffic" Fee Schedule and Other Sections of the Borough Code to Increase The Fines for Violations and Penalties by \$3.00**

On motion by Councilman Cervieri, seconded by Councilman Pohan and carried, the public hearing was opened relative to Ord. #2003-43 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 41, OF THE FORT LEE CODE, ENTITLED 'SURCHARGE FOR PARKING/TRAFFIC FINES,' AND AMENDING CHAPTER 388, SECTION 40, AND CHAPTER 216, SECTION 6 (34) AND (35) TO IMPLEMENT THE ADDITIONAL FINE AUTHORIZED HEREBY."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Pohan.

On motion by Councilman Cervieri, seconded by Councilman Villano, the Ordinance was adopted unanimously.

**ANNOUNCEMENT**

Mr. Grant stated that the Borough's reorganization meeting will be held January 4, 2004 at 12:00 noon. Preceding the

reorganization meeting at 11:30 a.m. there will be a reenactment of the Borough's first meeting in 1904, which will be performed by Fort Lee High School students. Time Warner Cable should be airing all the events live on January 4<sup>th</sup>.

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilman Pohan,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-22.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$6,706,508.34
Capital	488,239.30
Trust (Accutrack)	17,320.04
Trust (Old)	n/a
Police Activity Account	29,155.74
Senior Citizen Advisory Council	26,364.04
Senior Citizen Computer Account	74.85
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	1,183.08
Redemption Account	176,977.73

**CA-2 - Approving Raffle License #942 and #943 for Christ The Teacher School, Fort Lee, New Jersey**

WHEREAS, Christ the Teacher School, 359 Whiteman Street Fort Lee, New Jersey, has submitted raffle applications for February 26, 2004; and

WHEREAS, the governing body has determined that their raffle applications are complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle applications #942 and #943, pending final approval from the Legalized Games of Chance Control Commission.

**CA-3 - Approving Firefighter Application for Christian Sliker for Fire Company #2, Auxiliary Application for Donald Bozzetti for Fire Company #2 and Jr. Auxiliary Applications for Luke Angelini, Gregory Menico and Stephen Schacter for Fire Company #1**

The jr. auxiliary applications, auxiliary application and firefighter application for the above named individuals were approved.

**CA-4 - Accepting Resignation of Michael Sassano, Judge Municipal Court - Retroactive to November 18th**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the resignation notice submitted by Michael F. Sassano, Municipal Court Judge, dated November 18, 2003, is hereby accepted, with an effective date of resignation from the Borough of Fort Lee retroactive to November 18, 2003.

**CA-5 - Authorizing Hiring of Winter Seasonal Employees for the Recreation Department, Finance Department and Borough Clerk's Office - Termination Date March 28, 2004**

WHEREAS, part-time seasonal positions exist with the Department of Recreation and the Mayor and Council have determined that these positions must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the attached list of personnel (available in the office of the Borough Clerk) be appointed to the positions and rates of compensation indicated with the Department of Recreation; and

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of January 2, 2004 and a termination date of March 28, 2004;

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for winter help, (2003-2004) at the hourly rate of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>
Christina Blue	Finance	\$9.50
Kate Siccardi	Borough Clerk	\$9.00
Dana Ripoli	Municipal Court	\$9.00

**CA-6 - Authorizing Hiring of Fred Breit as a School Crossing Guard**

BE IT RESOLVED by the governing body of the Borough of Fort Lee that the following be appointed as a **school crossing guard** in the Borough of Fort Lee without authority to carry a firearm:

Fred Breit  
2000 Linwood Avenue  
Fort Lee, New Jersey 07024

**CA-7 - Approving Change Order #5 IR Security & Safety (Formerly Integrated Access Systems,) Parsippany, New Jersey, for the Borough's Camera Surveillance Project - \$1,800**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Fort Lee Police Department Camera Surveillance Project
CONSTRUCTION MANAGER:	Calgi Construction Company
CONTRACTOR:	IR Security and Safety (Formerly Integrated Access System) 2 Cranberry Road Parsippany, New Jersey 07054
ORIGINAL CONTRACT COST:	\$366,261.00



the Borough of Fort Lee authorized payment to J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601 in the amount of **\$54,000**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certificate of Availability of Funds is on file in the Office of the Borough Clerk and funds are available under the capital account #04-2133-00-0012-02.

**CA-10 - Amending Contract of Schoor DePalma, Manalapan, New Jersey, as Traffic Consultants, for Borough-Wide Traffic Study - \$9,181.50**

WHEREAS the Borough of Fort Lee previously entered into an agreement with Schoor DePalma, PE on January 24, 2002 for preparation of a municipality-wide traffic analysis at a cost of \$112,000; and

WHEREAS, there was an amendment to the contract on May 22, 2003 for \$50,000 for additional services with respect to specific developments in the Borough including, but not limited to, the "Helmsley" site; and

WHEREAS, there was a second amendment to the contract on July 24, 2003 for \$27,692.81 for preliminary engineering documentation for roadway improvements to the Borough; and

WHEREAS Schoor DePalma has submitted three outstanding invoices for the completion of the traffic study in the amount of **\$9,181.50**;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the agreement between the Borough and Schoor DePalma, PE, for municipality-wide traffic analysis, be and is hereby amended so that Schoor DePalma shall be paid an additional **\$9,181.50**; and

BE IT FURTHER RESOLVED that the award hereof is subject to and conditioned upon the availability of funding as to be certified by the Chief Financial Officer of the Borough; and

BE IT FURTHER RESOLVED that this resolution shall serve as the amendment to the existing contract, and same shall be annexed to the contract and maintained by the Borough Clerk for public inspection, according to law.

**CA-11 - Amending Contact of Dennis Oury, Special Economic Development Counsel - \$3,447.20**

WHEREAS the Borough of Fort Lee previously entered into an agreement with Dennis Oury, as Special Economic Development Counsel on January 1, 2003 in the amount of \$50,000; and

WHEREAS, Mr. Oury has submitted invoices that exceed the \$50,000 which was originally allocated; and

WHEREAS the Borough wishes to compensate Mr. Oury for his continuing services,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the agreement between the Borough and Mr. Oury, be and is hereby amended so that Mr. Oury be paid an additional **\$3,447.20**; and

BE IT FURTHER RESOLVED that the award hereof is subject to and conditioned upon the availability of funding as to be

certified by the Chief Financial Officer of the Borough; and

BE IT FURTHER RESOLVED that this resolution shall serve as the amendment to the existing contract, and same shall be annexed to the contract and maintained by the Borough Clerk for public inspection, according to law.

**CA-12 - Awarding Contract to Public Utility Services, Inc., Freehold, New Jersey, to Investigate Public Street Lighting and Traffic Signal Costs - No Cash Outlay (Fee Paid From Any Savings Realized)**

WHEREAS, in today's climate of limited financial resources and mandates to economize, it is in the Borough's best interest to assure that public street lighting and traffic signals are being billed correctly, and it is also prudent to investigate opportunities to reduce future costs; and

WHEREAS, public street lighting and traffic signal service appears to be billed at highly excessive rates; and

WHEREAS, Public Utility Services, Inc. has been recognized as the "expert" in street lighting and traffic signals throughout the State of New Jersey; and

WHEREAS, Public Utility Services, Inc., 205 Route 9, Freehold, New Jersey, 07728 has been successful in achieving substantial cost reductions in street lighting and traffic signals for various municipalities; and

WHEREAS, it would be in the best interest of the Borough of Fort Lee to retain the services of Public Utility Services, Inc., as a qualified consultant to assist the Borough in maximizing its energy efficiency in public street lighting and traffic signals and identifying opportunities for savings; and

WHEREAS, the proposal submitted will be on a contingent basis, and Public Utility Services, Inc. will share the savings with the Borough on a fifty-fifty (50/50) basis; and

WHEREAS, there will be no cash outlay from the Borough since all fees will be paid from the savings,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the proposed services of Public Utility Services, Inc. are specialized in nature, requiring expertise, extensive training, and a proven reputation; and

BE IT FURTHER RESOLVED that these services are of such a qualitative nature that is not reasonable possible to draft specifications for the performance of the services; and

BE IT FURTHER RESOLVED that these services are therefore properly classified as extraordinary, unspecifiable services as defined by N.J.S.A. 40A:11-2(7) and this action is properly taken without competitive public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(ii).

**CA-13 - Awarding Contract to A-1 Industrial Electric Company Inc., Jersey City, New Jersey to Provide an Electrical Upgrade for HVAC Emergency Power at the Police Department - \$17,250**

WHEREAS, the Police Department of the Borough of Fort Lee is interested in upgrading the emergency electrical power for the HVAC system at the police facility; and

WHEREAS, Calgi Construction Company, the Borough's

representative, has solicited proposals from three electrical contractors; and

WHEREAS, Calgi has recommended and the Police Department has agreed to acceptance of the proposal of A-1 Industrial Electric Company, Inc. in the amount of \$17,250; and

WHEREAS, the amount of the contract is below the limit whereby public bidding is necessary,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the bid of A-1 Industrial Electric Company, Inc., 329 Sip Avenue, Jersey City, New Jersey 07306, to provide an electrical upgrade for the HVAC emergency power at the police facility in the amount of **\$17,250** be and is hereby approved; and

BE IT FURTHER RESOLVED that the aforesaid award of this contract is subject to and conditioned upon written certification from the Chief Financial Officer of the current availability of funds; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, an appropriate contract for the aforesaid purpose; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be kept on record in the Borough Clerk's office for public inspection, pursuant to law.

**CA-14 - Awarding Bid to Traffic Line, Inc., for a Three (3) Year Firm Fixed Price Service Contract for Traffic Striping and Pavement Markings in the Borough**

WHEREAS, sealed bids were called for and received on November 12, 2003 for a three (3) year firm fixed price service contract for traffic stripes & pavement markings in the Borough of Fort Lee; and

WHEREAS, three (3) bid packages were issued for this project and two (2) bids was received as follows:

**Traffic Line, Inc.**

A.1	(#3A.06)	6" White Thermo Plastic Stripe	\$.60 l.f.
A.2	"	8" White Thermo Plastic Stripe	.80 l.f.
A.3.	"	12" White Thermo Plastic Stripe	1.20 l.f.
A.4.	"	4" Yellow Thermo Plastic Stripe	.40 l.f.
B1.	(#3B.16)	Stop Bar, Pavement Marking	\$40.00 Each
B2.	(#3B.17)	X-Walk, Pavement Marking	\$275.00 Each
B3.	(#3B.19)	Pavement Word Marking	\$150.00 Each

**Denville Line Painting, Inc.**

A.1	(#3A.06)	6" White Thermo Plastic Stripe	\$.69 l.f.
A.2	"	8" White Thermo Plastic Stripe	.87 l.f.
A.3.	"	12" White Thermo Plastic Stripe	1.38 l.f.
A.4.	"	4" Yellow Thermo Plastic Stripe	.52 l.f.
B1.	(#3B.16)	Stop Bar, Pavement Marking	\$100.00 Each
B2.	(#3B.17)	X-Walk, Pavement Marking	\$150.00 Each
B3.	(#3B.19)	Pavement Word Marking	\$ 45.00 Each

WHEREAS, the Purchasing Consultant and Borough Attorney, have reviewed the bids; and

WHEREAS, the bidder has conformed with the bidding requirements in all respects,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the bid be awarded to the overall low bidder for the project, Traffic Line, Inc., 5100 Asbury Road, Farmingdale, New Jersey 07727, on an as-needed basis at the prices indicated above; and

BE IT FURTHER RESOLVED, that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract for the awarded bid, and the Mayor be and he is hereby authorized and directed to execute the said contract; and

BE IT FURTHER RESOLVED that this contract and the funds designated therefor be and will be subject to the certification by the Chief Financial Officer.

**CA-15 - Awarding Bids to American Tennis Courts, Inc., Baltimore, Maryland (\$280,000) and Lucas Electric Co., Inc., Windsor, New Jersey (\$363,000) for the Refurbishing of the Recreation Center Tennis and Basketball Courts**

WHEREAS, sealed bids were called for and received on October 31, 2003 for the refurbishing of the tennis courts and basketball courts at the Recreation Center on Stillwell Avenue in the Borough of Fort Lee; and

WHEREAS, seven (7) bid packages were issued for this project and three (3) bids were received as follows:

**AMERICAN TENNIS COURTS, INC.**

- A) Refurbishing of Tennis Court Surfaces: \$232,000
- A) (Alt #1) Resurfacing of Three (3) Basketball Courts \$48,000
- B) Net Posts & Foundations: NO BID
- C) Base Bid Lighting, New Lights on Existing Poles, Tennis and Basketball Courts NO BID
- C) Alt. #A1, Lighting, Tennis Courts: New Poles and Lights NO BID
- C) Alt. #B1, Lighting, Basketball Courts: New Poles and Lights NO BID
- D) Block Wall: NO BID
- E) Fencing: NO BID

**LUCAS ELECTRIC CO., INC.**

- A) Refurbishing of Tennis Court Surfaces: \$249,000
- A) (Alt #1) Resurfacing of Three (3) Basketball Courts \$54,000
- B) Net Posts & Foundations: \$29,900
- C) Base Bid Lighting, New Lights on Existing Poles, Tennis and Basketball Courts \$85,800
- C) Alt. #A1, Lighting, Tennis Courts: New Poles and Lights \$157,600
- C) Alt. #B1, Lighting, Basketball Courts: New Poles and Lights \$42,500

- D) Block Wall: \$38,000
- E) Fencing: \$95,000

**FAI-GON ELECTRICAL INC.**

- A) Refurbishing of Tennis Court Surfaces: NO BID
- A) (Alt #1) Resurfacing of Three (3) Basketball Courts NO BID
- B) Net Posts & Foundations: NO BID
- C) Base Bid Lighting, New Lights on Existing Police, Tennis and Basketball Courts \$113,923
- C) Alt. #A1, Lighting, Tennis Courts: New Poles and Lights NO BID
- C) Alt. #B1, Lighting, Basketball Courts: New Poles and Lights NO BID
- D) Block Wall: NO BID
- E) Fencing: NO BID

WHEREAS, the Purchasing Consultant and Borough Attorney, have reviewed the bids; and

WHEREAS, both bidders have conformed with the bidding requirements in all respects,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that one bid be awarded to the lowest responsible bidder American Tennis Courts, Inc., 4051 North Point Road, Baltimore, Maryland 21222 to refurbish the tennis courts item (A) and resurface the basketball courts item (A) at a total cost of \$280,000; and

BE IT FURTHER RESOLVED that a second bid be awarded to the lowest overall responsible bidder Lucas Electrical Co., Inc., 1381 Route 130, P.O. Box 329, Windsor, New Jersey 08561, for items (B), C-Alt #A1, C-Alt #B1, (D) and (E) at a total cost of \$363,000; and

BE IT FURTHER RESOLVED, that the Borough Attorney be and he is hereby authorized and directed to prepare appropriate contracts for the awarded bids, and the Mayor be and he is hereby authorized and directed to execute the said contracts; and

BE IT FURTHER RESOLVED that these contracts and the funds designated therefor be and are available through various capital accounts subject to certification by the Chief Financial Officer.

**CA-16 - Authorizing Plenary Retail Distribution Liquor License Person to Person Transfer From Hyeseung Enterprises (Inactive) to The Hudson Wine Market, Inc. (Inactive)**

WHEREAS, an application has been filed for a person to person transfer of plenary retail distribution license **0219-44-060-012**, heretofore issued to **Hyeseung Enterprises LLC., (Inactive License)** located at a mailing address of **1323 Anderson Avenue, Fort Lee, New Jersey 07024**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business,

WHEREAS, the applicant has received a tax clearance certificate for person to person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey,

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the person to person transfer of the aforesaid plenary retail distribution license to **The Hudson Wine Market Inc., (Inactive License)** located at a mailing address of **23 East Edsall Avenue, Palisades Park, New Jersey 07650** effective **December 18, 2003** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership.

**CA-17 - Acknowledging Action Taken by the State of New Jersey, Division of Alcoholic Beverage Control, in the Matter of Disciplinary Proceedings Against Mac-On Inc, 0219-33-040-008**

WHEREAS the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, Division of Alcoholic Beverage Control has levied penalties against Mac-On, Inc., liquor license number 0219-33-040-008, with respect to operation of their liquor license,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee accepts the findings of the Attorney General and shall instruct the police department to monitor compliance of the terms and conditions set forth in the Division of Alcoholic Beverage Control determination. (available in the Office of the Borough Clerk)

**CA-18 - Authorizing Approval for Street Lighting at 210 Tremont Avenue, 305 Tremont Avenue and the Perimeter of the Old ShopRite Property - \$102.25 Monthly**

BE IT RESOLVED that Public Service Electric & Gas Co. is hereby authorized and directed to install a 50 Watt High Pressure Sodium Luminarie, on pole number 61757 located at 210 Tremont Avenue, and 100 Watt High Pressure Sodium Luminaries, on pole numbers 62728, 62663, 61791, 1721, 61533 at the area of 305 Tremont Avenue and a combination of 150 and 250 Watt High Pressure Sodium Luminaries, on pole numbers 61360, 61359, 62313, 62407, 61683, 61682, 62374, 62375, 2420, 2419, 62664, 62654, 62656 and 62201 at the area of the old ShopRite at a total cost of **\$102.25** monthly.

**CA-19 - Authorizing Execution of Agreement with the Palisades Interstate Parkway Commission With Respect to Certain Renovations and Use of the Auditorium**

WHEREAS, the Borough of Fort Lee is undertaking certain renovations to the Historic Park Auditorium, owned by the Palisades Interstate Park Commission; and

WHEREAS, the Borough and the Commission wish to enter into

an agreement with respect to the renovations and the use of the auditorium,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor be and he is hereby authorized and directed to execute an agreement, in the form annexed hereto and made a part hereof.

**CA-20 - Approving Developer's Agreement With Valley National Bank for Property Located at 1372 Palisade Avenue, Block 2102, Lot 8**

WHEREAS, the Planning Board of the Borough of Fort Lee adopted a resolution approving a development by Valley National Bank for property located at Block 2102, Lot 8, commonly known as 1372 Palisade Avenue, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon Valley National Bank entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreement has been executed by Valley National Bank and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the Borough Attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with Valley National Bank.

**CA-21 - Declaring HC Company, Inc., a/k/a HC Container, in Default of its Solid Waste Removal Services Contract With the Borough**

WHEREAS, the Borough of Fort Lee awarded its solid waste removal service contract to HC Company, Inc., a/k/a HC Container; and

WHEREAS, HC as defaulted the contract and has declared bankruptcy,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby declare HC to be in default of its contractual obligation, thereby terminating the contract by and between the parties originally June 3, 2002; and

BE IT FURTHER RESOLVED that the Borough reserves any and all rights it may have with respect to breach of contract action for damages.

**CA-22 - Cancelling Balances in Various Grant Receivables and Appropriated Reserves Accounts**

WHEREAS, balances exist in various grants; and

WHEREAS, these projects have been completed for a number of years; and

WHEREAS, such funds will not be collected or expended for the intended purpose,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following grants receivables and reserves be hereby cancelled and that any remaining balances lapse to fund balance.

**Receivables**

State of New Jersey DOT	
Tom Hunter Road	61,991.45
Bridge Plaza North/South	254.25
COPS Fast	8,878.00
Title III Older Americans	1,388.00
CDBG - Youth Center ADA	5,456.63
State of New Jersey DOT:	
Bridge Plaza North/South Sec 2	116,604.25
Human Outreach	10,000.00
COPS Fast	8,878.19
CDBG - Barrier Free-Brach Park	2,698.56
Title III Older Americans	<u>1,053.00</u>
	<u>217,202.33</u>

**Appropriated Reserves**

Drunk Driving Enforcement	9,012.82
Recycling Tonnage Grant - 1995	5,417.00
Bergen County:	
River Road	1,600.00
Anderson & Central	1,015.00
River Road	51,357.00
Title III - Older Americans	373.79
CDBG - Youth Center ADA	8,279.05
Public Health Priority Funding	8,464.97
State DOT Bridge Plaza No/So - Sec 2	24,446.86
Public Health Priority	4,991.71
State of New Jersey DOT:	
Bridge Plaza North/South	42,548.00
Bridge Plaza North	8,925.00
CDBG - Barrier Free	22,546.00
Human Outreach	5,510.00
Body Armor	5,408.00
Public Health Priority Funding	9,398.70
Clean Communities	2,871.81
Alcohol Education Rehabilitation	7,716.47
Drunk Driving Enforcement Fund	6,201.92
Public Health Priority Funding	10,096.82
Drunk Driving Enforcement Fund	<u>7,693.02</u>
	<u>243,873.94</u>
To Fund Balance	<u>26,671.61</u>

Nina Levinson, 1560 West Street, questioned CA-10, CA-14, CA-15, CA-19 and CA-22.

Ms. Thomas and Mayor Alter replied to CA-10. Ms. Thomas spoke to CA-14. Ms. Thomas and Messrs. Villano, Sargenti and Cervieri replied to CA-15. Messrs Muhlstock and Pohan explained CA-19 and Mr. Iannaconi and Alter answered CA-22.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-22) was **approved unanimously**.

**RESOLUTION**

**R-1 - Amending Contract for the Bergen County Economic**

**Development Corporation to Provide Engineering Review Services  
With Respect to the Construction of the New Open Space Park and  
Community Center - \$90,000**

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

WHEREAS, the Borough of Fort Lee is undertaking construction of a new recreation center and community park at Anderson Avenue; and

WHEREAS, the Bergen County Economic Development Corporation is providing construction management services to the Borough; and

WHEREAS, the Borough requires the services of an engineer to review and monitor the progress of the construction,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough hereby retains the firm Bergen County Economic Development Corporation, 25 East Salem Street, Suite 602, Hackensack, New Jersey 07601, in order to provide engineering review services with respect to the construction of the Fort Lee Community Center in accordance with its proposal, dated November 18, 2003; and

BE IT FURTHER RESOLVED that the award of this contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute an agreement in a form to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED that the contract with Bergen County Economic Development Corporation shall be in the amount of **\$90,000** and that the Chief Financial Officer shall certify the existence of said funds as a condition of this contract; and

BE IT FURTHER RESOLVED that the Borough Clerk shall maintain a copy of this resolution and the contract in his office for public inspection, pursuant to law.

Mr. Cervieri stated that he initially questioned whether or not the Borough needed a service like this, but after further discussion, he believes it is a good thing. It will provide a check and balance. A project of this nature needs construction oversight on behalf of the owner. This will be money well spent.

Mayor Alter added that he hates to see the Borough write checks, but that the Borough is well represented legally, in planning and engineering. The Borough has spared very little to get the best. A developer coming into Fort Lee today to build anything is faced by an array of experts employed by the Borough. The experts make sure the quality of the work is top notch, that things are approved that will be in the best interest of the Borough, and that they will be built correctly. This resolution is another example of a well put together owners representative for the Borough. He concurred with Mr. Cervieri that this is money well spent.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti,  
Voss, Cervieri**

**COUNCIL REPORTS**

**Councilman Pohan** - stated that film commission members Tom Meyers and Richard Koszarski recently visited the Library of Congress which has the most extensive collection of films made in Fort Lee during the silent film era. They also visited the Museum of Modern Art. Both organizations have promised to make available to the Borough films for showing at the Palisades Parkway Interstate auditorium once the renovations there are completed. The work is soon to commence for the upgrading of the auditorium. The Borough had previously bought movie quality chairs which are going to be installed and purchased 35mm and 16mm projectors for use in the auditorium. The General Services staff will be performing the work at a minimal cost. The work should be completed by the end of February.

He wished the Mayor and his fellow council members a very happy holiday season.

**Councilwoman Kasofsky** - stated that the repaving of the upgraded municipal parking lot is almost completed. The only item still being worked on is the placement of handicapped parking spaces at the entrance of Guntzer Street. A ribbon-cutting ceremony for the newly renovated lot will probably be done early next year.

She wished everyone a happy and healthy new year.

**Councilman Villano** - at the DPW's request is asking that residents remove cars on posted snow streets when snow is falling. Cars left on the street will be ticketed and/or towed.

He mentioned that the Borough's emergency 1630am radio station keeps residents informed when there are traffic jams, snowstorms or other emergency events.

He stated that the Fort Lee Community Fund through its Second Look Shoppe will be open this Saturday at the Madonna CYO hall between 10:00 a.m. and 2:00 p.m. All the money raised goes back to the community fund for distribution to families in need who do not qualify for welfare.

He mentioned that Sgt. Jerry Conway received an award from the North Jersey Regional Crime Prevention Association for his outstanding work in the Borough's community policing division this year. He also received an award from his local department. He commended Sgt. Conway for his leadership in community policing.

He said that he recently attended an all day workshop on Internet safety that was run by Police Officer Patrick Kissane, the Borough's DARE Officer. It was a program which dealt with the neighborhood of the Internet. Nine other people including other police officers, educators and borough employees attended the workshop. The goal is to extend the program in Fort Lee. He thanked officer Kissane for starting the program.

He wished Mayor Alter an early happy birthday.

He wished everyone a Happy Hanukkah and Merry Christmas.

**Councilman Sargenti** - announced that the under 10 year old soccer program won the championship in their league division. The coaches were Mark Sokolich and Marc Macri. Boys and girls basketball is now underway along with indoor soccer.

He mentioned that the DPW employees did an excellent job during the last snowstorm.

He wished everyone a happy, safe and healthy holiday season.

**Councilwoman Voss** - thanked incoming Fire Chief Thomas Bernard, Jr. for providing her with comprehensive reports of the activities of the Fire Department this year. She congratulated Chief Ralph Porrino for the job he did this year. The Fire Department this year has responded to over 1500 calls. (A full report for November 2003 is available in the office of the Borough Clerk).

She thanked Tom Meyers for doing such an outstanding job on the centennial committee. The Borough's Centennial will be celebrated in 2004. Also, the high school and the Saint Rocco's Society will be celebrating their 75<sup>th</sup> anniversary. It is also the 150<sup>th</sup> anniversary of the Church of the Good Shepherd and the 125<sup>th</sup> anniversary of Holy Angels. It will also be the 50<sup>th</sup> anniversary of the Fort Lee Homeowner's Association.

She added that a beautiful 2004 centennial calendar is now available for purchase for \$5.00 from Border's Books, the Borough Clerk's office, the Parking Authority and the Chamber of Commerce. All proceeds will be going towards funding centennial events. Events are planned for each month in 2004.

She thanked the Fort Lee Board of Education, Jay Berman, high school principal, Carol Burghardt, student council advisor, and Andrew Sadow, student council president for organizing the reenactment that is scheduled for January 4th.

She wished everyone a Happy Hanukkah, Merry Christmas and a happy and healthy New Year.

**Councilman Cervieri** - informed the public of the passing of Dr. Vincent V. Raccaia, former chief of staff and medical director at Palisades Medical Center. He died on Tuesday at the age of 87. Dr. Raccaia is survived by his daughters Maria and Fina and his two sons, Joey and Sal, who are both doctors, along with six grandchildren. He thanked Dr. Raccaia for all of his efforts and the time that he gave to Fort Lee that helped make Fort Lee a much better place. He sent his condolences to the family of Dr. Raccaia. (The complete obituary notice is available in the office of the Borough Clerk).

He stated that The Greater Fort Lee Chamber of Commerce has released the 2003 holiday edition of its shopping guide and the winter edition of the professional and medical guide. Distributed throughout Fort Lee at member retailers, local banks, area hotels, the library, and town hall, the guides continue to be an invaluable guide to commerce in Fort Lee.

He added that the Chamber is proud to announce the launch of its Chamber Preferred Card" program. The program features special discounts and promotion from select Chamber member businesses. The preferred card is available to the public at no charge and can be found at local banks, the library, borough hall and member retailers. Participating businesses will display a special window sign that indicates the card is welcome.

He stated that on behalf of council, he wishes Michael Sassano well. He served the Borough for many years with distinction.

He stated that when Mayor Alter earlier announced the monies that the Borough will be receiving from Bergen County, he understated his role and that of others in getting the money. He thanked Mayor Alter for all of his efforts and Raymond Levy who

was in the forefront. He also thanked Dennis Oury, Special Counsel, for his efforts and the Board of Chosen Freeholders who voted for the project unanimously.

He wished everyone a Merry Christmas, Happy Kwanzaa, and a Happy New Year.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Anna Lypinski 400 Park Place	.Wished Everyone Season Greetings	
	.Praised Mayor and Council and Borough Employees	
	.Bus Shelters at Library and Borough Hall	Mayor Alter Mr. Grant

There being no further discussion, **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, at 9:00 p.m, the meeting was recessed to 12:00 noon on January 4, 2004.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, November 13, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, (Arrived at 8:15 p.m.) Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that this past November 4<sup>th</sup> there was an election. Residents of the Borough had come up to him and his running mates, Joan Voss and Joseph Cervieri, and told them that they had never before seen so much good work going on in the Borough. The work being done was while taxes were being controlled. When the election figures were tallied there was a historic vote. He believed it was the largest majority that the winning candidates had ever received. The vote means that the work ongoing in the Borough can now continue. All members of the governing body are involved with the many projects the Borough is involved in. He will talk about a lot of the projects and future projects the Borough will be involved in at the reorganization meeting.

He mentioned that HC Company Inc., the Borough's garbage hauler, called Ms. Thomas and told her that the company is filing for bankruptcy. The Borough has scrambled to have another hauler pick up the resident's garbage. HC may have gone bankrupt because they may have given the Borough too good of a price when they originally bid on the garbage contract.

He closed by saying that the Borough will try to meet challenges, and do the things that the people in the community want done, and that keeping the town safe is always a prime consideration. He will continue to try to keep taxes controlled. He thanked the residents for their vote of confidence.

**APPROVAL OF MINUTES**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the minutes of the January 1,**

2003 Reorganization Meeting were approved.

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried unanimously, the minutes of the October 23, 2003 Regular Meeting were approved.

INTRODUCTION OF ORDINANCES

Ordinance #2003-39 - Capital Ordinance - Agreement With Bergen County Community Development for a Non-Medical Handicap Van - \$50,000

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-39 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$50,000 GRANT TO BE RECEIVED FROM THE BERGEN COUNTY COMMUNITY DEVELOPMENT FUND FOR ACQUISITION OF A NON-MEDICAL VAN BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY" was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for December 11, 2003.

**AYES:** Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri

**ABSENT:** Councilwoman Voss

Ordinance #2003-40 - Amending Chapter 388, Section 65, Schedule XIX: Vehicle Movement on Private Property Open to the Public

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-40 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 65, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED 'VEHICLES AND TRAFFIC - SCHEDULE XIX: VEHICLE MOVEMENT ON PRIVATE PROPERTY OPEN TO THE PUBLIC," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for December 11, 2003.

**AYES:** Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri

**ABSENT:** Councilwoman Voss

Ordinance #2003-41 - Amending Chapter 388, Section 69, Eliminating Handicapped Parking Space at 1657 Maple Street

On motion by Councilman Cervieri, seconded by Councilman Villano, and carried, Ord. #2003-41 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "HANDICAPPED PARKING SPACES," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for December 11, 2003.

**AYES:** Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri

**ABSENT:** Councilwoman Voss

Ordinance #2003-42 - Amending Chapter 328, Section 20, Hours of Operation for Outdoor Cafés - March 1<sup>st</sup> Through December 31<sup>st</sup>

Ms. Voss arrived at this point in the meeting at 8:15 p.m.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-42 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 328, SECTION 20, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "RESTAURANTS" TIMES OF OPERATION FOR OUTDOOR CAFES," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for December 11, 2003.

Ordinance #2003-43 - Amending Chapter 388, Section 40, "Vehicles and Traffic" Fee Schedule and Other Sections of the Borough Code to Increase The Fines for Violations and Penalties by \$3.00

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-43 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 41, OF THE FORT LEE CODE, ENTITLED 'SURCHARGE FOR PARKING/TRAFFIC FINES,' AND AMENDING CHAPTER 388, SECTION 40, AND CHAPTER 216, SECTION 6 (34) AND (35) TO IMPLEMENT THE ADDITIONAL FINE AUTHORIZED HEREBY," was introduced and passed on first reading.

The Ordinance was approved unanimously, by title only and the public hearing relative to this ordinance was scheduled for December 11, 2003.

PUBLIC HEARING

Ordinance #2003-38 - Amending Chapter 388, Section 18, Trucks Over Three (3) Tons Prohibited on Old Palisade Road Between Main Street and Federspiel Street

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-38 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 18, SCHEDULE VI-A, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sargenti.

On motion by Councilman Villano, seconded by Councilman Cervieri, the Ordinance was adopted unanimously.

PROPOSED CONSENT AGENDA

On motion by Councilman Pohan, seconded by Councilwoman Kasofsky, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-14.

CA-1 - Payment of Claims

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

ACCOUNT

AMOUNT

Current

\$7,895,096.94

<u>ACCOUNT</u>	<u>AMOUNT</u>
Capital	393,868.26
Trust (Accutrack)	57,371.88
Trust (Old)	n/a
Police Activity Account	3,779.19
Senior Citizen Advisory Council	n/a
Senior Citizen Computer Account	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	7,896.95
Redemption Account	6,762.42

**CA-2 - Approving Jr. Auxiliary Firefighter Application for Khristopher Thomas for Fire Company #3**

The jr. auxiliary firefighter application for Khristopher Thomas for Fire Company #3 was approved.

**CA-3 - Authorizing Hiring of Simone Kosuda as a Part Time Employee for the Rent Leveling Department - \$15.00 Hourly Effective November 17th**

WHEREAS, a vacancy has occurred in the Rent Leveling Department, and the Mayor and Council have determined that the vacancy be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that **Simone L. Kosuda** be appointed to a part time position, not to exceed 19.5 hours weekly, with the Rent Leveling Department, with an effective date of November 17, 2003; and

BE IT FURTHER RESOLVED that this appointment shall be at a salary of **\$15.00 Hourly**.

**CA-4 - Authorizing Hiring of Brian Yeandle as a Recreation Program Specialist in the Recreation Department - \$30,000 Annually Effective December 1<sup>st</sup>**

WHEREAS, a vacancy has occurred in the Recreation Department, and the Mayor and Council have determined that the vacancy be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that **Brian Yeandle** be appointed to the full time position of Recreation Program Specialist in the Recreation Department, with an effective date of December 1, 2003; and

BE IT FURTHER RESOLVED that this appointment be provisional pending certification from the N.J. Department of Personnel and shall be at an annual salary of **\$30,000**.

**CA-5 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for a Video Recording System for the Police Department, Garbage/Recycling Pick Services**

**Throughout the Borough and a Document Imaging System for the Building Department**

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:

- . Video Recording System for Police Department  
(Proprietary Purchase)
- . Garbage and Recycling Pick Up (Trash Removal Services)
- . Document Imaging System for the Building Department

**CA-6 - Approving Developers Agreement With McDonald's Corporation at 2143 & 2145 Hudson Street, Block 6101, Lots 11-12, 23-24**

WHEREAS, the Planning Board of the Borough of Fort Lee adopted a Resolution approving a development by McDonald's Corporation for property located at Block 6101, Lots 11, 12, 23, & 24 and commonly known as 2143 and 2145 Hudson Street, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon McDonald's Corporation entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreement has been executed by McDonald's Corporation and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the Borough Attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with McDonald's Corporation.

**CA-7 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, for Construction Inspection Services for Roadway and Streetscape Improvements to Palisade Avenue - Fee Not to Exceed \$105,000**

WHEREAS, the Borough is desirous of pursuing certain streetscape and roadway improvements to Palisade Avenue From Main Street to Lemoine; and

WHEREAS, the Borough has received a proposal dated October 9, 2003 for construction inspection engineering services for the roadway and streetscape improvements from Boswell McClave Engineering; and

WHEREAS, the Borough is desirous of retaining the services of Boswell for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering, be and is hereby retained for the purpose to handle construction inspection services for the roadway and streetscape improvements to Palisade Avenue, as set forth in its detailed proposal dated October 29, 2003; and

BE IT FURTHER RESOLVED that Boswell shall be paid the total sum not to exceed **\$105,000.00** for their services; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate agreement with respect to the award of this contract, and the Mayor, be and he is hereby authorized and directed to execute the same on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient current funds for the cost of same; and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is hereby authorized and directed to maintain a copy of this resolution and the contract in his offices for public inspection, and to advertise award of this contract according to law.

**CA-8 - Amending Contract to SOR Testing Laboratories, Inc., Cedar Grove, New Jersey, for the Testing of Firehouse and Ambulance Bay Floors - \$3,125**

WHEREAS, the Mayor and Council of the Borough of Fort Lee has previously authorized on October 23, 2003, the sum of up to **\$2,500** in connection with the laboratory testing of the flooring at Fire Company #1 and #2; and

WHEREAS, the flooring in the Borough's Ambulance Corps building was also treated by Palma, Inc. and, therefore, the Borough wishes to test this floor as well; and

WHEREAS, the Borough has obtained a quotation from SOR Testing Laboratories, Inc., in the total amount of **\$3,125**,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney be and he is hereby authorized and directed to prepare,, and the Mayor to execute on behalf of the Borough, an appropriate agreement between the Borough and SOR Testing Laboratories, Inc., 98 Sand Park Road, Cedar Grove, New Jersey 07009, for sampling and testing of the epoxy/urethane slab coatings of two firehouse floors and the ambulance corps building floor; and

BE IT FURTHER RESOLVED that the total amount of the appropriation for such testing be and hereby increased from **\$2,500** to **\$3,125**; and

BE IT FURTHER RESOLVED that the award of this contract to SOR Testing Laboratories, Inc. is one for professional services for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Office has certified the existence of current funds for this purpose; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby directed to maintain a copy of this resolution and the contract on file, for public inspection.

**CA-9 - Approving Change Order #2A for Allied Services of N.E. Inc., Lyndhurst, New Jersey, for Emergency Work to RTU-2 for the HVAC System at the New Police Facility - \$1,153.85**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION: Fort Lee Police Facility  
HVAC Modifications

CONSTRUCTION MANAGER: Calgi Construction Company

CONTRACTOR: Allied Services of N.E., Inc.

ORIGINAL CONTRACT COST: \$483,960.00

COST OF CHANGE ORDER: \$ 1,153.85

COST OF PREVIOUS CHANGE ORDERS: \$ 21,614.75

NEW CONTRACT SUM: \$506,728.60

CHANGE ORDER NUMBER: #2a

NATURE OF CHANGES: Emergency Work to RTU-2 - Removed and Replaced Blower Bearings and Blower Shaft

CONTRACT # 900556

**CA-10 - Authorizing Execution of Agreement Between The Port Authority of New York and New Jersey and the Borough of Fort Lee so as to Provide the Borough \$15,000,000 Over a Five-Year Period**

WHEREAS, the Borough of Fort Lee (Borough has negotiated an Agreement with the Port Authority of New York and New Jersey (Port Authority) pursuant to which the Port Authority would provide the Borough with up to \$15 million over a five-year period to fund improvements to the roadway network in the vicinity of the George Washington Bridge and the Fort Lee municipal parking lot; and

WHEREAS, over the past several years, commuter traffic in Fort Lee has increased on the roadway leading to the George Washington Bridge; and

WHEREAS, pursuant to the agreement, the Port Authority will provide funding to the Borough to alleviate these traffic conditions by adding lanes to existing roadways, installing new traffic signals and building new roadway links all of which will provide additional capacity for traffic heading to and from the George Washington Bridge; and

WHEREAS, pursuant to the agreement, the Borough will support the Port Authority if in the future a decision is made to relocate the existing George Washington Bridge operation building, additionally the Borough will vacate streets within the area bounded by the Port Authority's proposed connector ramp, and will agree to transfer to the Port Authority ownership of the area of the Fort Lee municipal parking lot that is currently leased to the Port Authority to accommodate police, operations and maintenance requirements; and

WHEREAS, pursuant to the agreement, the Port Authority will grant the Borough permanent air rights and construction easements for in and about the area of the Fort Lee municipal parking lot for the purpose of building a parking garage extension; and

WHEREAS, it is deemed to be in the best interest of the Borough of Fort Lee to enter into the Agreement,

NOW, THEREFORE, BE IT RESOLVED that the Borough of Fort Lee hereby approves the aforesaid Agreement with the Port Authority of New York and New Jersey pursuant to which the Port Authority

will provide the Borough with up to \$15 million dollars in funding over a five-year period towards improvements in the roadway network in the vicinity of the George Washington Bridge and the Fort Lee municipal parking lot; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized, for and on behalf of the Borough of Fort Lee, to execute said Agreement.

**CA-11 - Awarding Bid to Seagrave Sales & Service, South Plainfield, New Jersey, for a New Fire Truck - \$634,847.02**

WHEREAS, sealed bids were called for and received on September 24, 2003 for a new Aerial fire truck for Fire Company #3 in the Borough of Fort Lee; and

WHEREAS, four (4) bid packages were issued for this project and three (3) bids were received as follows:

Campbell Supply Co., Inc. (Representing)  
American LaFrance  
180 Talmage Road  
Edison, N.J. 08818-0266

**Bid Amount: \$594,542.00**

Fire and Safety Services LTD. (Representing)  
Pierce  
560 Stelton Road  
Piscataway, N.J. 08854

**Bid Amount: \$595,974.41**

Seagrave Sales & Service (Representing)  
Seagrave Fire Apparatus, LLC  
105 East 12<sup>th</sup> Street  
Clintonville, Wisconsin 54929-1590

**Bid Amount: \$634,847.02**

and;

WHEREAS, bid documents were received and analyzed by the Fort Lee Fire Department; and

WHEREAS, the Fire Department has determined that the bid proposals of American LaFrance and Pierce do not comply with the bid specifications; and

WHEREAS, Seagrave is the lowest qualified bidder, at a total price of **\$634,847.02**, which is within the budgetary constraints originally set by the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee the Borough does hereby award the contract for the new aerial truck to Seagrave, at a total price of **\$634,847.02**; and

BE IT FURTHER RESOLVED, that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract for the awarded bid, and the Mayor be and he is hereby authorized and directed to execute the said contract; and

BE IT FURTHER RESOLVED that this contract and the funds designated therefor be and will be subject to the certification by the Chief Financial Officer under Bond Ordinance #2003-29; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby directed to maintain a copy of this resolution and the contract on file, for public inspection.

**CA-12 - Authorizing Dennis Oury, Special Economic Development Counsel, to Investigate TPK Fort Lee Towne Center Construction**

WHEREAS, the Borough of Fort Lee has been advised that there may exist discrepancies with respect to the construction of Town Centre (TPK Development Co.), property at the corner of Main Street and Schlosser Street; and

WHEREAS, the Mayor and Council wishes to obtain a report regarding the approvals and construction of said premises,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Dennis Oury, Special Economic Development Counsel, be and he is hereby authorized and directed to investigate and prepare a report to the Mayor and Council regarding the developmental process and the actual construction of the premises commonly known as Town Centre, located at the corner of Main Street and Schlosser Street; and

BE IT FURTHER RESOLVED that Dennis Oury shall be paid at his contractual rate.

**CA-13 - Authorizing Condemnation of Property Located at 95 Main Street, Block 4805, Lots 2-4**

WHEREAS, N.J.S.A. 20:3-1, et seq., authorizes municipalities to acquire real property for public purposes under authority of eminent domain, and

WHEREAS, the Borough of Fort Lee wishes to acquire the premises known as Block 4805, Lots 2, 3 and 4, more commonly known and designated as 95 Main Street, for public purposes and including, but not limited to, the realignment of lower Main Street and provision of additional parking and/or infrastructure improvements to ease traffic congestion;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney be and he is hereby directed to commence bona fide negotiations with the owner of certain premises known and designated as 95 Main Street, Block 4805, Lots 2, 3 and 4, in accordance with the provisions of N.J.S.A. 20:3-6, which negotiations shall include as offer in writing by the municipality to the property owner, which shall represent the Borough's estimate of the current fair market value; and

BE IT FURTHER RESOLVED that, in accordance with the aforesaid statute, the Borough Attorney be and he is hereby authorized and directed to meet with the appraiser for the Borough and the property owner in order to inspect the property and allow the owner to be present during such inspection, and

BE IT FURTHER RESOLVED that, should the property owner reject said offer or fail to accept said offer or agree to a negotiated fair market value, within 14 days of the mailing of said offer, the Borough Attorney be and he is hereby authorized and directed to commence an action to condemn the property in accordance with the aforesaid statutes; and

BE IT FURTHER RESOLVED, that the proceeding authorized herein shall be subject to and conditioned upon adoption of an appropriate bond ordinance creating sufficient funding for the

acquisition authorized herein; and

BE IT FURTHER RESOLVED that the firm of Hannoeh Appraisal Services be and is hereby directed to review its prior appraisal of the subject to premises and to update its value determination, if appropriate; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to maintain copies of the resolution in accordance with law.

**CA-14 - Authorizing Settlement of Litigation Entitled East Palisades Boulevard, LLC, Rosenshein Associates, Et Al., vs. Planning Board of the Borough of Palisades Park, Et Al.**

WHEREAS, East Palisades Boulevard, LLC, et al., instituted an action against the Borough of Palisades Park in which the Borough of Fort Lee intervened with respect to a "Major Site Plan Application" denied by defendant Planning of the Borough of Palisades Park, which denial was reversed by Order of the Honorable Jonathan N. Harris; and

WHEREAS, said Order by the Honorable Jonathan N. Harris was appealed by the Borough of Palisades Park and the Borough of Fort Lee; and

WHEREAS, the matter is presently pending in the Appellate Division of the Superior Court of New Jersey; and

WHEREAS, the Borough of Palisades Park is negotiating a Settlement Agreement regarding said litigation; and

WHEREAS, the Plaintiff and Special Counsel for the Borough of Fort Lee have engaged in extensive negotiations and have a proposed settlement regarding said matter, which settlement will benefit the residents of Fort Lee; and

WHEREAS, Special Counsel for the Borough of Fort Lee has recommended that the matter be settled; and

WHEREAS, East Palisades Boulevard, LLC has agreed to file a Deed Restriction for those properties adjacent to the Borough of Fort Lee within Blocks 428 and 432 which are not being used for the purposed of development and the developer will agree in the future not to develop said properties; and

WHEREAS, the developer will address and pay for drainage remediation for problems which exist for those residents of the Borough of Fort Lee who live in the Twelfth Street are pursuant to recommendations by the Borough special consulting engineer, Robert Costa,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee and the County of Bergen and State of New Jersey that it agrees to accept the settlement of this litigation by authorizing special counsel, the Law Offices of Dennis J. Oury and Raymond Levy, Director of Economic Development, to enter into an Agreement that will result in the dismissal of the appeal; and

BE IT FURTHER RESOLVED that the Mayor, Director of Economic Development, and/or Special Counsel, is hereby authorized to execute such documents as are necessary to memorialize this settlement.

Nina Levinson, 1560 West Street, had questions pertaining to CA-13, CA-8, CA-5, CA-9 and CA-10.

Messrs Muhlstock and Villano responded to CA-13. Mr.

Mr. Muhlstock spoke to CA-8. Ms. Thomas replied to CA-5. Ms. Thomas answered CA-9 and Mayor Alter spoke to CA-10.

Ray Levy, Director of Economic Development, expounded on CA-10 by explaining that the project for traffic improvements is part of a \$30,000,000 plan. He explained how the \$30,000,000 is going to be allocated between the different public agencies involved.

There being no further discussion, the public hearing was closed **on motion by Councilman Pohan, seconded by Councilwoman Voss.**

**On motion by Councilman Villano, seconded by Councilwoman Kasofsky** the Consent Agenda (items CA-1 through CA-14 ) was **approved** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**RESOLUTIONS**

**R-1 - Amending Capital Budget**

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

WHEREAS, the local capital budget for the year 2003 was amended on the 25th day of September, 2003; and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Fort Lee, County of Bergen, that the following amendment(s) to the adopted capital budget section of the 2003 Budget be made:

**FROM CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Estimated Total Cost	Capital Improvement Fund	Debt Authorized	To Be Funded In Future Years
Total All Projects	7,765,000	138,250	2,626,750	5,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	<u>Funding Amounts Per Year</u>					
		Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008
Total All Projects	7,765,000	2,765,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	Estimated Total Cost	Capital Improvement Fund	Bonds and Notes General
Total All Projects	7,765,000	388,250	7,376,750

**TO CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Project Number	Estimated Total Cost	Capital Improvement Fund	Grants in Aid and Other Funds	To Be Funded In Future Years
Acquisition of a Non-Medical Handicap Van	2003-4	50,000	138,250	50,000	
Total All Projects		7,815,000,000	138,250	50,000	5,000,000
					Debt Authorized
					2,626,750

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

Project	Project #	Estimated Total Cost	Estimated Completion Time	Funding Amounts Per Year					
				Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008
Acquisition of a Non-Medical Handicap Van	2003-4	50,000	2003	50,000					
Total All Projects		7,815,000		2,815,000	1,000,000	Each Year for 2004-2008			

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

	Estimated Total Cost	Capital Improvement Fund	Grants in Aid and Other Funds	Bonds and Notes General
2003-4	50,000		50,000	
Total All Projects	7,815,000	388,250	50,000	7,376,750

BE IT FURTHER RESOLVED that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**R-2 - Authorizing Hiring of John J. Curley, Hoboken, New Jersey, as Special Condemnation Counsel for Redevelopment Area 1 - Fee Not to Exceed \$10,000**

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

WHEREAS, the Borough of Fort Lee considers it necessary and proper to adopt a resolution to hire Special Condemnation Counsel for lots 13, 14, 15 and 20 in block 6101, the said property constituting a portion of Redevelopment Area 1, for the purpose of condemnation pursuant to N.J.S.A. 20:3-1, et seq., should that be required in accordance with the existing Redevelopment Plan for Redevelopment Area 1; and

WHEREAS, said legal services are specialized and qualitative in nature and fall within the definition of a professional service as provided under N.J.S.A. 40A:11-2(6) and as such constitutes an exception to the bidding requirements under N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the fee for all such legal services shall be \$190.00 per hour not to exceed \$10,000.00 with additional fees as stated for any such additional services provided, all of which fees are to be paid by the designated Redeveloper for block 6101, lot 13, 14, 15 and 20: and

WHEREAS, funds for the payment of said special condemnation counsel will be advanced by the designated Redeveloper to be held in escrow by the Borough of Fort Lee for the purpose of paying such fees, it being understood that no services shall be authorized until such funds have been advanced,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that a contract for the following law firm be entered into on behalf of the Borough of Fort Lee and made a part of these minutes for the period commencing on the date hereof through November 13, 2004:

John J. Curley, Esq.  
John J. Curley, Esq., LLC  
5 Marine View Plaza  
Hoboken, New Jersey 07030

and;

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the contract on behalf of the Borough of Fort Lee; and

BE IT FURTHER RESOLVED that the Borough Clerk publish the notice of the award of the contract pursuant to the requirements of N.J.S.A 40A:11-5(1)(a)(ii); and

BE IT FURTHER RESOLVED that all such services rendered shall be the financial responsibility of the designated Redeveloper for Redevelopment Area I as set forth in the recitals of this Resolution; and

BE IT FURTHER RESOLVED that all such services rendered by Special Condemnation Counsel rendered shall be coordinated by Special Counsel to the Borough of Fort Lee, Dennis J. Oury, LLC, on an as-needed basis in consultation with the Office of the Director of Economic Development.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-3 - Authorizing Hiring of James Hannoch, Hannoch Appraisal Company, Livingston, New Jersey as an Appraiser, for Redevelopment Area 1 - Fee Not to Exceed \$10,000**

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

WHEREAS, the Borough of Fort Lee considers it necessary and proper to adopt a resolution to hire an appraiser to appraise lots, 13, 14, 15 and 20 in block 6101, the said property constituting a portion of Redevelopment Area 1, for the purpose of establishing the value of these properties for negotiation and purchase or condemnation in accordance with the existing Redevelopment plan for Redevelopment Area 1; and

WHEREAS, said appraisal services are specialized and qualitative in nature and fall within the definition of a

professional service as provided under N.J.S.A. 40A:11-2(6) and as such constitutes an exception to the bidding requirements under N.J.S.A. 40A:11-5(1) (a) (ii); and,

WHEREAS, the fee for all such appraisal services shall be \$175.00 per hour not to exceed \$10,000.00 with additional fees as stated for any such additional services provided, all of which fees are to be paid by the designated Redeveloper for block 6101, lot 13, 14, 15 and 20; and

WHEREAS, funds for payment of said appraisal will be advanced by the designated Redeveloper to be held in escrow by the Borough of Fort Lee for the purpose of paying such fees, it being understood that no services shall be authorized until such funds have been advanced;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that a contract for the following appraisal firm be entered into on behalf of the Borough of Fort Lee and made a part of these minutes for the period commencing on the date hereof through November 13, 2004:

James Hannoeh  
Hannoeh Appraisal Company  
11 Stonewall Drive  
Livingston, New Jersey 07039

and;

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the contract on behalf of the Borough of Fort Lee; and

BE IT FURTHER RESOLVED that the Borough Clerk publish the notice of the award of the contract pursuant to the requirements of N.J.S.A. 40A:11-5(1) (a) (ii); and

BE IT FURTHER RESOLVED that all such services rendered shall be the recitals of this Resolution:

AND BE IT FURTHER RESOLVED that all such appraisal services shall address the particular and unique nature of the subject properties in accordance with the requirements of the Redevelopment Plan.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-4 - Designating COM Office Developers, LLC, Hackensack, New Jersey, as the Designated Redeveloper for Block 6101, Lots 13, 14, 15 and 20 (Redevelopment Area 1)**

Mr. Levy explained that COM was the only bidder who submitted a bid. It is a national company that is in the health care field. They have over 5,000 employees with 200 of them currently located in their corporate headquarters in Hackensack. COM would like to acquire the skeleton building, finish the building and move their headquarters to the building. They have posted a \$250,000 escrow. They have established themselves as a bonafide company. They view Fort Lee as a terrific place to relocate. He believes that this would be a wonderful addition to the Borough; it would remove an ugly building, and replace it with a fully occupied one.

Mr. Pohan said that COM has agreed to finish the building within the existing approvals. It would not seek further variances.

Mr. Levy added that it is a six-story, 38,000 square-foot office building with parking underneath.

Mr. Villano asked Mr. Levy what is the Borough's responsibility.

Mr. Levy replied that it is the Borough's responsibility to assist COM at their cost in gaining control of the property. There is a legal process involved. If COM cannot get the current owner to sell them the property at fair market value, then the Borough has the power to use eminent domain to essentially take the property, pay the current owner fair market value and transfer the title to the new owner.

Mr. Muhlstock asked Mr. Levy about the estimated taxes that the Borough would derive if the skeleton building is completed.

Mr. Levy estimated that the building is currently assessed at 25% to 30% of what its final value will be when it is completed. In addition, the current owner is behind in his taxes. It is also important to the people who live in that area and to everyone else that who sees the eyesore, to have the building completed.

**Councilman Pohan introduced, and Councilman Villano seconded,** the following Resolution:

WHEREAS, the Borough of Fort Lee determined that it was appropriate to examine certain property located Block 6101, Lots 13, 14, 15 and 20, Lots 17, 18, 19, 20 and 21 as shown on the tax map of the Borough of Fort Lee and hereafter referred to as the Redevelopment Area 1 site to determine whether this area may be declared a redevelopment area according to the criteria set forth at N.J.S.A. 40A:12A-5, and referred the investigation of Redevelopment Area 1 to the Planning Board of the Borough of Fort Lee as required pursuant to N.J.S.A: 40A:12-A-6; and

WHEREAS, a report entitled "Redevelopment Area Investigation for Two Areas Located in the Northeasterly Portion of Fort Lee, New Jersey" was prepared for the benefit of the Planning Board by Abeles, Phillips, Preiss and Shapiro, Inc., and submitted to the Fort Lee Planning Board in May of 2002, and a subsequent public hearing having been held in accordance with the statute, the Fort Lee Planning Board adopted a Resolution on September 4, 2002, finding the area in need of redevelopment; and

WHEREAS, on September 26, 2003, the Mayor and Council of the Borough of Fort Lee accepted and approved the Planning Board's determination and declared the area now to be known as Redevelopment Area 1 to be in an area in need of redevelopment pursuant to N.J.S.A. 40A:12-6; and

WHEREAS, subsequently a redevelopment plan prepared by Abeles, Phillips, Preiss and Shapiro, Inc., dated December 20, 2002, was reviewed by the Planning Board and subsequently approved in January of 2003 by the said Board; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee adopted Ordinance 2003-7 on March 27, 2003, approving the Redevelopment Plan as recommended by the Planning Board and therein formally designating the Redevelopment Area 1 as herein previously defined; and

WHEREAS, the Borough of Fort Lee sought to obtain proposals

for development of all or part of Redevelopment Area 1 from qualified redevelopers; and approved a form of Request for Proposals, the "RFP", which it made available to prospective developers on or about August 1, 2003, for all proposals to be submitted to the Director of Economic Development no later than October 1, 2003 for the purpose of assisting the Borough in identifying and selecting qualified redevelopers who would develop all or part of the Redevelopment Area 1 in accordance with the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan anticipates the development on Block 6101, Lots 13, 14, 15, and 20, to be developed in accordance with the C-3 Land Use Regulations as and for an office development and in particular to utilize an uncompleted and abandoned six-story office structure; and

WHEREAS, on or about October 1, within the time required under the RFP, the Office of Economic Development did receive from Com Office Developers, LLC, a completed response to the RFP including the requested deposit of \$250,000.00; and

WHEREAS, the proposal has been reviewed and discussed and compared to the Redevelopment Plan and the said proposal comports, in large part, with the goals and objectives of the Redevelopment Plan, and the overall Land Use Plan for the Borough of Fort Lee; and

WHEREAS, the Borough of Fort Lee has determined that it is in its best interests to enter into negotiations with COM Officer Developers, LLC, for the purpose of entering into a Redevelopment Agreement addressing the objectives of the Borough of Fort Lee in accordance with the Redevelopment Plan, and to further designate COM Office Developers, LLC, as the designated Redeveloper for the "Project Area", to be designated as Lots 13, 14, 15, and 20 in Block 6101 of Redevelopment Area 1; and

WHEREAS, the proposal submitted by COM Office Developers, LLC, has been evaluated with respect to the qualifications of the proposed redeveloper as to its financial capability, experience, and completion of other urban economic redevelopment projects as well as the proposed terms and compatibility and quality of the overall proposal as it relates to the goals and objects of the Borough of Fort Lee and the requirements of the Redevelopment Plan and sufficient long-term financial benefits to the Borough of Fort Lee are demonstrated and shall be realized,

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

That COM Office Developers, LLC, a joint venture, having its offices at 411 Hackensack Avenue, Hackensack, New Jersey 07601, be and hereby is designated as the designated Redeveloper for that portion of Redevelopment Area 1 which shall include Lots 13, 14, 15 and 20 in Block 6101 hereafter designated as the Project Area, all in accordance with the provisions and limitations set forth in this Resolution; and

BE IT FURTHER RESOLVED, that the designated Redeveloper shall immediately enter into negotiations with the Director of the Office of Economic Development and Special Counsel on behalf of the Borough for the purpose of negotiating a Redeveloper's Agreement in accordance with the proposal submitted by the Redeveloper, the Redevelopment Plan, and such additional provisions as the Director of the Office of Economic Development and Special Counsel shall deem necessary and appropriate, or advisable, in their discretion; and

BE IT FURTHER RESOLVED, that should the designated Redeveloper fail to complete negotiations for a Redevelopers

Agreement satisfactory to the Borough of Fort Lee within 45 days of the date of this Resolution, and shall fail to execute a form of Redevelopers Agreement to be submitted to the Mayor and Council for formal approval, then the designation of Designated Redeveloper shall lapse and the Borough shall retain all such funds as are necessary or have been expended to date and shall terminate said negotiations and seek alternative redevelopers.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-5 - Endorsing Support for the Installation of an Off Street Bicycle/Pedestrian Path Between the George Washington Bridge and Palisades Interstate Park Henry Hudson Driveway**

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

WHEREAS, the George Washington Bridge carries not only motorized traffic, but also, foot and bicycle traffic; and

WHEREAS, bicyclists on the busy roads on the New Jersey side of the Bridge must now enter the public road to access the Palisades Interstate Park at Henry Hudson Drive; and

WHEREAS, bicyclists and motorists alike are at risk for personal injury and property damage due to accidents; and

WHEREAS, such personal injuries and property damage and are largely preventable by an off-street walking and bicycling path from the Bridge south sidewalk to the Park entrance at Henry Hudson Drive; and

WHEREAS, the Fort Lee Police Department supports the construction of an off-street bicycle/pedestrian path linking the Bridge south sidewalk to the Park entrance at Henry Hudson Drive as aiding the overall traffic, transportation and safety concerns of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby support the installation of an off-street, multi-use, bicycle/pedestrian path between the George Washington Bridge and Palisades Interstate Park Henry Hudson Drive entrance.

The Resolution was **approved unanimously**.

**R-6 - Awarding Contract to Miele Sanitation Co., Closter, New Jersey, as the Borough's Solid Waste and Recyclable Hauler**

Mayor Alter commended Mr. Miele. It is his understanding that they will stand by their original bid price.

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

WHEREAS, the Borough of Fort Lee had appointed H.C. Company Inc. as its solid waste hauler for a three year term; and

WHEREAS, H.C. Company failed to comply with the terms and specifications incorporated into the Borough's contract; and

WHEREAS, H.C. Company recently filed for bankruptcy protection, and is no longer in operation; and

WHEREAS, an emergency situation exists by virtue of the Borough requiring the services of solid waste hauling; and

WHEREAS, the purchasing consultant for the Borough has obtained quotations from several haulers; and

WHEREAS, Miele Sanitation Company has proposed to temporarily become the Borough's solid waste contractor until such time as the Borough can formally let the contract by formal bidding process;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that there is hereby declared an emergency situation affecting the Borough's health, safety and welfare, inasmuch as the solid waste of the Borough must be collected; and

BE IT FURTHER RESOLVED that H.C. Company, Inc. has defaulted in its contractual obligations in this regard and that it is necessary to immediately obtain the services of a replacement contractor for this purpose; and

BE IT FURTHER RESOLVED that Miele Sanitation Company has informally quoted to the Borough the lowest qualified price for the services to be rendered and, accordingly, the Borough does hereby ratify and confirm retention of Miele Sanitation Co.; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough shall certify that sufficient monies exist or will be immediately appropriated for the retention of Miele Sanitation Co. for this purpose; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized to prepare, and the Mayor be and he is authorized and directed to execute, an appropriate contract with Miele Sanitation Co. on behalf of the Borough; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he is authorized and directed to maintain copies of this resolution and the said contract in the office of the Borough Clerk, for public inspection.

The Resolution was **approved unanimously**.

**COUNCIL REPORTS**

**Councilman Pohan** - read the following announcement.

Certified Valuations, Inc., the firm hired by the Borough of Fort Lee to assist the Tax Assessor in establishing market valuations for 2004, is in the final stage of the revaluation process.

On Wednesday, November 19<sup>th</sup> the revaluation firm shall commence mailing notifications of assessment for the 2004 calendar year.

All mailings shall be conducted over a six (6) week period. Property owners, who contact the firm, shall be afforded an opportunity to discuss their property valuation with a representative of the firm at an informal hearing.

The notification of assessment shall contain a proposed valuation for 2004 as well as a local phone number to contact the

firm for an appointment.

Mr. Pohan, on behalf of the Fort Lee Film Commission, thanked the many members of the Mayor and Council who came to the Fort Lee Hilton in costume to celebrate the Film Commission's Halloween party.

He mentioned that the Film Commission is showing two silent films at the library tonight. They are "The Whip" and "The Battle". A second set of silent films will be shown on Thursday, December 4<sup>th</sup>. They are "Swat the Spy" and "Tillie Wakes Up".

He expressed his condolences to the Holtje family on the loss of their father Harry, who was a great contributor to the business and civic communities in Fort Lee for over half a century.

**Councilwoman Kasofsky** - offered her condolences to the Holtje family.

She commended James Viola, VFW Post 2342 Commander, for putting on a wonderful Veterans' Day service this past Tuesday. She thanked everyone who participated in the event.

She reminded everyone that the Main Street shuttle bus transports all residents at no charge from 1530 Palisade Avenue to its final stop at the Pathmark on Bergen Boulevard.

She stated that the Borough has received a full credit from the New Jersey State Police for the Emergency Management drill that took place on October 3<sup>rd</sup> and 4<sup>th</sup>. She thanked all the various departments that participated in the event.

**Councilman Villano** - stated that the Civil War monument that was dedicated on Tuesday at the Madonna Cemetery is magnificent. It is worth a trip to the cemetery to see it.

He mentioned that the new garbage schedule will be posted in the next edition of the Bergen News. It is also available in the Borough Clerk's office, the DPW, and it is also online on the Borough's Web site. The recycling schedule will remain the same. Tony Lione, DPW Director, informed him that by early next week everything should be back to normal with regard to garbage pick-up.

He noted that Police Officer Patrick Kissane will be holding an Internet safety program. He believes it is the first such program in the State. It will include lesson plans for teachers, a community action meeting and other areas of Internet safety.

He mentioned that the Fort Lee Community Fund is still trying to raise money for the needy in the Borough. The money and assistance goes to people who are going through a one-time crisis and who do not qualify for welfare.

He announced that the Borough's emergency and information AM radio station is now in operation. It is being broadcast on 1630AM. Smaller radios and transistors may not be able to pick up the radio signal; please check for reception. Any questions related to the radio station can be sent to Lt. Camille Milo.

He stated that the Municipal Alliance Committee (MAC) will be meeting tomorrow at 1:00 p.m. in the executive conference room #201. He reminded everyone what the MAC is involved in. There are 140 to 160 teens participating in the program. He commended Bunny Feiler for all the work that she does on the

committee.

He stated that he knew Harry Holtje for over fifty-five years. He was a Fort Lee icon. Rev. Gressler's homily said it all. He was a nice man and he will be missed. He expressed his condolences to the Holtje family.

**Mayor Alter** - stated that the Borough is very careful in who they recognize. It is very easy to miss people who have given a lot to the Borough. He feels that Harry Holtje is enough of a Fort Lee representative to be recognized. He was special. He offered a moment of silence in his memory.

**Councilman Sargenti** - offered his congratulations to the winning candidates last week.

He thanked Governor McGreevey and his staff for coming to Van Fleet Park to discuss the virtues of the State's Open Space program. There is still more work to go in the park. He thanked the Mayor and Council, the children of school #3 and some of the high school students for attending.

**Councilwoman Voss** - thanked everyone who worked so hard on her campaign. She thanked her running mates Messrs. Alter and Cervieri for their support. She also thanked Kay Nest for her support.

She offered her condolences to the Holtje family. His was a life well-lived.

She offered kudos to James Viola for putting on a great Veteran's Day program. He involved the kids of the town in the Civil War ceremony. It is important for all teachers of all grade levels to talk about what this country has gone through in terms of fighting for freedom and democracy, and remembering the sacrifices veterans have made in all of the wars and continuing in wars that the United States is involved in now.

She mentioned that the Health Fair that was held November 1<sup>st</sup> was a huge success.

She stated that the Fire Department held their annual dinner also on November 1<sup>st</sup>. She congratulated outgoing Fire Chief Ralph Porrino for doing a wonderful job. She offered her congratulations to incoming Chief Thomas Bernard, Jr. Fire Company #3 won the award for the outstanding fire company in 2003.

She said that the Centennial committee is in the midst of preparing a centennial calendar for 2004. Dates of all activities occurring in the Borough for the year will be inside the calendar.

**Councilman Cervieri** - thanked all the voters who came out to vote on November 4<sup>th</sup>. For people who did not vote for him or his colleagues, those people are now represented by him and the rest of the governing body. He hopes that everyone agrees that the Mayor and Council do the best that they can and that the people of Fort Lee are close to heart.

He expressed his condolences to the Holtje family. The Holtje family is a long standing family in Fort Lee who have given a lot to the Borough. Harry served with commendation as a member of the Housing Authority. The Harry Holtje House is the

headquarters for the Fort Lee Housing Authority. It is quite a tribute to have a public building named after someone during their lifetime.

He announced that the Greater Fort Lee Chamber of Commerce will be holding a general membership luncheon at Villa Amalfi on December 10<sup>th</sup> at 12:00 noon. The guest speaker is Congressman Steve Rothman. The cost for members is \$30.00; non-members \$40.00.

**PUBLIC PARTICIPATION**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the meeting moved into public participation.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
James Viola 147 Cedar St.	.Veterans' Day Ceremonies	
Robert Cherubin 2055 Center Ave.	.Ms Voss' Assembly and Council Positions	
	.New McDonald's	Mayor Alter Mr. Cervieri

There being no further discussion, the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Sargenti,** and carried at 9:12 p.m.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, October 23, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Brian Chewcaskie, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that it is the public's duty to vote. If people do not vote, then they deserve the government they get. All over the world people are dying to be able to select candidates to vote for. Election day is Tuesday, November 4<sup>th</sup> and the voting hours are from 6:00 a.m. to 8:00 p.m. He urged residents to come out and vote for their local candidates as well as the candidates that are running for State Senate, Assembly and Freeholder. Whoever wins has an immense affect on the lives of the people of Fort Lee, good or bad. If the wrong people get elected, history has shown that Fort Lee does not do well. He did not characterize who was a good or bad candidate. He asked the people to exercise their franchise and to come out and vote.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried unanimously, the minutes of the October 2, 2003 Executive Session were approved.**

**On motion by Councilman Pohan, seconded by Councilman Villano, and carried unanimously, the minutes of the October 9, 2003 Regular Meeting were approved with Councilman Cervieri abstaining.**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried unanimously, the minutes of the October 16, 2003 Executive Session were approved.**

INTRODUCTION OF ORDINANCES

Ordinance #2003-38 - Amending Chapter 388, Section 18, Trucks Over Three (3) Tons Prohibited on Old Palisade Road Between Main Street and Federspiel Street

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-38 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 18, SCHEDULE VI-A, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **November 13, 2003**.

PUBLIC HEARINGS

Ordinance #2003-35 - Amending Chapter 156, Section 5 - Tree Removal and Replacement

Mayor Alter stated that a tree removal ordinance was adopted around a year ago to protect trees in Fort Lee. Many people thought the ordinance was too harsh. The ordinance is being loosened slightly. If the ordinance is adopted, a tree will be able to be removed once every three years on an owner-occupied one or two-family home. A permit will still be required to be taken with the Building Department.

On motion by Councilwoman Voss, seconded by Councilman Villano and carried, the public hearing was opened relative to Ord. #2003-35 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 156, OF THE BOROUGH OF FORT LEE CODE ENTITLED TREE REMOVAL AND REPLACEMENT."

Nina Levinson, 1560 West Street, spoke to a previous tree ordinance that she wrote a number of years ago, which Mayor Alter vetoed on account of trees on private property. She asked what qualifications the Building Department has when determining if a tree should be taken down.

Mayor Alter said he wished he had a copy of the veto with him. Many members of the United Homeowners were among the people who objected to the original ordinance. Many members of the United Homeowners came to him and told him "it is their property and they can do what they want." Mayor Alter had replied to them they could not do what they want, but he vetoed it.

Ms. Levinson continued to speak about the previous tree ordinance she wrote.

Mayor Alter asked her if she was a tree expert.

Ms. Levinson replied that she knows more about trees than the Building Department does. She spoke about speciality trees that are good for sidewalks.

Mayor Alter asked Ms. Levinson to write him a letter with her recommendations. He said her letter would be forwarded to a tree expert.

Ms. Levinson said that she was not willing to put the time in to research the issue again.

Mr. Villano stated that the Building Department does not need to be an expert to determine if a tree is so close to a house that it could fall in a large wind or if a tree is rotten

at the bottom. He believes that the tree ordinance is working.

Mayor Alter stated that the ordinance is being corrected so that homeowners can take down a tree more easily without a fee. He told Ms. Levinson before attacking the Mayor and Council, she should have her facts straight.

Ms. Voss said that the whole purpose of the ordinance was not to have properties denuded before a property was being sold. This ordinance allows for the taking down of one tree in a three-year period with a permit but without cost.

Mr. Cervieri stated that under the old ordinance, people had the ability to take down any tree less than eight inches in diameter at four feet above the ground. All types of trees could be taken down. The fee will be waived but registration through the Building Department will still be required.

Raymond Flaim, 460 North Avenue, stated that the Revolutionary War was started in part over trees. He said he appreciates that the ordinance is being rectified but he believes it does not go far enough. He asked who is responsible for trees on Borough property and who determines if a tree is dead.

Mayor Alter replied that the Borough would have to hire an horticulturalist. He added that no matter what the Mayor and Council have done with the ordinance, they have been beaten up. For years people told the Borough that when property was being sold, the property was being clear-cut. There was a lot of debate within the governing body and the Planning Board to come up with a compromise. The compromised ordinance is now being liberalized. The ordinance may still not be right but it is better than having no ordinance. If enough of the Borough's homeowners object to this ordinance it will be changed again.

Mayor Alter told Mr. Flaim that if a tree is less than eight inches in diameter and at less than four feet from the ground, the tree can be taken down at any time without a permit.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

Mr. Cervieri said that the ordinance is not perfect, but it is the best the Borough has so far.

**On motion by Councilman Villano, seconded by Councilman Pohan, the Ordinance was adopted unanimously.**

**Ordinance #2003-36 - Amending Chapter 388, Section 14 - Handicapped Parking Spaces - Increase in Fine Amount**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-36** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 14, OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED VEHICLES AND TRAFFIC - HANDICAPPED PARKING SPACES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted unanimously.**

**Ordinance #2003-37 - Establishing Chapter 40, Providing for Defense and Indemnification of Municipal Officials and Employees**

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-37 entitled, "AN ORDINANCE ESTABLISHING CHAPTER 40, PROVIDING FOR DEFENSE AND INDEMNIFICATION OF MUNICIPAL OFFICIALS AND EMPLOYEES."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sargenti.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted unanimously.

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-10.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$3,108,631.86
Capital	217,926.05
Trust (Accutrack)	16,301.06
Trust (Old)	n/a
Police Activity Account	1,148.32
Senior Citizen Advisory Council	5,309.95
Senior Citizen Computer Account	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	1,406.13
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	234.00
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	n/a
Redemption Account	1,110.50

**CA-2 - Approving Raffle License #941 for Jewish Community Center of Fort Lee**

WHEREAS, the Jewish Community Center of Fort Lee, 1449 Anderson Avenue Fort Lee, New Jersey, has submitted a raffle application for December 12, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #941, pending final approval from the Legalized Games of Chance Control Commission.

**CA-3 - Approving Auxiliary Firefighter Application for Christos Bitzas for Fire Company #3 and Jr. Auxiliary Applications for Joshua Rosenbluth for Fire Company #2 and Erik E. Swanson for Fire Company #4**

The auxiliary firefighter application for Christos Bitzas for Fire Company #3 and jr. auxiliary applications for Joshua Rosenbluth for Fire Company #2 and Erik E. Swanson for Fire Company #4 were approved.

**CA-4 - Authorizing Approval for Street Lighting at 1539 11<sup>th</sup> Street - \$7.00 Monthly**

BE IT RESOLVED that Public Service Electric & Gas Co. is hereby authorized and directed to install 50 Watt High Pressure Sodium Luminaries, on pole number 62082 located at 1539 11<sup>th</sup> Street in the Borough of Fort Lee at a cost of \$7.00 monthly.

**CA-5 - Authorizing Payment to The Hilton, Fort Lee, New Jersey for the Annual Volunteer Fire Department Inspection Dinner - \$23,600 (Minimum 250 People)**

WHEREAS, a contract has been presented for the annual Volunteer Fire Department Inspection Dinner; and

WHEREAS, the contract exceeds the bidding threshold and N.J.S.A. 40A:11-1 et seq. Requires that the resolution authorizing the awards of contracts for "Extras Ordinary Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, funds are available through the Current Account and have been certified by the Chief Financial Officer, said certification being attached,

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

1. The Mayor and Council authorizes said contract and directs the Purchasing Department to encumber and issue a Purchase Order to The Hilton, 2117 Route 4 East, Fort Lee, New Jersey.

2. The Purchase Order is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the quality of food preparation, location and ambiance of a restaurant cannot be specified.

3. Price Per Person \$80.00 Plus 18% Gratuity (Minimum 250 People)

4. Notice of contract award shall be published in The Record within ten days after passage hereof.

**CA-6 - Endorsing and Supporting the Recommendations of the Technical Advisory Committee of the NJDOT to Assess and Recommend Enhancement Strategies for State Highway (Route 4)**

WHEREAS, the New Jersey Department of Transportation is considering traffic enhancement strategies for the State Highway Route 4 corridor; and

WHEREAS, the DOT has recommended several strategies including, but not limited to, the widening of Route 4 at Teaneck and Englewood; and

WHEREAS, the Township of Teaneck supports expansion of Route 4; and

WHEREAS, the Fort Lee Police Department supports the strategy of widening Route 4 as aiding the overall traffic and transportation concerns of the Borough; and

WHEREAS, the Fort Lee Office of Economic Development recommends that such expansion will enhance transportation and traffic flow within the Borough of Fort Lee,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby approve and support the recommendations of the technical advisory committee of the NJDOT as set forth in its October 2, 2003 correspondence to the Borough; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the appropriate officials of the NJDOT and to the appropriate State representatives.

**CA-7 - Approving Change Orders 2,3 & 4 for IR Security & Safety (Formerly Integrated Access Systems,) Parsippany, New Jersey, for the Borough's Camera Surveillance Project - \$21,097**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Fort Lee Police Department Camera Surveillance Project
CONSTRUCTION MANAGER:	Calgi Construction Company
CONTRACTOR:	IR Security and Safety (Formerly Integrated Access System) 2 Cranberry Road Parsippany, New Jersey 07054
ORIGINAL CONTRACT COST:	\$366,261.00
COST OF CHANGE ORDERS #2,#3,#4	\$ 21,097.00
COST OF PREVIOUS CHANGE ORDERS:	<u>\$ 21,302.35</u>
NEW CONTRACT SUM:	\$408,664.35
CHANGE ORDER NUMBERS:	#2,#3,#4
NATURE OF CHANGES:	See Below
1.) Change Order #2: Upgrade for Improved Panasonic Cameras	(\$15,665)
2.) Change Order #3: Additional Monitor for Borough Administrator	(\$3,512)
3.) Change Order #4: Structural Steel Bracket at Parker Plaza	(\$1,920)

**CA-8 - Authorizing Acceptance of a \$50,000 Community Development Block Grant for a Non-Medical Handicapped Transport Van**

BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using **\$50,000** in 2003 Community Development Block Grant Funds for a non-medical handicapped transport van in the municipality of Fort Lee; and

BE IT FURTHER RESOLVED, that the governing body hereby authorizes Mayor Jack Alter to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Joseph Iannaconi, Chief Financial Officer, to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Fort Lee is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**CA-9 - Authorizing Payment of Marriage Fees to the State of New Jersey for Period Covering July 1st - September 30, 2003 - \$1,475**

BE IT RESOLVED, that the Tax Collector-Treasurer be authorized to draw a check from the Current Account, Fleet Bank payable to the Treasurer, State of New Jersey, in the amount of **\$1,475.00** to cover fees collected for marriage licenses for the period covering July 1, 2003 through September 30, 2003 fees are to be forwarded on a quarterly basis to the Department of Human Services.

M0-9000-22

**CA-10 - Authorizing Fire Department to Have Deficiencies Checked With Regard to the Resurfacing of the Floors in Fire Houses 1 and 2 - \$2,500**

WHEREAS, the flooring at Fire Houses 1 and 2 has deteriorated, buckled and delaminated; and

WHEREAS, the Borough of Fort Lee wishes further testing with respect to the cause and/or cost of repair; and

WHEREAS, the Borough has placed Palma, Inc., the contractor on notice of the defective work performed by it with respect to the flooring at those two locations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Council does hereby authorize the sum of **\$2,500** to be utilized by the Fire Department in connection with further laboratory testing regarding the flooring at the two fire houses.

Nina Levinson, questioned Ca-6 and CA-7. Ms. Thomas and Mayor Alter responded to CA-6. Ms Thomas replied to CA-7.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

Mr. Cervieri stated that the costs of CA-7 are being paid

out of confiscated funds and a State grant.

Mayor Alter added that the costs for the project are not being paid for by the taxpayers of Fort Lee and that this is a great improvement. He hopes that the whole camera project will be completed by next week. It will allow the Police Department to better manage the traffic flow in the Borough. Problems will be rectified much more quickly.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Consent Agenda (items CA-1 through CA-10) was approved unanimously.**

#### COUNCIL REPORTS

**Councilman Pohan** - stated that a new film, "The Thing About My Folks" was being shot in Fort Lee. The movie stars Peter Falk and Olympia Dukakis. The Fort Lee Film Commission and the Fort Lee Parking Authority have been instrumental in having the scenes shot in Fort Lee.

He announced that next Thursday, October 30<sup>th</sup> at 7:00 p.m. at Borders in Fort Lee, Chris Costello, daughter of Lou Costello will be at the store to give a little talk and to sign her new book, "Lou's on First".

He stated that on Friday, October 31st at 7:00 p.m., the annual fundraiser for the Film Commission will be held at the Fort Lee Hilton. Uncle Floyd Vivino will be the master of ceremonies. The cost is \$50.00 per person which includes a full dinner.

He said that on Saturday, November 1<sup>st</sup> and Sunday, November 2nd, as part of the third annual Abbott and Costello festival, the Loews in Jersey City will be showing the movie "Hold That Ghost". The cost is \$6.00. Uncle Floyd will be the emcee for the event.

**Councilwoman Kasofsky** - announced that the General Election will be held on Tuesday, November 4<sup>th</sup> from 6:00 a.m. to 8:00 p.m. If any resident has any question pertaining to voting in the election, contact the Borough Clerk's Office at 201-592-3570.

Ms. Kasofsky read the following announcements from the Fort Lee Public Library:

1. The October 12th organizational meeting for the new book discussion group has been re-scheduled. The new date is November 12th, at 2:00 p.m. in the Conference Room.

2. The library offers a suggestion for a unique way to honor someone special. In memory of a loved one or to commemorate a special birthday or anniversary, the library's gift book program is ideal. For a minimum of \$25, the library will purchase a book to add to its collection and dedicate it to whomever the donor chooses.

3. Fort Lee celebrates the film industry and the modern moviemakers with a lecture by Dr. Edward M. Cifelli, movie critic of the New Jersey Herald, on Thursday, November 6th, at 7:00 p.m.

**Councilman Villano** - announced that the Fort Lee High School Class of 1958 is meeting at the Hilton Hotel in Fort Lee this Saturday at 6:30 p.m. The cost to attend is \$100.00. The classes of 1955, 1956, 1957, 1959, 1960 and 1961 have also been

invited to attend.

He stated that at 11:00 a.m. on the same day as the reunion, a tour of the high school will be given by Frank Raimondo.

**Councilman Sargenti** - stated that he received a letter from the Fort Lee Soccer League acknowledging the nice work that was done at the recently renovated Van Fleet Park soccer and softball field.

**Councilwoman Voss** - she reminded everyone that the Health Department will be sponsoring the Health Fair at the Lewis F. Cole Middle School on Saturday, November 1<sup>st</sup> from 9:00 a.m. to 1:00 p.m.

She thanked Tom Meyers, Director of Cultural and Heritage Affairs, for all of the work that he is doing on the Centennial Committee.

She stated that October is Fire Prevention Awareness Month. The Fire Department has various activities and events planned for schools and businesses with regard to fire safety at home and in the work place.

She reminded everyone to change batteries in their carbon monoxide and smoke detectors this Saturday when the clocks are set back to standard time.

She said that the Fire Department has responded to 1284 calls this year.

On September 24<sup>th</sup> a delegation of firefighters from Korea visited the Fort Lee Fire Department. They were given a tour of one of our fire stations as well as the opportunity to ride on the platform of the tower ladder truck. The cultural exchange proved to be an educational and rewarding experience for our department. An article appeared in the October 3<sup>rd</sup> edition of the Fort Lee Suburbanite, detailing some of the highlights from the visit.

**Councilman Cervieri** - stated that the Fort Lee Ragamuffin Parade is scheduled for tomorrow, October 25<sup>th</sup>. The parade will kick off at 9:00 a.m. from the intersection of Martha Washington Way and Main Street across from Fleet Bank. This annual event is once again sponsored by the Greater Fort Lee Chamber of Commerce, Fleet Bank NA, and Quick & Reilly. The rain date is Sunday, October 26<sup>th</sup>.

He announced that the Greater Fort Lee Chamber of Commerce, with Garden State Mortgage and Mariner's Bank, is hosting "Business After Hours" to be held at the Marriot Glenpointe in Teaneck on Wednesday, November 12<sup>th</sup> at 6:00 p.m. Tables are going quickly for the Chamber's premier networking event.

He announced that the Chamber's general membership luncheon will be held on Wednesday, December 10<sup>th</sup> at 12:00 noon. The guest speaker will be Congressman Steven Rothman. The cost for members is \$30.00 and \$40.00 for non-members. For reservations to this and other events call the Chamber at 201-944-7575.

He asked Mr. Grant to check a request from a citizen with regard to providing street lighting at Slocum Way between Abbott Boulevard and Center Avenue.

He stated that on behalf of the Mayor and Council, he wished Chick Raimondo a speedy recovery.

He reminded everyone to please vote.

**Mayor Alter** - spoke to the Health Fair and recommended that residents pre-register. He expounded on the number of health checks that are available for the event.

He stated earlier this evening that Ms. Levinson had said that he had vetoed a tree preservation ordinance. When an ordinance is vetoed, a veto message is required to be attached to the ordinance.

He asked Mr. Grant to read the following **veto message** with regard to Ordinance #96-45 that Mayor Alter vetoed on January 3, 1997.

"I, Jack Alter, Mayor of Fort Lee, hereby veto Ordinance 96-45, 'An Ordinance to Enact Chapter XXVII "Tree Preservation" of the Revised General Ordinances of the Borough of Fort Lee.'

This ordinance raises disturbing issues of invasion of private property rights. It also has caused concern amongst our residents regarding their ability to enjoy private property without governmental interference. The terms used in the ordinance also leaves a great deal of ambiguity as to definitions.

Fort Lee's Chief Construction Official and our Parks Department Superintendent requested that more adequate discussions should be had with them regarding their ability to implement the terms of the proposed ordinance.

I believe that a Tree Preservation Law can be done in much better form to serve the public interest than the one that has been placed before me for signature.

For all the above reasons - this ordinance is vetoed."

**PUBLIC PARTICIPATION**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss**, the meeting was opened up to the public for comment.

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Sophia Shalaby 1916 Bayhead Dr. Parlin, New Jersey	.Pay to Play Reform Ordinance	Mayor Alter Mr. Cervieri Mr. Pohan
Stacy Eyer 610 Bermuda Drive Neshanic Station, NJ	.Pay to Play Reform	Mayor Alter
Raymond Flaim 460 North Ave.	.Willing to Pay for Locomotive Rim for Fire Department	Ms. Voss
Steve Smiurk 1160 15 <sup>th</sup> St.	.Request to Change Borough's Commercial Parking Ordinance	Mayor Alter Ms. Voss Mr. Cervieri

There being no further discussion, the public participation portion of the meeting was closed **on motion by Councilman Cervieri**, and **seconded by Councilwoman Voss**.

There being no further Borough business the regular meeting was adjourned **on motion by Councilwoman Voss**, and **seconded by Councilman Sargenti** at **9:20 p.m.**

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, October 9, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**ABSENT:** Joseph Cervieri, Councilman  
Peggy Thomas, Borough Administrator

**MAYOR'S STATEMENT**

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

1. On January 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter had no report tonight.

**RESOLUTION FOR EXCLUDING THE PUBLIC**

Mayor Alter asked Mr. Grant to read the following resolution so that the governing body could discuss two items in closed session.

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of Fort Lee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12;

Personnel Item: Municipal Court

Contract: Revaluation

**On motion by Councilwoman Voss, seconded by Councilman Sargenti** and approved **unanimously**, the meeting moved into closed session at 8:05 p.m.

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

**On motion by Councilman Pohan, seconded by Councilman Sargenti, the regular meeting reconvened at 8:15 p.m.**

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the September 11, 2003 Regular Meeting were approved.**

**On motion by Councilman Villano, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the September 25, 2003 Executive Session were approved.**

**On motion by Councilman Villano, seconded by Councilwoman Kasofsky, and carried unanimously, the minutes of the September 25, 2003 Regular Meeting were approved with Councilwoman Voss abstaining.**

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-35 - Amending Chapter 156, Section 5 - Tree Removal and Replacement**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried, Ord. #2003-35 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 156, OF THE BOROUGH OF FORT LEE CODE ENTITLED TREE REMOVAL AND REPLACEMENT," was introduced and passed on first reading.**

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **October 23, 2003**.

**Ordinance #2003-36 - Amending Chapter 388, Section 14 - Handicapped Parking Spaces - Increase in Fine Amount**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried, Ord. #2003-36 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 14, OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED VEHICLES AND TRAFFIC - HANDICAPPED PARKING SPACES," was introduced and passed on first reading.**

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **October 23, 2003**.

**Ordinance #2003-37 - Establishing Chapter 40, Providing for Defense and Indemnification of Municipal Officials and Employees**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried, Ord. #2003-37 entitled, "AN ORDINANCE ESTABLISHING CHAPTER 40, PROVIDING FOR DEFENSE AND INDEMNIFICATION OF MUNICIPAL OFFICIALS AND EMPLOYEES," was introduced and passed on first reading.**

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **October 23, 2003**.

**PUBLIC HEARINGS**

**Ordinance #2003-33 - Amending Chapter 388, Section 43, Schedule I, No Parking on East and West Side of Center Avenue Along the Southerly Curbline of Lincoln Avenue**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-33** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, SCHEDULE I, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING."

There being no discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti.**

**On motion by Councilman Villano, seconded by Councilman Pohan,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-34 - Bond Ordinance for Traffic Light on Palisade Avenue at Angioletti Place - \$125,000**

**On motion by Councilman Villano, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-34** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF A TRAFFIC LIGHT IN THE BOROUGH OF FORT LEE AND APPROPRIATING \$125,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$118,750 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME."

Max Lazarus, 555 North Avenue, had some questions pertaining to what he thought was the original estimate of the project.

Mr. Grant explained that the engineering and other legal costs have to be added on to the amount for which the contract of \$80,000 was awarded for the traffic light.

Mayor Alter said that he had no doubt that the light was never going to cost less than \$100,000.

Mr. Muhlstock pointed out that when Mr. Lazarus brought the ordinance up to be looked at, the soft costs are \$45,000, not the cost for the entire project.

Mr. Pohan spoke to the difference between what the actual hard costs are for the project, and what the anticipated soft costs will be.

There being no further discussion, the public hearing was closed **on motion by Councilman Villano, seconded by Councilwoman Voss.**

**On motion by Councilman Villano, seconded by Councilman Pohan,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

Mayor Alter stated that the traffic light was proposed by the Board of Directors of River Ridge and the surrounding buildings. Before it was agreed to be done, the Borough paid for a traffic study to see if it was, in fact, justified and the other necessary steps followed, including the passage of this ordinance.

Mayor Alter stated that there were two issues discussed in the closed meeting earlier tonight. One was a litigation matter which is not ready to be discussed tonight. The Borough Attorney was looking for some direction, and in fact had a discussion with the governing body. With regard to the second item, action will be taken tonight. It is a personnel matter. He said he is not going to discuss it any further other than the information read by the Borough Clerk as part of the resolution.

**RESOLUTION**

**R-1 - Confirming Appointment of Michael Shuhala as Acting Fort Lee Municipal Court Judge and Providing Temporary Compensation and Benefits to Temporarily Suspended Judge Michael Sassano**

**Councilman Villano introduced, and Councilman Pohan seconded, the following Resolution:**

WHEREAS, Municipal Court Judge Michael Sassano has been temporarily suspended as Fort Lee's Acting Municipal Court Judge by order of the Superior Court, a copy of which Order is available as part of the Borough Clerk's permanent file and made a part hereof; and

WHEREAS, it is necessary for the Borough of Fort Lee to replace Judge Sassano's services; and

WHEREAS, the Superior Court of New Jersey, in conjunction with the Presiding Judge of the Fort Lee Municipal Court, has ordered that Michael Shuhala, Primary Judge of Cliffside Park Municipal Court, shall serve in place of Judge Sassano pending further Order of the Court; and

WHEREAS, the Mayor and Council deems it appropriate to provide temporary compensation and benefits for Judge Sassano;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby confirm the appointment of Michael Shuhala as Acting Fort Lee Municipal Court Judge pending further Order of the Superior Court; and

BE IT FURTHER RESOLVED that Judge Michael Sassano shall be afforded one month's compensation, together with one month's continued benefits, pending determination of his status by the Court.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Villano, seconded by Councilman Pohan, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-10.**

**CA-1 - Authorizing Usage of Funds From the Fort Lee Affordable Housing Trust Fund to be Paid in the Connection With the Settlement of Litigation Entitled Fort Lee vs. Juba and Orso - \$110,000**

WHEREAS, the Borough of Fort Lee has settled all litigation regarding condemnation of the premises upon which the extension of Federspiel Street has been constructed; and

WHEREAS, monies are available for said purpose from the Borough's Affordable Housing Trust Fund,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the sum of \$110,000 shall be utilized from the Fort Lee Affordable Housing Trust Fund and to be paid in connection with the settlement of litigation entitled Borough of Fort Lee v. Juba and Orso; and

BE IT FURTHER RESOLVED that the Council's authorization is predicated upon the opinion of Affordable Housing counsel that the use of such funds for this purpose is in accordance with the conditions of the Borough's development fee spending plan adopted in connection with the New Jersey Administrative Code, and the Borough's settlement of its Mt. Laurel litigation.

**CA-2 - Endorsing Reauthorization of the Bergen County Open Space Trust Fund and Supporting Passage of Said Public Question by the Voters of Bergen County on November 4, 2003**

WHEREAS, the County of Bergen is the most densely populated County in the State of New Jersey with 884,118 residents and with 96% of the County land developed;

WHEREAS, the residents of Bergen County in 1998 voted to approve and establish the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (the "Trust Fund") to acquire lands, maximize recreational opportunities, and preserve farmland and historic areas and assist all 70 municipalities to improve their municipal open space and recreational facilities;

WHEREAS, in its first four years of operation (1999-2002), the Trust Fund has awarded 205 grants to help preserve our remaining open space land, make improvements to County parks, preserved 224 acres of farmland and provided nearly one million dollars for historic preservation of historic properties throughout Bergen County and assisted the municipalities of Bergen County to acquire land and make improvements to Municipal recreational facilities;

WHEREAS, the Bergen County Board of Chosen Freeholders has placed a Public Question on the November ballot to ascertain the sentiment of the legal voters of the County of Bergen pertaining to the Trust Fund;

WHEREAS, the voters of Bergen County are being asked to reauthorize and to increase the monies raised for the Trust Fund to a sum not to exceed one cent (\$.01) per One Hundred (\$100.00) Dollars of total County equalized real property valuation for the specific following purposes:

- a) The acquisition and improvement of land for conservation and recreation purposes;
- b) The acquisition of farmland for farmland preservation purposes;
- c) The capital improvement of county-owned park facilities;
- d) The acquisition or upgrade of qualified historic preservation facilities;
- e) The acquisition and improvement of municipal outdoor recreation/conservation facilities;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee supports the reauthorization of the Trust Fund and hereby supports the passage of said Public Question by the voters of Bergen County on November 4, 2003; and

BE IT FURTHER RESOLVED copies of this resolution shall be

forwarded to the Bergen County Executive, the Board of Chosen Freeholders, the Bergen County Department of Planning and Economic Development.

**CA-3 - Authorizing Gotthold Paving LLC, Edgewater, New Jersey to Perform Emergency Drainage Repairs to the Storm Sewer on 12<sup>th</sup> and 13<sup>th</sup> Streets for 11<sup>th</sup> Street Residents - \$83,000**

WHEREAS, an emergency condition existed to the safety and welfare of the public between 12<sup>th</sup> and 13<sup>th</sup> Streets; and

WHEREAS, said repairs of the drainage bypass was declared an extreme emergency; and

WHEREAS, on the recommendation of the Superintendent of the Department of Public Works, and the Superintendent of Sewers, Gotthold Paving LLC, was immediately retained on an emergency basis,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee authorizes payment to Gotthold Paving LLC in the amount of \$83,000 excluding rock excavation, police traffic control and any utility conflict;

BE IT FURTHER RESOLVED that the Chief Financial Officer's Certificate of Availability of Funds is on file in the Office of the Borough Clerk and funds are available under the Capital account.

**CA-4 - Authorizing Purchase of Firefighter Clothing Via State Contract #A53065 From Total Fire Group, Dayton, Ohio - \$34,100**

WHEREAS, the Fire Department is purchasing firefighter clothing; and

WHEREAS, their requested expenditure exceeds the Borough's bid threshold, and

WHEREAS, Mayor and Council approval is required for any item purchased over \$17,500; and

WHEREAS, firefighting clothing is available via state contract,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee authorizes the purchase of firefighter clothing through Total Fire Group, 1 Innovation Court, Dayton, Ohio, 45414 via New Jersey state contract #A53065 in the amount of **\$34,100**; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified to the availability of funds for the purchase.

**CA-5 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey to Prepare a Boundary and Topographic Survey and Conceptual Site Plan for the Proposed Van Fleet Park Club House - Fee Not to Exceed \$7,000**

WHEREAS, the Borough of Fort Lee wishes to make additional site improvements by having a clubhouse installed at Van Fleet Park; and

WHEREAS, it is necessary to engage the services of a professional engineer in order to prepare boundary and topographical surveys and a conceptual site plan for such

improvements,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby retain the services of Boswell McClave Engineering, 330 Phillips Avenue, South Hackensack, New Jersey 07606 to prepare boundary and topographical surveys, for the sum of **\$4,500**, and a conceptual site plan for the sum of **\$2,500**, in accordance with its proposal dated October 1, 2003; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate agreement with respect to the award of this contract, and the Mayor, be and he is hereby authorized and directed to execute the same on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient current funds for the cost of same; and

BE IT FURTHER RESOLVED that the Clerk, be and he is hereby authorized and directed to maintain a copy of this Resolution and the Contract in his offices for public inspection, according to law.

**CA-6 - Awarding Contract to Vogel Consulting Group, Inc., Ramsey, New Jersey for Additional Services in Connection With FCC Compliance and Obtainment of Additional Radio Capacity for the Borough of Fort Lee - \$5,500**

WHEREAS, the Borough of Fort Lee has previously engaged the services of Vogel Consulting Group, Inc. in connection with licensing compliance regarding the Borough's radio system; and

WHEREAS, the Borough wishes to retain Vogel Consulting for a additional services in connection with FCC compliance and obtainment of additional radio capability;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby retain the services of Vogel Consulting Group, Inc., 105 Deer Trail, Ramsey, New Jersey 07446 with respect to the Borough's radio system and its FCC compliances, in accordance with its proposal dated September 30, 2003, and

BE IT FURTHER RESOLVED that Vogel Consulting shall be paid a fee not to exceed **\$5,500** for the services to be performed; and

BE IT FURTHER RESOLVED that the aforesaid award of this contract is subject to and conditioned upon written certification from the Chief Financial Officer of the current availability of funds; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, an appropriate contract for the aforesaid purpose; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be kept on record in the Borough Clerk's office for public inspection, pursuant to law.

**CA-7 - Awarding Bid to Miele Sanitation Co., Inc., Closter, New Jersey for Leaf Removal Services for a Three (3) Year Period - \$6.00 Per Cubic Yard**

WHEREAS, sealed bids were called for and received on September 24, 2003 for Leaf Removal Services for a three (3) year period in the Borough of Fort Lee; and

WHEREAS, two (2) bids were received as follows:

Miele Sanitation Co., Inc.	\$6.00 per cubic yard
Nature's Choice	\$7.90 per cubic yard

WHEREAS, these bids were reviewed by Borough Officials and the Borough Attorney for compliance, who recommends the award to the low bidder subject to the availability of funds from the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, that the bid is hereby awarded to Miele Sanitation Co., Inc., 60 Railroad Avenue, Closter, New Jersey 07624, for removal of leaves at \$6.00 per cubic yard for a three year period; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract and the Mayor and Clerk are authorized to execute the contract for Leaf Removal Service in the Borough of Fort Lee.

**CA-8 - Awarding Bid to Zuccaro & Sons, Inc. Garfield, New Jersey for Roadway and Streetscape Improvements to Palisade Avenue - \$1,054,442.50**

WHEREAS, sealed bids were called for and received on September 24, 2003 for the Roadway and Streetscape Improvements to Palisade Avenue in the Borough of Fort Lee; and

WHEREAS, seven (7) bid packages were issued for this project and four (4) bids was received as follows:

Zuccaro & Sons, Inc.	Total Base Bid: \$572,737.50
64 Commerce Street	Alternate A: 445,505.00
Garfield, N.J. 07026	Alternate B: 36,200.00

**Total: \$1,054,442.50**

Marvec Construction Corp.	Total Base Bid: \$627,549.45
Box 216, 251 ½ Grove Avenue	Alternate A: 485,055.00
Verona, N.J. 07044	Alternate B: 40,705.00

**Total: \$1,153,309.45**

Bagnato & Sons, Inc.	Total Base Bid: \$733,053.50
312 9th Street	Alternate A: 627,375.00
Fairview, N.J. 07022	Alternate B: 47,780.00

**Total: \$1,408,208.50**

Marbell, Inc.	Total Base Bid: \$915,900.00
220 Broad Street	Alternate A: 718,000.00
Carlstadt, N.J. 07072	Alternate B: 51,700.00

**Total: 1,685,600.00**

; and

WHEREAS, the Purchasing Consultant, Borough Attorney, and Boswell McClave, Borough Engineer, for this project reviewed the bids; and

WHEREAS, the bidder has conformed with the bidding requirements in all respects,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the low total base bid, plus alternates (a) and (b) be awarded to Zuccaro & Sons, Inc., 64 Commerce Street, Garfield, New Jersey 07026 for the roadway and streetscape improvement to Palisade Avenue, in the Borough of Fort Lee at a total cost of **\$1,054,442.50** be accepted; and

BE IT FURTHER RESOLVED, that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract for the awarded bid, and the Mayor be and he is hereby authorized and directed to execute the said contract; and

BE IT FURTHER RESOLVED that this contract and the funds designated therefor be and will be subject to the certification by the Chief Financial Officer under Bond Ordinance #'s 2002-10 and 2002-35.

**CA-9 - Authorizing Hiring of Athena Triantafillou and Joseph Magnone as School Crossing Guards**

BE IT RESOLVED by the governing body of the Borough of Fort Lee that the following be appointed as **school crossing guards** in the Borough of Fort Lee without authority to carry a firearm:

Athena Triantafillou  
1497 Anderson Avenue  
Fort Lee, New Jersey 07024

Joseph L. Magnone  
1184 14<sup>th</sup> Street  
Fort Lee, New Jersey 07024

**CA-10 - Approving Auxiliary Firefighter Application for Mary Boujotas for Fire Co. #1**

The firefighter application for Mary Boujotas for Fire Company #1 was approved.

Nina Levinson had questions pertaining to CA-8 and CA-7 and spoke to CA-1.

Mayor Alter responded to CA-8 and CA-7. Mr. Pohan also spoke to CA-7.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Villano.**

**On motion by Councilman Pohan, seconded by Councilman Sargenti,** the Consent Agenda (items CA-1 through CA-10) was **approved unanimously.**

**COUNCIL REPORTS**

**Councilman Pohan** - announced that the Fort Lee Film Commission is having its annual fundraiser on Friday October 31<sup>st</sup> at 7:00 p.m. at the Fort Lee Hilton Hotel. Among the honored guests will be

Chris Cotstello and Uncle Floyd Vivino. It is a costume party. Tickets are \$50.00 per persons and includes a full dinner. On Sunday, November 2<sup>nd</sup> there will be Abbott and Costello films shown at the Loews Theater in Jersey City.

**Councilwoman Kasofsky** - stated that the new Parking Authority bus arrived. The bus, worth \$50,000 was purchased by New Jersey Transit to transport the Borough's senior citizens under the 5310 Bus Program.

She offered her condolences to the family of Herb Cohen who passed away last week.

She stated that on October 1<sup>st</sup>, Governor James E. McGreevey signed a tenant's rights bill in Fort Lee Borough Hall. The law that he signed gives more protection to the tenants with regard to the handling of security deposits. She also thanked Fort Lee Rent Leveling Board member Charles Sobel for working hard to help get this new law passed.

She offered her thanks to everyone who participated in the Office of Emergency Management drill this past Saturday on Martha Washington Way. There was a simulated bus accident and again she thanked the 400 volunteers who participated.

**Councilman Villano** - announced that the Borough's fall leaf program begins on Tuesday, October 14<sup>th</sup> and will end on Friday, December 12, 2003. Until the start of the leaf program, leaves should not be placed by the curb. If leaves are to be picked up prior to October 14<sup>th</sup>, they should be in biodegradable bags or in garbage cans. No leaves will be accepted in plastic bags. A leaf program schedule has been mailed to all residents.

He stated that the Fort Lee Community Fund on Saturday, October 18<sup>th</sup>, will be holding a "Second Look Shopp" clearance sale. The event will be held at the CYO basement of the Madonna Church parking lot. The event will be held from 10:00 a.m. until 2:00 p.m. All of the money raised is for the Fort Lee Community Fund.

**Councilman Sargenti** - offered his thanks to Borough employees Joseph Vaccaro and Michael Maresca for their help in getting the Van Fleet Park field ready for use. He also looks forward to having the new clubhouse placed next to the field in the near future.

**Councilwoman Voss** - also extended her condolences to the family of Herb Cohen.

She offered her deepest sympathies to the family of Richard Salb, who lost their twenty-two year old daughter Lauren in a car accident earlier this week in Vermont. She was the granddaughter of recently deceased Councilman Harvey Salb.

She mentioned that on Sunday, October 19<sup>th</sup>, the American Cancer Society will be sponsoring "The Walk, Making Strides Against Breast Cancer" which will be held at Overpeck County Park. For further information about the event call 201-343-2222. She hopes people will participate or at least sponsor someone who is participating in the event. She encouraged women to get a mammography, which with early detection, will save lives.

She announced that the Health Department will be holding their annual Health Fair at the Lewis F. Cole Middle School on Saturday, November 1<sup>st</sup> from 9:00 a.m until 1:00 p.m.

She stated that the Greater Fort Lee Chamber of Commerce will hold a Meet and Greet at 5:30 p.m. on Wednesday, October 22<sup>nd</sup>, at the Radisson Hotel Englewood, 401 South Van Brunt Street. Guest speaker Raymond Koski, Esq., who is a NJ Certified Tax Assessor, State Certified Real Estate Appraiser and adjunct professor at the NYU School of Real Estate, will speak on Fort Lee revaluation of property for the 2004 tax year. Guest speaker Jack Lensky, of the NJ Nets organization, will talk about the team, their plans, programs and corporate ticket sales. For tickets call the Chamber at 201-944-7575 or e-mail to [fortleechamber@verizon.net](mailto:fortleechamber@verizon.net).

The Fort Lee Ragamuffin Parade is scheduled for Saturday, October 25<sup>th</sup>. The parade will kick off at 9:00 a.m. from the intersection of Martha Washington Way and Main Street across from Fleet Bank. This annual event is once again sponsored by the Greater Fort Lee Chamber of Commerce, Fleet Bank NA, and Quick & Reilly. The rain date is Sunday, October 26<sup>th</sup>.

The Greater Fort Lee Chamber of Commerce, with Garden State Mortgage and Mariner's Bank, is hosting "Business After Hours" to be held at the Marriot Glenpointe in Teaneck on Wednesday, November 12<sup>th</sup> at 6:00 p.m.. Tables are going quickly for the Chamber's premier networking event. Call 201-944-7575 to reserve a table.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Extermination of Old ShopRite Building	Mr. Grant
	.New Ownership of Blue Ribbon Market and World Savings Bank Property	Mr. Villano Mayor Alter

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

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, September 25, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that former Councilman Dr. Harvey Salb passed away last Saturday. He was a popular councilman. He was a famous dental surgeon in Fort Lee and his son Richard carries on the practice. He was very much a part of the Fort Lee scene. He wanted to help everyone and he would do his best to help everyone. Mayor Alter requested a moment of silence in memory of Dr. Salb.

He said that there are a number of projects the Borough has been working on for years and in some cases decades. Some of these projects have come to fruition or will be coming to fruition in the next few weeks. He mentioned the following items:

1. The operation of an AM emergency radio station being run by the Police Department. Station 1630 came out of the events of September 11<sup>th</sup>. It was not easy finding out what was going in Fort Lee during that time. The station is now up and running. When serious events happen in Fort Lee the radio station will be operative.

2. The camera project. A couple of cameras are up and running. Most of the major intersections in Fort Lee will be monitored with cameras. They will be wired in to the Police Department and to the Administrator's office. It will allow for traffic to be managed better in the Borough as well as letting the Borough's emergency services react to help drivers if there are any problems.

3. Van Fleet Park has been renovated with Play Turf and is a terrific field for soccer and baseball. He thanked the Park Hill Terrace Condominium Board and its residents for letting the

Borough place lights near their property. The reason Play Turf was installed was because the natural grass fields could not handle the use they were receiving. Also, health questions arose with the use of insecticides and fertilizers that were used in the grass fields.

4. The recently agreed upon Port Authority agreements give the Borough \$3,000,000 every year for five years. The Borough has to match those funds whether it is from County funds, developers fees or from the Borough's coffers. The traffic improvements are important. Whether or not the Borough received any money from anyone, the Borough would still make the necessary improvements. The Borough is not going to drown in traffic. Hopefully, ninety percent of the money will come from other sources and hopefully the taxpayers will not have to pay much if any.

5. On Thursday, October 2<sup>nd</sup> at 9:00 a.m., the groundbreaking ceremony for the new recreation center and open space park will take place on the old ShopRite property. He invited residents to attend. The community center will be a great thing in the lives of the residents of Fort Lee.

**APPROVAL OF MINUTES**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the September 11, 2003 Executive Session were approved with Councilman Villano abstaining.**

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-33 - Amending Chapter 388, Section 43, Schedule I, No Parking on East and West Side of Center Avenue Along the Southerly Curbline of Lincoln Avenue**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-33** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, SCHEDULE I, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **October 9, 2003**.

**Ordinance #2003-34 - Bond Ordinance for Traffic Light on Palisade Avenue at Anjoletti Place - \$125,000**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried, Ord. #2003-34** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF A TRAFFIC LIGHT IN THE BOROUGH OF FORT LEE AND APPROPRIATING \$125,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$118,750 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **October 9, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-3.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$11,910,511.42
Capital	511,963.89
Trust (Accutrack)	14,772.96
Trust (Old)	n/a
Police Activity Account	4,822.48
Senior Citizen Advisory Council	6,332.48
Senior Citizen Computer Account	567.60
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	3,217.04
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	481.08
Redemption Account	49,634.04

**CA-2 - Accepting Retirement Notice From Fran Weitzel, Municipal Court - Retroactive to August 1st**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the approval letter for Retirement from the State of New Jersey ~ Division of Pensions & Benefits for Fran Weitzel, of the Municipal Court dated September 17, 2003 is hereby accepted, with an effective date retroactive to August 1, 2003.

**CA-3 - Authorizing Settlement With Regard to Condemnation of Block 4302, Lot 10, for Construction of New Federspiel Street, Litigation Entitled Fort Lee vs. Juba and Orso, - \$110,000**

WHEREAS, the Borough of Fort Lee acquired by eminent domain certain premises located at Block 4302, Lot 10; and

WHEREAS, the property owner filed an appeal from the condemnation commissioner's award; and

WHEREAS, the matter is presently pending in the Law Division of the Superior Court of New Jersey; and

WHEREAS, the Borough Attorney has recommenced that the matter be settled; and

WHEREAS, such settlement disposes of any and all issues concerning the taking, including, but not limited to the fair market value and any relocation assistance required pursuant to relevant statutes,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney, be and

he is hereby authorized and directed to execute any and all documents necessary in order to effectuate the settlement of litigation entitled Fort Lee vs. Juba and Orso, Docket No. BER-L-3846-00, such that the total additional payment to the joint owners of the property shall be \$110,000.00, comprised of an additional \$80,000.00 in taking value and \$30,000.00 towards relocation assistance as defined by relevant statute; and

BE IT FURTHER RESOLVED that such payment shall be made within seventy-five (75) days of September 16, 2003.

There being no public discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, the Consent Agenda (items CA-1 through CA-3) was **approved unanimously**.

**RESOLUTION**

**R-1 - Amending Capital Budget**

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

WHEREAS, the local capital budget for the year 2003 was amended on the 21st day of August 2003; and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Fort Lee, County of Bergen, that the following amendment(s) to the adopted capital budget section of the 2003 Budget be made:

**FROM CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Estimated Total Cost	Capital Improvement Fund	Debt Authorized	To Be Funded In Future Years
Total All Projects	7,640,000	132,000	2,508,000	5,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	<u>Funding Amounts Per Year</u>					
		Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008
Total All Projects	7,640,000	2,640,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	Estimated Total Cost	Capital Improvement Fund	Bonds and Notes General
Total All Projects	7,640,000	382,000	7,258,000

**TO CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Project Number	Estimated Total Cost	Capital Improvement Fund	Debt Authorized	To Be Funded In Future Years
Traffic Light Installation	2003-3	125,000	6,250	118,750	
Total All Projects		7,765,000	138,250	2,626,750	5,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

Project	Project #	Estimated Total Cost	Estimated Completion Time	<u>Funding Amounts Per Year</u>						
				Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008	
Traffic Light Installation	2003-3	125,000	2003	125,000						
Total All Projects		7,765,000		2,765,000	1,000,000	Each Year for 2003-2008				

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

	Estimated Total Cost	Capital Improvement Fund	Bonds and Notes General
2003-3	125,000	6,250	118,750
Total All Projects	7,765,000	388,250	7,376,750

BE IT FURTHER RESOLVED that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**COUNCIL REPORTS**

**Councilman Pohan** - stated that the long-awaited interview with Mayor Alter which was scheduled to be aired last week by Time Warner as part of the Fort Lee Film Commission's pilot program "Fort Lee Today," will air after the general election in November.

He mentioned that Ray Levy, Director of Economic Development, is working on road improvements to help traffic circulate around the town, in conjunction with the traffic study that Schoor DePalma was doing for the Borough. He said that an agreement in principal with the Port Authority has been announced, whereby monies will go for the planned traffic improvements and other needed improvements to assist in the redevelopment of the Borough's downtown area. He added that anybody who can bring in more than 150 times or more of his salary is doing a terrific job. The agreement with the Port Authority will eventually come before the Mayor and Council for final approval within the next month or so. This is another example why bringing in Mr. Levy close to a full-time basis is a good thing.

**Councilwoman Kasofsky** - stated that the Parking Authority will be picking up a new senior citizens' bus on October 2<sup>nd</sup> under the 5310 Bus Program. She thanked Kay Nest, Mayor Alter and Senator Joseph Coniglio in helping obtain a grant for the new bus through the New Jersey transit system.

She said that the improvements to the municipal parking lot are almost complete with only three more rows to be upgraded. The lot is open now for public use.

She announced that Fort Lee residents only can sign up for a free turkey and fixings for Thanksgiving with the Human Services Department. Residents are eligible if they are receiving food stamps, TANF/General Assistance. Residents must bring proof of residency and proof of program participation. Sign up times are October 22<sup>nd</sup> and October 23<sup>rd</sup> from 9:00 a.m. to 10:30 a.m. at 326 Guntzer Street.

She stated that the Office of Emergency Management has received a \$8,000 grant from the New Jersey State Police to do an emergency drill which is scheduled for Saturday, October 4<sup>th</sup>. It will be a simulation of a bus accident on Martha Washington Way. All of the Borough's emergency services along with personnel from Holy Name Hospital and Englewood Hospital will be participating.

She wished everyone a happy and healthy Rosh Hashanah.

**Councilman Villano** - stated that the Borough's tree ordinance is working, but the ordinance is going to be tweaked to rectify slight mistakes that are in it.

He announced that the Borough's fall leaf program begins on Tuesday, October 14<sup>th</sup> and will end on Friday, December 12, 2003. Until the start of the leaf program, leaves should not be placed by the curb. If leaves are to be picked up prior to October 14<sup>th</sup>, they should be in biodegradable bags or in garbage cans. Branches and twigs must be tied in three foot sections and placed out with the normal Saturday garbage pickup. No leaves will be accepted in plastic bags. A leaf program schedule has been mailed to all residents.

He announced that on Saturday, October 18<sup>th</sup>, the "Second Look Shopp" clearing sale will be held at the CYO basement of the Madonna Church parking lot. The event will be held from 10:00 a.m. until 2:00 p.m. All of the money raised is for the Fort Lee Community Fund.

He stated that Dr. Salb was a gentleman. He offered his condolences to his son Richard and his family.

**Councilman Sargenti** - spoke to the improvements of the new playing surface at Van Fleet Park. The new field can absorb up to four inches of rain per hour and still be used. He said that the Fort Lee soccer program has an estimated 600 children participating. The loss of Van Fleet Park while the field was undergoing repairs caused the soccer program to find other fields to use. He added that the girl's softball program has 200 participants. Van Fleet Park will now double as a softball and soccer field. The final walk-through is scheduled for tomorrow and if there are no problems, the field will be opened up on Sunday. He invited the public to see the new field. A formal dedication will be done shortly. He added that a clubhouse with bathrooms will be installed next to the field shortly.

**Councilwoman Voss** - sent her condolences to the family of Dr. Salb.

She said that the senior picnic held last Sunday was fabulous. There was great weather, great activities and good food. She also applauded the Senior Center for all of the fine activities that are offered to the seniors.

She stated that this past Tuesday, Jim Snyder, Department of Transportation representative, came to Fort Lee and presented the Borough with a check for \$50,000 which was for the "Safe Streets for School" program. Members of the Board of Education and other school officials attended. The grant is specifically designated for streets on which schools are near. It is to make the nearby streets safer.

She announced that the Fire Department held their election for Fire Chiefs for 2004. Thomas Bernard Jr. was elected Chief, Corey Parker was elected Deputy Chief, and Steve Richer was elected Battalion Chief.

She showed the logo that is going to be used for the Borough's centennial anniversary next year. It incorporates more than just the one hundred years the Borough has been in existence. She added that next year is also the 75<sup>th</sup> anniversary of the high school and the St. Rocco's Society.

She mentioned that on Sunday, October 19<sup>th</sup>, the American Cancer Society will be sponsoring "The Walk, Making Strides Against Breast Cancer" will be held at Overpeck County Park. She feels that women health issues have been neglected. For further information about the event call 201-343-2222. She hopes people will participate or at least sponsor someone who is participating in the event.

She wished everyone a happy Rosh Hashanah, the Jewish New Year 5764.

**Councilman Cervieri** - expressed his condolences to the Salb family.

He mentioned that the 540 Main Street building will be coming down in the next couple of weeks. It will create a little more open space in the Borough.

He stated that a great time was had by everyone at the senior picnic. He thanked the volunteers for donating their time. He also thanked Kay Nest and Steve Monetti for all of the time they put in to make this annual event such a huge success.

He wished everyone a happy New Year.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Assemblywoman Rose Heck 38 <sup>th</sup> District	.Fort Lee Senior Picnic .NJ DOT \$50,000 2004 Safe Streets Grant	Mayor Alter
Max Lazarus 555 North Avenue	.Dr. Salb's Passing - His Work on Fort Lee's Rent Leveling Ordinance	

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
	.Port Authority/Fort Lee Traffic Issues	
	.Traffic Barricades on Bridge Plaza North	
	.1973 Port Authority Agreements	
	.Hudson Terrace Traffic	
	.Helmsley Property	
Greg Karr Loving Care Agency 440 West Street	.Homecare Industry Pending NJ State Legislation	Mayor Alter Ms. Voss Mr. Cervieri
Charles Sobel 2175 Hudson Terrace	.Condolences to Dr. Salb's Family	
	.Passing of Susan Harris Tenant Leader at LeCross House	
Peter Lee Chin 1290 15 <sup>th</sup> Street	.Port Authority/Fort Lee Traffic Concerns/ Promoting of Mass Transit	Mayor Alter Mr. Cervieri Ms. Voss
Anna Lypinski 400 Park Place	.Fort Lee - The Number of Positive Events Undertaken by the Borough	

Mayor Alter wished everyone a happy New Year.

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri** and carried at 9:00 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, September 11, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter offered a moment of silence in memory of the second anniversary of the 9/11 terrorist attacks.

Mayor Alter stated that this morning in front of the Port Authority Administration building in Fort Lee, there was a ceremony at 8:46 a.m. and 9:03 a.m., commemorating the times of the plane crashes into the World Trade Center. It was a very moving and emotional ceremony. There were about 100 Port Authority people present. Mayor Alter and Ms. Thomas were asked to attend the ceremony. He recalled that when the attacks were unfolding a number of Borough officials met at the Fort Lee Police Department to find out what was occurring. Eventually, everyone went over to the Port Authority Administration building. On 9/11, the government and emergency units were on the front line of the events in New York. By the afternoon, the Port Authority building had become the command center for the New Jersey operation in the north, for the management and security of the George Washington Bridge. The Port Authority lost over thirty officers and in total over eighty-five people, including its executive director, Neil Levin. He noted the amazing ability of the various police and emergency services coming together, and all of the various professional departments working together to do what they could do under trying circumstances. There were fire trucks lined up outside all the way from Fort Lee to Leonia. New York City finally said stop as there was too much equipment at the WTC site. He was reminded this morning that Fort Lee, along with other communities, was asked to name streets after fallen Port Authority Officers. This morning, the Port Authority recognized that Fort Lee was the only town to rename a street after a fallen officer. Bruce Reynolds Boulevard, formerly Bridge Marginal South, was the street that Port Authority officials requested to be renamed. There was a naming ceremony

in August 2002 where Officer Reynolds' widow and children were present. America has changed and in some ways not for the better as America is a target. The George Washington Bridge (GWB) is a target and the town of Fort Lee is a target. The good thing was that the community and the surrounding towns came together. He hopes that does not change.

**PROCLAMATIONS**

**P-1 - The New Synagogue of Fort Lee**

WHEREAS, the New Synagogue of Fort Lee will consecrate its recently completed building located at Center Avenue and Whiteman Street on Sunday, September 14, 2003; and

WHEREAS, the congregation at that time will receive the additional name of Kehilath Baruch Z"L in memory of Rabbi Meir Berger's beloved father, Rabbi Baruch Berger Z" L, and will thereafter be known as The New Synagogue of Fort Lee Congregation Kehilath Baruch Z"L; and

WHEREAS, the New Synagogue of Fort Lee was founded by Rabbi Meir Berger in 1993, with an initial membership of fifty families, holding prayer services at the Senior Citizen's Center of Fort Lee, later moving to a tent near Palisade Avenue, then to a house at its present location; and

WHEREAS, the congregation grew from these humble beginnings and gained strength under the spiritual leadership of Rabbi Berger and attained a membership of more than three hundred and fifty families; and

WHEREAS, the Greater Fort Lee Chamber of Commerce bestowed honors on The New Synagogue for the new structure as "to a standard of visual excellence"; and

WHEREAS, the New Synagogue building is to be utilized as a religious, cultural, educational and social center for the Jewish Community in the greater Fort Lee area, reaching out to and embracing all segments of the Jewish population, including those who may struggle to support themselves and presently lack the wherewithal to participate in synagogue life,

NOW, THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Fort Lee wish to recognize The New Synagogue of Fort Lee on this most auspicious occasion, and extend best wishes to Rabbi Meir Berger and the entire congregation.

**P-2 - Korean Thanksgiving Day Festival**

WHEREAS, The Korean-American Association of New Jersey will celebrate "Ch'usok,"Korean Thanksgiving Day, during the Second Annual Korean Thanksgiving Day Festival of New Jersey in Overpeck Park, Leonia, New Jersey, on September 14, 2003; and

WHEREAS, observed on the fifteenth day of the eighth lunar month, Ch'usok traditionally marks the beginning of harvest time and celebrates the importance of family, respect for elders, and thanksgiving for the bounties of life; and

WHEREAS, New Jersey is unique in its rich ethnic diversity and has served as the gateway for many groups of immigrants coming to this Country to find freedom and opportunity; and

WHEREAS, Korean-American citizens in New Jersey continue to make immeasurable contributions to the social, cultural, and

economic life of the Garden State through the incorporation of their rich spiritual and cultural heritage and their dedication to the principles and responsibilities of good citizenship,

NOW, THEREFORE, I, Jack Alter, Mayor of the Borough of Fort Lee, of the County of Bergen, State of New Jersey, do hereby proclaim

**SEPTEMBER 14, 2003**

as

**KOREAN THANKSGIVING DAY**

in Fort Lee, and extend best wishes to everyone in attendance.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the August 21, 2003, Executive Session were approved.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, and carried unanimously, the minutes of the August 21, 2003, Regular Meeting were approved.

**PUBLIC HEARINGS**

**Ordinance #2003-29 - Bond Ordinance for Purchase of New Fire Truck - \$640,000**

On motion by Councilwoman Voss, seconded by Councilman Cervieri and carried, the public hearing was opened relative to Ord. #2003-29 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$640,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$608,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME."

Nina Levinson, 1560 West Street, asked about the legal expenses associated with the bonding of the new fire truck.

Ms. Thomas stated that some of the legal costs are for the bond counsel along with the advertising expenses associated with the bond ordinance.

There being no further discussion, the public hearing was closed on motion by Councilwoman Voss, seconded by Councilman Cervieri.

On motion by Councilman Villano, seconded by Councilman Cervieri, the Ordinance was adopted unanimously on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**Ordinance #2003-30 - Amending Chapter 130, Section 5D - Alcoholic Beverage License Fees**

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-30 entitled, "AN ORDINANCE AMENDING CHAPTER 130, SECTION 5D, OF THE BOROUGH OF FORT LEE CODE ENTITLED "ALCOHOLIC

BEVERAGE LICENSE FEES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the Ordinance was **adopted unanimously.**

Mr. Grant stated that all the liquor licensees were notified by mail after the ordinance was introduced on August 21, 2003.

**Ordinance #2003-31 - Amending Chapter 388, Section 69, Handicapped Parking Space by 16 Short Street**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-31** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES ."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

Mr. Villano asked if an annual ordinance could be passed with regard to approving handicapped parking spaces.

Mr. Pohan replied that all parking regulations have to be approved by ordinance or they are not valid.

**On motion by Councilman Villano, seconded by Councilman Sargenti,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-32 - Capital Ordinance - Agreement With Bergen County Freeholders to Resolve Drainage Problems at Columbia Avenue/Anderson Avenue - \$208,000 to be Reimbursed by Bergen County**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-32** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$208,000 GRANT TO BE RECEIVED FROM THE COUNTY OF BERGEN BOARD OF CHOSEN FREEHOLDERS FOR CONSTRUCTION OF THE ANDERSON AVENUE AND COLUMBIA AVENUE DRAINAGE BYPASS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-13.

**CA-1 - Ch. 159 Requesting Approval From Director of Local Government Services to Approve Special Item of Revenue, Municipal Recycling Assistance Program - \$15,011.25**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Fort Lee received **\$15,011.25** from the State of New Jersey and wishes to amend its 2003 Budget to include a portion of this amount as an item of revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the Mayor and Council hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the Budget year of 2003, in the sum of.....**\$15,011.25** which is now available as a revenue item from:

- Miscellaneous Revenues
  - Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
  - County Revenues Offset with Appropriations:
  - Municipal Recycling Assistance Program-Other Expenses

BE IT FURTHER RESOLVED, that a like sum of .....**\$15,011.25** be and the same is hereby appropriated under the caption:

- General Appropriations:
  - (a) Operations excluded from CAPS
    - County Programs Offset by Revenues
    - Municipal Recycling Assistance Program - Other Expenses

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to forward two (2) copies of this Resolution to the Director of Local Government Services.

**CA-2 - Authorizing Firefighter Membership Application for Christopher Ipek for Fire Company #1 and Auxiliary Membership Applications for Thomas Giagnacova and Kenneth Thomas for Fire Company #3 and Junior Auxiliary Application for Kyle Jensen for Fire Company #4**

The firefighter membership application for Christoper Ipek, auxiliary membership applications for Thomas Giagnacova and Kenneth Thomas and junior auxiliary membership application of Kyle Jensen were approved.

**CA-3 - Authorizing Hiring of Fall Seasonal Employees for the Recreation Department - Termination Date December 31, 2003**

WHEREAS, part-time seasonal positions exist with the Department of Recreation and the Mayor and Council have determined that these positions must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the attached list of personnel (available in the office of the Borough Clerk) be appointed to the positions and rates of compensation indicated with the Department of Recreation; and

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of September 2, 2003 and a termination date of December 31, 2003.

**CA-4 - Authorizing Hiring of Rachel Valerie Joskowitz as an Emergency Medical Technician for the Ambulance Corps - \$13.15 Hourly**

WHEREAS, there is an Emergency Medical Technician vacancy in the Fort Lee Ambulance Corps and the Mayor and Council have determined that this vacancy must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Rachel Valerie Joskowitz be hired to the part-time position of Emergency Medical Technician with the Fort Lee Ambulance Corps, with an effective date of September 15, 2003; and

BE IT FURTHER RESOLVED that this appointment be provisional pending certification from the New Jersey Department of Personnel. This position shall be at the wage of **\$13.15 per hour**, not to exceed 19.5 hours per week.

**CA-5 - Accepting Disability Retirement of Anna Martire, Fire Prevention Bureau - Retroactive to August 1st**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the approval letter for Ordinary Disability Retirement from the State of New Jersey, Division of Pension & Benefits for Anna Martire, Fire Prevention Bureau, dated August 20, 2003 is hereby accepted, with an effective date retroactive to August 1, 2003.

**CA-6 - Accepting Resignation Notice of Keith Sager, Building Department - Retroactive to August 29th**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the resignation notice submitted by Keith Sager, of the Building Department, dated August 27, 2003, is hereby accepted, with an effective date of resignation from the Borough of Fort Lee retroactive to August 29, 2003.

**CA-7 - Accepting Resignation Notice of Lucy Hanna, Recreation Department - Retroactive to September 10<sup>th</sup>**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the resignation notice submitted by Lucy Hanna, of the Recreation, dated August 24, 2003, is hereby accepted, with an effective date of resignation from the Borough of Fort Lee retroactive to September 10, 2003.

**CA-8 - Approving Developer's Agreement for Enterprise 46, Inc., at 1620 Route 46**

WHEREAS, the Zoning Board of Adjustment of the Borough of Fort Lee adopted a Resolution approving a development of Enterprise 46, Inc. for property located at Block 3504, Lots 1, 7 and 15, commonly known as 1620 Route 46 East, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon Enterprise 46, Inc. entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreement has been executed by Enterprise 46, Inc. and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the Borough Attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with Enterprise 46, Inc.

**CA-9 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Van Fleet Park Clubhouse and Vehicle for the Health Department**

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:

- .Construction of Van Fleet Park Clubhouse
- .Vehicle for the Health Department

**CA-10 - Endorsing Bergen County Community Development Grant Application for Improvements to the Harry J. Holtje House - \$30,000**

WHEREAS, a Bergen County Development grant of \$30,000 has been proposed by the Fort Lee Housing Authority for funds for improvements to the Harry J. Holtje Housing Buildings in the municipality of Fort Lee; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the low income population of the Public Housing Residents in the Borough of Fort Lee; and

WHEREAS, this resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid CD Funds,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**CA-11 - Endorsing Bergen County Community Development Grant as Proposed by the Fort Lee Assistance and Support Housing Corporation for Funds to Subsidize the Headstart Child Daycare Program - \$35,000**

WHEREAS, a Bergen County HOME Investment Partnership Grant

in the amount of **\$35,000** has been proposed by the Fort Lee Assistance and Support Housing (F.L.A.S.H.) Corporation, for operating expenses of the non-profit "F.L.A.S.H." in the municipality of the Borough of Fort Lee; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the low income population in the Borough of Fort Lee and the County of Bergen; and

WHEREAS, this resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid CD Funds,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**CA-12 - Endorsing Bergen County Community Development Grant as Proposed by the Fort Lee Assistance and Support Housing Corporation for Funds for the "The Learning Bridge" Child Day Care Learning and Development Center - \$35,000**

WHEREAS, a Bergen County Community Development grant in the amount of **\$35,000** for tuition subsidy for "The Learning Bridge" Child Day Care Learning and Development Center; a very important service which is made available to participating low income parents participating in the Housing Authority's Family Self Sufficiency Program which is operated by the Fort Lee Housing Authority in the municipality of Fort Lee; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Fort Lee and the County of Bergen; and

WHEREAS, this resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**CA-13 Endorsing Bergen County Community Development Grant as Proposed by the Fort Lee Assistance and Support Housing Corporation for the Lease/Purchase Program of a Single Family Home - \$100,000**

WHEREAS, a Bergen County HOME Investment Partnership Grant

in the amount of **\$100,000** has been proposed by the Fort Lee Assistance & Support Housing (F.L.A.S.H.) Corporation, for the acquisition of a single family house or condominium for the Lease/Purchase Program; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the low income population in the Borough of Fort Lee and the County of Bergen; and

WHEREAS, this resolution does not obligate the financial resources of the Municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Nina Levinson, 1560 West Street, questioned CA-13. Ms. Thomas and Mr. Cervieri responded.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, and the Consent Agenda (items CA-1 through CA-13) was **approved unanimously**.

#### APPOINTMENTS

##### A-1 - Fort Lee Film Commission

**Mayor Alter nominated Donna Brennan** to serve as a member of the **Fort Lee Film Commission** for an unexpired term through December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilwoman Kasofsky**, the nomination was **confirmed unanimously**.

##### A-2 - Historical Site, Structural, Cultural and Landmark Committee

**Mayor Alter nominated Patrick Hammer** to serve as a member of the **Historic Site, Structural, Cultural & Landmark Committee** for an unexpired term through December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilman Sargenti**, the nomination was **confirmed unanimously**.

**Mayor Alter nominated Stacy D'Arc** to serve as a member of the **Historic Site, Structural, Cultural & Landmark Committee** for an expired term through December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilman Sargenti**, the nomination was **confirmed unanimously**.

Mayor Alter read a short biographical description of each the newly appointed committee members.

**COUNCIL REPORTS**

**Councilman Pohan** - stated with respect to the Borough's insurance program, that a couple of years ago, there was a substantial increase in the Borough's premium because of the number of employees who had sustained work related injuries. In the last year, the Borough has been proactive in trying to improve the safety programs within the Borough and is also working very hard to get employees back to work in the earliest possible time. Currently, there is only one employee out on workmen's compensation. The improved record of the Borough should be reflected in next year's premiums.

He announced that the HBO special this month "And Starring Pancho Villa as Himself" begins by showing Fort Lee, New Jersey, as the film capital of the world. It was about D.W. Griffith and his studio receiving a solicitation from Pancho Villa to go to Mexico in 1914.

He stated that next Thursday at 8:00 pm, the Fort Lee Film Commission will be presenting a pilot show entitled "Fort Lee Today". It is an approximately one-hour show that tells what is going on in the town. It will be shown on Time Warner's cable access channel. The first episode stars Mayor Alter. If it is well received, more shows may follow.

He mentioned that next Friday, September 19<sup>th</sup> and Saturday, September 20<sup>th</sup>, the Film Commission will be presenting a movie series entitled "The Gangs of Fort Lee". This movie series is about gangster movies. The films will be shown at the Historic Park on the Palisades in Fort Lee. Admission is \$5.00.

**Councilwoman Kasofsky** - announced that on Saturday, September 13<sup>th</sup> at 2:00 p.m., pianist Louis Landon will be performing at the Fort Lee Library. His presentation, entitled "Rodgers & Hart & Me," is a popular favorite of all those who love the music of Rodgers and Hart.

She also announced that on Thursday, September 25<sup>th</sup>, the library will be showing a 1936 film that starred Fred Astaire and Ginger Rogers with songs by Jerome Kern. The Oscar winner for best song, "The Way You Look Tonight," is featured in the film. Due to contract restrictions, the actual title cannot be released.

She stated that today is a sad day. She sent her personal prayers to the families of anyone who was killed or wounded during 9/11. She sent a special thanks to all of the workers and volunteers for their efforts during 9/11.

**Councilman Villano** - announced that the police academy classes have begun. They are being held Tuesday evenings at 7:00 p.m. There are twelve members in the class. There is room for additional members. Sgt. Jerry Conway and Police Officers Douglas Cabler and Steve No, are the primary leaders in this particular class. It is part of Fort Lee's community police force. They do an excellent job and he thanked them for their efforts.

He stated that the high school class of 1958 is holding its 45<sup>th</sup> year reunion on Saturday, October 15<sup>th</sup> at the Fort Lee Hilton. They have invited the classes of 1955, 1956, 1959, 1960 and 1961

to attend.

He noted that Lucy Hanna has left her position with the Recreation Department which she has held for the last four years. He commented on her excellent work ethic. She received an offer to work while working on her masters degree. The pay she will be receiving will go towards her masters degree. He wished her well.

**Councilman Sargenti** - wished Lucy Hanna good luck. She will be missed.

He said that the Recreation Department had a great summer season with record enrollments.

He mentioned that the Van Fleet Park field should be ready by October 1<sup>st</sup>. There have been many meetings with the contractor and so far today three rolls of turf were laid out on the field. After the field is completed, a clubhouse with bathrooms will be installed.

**Councilwoman Voss** - stated that hopefully a day like 9/11 will never happen again, but the country will always have to be on guard. It is an event that can never be forgotten.

She stated that the Centennial Committee is in the planning stages. Posters will be available that will show Fort Lee's history. One of the posters will be showing Palisades Amusement Park. Several volunteers throughout the next year will be speaking at different locations about Fort Lee's history.

She announced that several members of the Fort Lee Fire Department have been presented with Distinguished Service Recognition awards for their years of service with the Bergen County Juvenile Fire Prevention program. The awards were given by Care Plus of New Jersey which directs the counseling for the county program. Members who received awards had volunteered their time for over ten years. Cindy Vida, Fire Prevention Bureau, Steve Richter, Fire Captain for Fire Company #4, and Firefighter Robert DeVito were the recipients of the awards.

She stated that the Fire Department has responded to 1,145 calls so far this year. The monthly fire report is included as part of this meeting's permanent record and is available in the Borough Clerk's office.

She discussed the monthly Korean magazine "Mommy and I" which basically informs young Korean mothers about how things are done and if they need any assistance. In this month's issue Deputy Fire Chief Thomas Bernard and Battalion Chief Corey Parker were interviewed and explained the workings of the Fort Lee Fire Department and discussed fire prevention methods. The magazine is written in Korean and English. It helps people become more conversant in English, but lets the Korean people know in their own language what is going on in the community.

She mentioned that this Sunday at Overpeck Park the second annual Korean Day Festival will be held at 12:00 noon. The festival known as Ch'usok is a celebration of values that includes the importance of family, respect for elders and thanksgiving for the bounties of life.

She also announced that on Sunday, September 21<sup>st</sup>, the annual Fort Lee Seniors' picnic will be held in the high school parking lot commencing at 12:00 noon. There will be food, prizes, music and dancing and there is no cost to attend.

**Councilman Cervieri** - mentioned that "The Record" ran a article that discussed the importance of film in Fort Lee. The Borough has received several letters thanking the Borough for running the film and music series throughout the summer in Constitution Park. He mentioned that the Fort Lee Film Commission has done its part to give Fort Lee a sense of community, and it is the Mayor and Council that supports that and encourages people to come out to enjoy the town, participate in that and other town events, or to even volunteer for a committee or service. That is what makes a town, a community and a country and makes the United States great.

He spoke to a Program Coordinating Committee (PCC) meeting of the Fort Lee Housing Authority that took place for the Family Self-Sufficiency program (FSS). Lillian Ciufu, Housing Authority Director, gave a report that indicated seventy-one families are signed up for the FSS program, which is designed to take people off welfare or section 8 housing and to become self-sufficient. They provide career counseling, job improvement, parenting courses and other skills. They also teach how to save and build for the future. This is not a common program. The Fort Lee Housing Authority receives awards year after year from the Department of Housing and Urban Development for its excellence. Through the housing authority, twenty-four homes have been purchased for people who have gone through the FSS program. Also, ninety-three percent of the people who have signed up for the FSS program are either full-time employed or are in school full-time getting job training. He thanked the PCC members which include Kay Nest, Shari DePalma, Melissa Goldberg, Lynn Bartlet, Margaret Cook, Chairman Nat Infurna, and Lillian Ciufu. Most FSS programs do not have a committee.

He read the following report from the Greater Fort Lee Chamber of Commerce:

1. The Chamber has a new domain name. The Chamber Website can now be reached by visiting [www.fortleenj.com](http://www.fortleenj.com).

2. The Chamber has issued the latest editions of their shopping guide and professional and medical guide for autumn. The guides can be found at area banks, the library, Borough Hall and select Chamber member retailers. The guides are also placed in the Chamber's welcome bags that are given to new area residents.

3. The Chamber's fall general membership luncheon will be held in the Oak Room at JD's Restaurant, 124 Main Street on Wednesday, September 17<sup>th</sup> at 12:00 noon. The luncheon features "Countdown to the Centennial" with guest speakers Robert Tessaro, Esq. and Thomas Meyers of the Fort Lee Film Commission. For further information contact the Chamber at 201-944-7575.

4. The Fort Lee Ragamuffin parade is scheduled for Saturday, October 25<sup>th</sup>. The parade will kick off at 9:00 a.m. from the intersection of Martha Washington Way and Main Street across from Fleet Bank. The event is once again sponsored by the Chamber, along with Fleet Bank and Quick & Reilly. The rain date is Sunday, October 26<sup>th</sup>.

He stated that a bunch of misinformation is being handed out which states to Fort Lee's residents that their lives and property values are being placed at risk, for the sake of better cellular phone service and reception for motorists on the GWB, with regard to a hundred-foot monopole that is being placed in Fort Lee. Mr. Cervieri asserted that the pamphlet being handed out could not be further from the truth. He explained that the antenna is sixty-five feet in total. It is located at the triangle at Anderson Avenue and Center Avenue. It was the

relocation of the antenna that has been housed for many years on the old ShopRite building which is being knocked down for the building of the new community center. The monopole itself had been turned down two times by the Zoning Board of Adjustment (BOA). When AT&T sought to relocate their antenna, they came to the BOA in 2001 and their application was turned down unanimously by the BOA. Then they went to appeal through the Bergen County Superior Court which found that the BOA might have been acting improperly and they remanded the case back to the BOA to reconsider AT&T's application. After a presentation of the facts the BOA turned the application down a second time. AT&T then filed suit January 9, 2003 against the BOA and the Borough alleging that the Borough was in violation of the Telecommunications Act of 1996. On May 23, 2003 the Superior Court Law Division entered an order remanding the zoning action. This told the Borough that even though the application had been turned two times the Borough must permit AT&T to build a monopole. AT&T also had an action against the Borough alleging more damages. The Mayor and Council, after a final approval from the BOA, settled the issue with AT&T allowing for a sixty-five foot monopole. The monopole is now in the midst of being constructed. Hopefully, it will be finished by September 15<sup>th</sup>, at which time their antennas will be moved off of the ShopRite property so that the construction of the new community center can begin. The monopole is basically a compromise with AT&T. If AT&T was not allowed to go to Anderson Avenue and Center Avenue, their requested alternative called for a 150-foot monopole with spokes on it that would have held five or more antennas for different carriers that would have been located directly across the street from the Carriage House by the old police station. The Mayor and Council felt that was not in the best interests of Fort Lee. About two years ago, the Mayor and Council had been approached by a number of concerned residents in the area near the Fairway Market vicinity, about a cellular site that had gone on top of a room of a small office building. The residents had expressed concern about their property values being lowered and the possibility of being exposed to deadly radio waves. At that time, the Borough hired a radio frequency expert, who took measurements of different frequencies from several locations within Fort Lee, including the area of complaint. When compared against items such as a microwave oven, a television and fluorescent lighting, it was found that the measurements of radiation of fluorescent lighting from a short distance away was ten to fifteen times more than the radiation levels being emitted from antennas on the top of the different buildings that were measured. The radio frequency engineer presented a report at a public meeting that stated that radiation transmission levels emanating from a cellular tower were less than one percent of an amount that was considered even close to being harmful. The document that Mr. Cervieri is speaking to cites an expert from New Zealand. When people come up to different governing body members and ask how the Borough can let such an ugly edifice (monopole) be built, he tells them that it is a work in progress, it is not done yet and it will be painted white. It will probably look like a flagpole with a large base such as the Washington Monument. He said that if Michaelangelo had received as many complaints as he has, while starting to chip away at the marble in Italy, it is possible the statue of David would not exist today. He did not imply that the edifice is going to look like the statue of David, but he hopes people will hold their complaints until they at least see the final product.

He wished the New Synagogue members the best of luck with their new facility.

**Mayor Alter** - replied that there are some people looking for trouble. They spend their time trying to figure out things that they can scare people with. The information packet that was

given out to the public and to the Mayor and Council is completely wrong. The safety issues regarding cell towers had been discussed and taken care of a couple of years ago. Every high-rise in Fort Lee has an antenna or a repeater. People on high floors live within a few feet of the antennas. The courts have well established that municipalities have no defense against allowing cell sites to be put up. There is no evidence that the Borough should be allowed to stop cell towers from being built. There was an antenna at the ShopRite and the Borough is obligated to replace it for its emergency services. The Borough had to pay an extra \$30,000 to have AT&T place its new antenna on Anderson Avenue so that the monster antenna would not be built. The Mayor and Council thought it was money well spent so that the Carriage House and that neighborhood would not have to see a monster antenna. The court ruled, and the governing body members who are sworn to uphold the law have done so.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Radiation of Antennas .AT&T Monopole	Mr. Cervieri
Louis Bellotti 1118 Briar Way	.Off-Street Parking of Employees	Mayor Alter Ms. Voss Mr. Monetti Mr. Cervieri
Charles Sobel 2175 Hudson Terrace	.Revision of Tenant Security Law	Mr. Cervieri Mayor Alter

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** and carried at 9:48 p.m.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, August 21, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Villano, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney

**ABSENT:** Council Members Kasofsky, Sargenti

**MAYOR'S STATEMENT**

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

1. On January 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter noted that had this meeting been scheduled last Thursday at this time, it would have been difficult to have it due to the great power failure of 2003. It was an uneven power failure. There were a few buildings in Fort Lee that had power. He sensed that the Borough's emergency services are becoming good at something that they wished they did not have to be good at. The Borough's emergency services again performed flawlessly. They have had a lot of practice since September 11, 2001. There have been other water emergencies and last week's blackout. The Borough has a special responsibility with the George Washington Bridge in its midst. This is a gateway to and from New York and the northeast. The police have special responsibilities and they performed very well last week. As far as he knew, there were no mistakes in operation. No cost was spared. The expenses will show up in next year's budget, unless the Borough is reimbursed.

**APPROVAL OF MINUTES**

**On motion by Councilman Cervieri, seconded by Councilman Villano, and carried unanimously, the minutes of the June 26, 2003 Regular Meeting were approved.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, with Councilman Pohan abstaining, the minutes of the July 24, 2003 Executive Session were approved.**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the July 24, 2003 Regular Meeting were approved.

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-29 - Bond Ordinance for Purchase of New Fire Truck - \$640,000**

On motion by Councilwoman Voss, seconded by Councilman Cervieri, and carried, Ord. #2003-29 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$640,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$608,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **September 11, 2003**.

**AYES: Council Members Pohan, Villano, Voss, Cervieri**

**Ordinance #2003-30 - Amending Chapter 130, Section 5D - Alcoholic Beverage License Fees**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-30 entitled, "AN ORDINANCE AMENDING CHAPTER 130, SECTION 5D, OF THE BOROUGH OF FORT LEE CODE ENTITLED "ALCOHOLIC BEVERAGE LICENSE FEES," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **September 11, 2003**.

**Ordinance #2003-31 - Amending Chapter 388, Section 69, Handicapped Parking Space by 16 Short Street**

On motion by Councilman Villano, seconded by Councilwoman Voss, and carried, Ord. #2003-31 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **September 11, 2003**.

**Ordinance #2003-32 - Capital Ordinance - Agreement With Bergen County Freeholders to Resolve Drainage Problems at Columbia Avenue/Anderson Avenue - \$208,000 to be Reimbursed by Bergen County**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-32 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING A \$208,000 GRANT TO BE RECEIVED FROM THE COUNTY OF BERGEN BOARD OF CHOSEN FREEHOLDERS FOR CONSTRUCTION OF THE ANDERSON AVENUE AND COLUMBIA AVENUE DRAINAGE BYPASS IN AND BY THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **September 11, 2003.**

**AYE: Council Members Pohan, Villano, Voss, Cervieri**

**PUBLIC HEARINGS**

**Ordinance #2003-25 - Amending Chapter 388, Section 69, Handicapped Parking Space by 150 Cedar Street and Deleting Space at 253 McCloud Drive**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-25** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "HANDICAPPED PARKING SPACES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-26 - Amending Salary Ordinance 2003-6 - Salaries for Certain Non-Union Employees (Municipal Prosecutor)**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-26** entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2003-6, ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES AND CERTAIN NON-UNION EMPLOYEES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Villano, Voss, Cervieri**

**Ordinance #2003-27 - An Ordinance Establishing Chapter 370, Article 1, Taxation - Hotel and Motel Room Occupancy Tax as Authorized by P.L., 2003, C. 114**

**On motion by Councilman Cervieri, seconded by Councilman Pohan and carried,** the public hearing was opened relative to **Ord. #2003-27** entitled, "AN ORDINANCE TO ESTABLISH CHAPTER 370, ARTICLE I, 'TAXATION' OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED 'HOTEL AND MOTEL ROOM OCCUPANCY TAX', AS AUTHORIZED BY P.L. 2003, C. 114,."

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

Mr. Cervieri stated that this is a revenue enhancing mechanism that has been authorized by the State, and that gives local municipalities the ability to benefit through the hotel occupancy tax. Fort Lee has approximately 700 rooms and he foresees more in the near future. It has been calculated that Fort Lee should see approximately \$200,000 in revenue for the first year. In year two the tax increases from 1% to 3% so the municipality should take in about \$600,000. He applauded the Legislature and the Governor for their foresight in enabling

towns to benefit from revenue which is produced in the State for the municipalities. Some hotel owners questioned whether they would be at a competitive disadvantage with surrounding communities and surrounding states. He pointed out that the New York occupancy hotel tax is much more egregious than what New Jersey is charging. In the long run this tax benefits the residents of Fort Lee.

Mayor Alter pointed out that the State is collecting 7% and that the municipal tax is a piggyback tax to what the State will be collecting. He believes that this tax was long overdue. Unfortunately, there is considerable police involvement with the motels and hotels in Fort Lee. For Fort Lee this is a very appropriate source of revenue or expense offset.

**On motion by Councilman Cervieri, seconded by Councilman Pohan, the Ordinance was adopted on the following roll call:**

**AYES: Council Members Pohan, Villano, Voss, Cervieri**

**Ordinance #2003-28 - An Ordinance Repealing Chapter 145, Apartment Houses and Building Developments**

Ms. Thomas explained that building workers have been fingerprinted for years in Fort Lee. It's a very expensive cost. Buildings have told the Borough that it's not a necessary service any more. Tonight's vote is to repeal the ordinance and leave the individual buildings to do security checks on their own employees.

Mr. Muhlstock added that the buildings themselves, given today's technology and capabilities, are just as able to get the background checks as the Police Department, so that there is no breach in security or safety for the people.

Mayor Alter stated that there were many building workers in Fort Lee in various categories who were not being fingerprinted, so that the original ordinance was not particularly airtight to begin with.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried, the public hearing was opened relative to Ord. #2003-28 entitled, "AN ORDINANCE REPEALING CHAPTER 145, APARTMENT HOUSES AND BUILDING DEVELOPMENTS."**

Nina Levinson, 1560 West Street, questioned whether the buildings have to do background checks on their employees. If they do not do it, then the safety of the residents is in jeopardy.

Mayor Alter replied that it has been a difficult ordinance to enforce because the Boards of Directors in the larger buildings will take care of security matters in their buildings. It is a very small percentage of people who are in a position to do damage to the people of Fort Lee. It also has been a very expensive and time consuming ordinance for the Police Department to enforce.

Ms. Levinson stated that a permanent employee should be required to have a background check.

Mr. Cervieri replied that a background check being done by the Police Department or the government of Fort Lee is in fact an endorsement of the safety of that individual. He believes that the Borough does not want to be in that position. Most of the building boards have a policy that states any part-time or full-time employee has to undergo a background check. To ask the

Borough to mandate the background check is a little far-reaching. It doesn't protect anyone outside of the condo or cooperative unit owners.

Mayor Alter stated that if the United Homeowners wanted to propose legislation they should make a recommendation to the government of Fort Lee, but thought that her position would have more validity if the Board of Directors of the many condominiums and cooperatives in Fort Lee wanted the Borough to propose legislation.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilman Pohan, the Ordinance was adopted unanimously.**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-16.**

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$2,867,132.84
Capital	497,811.41
Trust (Accutrack)	10,826.00
Trust (Old)	n/a
Police Activity Account	5,605.71
Senior Citizen Advisory Council	70.00
Senior Citizen Computer Account	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	9,613.84
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	168.00
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	1,144.30
Redemption Account	33,503.67

**CA-2 - Approving Firefighter Membership Application for Dimitri Findanis for Fire Company #2**

The firefighter membership application for Dimitri Findanis for Fire Company #2 was approved.

**CA-3 - Accepting Retirement Notice From Thomas Schlemmer, Senior Mechanic for the DPW, - Retroactive to August 1st**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the approval letter for Retirement from the State of New Jersey, Division of Pensions & Benefits for Thomas Schlemmer, Senior Mechanic for the Department of Public Works, dated July 16, 2003 is hereby accepted, with an effective date

retroactive to August 1, 2003.

**CA-4 - Authorizing Additional Title of Planning Administrator for Barbara Klein, Office of Economic Development - (No Additional Remuneration)**

WHEREAS, the Borough of Fort Lee has established the position of Planning Administrator, with the primary function of the person to hold such office being familiar with procedural compliance and filing requirements before the Planning Board and Zoning Board of Adjustment; and

WHEREAS, Barbara Klein is presently Secretary to the Board of Adjustment and Planning Board and has exhibited sufficient familiarity with land development applications and issues so as to be qualified in order to determine procedural compliance with the Borough's development application requirements; and

WHEREAS, the New Jersey State Land Use Ordinance requires that retention of a Planning Administrator,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Barbara Klein be and she is hereby appointed to the additional title of Planning Administrator.

**CA-5 - Authorizing Hiring of Borris Efraimov as a Part Time Employee for the Parks Department - \$10.00 Hourly**

WHEREAS, a part time position exists within the Parks Department in the Borough of Fort Lee for 2003,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individual be hired to work no more than 19.5 hours per week at the following hourly rate of compensation listed, respectively:

Borris Efraimov	\$10.00
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**CA-6 - Approving Developers Agreement for Shri Ganesh, Inc., d/b/a Skyview Motel at 1560 Bergen Boulevard**

WHEREAS, the Zoning Board of Adjustment of the Borough of Fort Lee adopted a Resolution approving a development by Shri Ganesh, Inc. for property located at Block 3402, lots 1-3 and Block 303, Lot 1, commonly known as 1560 Bergen Boulevard, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon Shri Ganesh, Inc. entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been executed by Shri Ganesh, Inc. and the necessary performance guarantees, cash deposits and insurance certificates has been reviewed and approved by the Borough Attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be are hereby authorized to execute the Developers Agreement with Shri Ganesh, Inc.

**CA-7 - Authorizing Liquor License Renewals for 2003-2004 for Daniel Kim, Brinker, New Jersey Inc. (Inactive Licenses) and 1616 Palisade Avenue Corp.**

WHEREAS, on July 25, 2003 and July 28, 2003 Special Rulings were granted from the State of New Jersey, Division of Alcoholic Beverage Control, to permit consideration of liquor license renewal for two (2) plenary retail consumption licenses; and

WHEREAS, the renewal applications were filed in the Borough Clerk's Office in a timely manner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following inactive licenses shall be renewed for the licensing year 2003-2004.

<u>Liquor License #</u>	<u>Licensee</u>
0219-33-008-008	Daniel J. Kim
0219-33-044-006	Brinker, New Jersey Inc.

and;

BE IT FURTHER RESOLVED that 1616 Palisade Avenue Corp., t/a Tae Jo Garden, received tax clearance on July 30, 2003 from the State of New Jersey, Department of the Treasury, Division of Taxation, and that the renewal application was filed in the Borough Clerk's Office in a timely manner,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following license shall be renewed for the licensing year 2003-2004.

<u>Liquor License #</u>	<u>Licensee</u>
0219-33-28-005	1616 Palisade Avenue Corp.

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

**CA-8 - Approving Liquor License Person to Person & Place to Place Transfer From Daniel Kim (Inactive) to Adana Group, LLC at 1645 Lemoine Avenue**

WHEREAS, an application has been filed for a person to person and place to place transfer of plenary retail consumption license **0219-33-008-007**, heretofore issued to **Daniel J. Kim**, an individual, (inactive license) in for premises located at a mailing address of 308 Hoym Street, **Fort Lee, New Jersey**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business,

WHEREAS, the applicant has received a tax clearance certificate for person to person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey,

WHEREAS, said application has been approved by the Building Inspector and the Fire Inspector; and

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the person to person and place to place transfer of the aforesaid plenary retail consumption license to **Adana Group, LLC @ 1645 Lemoine Avenue, Fort Lee, New Jersey 07024** effective **August 21, 2003** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership.

**CA-9 - Approving Liquor License Place to Place Transfer of Tai Kai Enterprises, LLC (Inactive) to 1550 Lemoine Avenue**

WHEREAS, an application has been filed by **Tai Kai Enterprises, LLC, (Inactive)** for a place-to-place transfer of plenary retail consumption license number **0219-33-030-003**, at a mailing address of 308 Hoym Street, 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,

WHEREAS, said application has been approved by the Building Inspector and the Fire Inspector,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby approve, effective **August 21, 2003**, the place to place transfer of the aforesaid plenary retail consumption license, to include premises at **1550 Lemoine Avenue, Fort Lee, New Jersey**.

**CA-10 - Confirm and Ratify Requests for Proposals for Redevelopment Area 1**

WHEREAS, the Fort Lee Office of Economic Development has disseminated requests for proposals for Area 1 in need of redevelopment,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Council does hereby confirm and ratify the actions of the Office of Economic Development with respect to soliciting requests for proposals for Area 1 redevelopment.

**CA-11 - Authorizing Agreement With the Fort Lee Board of Education to Share the Funding for the Improvement of the Lewis F. Cole Middle School Field**

WHEREAS, the Borough of Fort Lee Board of Education owns and operates a facility known as the Lewis F. Cole Middle School field; and

WHEREAS, the Board of Education previously committed the expense of \$800,000 to resurface a portion of the Middle School field; and

WHEREAS, the Mayor and Council of the Borough believes that it is in the best interests of the Borough and Borough recreation

programs that the entire field be resurfaced; and

WHEREAS, the Mayor and Council previously adopted ordinance 2003-13, which provides, in part, for the issuance of bonds for capital improvements, including the Middle School property; and

WHEREAS, it is in the best interests of all citizens of Fort Lee that the Borough and the Board of Education enter into an agreement to share the funding for the improvements of the Middle School field,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor be and he is hereby authorized and directed to execute an appropriate agreement by and between the Borough and the Borough's Board of Education with respect to the funding for the improvements to the Lewis F. Cole Middle School field; and

BE IT FURTHER RESOLVED that the Board of Education shall be responsible for \$800,000 of the total cost of the contract for the resurfacing of the field, and the Borough responsible for the difference, provided that the obligation for payment by the Borough of Fort Lee shall not, under the terms of this agreement and subject to further specific authorization, exceed the sum of \$800,000.

**CA-12 - Authorizing Agreement With the Fort Lee Board of Education to Memorialize a Change Order With Verizon Connected for Additional Installation of Fiberoptic Cables in Order to Provide for Expansion of the School District's Educational Technology Programs - \$70,015**

WHEREAS, the Borough of Fort Lee has previously engaged the services of a contractor to install fiberoptic cables throughout the Borough, in order to facilitate the Borough's video surveillance project; and

WHEREAS, the Fort Lee Board of Education requires the use of fiberoptic cables to provide for the expansion of the school district's educational technology programs; and

WHEREAS, the Board of Education has requested the Borough to amend its contract with Verizon Connected, so as to provide for additional work in order to accommodate the Board of Education request; and

WHEREAS, Verizon has provided a written proposal whereby the additional cost of installing fiber optics will be **\$70,015**, pursuant to its July 22, 2002 proposal, (available in the office of the Borough Clerk),

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby authorize a written change order between the Borough and Verizon with respect to the Borough's video surveillance project, in the amount of **\$70,015**, in order to accommodate the Board of Education request for additional installation of fiberoptic cables in order to provide for expansion of the school district's educational technology programs; and

BE IT FURTHER RESOLVED that the Board of Education shall pay the Borough the sum of **\$70,015** for the cost thereof; and

BE IT FURTHER RESOLVED that the additional work requested by the Board of Education shall in no manner affect the Borough's contract with Verizon, the latter having assured the Borough that it still has spare capacity pursuant to the original request for

proposal; and

BE IT FURTHER RESOLVED that a copy of this resolution shall serve as the formal change order request; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute an agreement by and between the Borough and Board of Education to memorialize a change order and the obligation of the Board to reimburse the Borough for the additional cost due and owing to Verizon.

**CA-13 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Various Borough Projects**

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:

- . Westview Pump Station - Electrical Lighting Upgrade
- . Stillwell Avenue Pump Station - Two (2) New Pumps
- . Valley Street Pump Station - Two (2) New Pumps
- . Lower Main Street Pump Station - Replace Converter
- . Windows and Door Replacements for All Pump Stations
- . Tandem Dump Truck
- . Recreation Center Tennis Courts - Resurfacing of Eight Tennis Courts, Two Basketball Courts and Handball Court. New Outdoor Lights for Courts and all New Fencing for Entire Recreation Center
  
- . Street Stripes - Re-lining of Newly Paved Street With Thermo Flex Plaster Lines. Includes Materials and Installation

**CA-14 - Authorizing the Purchase of Two (2) 2003 Ford Explorers XLS SUV's From Princeton's Nassau-Conover FLM, Princeton, New Jersey Via Bergen County Cooperative Bid #11-BECCP for the Police Department - Each Vehicle \$22,998 (Total Cost \$45,998.00)**

WHEREAS, the Police Department has a requested the purchase of two (2) 2003 Ford Explorers, XLS, 4-WD, SUV'S; and

WHEREAS, the vehicles are available through Princeton's Nassau-Conover FLM, via County Cooperative Bid #11-BeCCP; and

WHEREAS, the cost of the vehicles are over the bid threshold amount of \$17,500 and the expenditure must be authorized by resolution of the governing body,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the Police Department to purchase two (2) 2003 Ford Explorers, XLS, 4-WD, SUV' by purchase order from Princeton's Nassau-Conover FLM, 902 Route 206, Princeton, New Jersey, 08540 in the total amount of **\$45,998.00** (**\$22,999.00** for each vehicle); and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this purchase under Capital Ordinance #2003-24.

**CA-15 - Authorizing Title Change for Dennis Guglielmi, From Senior Mechanic to Supervising Mechanic, Grade 17, Step G, for the Department of Public Works - \$71,832 Annually**

WHEREAS, the Mayor and Council have determined that Dennis

Guglielmi is working out of his existing title of Senior Mechanic with the Department of Public Works, due to retirements in the Mechanic Division,

NOW, THEREFORE, BE IT RESOLVED that Dennis Guglielmi be given the new title of Supervising Mechanic, Grade 17, Step G, at an annual salary of \$71,832; and

BE IT FURTHER RESOLVED that Dennis Guglielmi's salary is in accordance with the Blue Collar Bargaining, and that this appointment is provisional pending certification from the New Jersey Department of Personnel and shall be effective August 25, 2003.

**CA-16 - Amending Contract With Calgi Construction Company, Inc., New Rochelle, New York, for Extended Project Management/ Owner's Representative Services for the HVAC Modification Project and the Camera Surveillance Project for the Police Department - \$82,727.15**

WHEREAS, Calgi Construction Co., Inc. has acted as the Borough's representative with respect to the completion of the Police Department facility and the HVAC modifications required thereafter; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee wishes to continue the services of Calgi Construction until such time as all modifications have been completed; and

WHEREAS, Calgi has submitted a proposal dated August 18, 2003,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the contract of Calgi Construction Co., Inc., 221 Union Avenue, New Rochelle, New York 10801 with respect to project management and owner's representative oversight of the police facility and HVAC modification project, including the camera surveillance project, is hereby extended in accordance with its proposal, dated August 18, 2003; and

BE IT FURTHER RESOLVED that the award of this contract is one for professional services and for which no public bidding is required; and

BE IT FURTHER RESOLVED that Calgi shall be paid at the hourly rate of **\$125** for project principal, **\$125** for project engineer, **\$110** for project manager, **\$90** for project superintendent, **\$80** for project estimator and **\$30** for administrative clerical services, in an amount not to exceed the sum of **\$82,727.15** for the remaining period project to end on October 15, 2003 for both projects; and

BE IT FURTHER RESOLVED that the award/extension of the contract is subject to the Chief Financial Officer providing written certification that funds are available for payment of the contract extension; and

BE IT FURTHER RESOLVED, that a copy of this resolution and the original contract, along with the amended proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's Certificate of Availability of funds.

Nina Levinson, 1560 West Street, questioned CA-16, CA-15, CA-13 and CA-11.

Mayor Alter responded to CA-16. Ms. Thomas spoke to CA-15. Mr. Pohan replied to CA-13 and Messrs. Villano, Cervieri and Alter spoke to CA-11.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-16) was **approved unanimously** with **Councilman Cervieri abstaining**.

**RESOLUTIONS**

**R-1 - Amending Capital Budget**

**Councilman Cervieri introduced, and Councilwoman Voss seconded**, the following Resolution:

WHEREAS, the local capital budget for the year 2003 was adopted on the 24th day of July, 2002; and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Fort Lee, County of Bergen, that the following amendment(s) to the adopted capital budget section of the 2003 Budget be made:

**FROM CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Estimated Total Cost	Capital Improvement Fund	Debt Authorized	To Be Funded In Future Years
Total All Projects	7,000,000	100,000	1,900,000	5,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	<u>Funding Amounts Per Year</u>					
		Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008
Total All Projects	7,000,000	2,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	Estimated Total Cost	Capital Improvement Fund	Bonds and Notes General
Total All Projects	7,000,000	350,000	6,650,000

**TO CAPITAL BUDGET (CURRENT YEAR ACTION 2003)**

Project	Project Number	Estimated Total Cost	Capital Improvement Fund	Debt Authorized	To Be Funded In Future Years
Acquisition of Fire Truck	2003-2	640,000	32,000	608,000	
Total All Projects		7,640,000	132,000	2,508,000	5,000,000

**6 YEAR CAPITAL PROGRAM 2003-2008  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

Project	Project #	Estimated Total Cost	Estimated Completion Time	<u>Funding Amounts Per Year</u>						
				Budget Year 2003	Budget Year 2004	Budget Year 2005	Budget Year 2006	Budget Year 2007	Budget Year 2008	
Acquisition of Fire Truck	2003-2	640,000	2003	640,000						
Total All Projects		7,640,000		2,640,000	1,000,000 Each Year for 2003-2008					

**6 YEAR CAPITAL PROGRAM 2003-2008  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

	Estimated Total Cost	Capital Improvement Fund	Bonds and Notes General
2003-2	640,000	32,000	608,000
Total All Projects	7,640,000	382,000	7,258,000

BE IT FURTHER RESOLVED that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

**AYES: Council Members Pohan, Villano, Voss, Cervieri**

**COUNCIL REPORTS**

**Councilman Pohan** - stated that the governing body has authorized the Office of Economic Development to prepare and circulate requests for the area known as area 1 in need of redevelopment, the so called Skeleton Building on North Marginal Road. The requests for proposals has been disseminated to thirty interested developers with a return date in early October. He is looking forward to seeing some very interesting proposals come back from the developers with the goal of seeing the "Skeleton Building" that been sitting there for a decade completed.

He announced that "Bye Bye Birdie" will be shown on August 27<sup>th</sup> and "A Hard Day's Night" will be playing on September 3<sup>rd</sup> in Constitution Park. This will conclude the Summer Music and Film Series for 2003.

**Councilman Villano** - stated that articles are being collected for the next newsletter which will be coming out in the middle of September.

He said that Fort Lee has one of the finest recreation programs in Bergen County, if not the State. He read a letter from Cheryl Westeyn, Recreation Director, that gave an overview of her diligent staffers, and what the campers did during the summer. She thanked her regular staff members Celeste Tomasso and Lucy Hanna, along with the Police Department for running their successful "DARE Program" during summer camp.

He stated that the Borough softball team concluded its first regular season in the condo-coop league with an 11-4 record. They won their first playoff game but were eliminated 18-17 in the semi-final round. He announced the different Borough

departments that were represented on the team. He thanked Judge John DeSheplo for formulating the team, Howard Joh who helped with some of the cost for the team and Gloria Gallo and Alan Sidorsky of the Parking Authority, for doing the little things that bring a team together.

**Mayor Alter** - stated that last night Tiffany Gomillion, a kindergarten teacher at School #1 was killed in an automobile accident. From what her colleagues told the Mayor, she was an enthusiastic teacher. He offered a moment of silence in her memory.

**Councilwoman Voss** - stated that the Centennial Committee has been working hard during the summer. They are preparing a series of programs that will be running month to month throughout next year.

She was pleased that the Council initiated the bonding for the purchase of a new fire truck tonight. Most of the trucks last for twenty years.

She read the Fire Department report for August 2003. (Available in the Office of the Borough Clerk).

She stated that members of the Board of Education and Joan Constantino, Principal of School #1, had wonderful things to say about Tiffany Gomillion. It is going to be a very bad loss to the school system. She sent her condolences to her family.

She mentioned the passing of Jack Knapp, who had been involved in the Borough for many years. He sang at many Borough events. His wife, Peggy, recently wrote a letter that let Ms. Voss know of his death after a courageous fight. He continued to entertain while undergoing chemotherapy treatments. A memorial service will be held in his honor on Sunday, September 7<sup>th</sup> at 12:30 p.m. at the Patti & Mikatarian Funeral Home. She offered her condolences to the family.

**Councilman Cervieri** - stated that earlier today during the executive session, the proposal for a centennial clock for the middle of town was discussed. It was agreed that the Greater Fort Lee Chamber of Commerce proposal was going to be sent back to the Centennial Committee for their recommendation as to where the clock should go.

He wished both Councilwoman Kasofsky and Councilwoman Voss a happy birthday.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Annie Capan 1428 & 1432 11th St.	.Continuous Flooding on 11th Street Since 1999	Mayor Alter Ms. Thomas Mr. Cervieri
Peter Lee Chin 1290 15 <sup>th</sup> St.	.Maintenance of Police Facility	Ms. Thomas
	.Perkorama Water/Coffee Cost	Mayor Alter Ms. Thomas

Joseph Licata  
Emergency Management

- .Thanked Volunteers for Help During Blackout
- .Lifeline Electric Program

Anna Lypinski  
400 Park Place

- .Thanked Dedicated Workers During Blackout Crisis
- .Emergency Generators for New Construction  
Mayor Alter  
Mr. Muhlstock  
Ms. Voss  
Mr. Villano
- .Film Commission Programs/ Possible Grants  
Mr. Pohan
- .Pending Plans for September 11<sup>th</sup> Ceremony  
Mayor Alter

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

---

Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, July 24, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney  
Joseph Iannaconi, CFO  
Steve Wielkocz, Borough Auditor

**MAYOR'S STATEMENT**

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

1. On January 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that many governments adjourn for the summer. Fort Lee is an exception, as it has one marathon session in July and August. There is full attendance tonight which is not easy with the summer schedules. There are a lot of items tonight on which the governing body wanted to have input and a chance to vote. He noted that the budget is presumably going to be adopted tonight. The Borough officials are not unmindful that people are having trouble with their bills. This budget has a municipal increase of approximately 1.5%. It's a good number considering collective bargaining agreements are in place that give approximately 3.5% annual increases to the Borough employees. Medical costs have gone up more than 20%. The tax could have been reduced further, but the government did not feel that would be prudent. A margin was left in the town accounts, because all of the surplus was not used. He congratulated Messrs. Iannaconi, Wielkocz and Ms. Thomas who worked very hard on the budget. He indicated that it was an excellent budget.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilwoman Voss, and carried unanimously, the minutes of the June 19, 2003 Executive Session were approved.**

**On motion by Councilman Villano, seconded by Councilwoman Voss, and carried unanimously, the minutes of the July 9, 2003 Special Meeting were approved.**

INTRODUCTION OF ORDINANCES

Ordinance #2003-25 - Amending Chapter 388, Section 69,  
Handicapped Parking Space by 150 Cedar Street

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-25 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **August 21, 2003**.

Ordinance #2003-26 - Amending Salary Ordinance #2003-6 -  
Salaries for Certain Non-Union Employees (Municipal Prosecutor)

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-26 entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2003-6, ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES AND CERTAIN NON-UNION EMPLOYEES," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **August 21 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti,  
Voss, Cervieri**

Ordinance #2003-27 - An Ordinance Establishing Chapter 370,  
Article 1, "Taxation" - Hotel and Motel Room Occupancy Tax as  
Authorized by P.L., 2003, C. 114

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-27 entitled, "AN ORDINANCE TO ESTABLISH CHAPTER 370, ARTICLE I, 'TAXATION' OF THE CODE OF THE BOROUGH OF FORT LEE ENTITLED 'HOTEL AND MOTEL ROOM OCCUPANCY TAX', AS AUTHORIZED BY P.L. 2003, C. 114," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **August 21, 2003**.

Ordinance #2003-28 - An Ordinance Repealing Chapter 145,  
Apartment Houses and Building Developments

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-28 entitled, "AN ORDINANCE REPEALING CHAPTER 145, APARTMENT HOUSES AND BUILDING DEVELOPMENTS," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **August 21, 2003**.

PUBLIC HEARINGS

Ordinance #2003-20 - Amending Chapter 388, Section 69,  
Handicapped Parking Space By 3040 Edwin Avenue

On motion by Councilman Cervieri, seconded by Councilwoman

**Voss and carried**, the public hearing was opened relative to **Ord. #2003-20** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Ordinance was **adopted unanimously.**

**Ordinance #2003-21 - Amending Chapter 388, Section 43, to Include "No Parking" Next to 570 North Avenue Driveway**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried**, the public hearing was opened relative to **Ord. #2003-21** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Ordinance was **adopted unanimously.**

**Ordinance #2003-22 - Amending Chapter 52, Section 2, "Film Commission" to Include the Director of the Office of Cultural & Heritage Affairs as a Member**

**On motion by Councilman Cervieri, second by Councilwoman Voss and carried**, the following minor amendment was offered to Ordinance #2003-22:

1. Page 1, Section I - The words **"of the Library"** should be placed immediately after the phrase **"Director of the Office of Cultural & Heritage Affairs"**

There being no further discussion, the minor amendment was **approved unanimously.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried**, the public hearing was opened relative to **Ord. #2003-22** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52, SECTION 2, 'FILM COMMISSION' MEMBERS; COMPENSATION OF THE BOROUGH OF FORT LEE CODE."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Ordinance as **amended** was **adopted unanimously.**

**Ordinance #2003-23 - Amending Chapter 64, Section 2, "Historic Site, Structure, Cultural and Landmark Committee" to Include the Director of the Office of Cultural & Heritage Affairs as a Member**

**On motion by Councilman Cervieri, second by Councilwoman Voss and carried**, the following minor amendment was offered to Ordinance #2003-23:

1. Page 1, Section I - The words **"of the Library"** should be placed immediately after the phrase **"Director of the Office of Cultural & Heritage Affairs"**

There being no further discussion, the minor amendment was **approved unanimously.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-23** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 64, SECTION 2, "HISTORIC SITE, STRUCTURE, CULTURAL AND LANDMARK COMMITTEE" MEMBERS OF THE BOROUGH OF FORT LEE CODE."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted as amended unanimously.**

**Ordinance #2003-24 - Bond Ordinance for Capital Improvements - \$1,978,000**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-24** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$1,978,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,879,100 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME."

Nina Levinson, 1560 West Street, asked how much interest will be paid on the bonds.

Ms. Thomas stated that the rate is not known at this time.

Mr. Iannaconi added that when borrowing money for another town that he works for, the rate was less than 1%.

Mayor Alter stated that if the Borough has to go to permanent financing the rate would be around 4.5%. The Borough is staying with short-term financing where the rates are at historic lows.

Ms. Levinson asked about the security cameras for the building department that are included in the ordinance.

Mayor Alter stated that there are places in Borough Hall where security cameras are justified.

Ms. Levinson asked about emergency sewer repairs.

Ms. Thomas stated that the Borough has a general fund for emergencies.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Voss, Sargenti, Cervieri**

**2003 MUNICIPAL BUDGET RESOLUTIONS**

**R-A - Budget Amendment**

**Councilman Cervieri introduced, and Councilwoman Voss**

**seconded**, the following Resolution:

WHEREAS, the local municipal budget for the year 2003 was introduced on the 27<sup>th</sup> day of February, 2003; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Fort Lee, County of Bergen that the following amendment to the approved budget of 2003 be made:

ANTICIPATED REVENUES	<u>From</u>	<u>To</u>
1. Surplus Anticipated	\$2,300,000.00	\$2,900,000.00
TOTAL SURPLUS ANTICIPATED	\$2,300,000.00	\$2,900,000.00
Miscellaneous Revenues - Section F: Special Items of General Revenue With Consent - State and Federal Revenue		
Public Health Priority Funding	\$0.00	\$13,354.00
Municipal Alliance	\$0.00	\$17,500.00
Body Armor	\$0.00	\$9,198.00
Bergen County Title III 2002	\$0.00	\$6,005.53
Bergen County Title III 2003	\$0.00	\$69,228.00
Clean Communities	\$0.00	\$31,951.83
Pedestrian Safety Grant	\$0.00	\$16,000.00
Historic Commission Grant	\$0.00	\$300.00
USDA	\$0.00	\$11,758.00
Hepatitis B	\$0.00	\$5,000.00
NJ Smoking Grant	\$0.00	\$2,220.00
NJ Playground Grant	\$0.00	\$5,000.00
Total Section F: Special Items of General Revenue With Consent - State and Federal Revenue	\$0.00	\$187,515.36
Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items:		
Reserve for Debt:	\$0.00	\$310,000.00
Total Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items	\$256,500	\$566,500.00
TOTAL MISCELLANEOUS REVENUES (ITEMS 1,2,3 and 4)	\$5,807,389.49	\$ 6,304,904.85
5. SUBTOTAL GENERAL REVENUES (Items 1,2,3 and 4)	\$9,107,389.49	\$10,204,904.85
6. Amount to be Raised by Taxes for Support of Municipal Budget	\$38,378,235.51	\$37,355,735.51
TOTAL AMOUNT TO BE RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET	\$38,378,235.51	\$37,355,735.51
7. TOTAL GENERAL REVENUES (Items 5 and 6)	\$47,485,625.02	\$47,560,640.36
8. (A) Operations Within "CAPS"		
Insurance:		
Group Insurance	\$3,750,000.00	\$3,670,000.00
Unclassified:		
Salaries and Wages Adjustment	\$500,000.00	\$460,000.00
TOTAL OPERATIONS (Item 8(A) Within "CAPS"	\$32,961,509.00	\$32,841,509.00
TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS"	\$32,961,509.00	\$32,841,509.00

Detail:		
Salaries and Wages	\$20,205,549.00	\$20,165,549.00
Other Expenses (Including Contingent)	\$12,755,960.00	\$12,675,960.00
(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS"	\$34,006,643.00	\$33,886,643.00
8. (A) Operation - Excluded from "CAPS" Public and Private Program:		
Municipal Alliance-State Share	\$ 0.00	\$ 17,500.00
Body Armor		
Other Expenses	\$ 0.00	\$ 9,198.00
Bergen County Title III		
Salaries and Wages	\$ 0.00	\$ 75,233.53
Public Health Priority Funding		
Other Expenses	\$ 0.00	\$ 13,354.00
Clean Communities	\$ 0.00	\$ 31,951.83
Pedestrian Safety Grant	\$ 0.00	\$ 16,000.00
Historical Commission Grant	\$ 0.00	\$ 300.00
USDA Grant	\$ 0.00	\$ 11,758.00
Hepatitis B Grant	\$ 0.00	\$ 5,000.00
NJ Smoking Grant	\$ 0.00	\$ 2,220.00
NJ Playground Grant	\$ 0.00	\$ 5,000.00
TOTAL PUBLIC AND PRIVATE	\$ 4,375.00	\$ 191,890.36
TOTAL OPERATIONS-EXCLUDED FROM "CAPS"	\$ 5,069,375.00	\$ 5,256,890.36
Detail:		
Salaries and Wages	\$ 709,000.00	\$ 784,233.53
Other Expenses	\$ 4,360,375.00	\$ 4,472,656.83
(D) Municipal Debt Service - Excluded from "CAPS"		
Interest on Notes	\$ 2,000.00	\$ 9,500.00
TOTAL MUNICIPAL DEBT SERVICE EXCLUDED FROM "CAPS"	\$ 6,205,607.00	\$ 6,213,107.00
(H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES EXCLUDED FROM "CAPS"	\$11,628,982.00	\$11,823,997.36
(O) TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS"	\$11,628,982.00	\$11,823,997.36
(L) SUBTOTAL GENERAL APPROPRIATIONS (Items H-1) and (O))	\$45,635,625.00	\$45,710,640.36
9. TOTAL GENERAL APPROPRIATIONS	\$47,485,625.00	\$47,560,640.36

BE IT RESOLVED that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2003 Local Municipal Budget.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 24th day of July, 2003.

The Resolution to amend the budget was **approved** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**R-1A - Adoption of Municipal Budget**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee of the County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$47,560,640.36 for municipal purposes, and

(a) \$37,355,735.51 (Item 2 below) for municipal purposes, and

(b) \$0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation, and

{C} \_\_\_\_\_ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of Taxation of the following summary of general revenues and appropriations.

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	\$2,900,000.00
Miscellaneous Revenues Anticipated	40004-10	6,304,904.85
Receipts from Delinquent Taxes	15-499	1,000,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		
	07-190	37,355,735.51
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY		
Item 6, Sheet 42	07-195	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		37,355,735.51
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-195	
Total Revenues	40000-10	\$47,560,640.36

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	
Within "CAPS"	
(a&b) Operations Including Contingent	\$32,841,509.00
(e) Deferred Charges and Statutory Expenditures - Municipal	1,045,134.00
Excluded from "CAPS"	
(a) Operations - Total Operations Excluded from "CAPS"	5,256,890.36
{c} Capital Improvements	250,000.00
(d) Municipal Debt Service	6,213,107.00
(e) Deferred Charges - Municipal	104,000.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if any)	1,850,000.00
Total General Appropriations	\$47,560,640.36

The Resolution to **adopt** the 2003 municipal budget was **approved** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

It is hereby certified that the within budget is a true copy of the budget finally **adopted by resolution of the Governing Body on the 24<sup>th</sup> Day of July 2003.** It is further certified that each

item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2003 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

**Certified by me on this 24<sup>th</sup> day of July, 2003  
Neil Grant, Borough Clerk**

Mr. Cervieri congratulated Mr. Pohan, Finance Chairman, for also doing a very good job with the budget.

Messrs. Iannaconi and Wielkocz left during this point of the agenda.

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-20.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$3,638,112.72
Capital	454,457.53
Trust (Accutrack)	n/a
Trust (Old)	66,392.58
Police Activity Account	9,444.14
Senior Citizen Advisory Council	63.00
Senior Citizen Computer Account	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	7,890.87
Multiple Dwelling	1,000.00
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	n/a
Redemption Account	31,732.19

**CA-2 - Accepting 2002 Auditor's Report**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2002 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have

reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**CA-3 - Approving Firefighter Membership Application for Blake Scott for Fire Company #3**

The firefighter membership application for Blake Scott for Fire Company #3 was approved.

**CA-4 - Authorizing Hiring of Four (4) Summer Seasonal Employees for Clean Communities and Finance Department - \$6.50 to \$9.50 Hourly**

WHEREAS, summer seasonal positions exist within the Finance and the Clean Communities Department, and the Mayor and Council have determined that these positions should be filled,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for summer help, at the hourly rate of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>	<u>Start</u>
Christina Blue	Finance	\$9.50	June 23 <sup>rd</sup> *
Kathleen Matt	Finance	\$8.50	July 7 <sup>th</sup> *
Wendy Weissman	Finance	\$9.00	July 7 <sup>th</sup> *
Christopher Casillo	Clean Comm.	\$6.50	June 23 <sup>rd</sup> *

**\* Retroactive**

**CA-5 - Authorizing Hiring of Brian Martone as an Emergency Medical Technician for the Ambulance Corps - \$13.15 Hourly**

WHEREAS, there is an Emergency Medical Technician vacancy in the Fort Lee Ambulance Corps and the Mayor and Council have determined that this vacancy must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Brian Martone, be hired to the part-time position of Emergency Medical Technician with the Fort Lee Ambulance Corps, with an effective date of July 21, 2003; and

BE IT FURTHER RESOLVED that this appointment be provisional pending certification from the New Jersey Department of Personnel. This position shall be at the wage of **\$13.15 per hour**, not to exceed 19 ½ hours per week.

**CA-6 - Accepting Resignation Notice From Richard Vanetta, Plumbing Sub-Code Official in the Building Department - Retroactive to June 27th**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the resignation notice submitted by Richard M. Vanetta, Plumbing Sub-Code Official, of the Building Department, dated June 16, 2003, is hereby accepted, with an effective date of resignation from the Borough of Fort Lee of June 27, 2003.

**CA-7 - Authorizing Hiring of Peter Hammer as a Part Time Plumbing Sub-Code Official in the Building Department - \$18,000**

WHEREAS, a vacancy has occurred in the position of Plumbing Sub-Code Official with the Building Inspector's Office, and the Mayor and Council have determined that the vacancy must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Peter Hammer be appointed to the position of part-time Plumbing Sub-Code Official in the Building Inspector's Office, with an effective date of July 28, 2003; and

BE IT FURTHER RESOLVED that the terms of said position shall be as follows:

- Hours - 15 hours per week
- Official is on call 24 hours, 7 days a week
- No employee benefits

BE IT FURTHER RESOLVED that this appointment be provisional pending certification from the New Jersey Department of Personnel and shall be at an annual salary of \$18,000.

**CA-8 - Authorizing Payment of Marriage Fees to the State of New Jersey for Period Covering April 1st - June 30, 2003 - \$1,025**

BE IT RESOLVED, that the Tax Collector-Treasurer be authorized to draw a check from the Current Account, Fleet Bank payable to the Treasurer, State of New Jersey, in the amount of **\$1,025.00** to cover fees collected for marriage licenses for the period covering April 1, 2003 through June 30, 2003 fees are to be forwarded on a quarterly basis to the Department of Human Services.

M0-9000-22

**CA-9 - Endorsing Bergen County Open Space Recreation, Farmland and Historic Preservation Trust Fund Application (Round 5) for Barrier Free Improvements to the Proposed Anderson Point Project at 1355 Inwood Terrace - \$75,000 (50-50 Cash Match)**

WHEREAS, a Bergen County Open Space Recreation, Farmland and Historic Preservation Trust Fund application (Round 5) in the amount of **\$75,000** has been proposed by the Mayor and Council towards the building of an open space park (**Anderson Point Park**) located at 1355 Inwood Terrace, in the municipality of Fort Lee; and

WHEREAS, pursuant to the State Interlocal Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Fort Lee,

WHEREAS, the Governing Body is aware that it must provide a dollar for dollar match for the Open Space Trust Award,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Fort Lee hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

**CA-10 - Approving Developer's Agreement for Armando Talocco, t/a Armando's Restaurant at 144 Main Street, Block 4301, Lots 1 and 2**

WHEREAS, the Zoning Board of Adjustment of the Borough of Fort Lee adopted a resolution approving a development by Armando Talocco, t/a Armando's Restaurant for property located at Block 4301, Lots 1 and 2 commonly known as 144 Main Street, Fort Lee, New Jersey; and,

WHEREAS, the Resolution was conditioned upon Armando Talocco t/a Armando's Restaurant entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreements has been executed by Armando Talocco, t/a Armando's Restaurant and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the borough attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with Armando Talocco t/a Armando's Restaurant.

**CA-11 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Streetscape Construction on Palisade Avenue and Leaf Removal Services**

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:

- . Leaf Removal Services
- . Streetscape Construction on Palisade Avenue

**CA-12 - Awarding Bid to Ray's Sport Shop, Inc., North Plainfield, New Jersey, for Police Department Non-Concealed Body Armor - \$30,068.92**

WHEREAS, the Borough of Fort Lee publicly advertised for bids with respect to the delivery of fourteen (14) Police Body Armor (unconcealed type) on June 20, 2003; and

WHEREAS, eight (8) bid packages were issued and one (1) bid was received as follows:

<u>Bidder</u>	<u>Amount</u>
Ray's Sport Shop, Inc. 559 Hi-Way 22 North Plainfield, New Jersey 07060	\$30,068.92

WHEREAS, Ray's Sport Shop was the lowest qualified bidder; and

WHEREAS, the Borough desires to award a contract to the low bidder,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Ray's Sport Shop, Inc. be and is hereby awarded the contract to deliver fourteen (14) Police Body Armor (unconcealed type) at the total cost of **\$30,068.92**; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate agreement between the Borough and the low bidder, and the Mayor, be and he is hereby authorized and directed to execute the same on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient funds for the cost thereof; and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is hereby authorized and directed to maintain a copy of this resolution and the contract in his office for public inspection according to law.

**CA-13 - Amending Contract for Costa Engineering Corporation, Hackensack, New Jersey, for Final Inspection Work and Sign-off Process of Phase II Streetscape Project - \$5,000**

WHEREAS, the Borough retained the services of Costa

Engineering Corporation, 325 South River Street, Suite 302, Hackensack, New Jersey 07601, by resolution dated June 27, 2002, at a cost of \$60,000 in order to provide professional engineering services for the Borough's Pedestrian Improvement Phase II; and

WHEREAS, an amending resolution authorizing an additional \$20,000 was approved on January 9, 2003; and

WHEREAS, Costa is requesting an additional amendment to their contract in a proposal dated June 12, 2003 in the amount of \$5,000 which should cover the costs for the remainder of the inspection work and sign-off process, which would enable Costa to closeout this project,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Costa Engineering Corporation contract be amended by **\$5,000** to cover the remaining costs for the Borough's Phase II Streetscape Project; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funding for this project under bond ordinance #2002-35; and

BE IT FURTHER RESOLVED, that a copy of the amending resolution and original executed contract, shall be kept on file in the Borough Clerk's office.

**CA-14 - Amending Contract for Costa Engineering Corporation, Hackensack, New Jersey for Engineering Services for Design Phase IIA, Streetscape Downtown Pedestrian Improvement Project - \$20,000**

WHEREAS, the Borough of Fort Lee approved a resolution dated January 9, 2003 with Costa Engineering Corp, 325 South River Street, Hackensack, New Jersey, to perform engineering services including design services for the Phase IIA Pedestrian Improvement Project at a cost of \$30,000; and

WHEREAS, Costa has submitted a request for an additional \$20,000 for the design phase of the project in its proposal dated June 12, 2003,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Costa Engineering Corporation contract be amended by **\$20,000** to cover the remaining engineering services related to the design phase of this project; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funding for this project under bond ordinance 2002-35; and

BE IT FURTHER RESOLVED, that a copy of the amending resolution and original executed contract, shall be kept on file in the Borough Clerk's office.

**CA-15 - Endorsing 2004 Pedestrian Grant Reimbursement for the Police Department From The New Jersey Division of Highway Traffic Safety - \$18,000**

WHEREAS, the Borough's application for funding of a Pedestrian Safety Enforcement & Education grant for the Borough of Fort Lee has been approved by the State of New Jersey in the amount of **\$18,000**; and

WHEREAS, it's necessary for the Mayor and Council to approve and endorse the grant reimbursement,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby approve and endorse grant PS 02-16-02-09, funding for the Pedestrian Safety Enforcement & Education grant in Fort Lee; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute any approval agreements in connection herewith.

**CA-16 - Authorizing Liquor License Renewal for 2003-2004 for Hyeseung Enterprises, L.L.C. (Inactive License)**

WHEREAS, on July 22, 2003 a Special Ruling was granted from the State of New Jersey, Division of Alcoholic Beverage Control, to permit consideration of liquor license renewal for one (1) plenary retail distribution license; and

WHEREAS, the renewal application was filed in the Borough Clerk's Office in a timely manner on June 11, 2003,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following inactive license shall be renewed for the licensing year 2003-2004.

<u>Liquor License #</u>	<u>Licensee</u>
0219-44-060-012	Hyeseung Enterprises, L.L.C

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

**CA-17 - Authorizing Acceptance of \$100,000 Community Development Block Grant for Barrier-Free Improvements to Main Street and Vicinity**

BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using **\$100,000** in 2003 Community Development Block Grant Funds for Barrier-Free Improvements to Main Street and Vicinity in the Borough of Fort Lee; and

BE IT FURTHER RESOLVED, that the governing body hereby authorizes Mayor Jack Alter to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Joseph Iannaconi, Chief Financial Officer, to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Fort Lee is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**CA-18 - Amending Contract of Schoor DePalma, Manalapan, New Jersey, as Traffic Consultants, for Preliminary Engineering Documentation for Roadway Improvements to the Borough - \$27,692.81**

WHEREAS the Borough of Fort Lee previously entered into an agreement with Schoor DePalma, PE on January 24, 2002 for preparation of a municipality-wide traffic analysis at a cost of

\$112,000; and

WHEREAS, there was an amendment to the contract on May 22, 2003 for \$50,000 for additional services with respect to specific developments in the Borough including, but not limited to, the "Helmsley" site; and

WHEREAS Schoor DePalma has undertaken preliminary engineering documentation necessary for further road improvements in the Borough of Fort Lee,

WHEREAS the Borough wishes to further compensate Schoor DePalma for its continuing services; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the agreement between the Borough and Schoor DePalma, PE, for municipality-wide traffic analysis, be and is hereby amended so that Schoor DePalma shall be paid an additional **\$27,692.51**; and

BE IT FURTHER RESOLVED that the award hereof is subject to and conditioned upon the availability of funding as to be certified by the Chief Financial Officer of the Borough; and

BE IT FURTHER RESOLVED that this resolution shall serve as the amendment to the existing contract, and same shall be annexed to the contract and maintained by the Borough Clerk for public inspection, according to law.

**CA-19 - Awarding Bid to Petrocelli Electric of New Jersey, Rahway, New Jersey, for the Signalization of Palisade Avenue and Angioletti Place - \$79,994.10**

WHEREAS, the Borough of Fort Lee has received bids with respect to proposed construction of traffic signalization to be installed at the intersection of Palisades Avenue and Angioletti Place; and

WHEREAS, the Borough wishes to retain the services of Petrocelli Electric of New Jersey, the lowest qualified bidder, in order to perform the aforesaid work, as more specifically outlined in its proposal dated on or about July 15, 2003; and

WHEREAS, Petrocelli Electric will do the work as set forth in its proposal in the total amount of **\$79,994.10**;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, a contract retaining Petrocelli Electric of New Jersey, located at 2100 Felver Court, Rahway, New Jersey, to perform such services as required in connection with this project, and as more specifically described in its aforesaid proposal; and

BE IT FURTHER RESOLVED that Petrocelli Electric of New Jersey shall be paid a total fee of **\$79,994.10**, to be paid in accordance with the specifications; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that the funds are available for payment of this contract; and

BE IT FURTHER RESOLVED, that a copy of this resolution and the contract, along with any proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's Certificate of Availability of funds.

**CA-20 - Authorizing Transfer of Borough Borris Efraimov as a Part Time Employee for the Senior Citizens' Department to a Full Time Building Maintenance Worker, Grade 6, Step A, \$26,084 - (Blue Collar Union Bargaining Contract)**

WHEREAS, there is a full time position available in the Building and Grounds Department, and the Mayor and Council of the Borough of Fort Lee have determined that said position should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Borris Efraimov be transferred as a part time employee with the Senior Citizens Department to a full time employee with the Building and Grounds Department as a Building Maintenance Worker - Grade 6, Step A, at an annual salary of **\$26,084** which is in accordance with the Blue Collar Bargaining Agreement with an effective date of July 28, 2003.

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-20) was **approved unanimously**.

**RESOLUTIONS**

**R-1 - Authorizing Execution of Treatment Works Approval (TWA) Application for the State of New Jersey, Department of Environmental Protection, for the Whitehall Towers Project, Block 4804, Lots 1 Thru 11**

**Councilwoman Voss introduced, and Councilman Villano seconded**, the following Resolution:

WHEREAS it is necessary to secure a permit from the State of New Jersey, Department of Environmental Protection, for a Treatment Works Approval permit for a sewer extension for the Whitehall Tower Project, Block 4804, Lots 1 thru 11; and

WHEREAS, the Whitehall Tower Project, in Fort Lee involves the construction of a thirteen (13) story residential apartment building; and

WHEREAS, the proposed Treatment Works consists of constructing 84 LF of 8" DIP and two sanitary manholes that will connect to an existing 8" CIP which will serve the proposed development; and

WHEREAS, the project has been reviewed by the Planning Board, and Schoor DePalma, Borough Engineer for this project,

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Fort Lee authorizes the Mayor or Borough Administrator to execute a Treatment Works Approval application, to the New Jersey Department of Environmental Protection on behalf of Costa Engineering Corporation, engineer for applicant for the Whitehall Tower Project, 325 South River Street, Hackensack, New Jersey 07601.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-2 - Awarding Contract to the Bergen County Economic Development Corporation, (BCEDC) Hackensack, New Jersey for Construction Supervision Services for the New Community Center and Park Project at Anderson Avenue - \$125,000**

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

WHEREAS, the Borough of Fort Lee will, shortly, be undertaking construction of the new recreation center and community park project at Anderson Avenue; and

WHEREAS, it is the wish of the Mayor and Council to retain on site construction management services for this project; and

WHEREAS, the services to be performed will be in the nature of professional services, and will entail oversight of architectural compliance; engineering compliance; and construction accounting; and

WHEREAS, notwithstanding the foregoing, competitive quotations for said services were obtained and Bergen County Economic Development Corporation has submitted the lowest price; and

WHEREAS, monies have been appropriated within bond ordinances for the cost of the oversight services to be performed,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby retain the services of Bergen County Economic Development Corporation, as Project Manger, to perform oversight services for the Borough in connection with construction of the community center and park on Anderson Avenue, said services more particularly described on the Scope of Services annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute a Contract for these services, in a form to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED that Bergen County Economic Development Corporation shall be paid a fee of \$125,000, payable in monthly installments over the 18 months initiating upon the month within which demolition of the existing structure takes place; and

BE IT FURTHER RESOLVED that this agreement is contingent upon written certification from the Chief Financial Officer that funds necessary for payment of the services contemplated herein are available by virtue of Bond Ordinance 2003-13; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained in the Office of the Borough Clerk, for public inspection.

Mr. Pohan stated that under the Borough's contract with the architect, he is required to attend weekly job meetings. However, one job meeting a week is really insufficient protection for the Borough for the construction of a \$8,500,000 park project. This project deserves daily on-site oversight on behalf of the owner. This is being done tonight after soliciting a number of qualified proposals from firms. This was far and away the lowest proposal the Borough received. The Chairman of BCEDE, Joseph Sanzari, is a very experienced construction man. He has promised the Borough to give this project his personal attention with on-site supervision from someone he will hire for the job. He believes that this is money well spent.

Mr. Villano stated that he has nothing against Mr. Sanzari or the BCEDC. The proposals were very close, but he would have given his vote to the current architect and just expanded his services within his contract. He will be voting negatively on this issue.

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

**AYES: Council Members Pohan, Kasofsky, Sargenti, Voss, Cervieri**

**NAY: Councilman Villano**

**R-3 - Awarding Contract to DMR Architectural Consultants, Maywood, New Jersey, to Provide a Feasibility Study for the Proposed Expansion or the Possible Relocation of the Ambulance Corp Building - \$34,200 (Cost to be Split 50-50 Between the Borough and Ambulance Corp)**

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

WHEREAS, the Fort Lee Ambulance Corps has asked the Borough of Fort Lee to participate in an architecture-based feasibility study concerning potential expansion of the Fort Lee Ambulance Corps building and/or relocation of same; and

WHEREAS, the Borough has agreed to equally share the cost of such architecture-based feasibility study; and

WHEREAS, the Ambulance Corps has solicited a proposal from DMR, licensed architects, in the total amount of **\$34,200**, as is set forth in DMR's July 16, 2003 proposal; and

WHEREAS, the Mayor and Council has reviewed the proposal and deems the feasibility study to be in the best interests of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, a contract retaining DMR Architectural Consultants, 99 Essex Street, Maywood, New Jersey, 07607, to render a feasibility study regarding potential renovation and/or expansion of the existing Ambulance Corps building and/or relocation of the same, for the total amount of **\$34,200**, of which the Borough will contribute \$17,100 and the Ambulance Corps a like sum of \$17,100; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for payment of this contract; and

BE IT FURTHER RESOLVED, that a copy of this resolution and the contract, along with any proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's Certificate of Availability of funds.

Mr. Cervieri stated that at this afternoon's work session, he asked where DMR had come from and if there is any feedback from municipalities who had used DMR's services.

Ms. Thomas replied that two calls were made but no responses had been received yet.

Mayor Alter stated that DMR was the Ambulance Corps' recommendation to do the study.

Mr. Cervieri stated that sometimes consultants will give a slanted view based on a predetermined recommendation.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**NAY: Councilman Cervieri**

#### **COUNCIL REPORTS**

**Councilman Pohan** - spoke to the upcoming movies scheduled at Constitution Park.

He stated that on August 19<sup>th</sup>, Richard Koszarski, Fort Lee Film Commission member, will be giving a program at Borders Books which will highlight the recently issued video "Before Hollywood There was Fort Lee". This is a first in a series of events that are leading up to next year's centennial.

**Councilwoman Kasofsky** - announced from the Parking Authority that the next stage in the streetscaping project will be under way soon. It will include the area west on Main Street up to Anderson Avenue and Linwood Avenue.

She stated that Emergency Management is looking for Community Emergency Response Team (CERT) Volunteers. For further information contact Joseph Licata, Deputy Emergency Management Coordinator at 201-592-3599.

She stated that the Fort Lee Library is asking that residents return the survey that was in the last edition of the Borough newsletter. It helps the library in assessing the needs of the public in making the library a better place for all of the residents.

**Councilman Villano** - stated that the DPW has paved over eighteen streets this summer so far. If there is a street that needs paving, he told the public to call it in and there may be time to pave it before the weather changes.

He added that the residents in the east section of the Palisades have not had paving done, because a major sewer separation project is to commence this fall.

He mentioned that the Police Department recently ran a civilian police academy for adults and a separate junior academy for children. There were approximately thirty children who attended. There were many different police factions, judicial organizations and civic groups who contributed to the program. He thanked them all for contributing their time to make the academy a great success.

**Councilman Sargenti** - stated that the Recreation Department's summer program has been running smoothly.

He mentioned that the work for the new field being installed at Van Fleet Park is running one week ahead of schedule. The field will be used for youth soccer and girl's softball.

He wished Ms. Voss good luck on her new venture as an assembly candidate.

**Councilman Villano** - added that the Recreation Department's summer camp program has over 750 children this year. There are over ninety staff members. Besides the summer program, there is also an aftercare program after camp ends at 2:00 pm. He commended Cheryl Westeyn, Recreation Superintendent, for running a fine program.

**Councilwoman Voss** - stated that the Fire Department has responded to 817 calls so far this year. On May 17<sup>th</sup>, eight auxiliary firefighters successfully completed their Firefighter One training and evaluation at the Bergen County Fire Academy. This brings them one step closer to full membership in the department and enables them to participate in more fire scene operations. During the month of May, the Fire Department hosted Fire Responder Medical Training classes. This training provides members with the capabilities to render initial medical treatment prior to the arrival of EMT's. Thirteen members of the department attended the class. The Fire Department hosted a Weapons of Mass Destruction Awareness and Operations class. Twenty-three members of the department attended the seminars taught by the Bergen County Fire Academy staff. Members of the Ambulance Corps and Police Department also attended the seminars.

She stated that she is titular head of the Borough's centennial committee. Lots of activities are being planned for next year's Centennial. Tom Meyers, Director of the Office of Cultural & Heritage Affairs for the Library, is doing a tremendous amount of work on the Centennial. One of the activities planned is a Centennial Ball to be held at the Hilton Hotel on Saturday, March 27, 2004. Many organizations are being contacted requesting their involvement and participation. Besides the Borough's 100<sup>th</sup> anniversary, it will also be the 75<sup>th</sup> anniversary of the high school. Many activities are going to be coordinated between the Borough and the high school.

**Councilman Cervieri** - read a letter from the Greater Fort Lee Chamber of Commerce that was sent to Ms. Thomas that indicates the Chamber would like to donate a town clock to the Borough for its centennial. They would like to be able to speak to Borough officials as to where the town clock may be located. Mr. Cervieri asked that this item be placed on the August 21<sup>st</sup> executive session agenda for discussion.

He read a letter from the Borough of Leonia Administrator thanking and praising Ms. Thomas, Mr. Iannaconi and the Borough's support staff, in helping out the Borough of Leonia's Chief Financial Office during the past few weeks. They are requesting the Borough's continued assistance in the finance area for the immediate future.

He commended the Bergen County Democratic Organization for their wise decision in placing Joan Voss, as an assembly candidate, in the 38<sup>th</sup> district, on this year's ballot. He believes it is a great thing for the Borough and the entire district as a whole. He could not think of a better person to represent the people of the State than his colleague.

He stated that he has attended the past two music and movies series in Constitution Park and at the Recreation Department. He found both events to be very enjoyable and he was glad to see the Borough residents enjoying themselves. It is a nice way to meet the neighbors and to see some fun films.

**Mayor Alter** - stated that for many years he has wished Ms. Voss the best. He believes that she will do very well.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Sandy Fox 5 Horizon Road	.Il Limoncello Update and Ordinance Controls	Mr. Muhlstock
Allen Claire 3 Horizon Road	.Appearance of Main Street/ Signage	Mayor Alter
	.Construction Permits	Mayor Alter Mr. Cervieri
	.Liquor License Hours	Mr. Grant
Nina Levinson 1560 West St.	.Linwood & Fletcher Repaving	Mayor Alter Mr. Villano
	.Tax Points 2003 Budget	Ms. Thomas Mayor Alter
Sandy Florio 2077 Center Ave.	.Relocation of Stores on Main Street	Mayor Alter
Mr. Chung 2169 Lemoine Ave.	.Redevelopment Area 4	Mayor Alter
Norman Hart 4 Horizon Road	.Disrepair of Tennis Courts at Recreation Department	Ms. Thomas Mr. Sargenti Mr. Pohan
Peter Lee Chin 1290 15 <sup>th</sup> Street	.Schoor DePalma Traffic Study & Handling of Traffic	Mayor Alter Mr. Cervieri
	.Air Quality in Fort Lee	Ms. Voss
Jacqueline Chibbaro 5 Horizon Road	.Tax Base	Mayor Alter
	.Office of Economic Development Budget and Accomplishments	Mr. Pohan
	.Special Counsel for Office of Economic Development	Mayor Alter

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** and carried at 9:35 p.m.

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Neil Grant  
Municipal Clerk

**SPECIAL MEETING**

**MAYOR AND COUNCIL**

**Wednesday, July 9, 2003 @ 6:00 p.m.**

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

**Present:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**Also Present:** Peggy Thomas, Borough Administrator, Steve Muhlstock, Borough Attorney, Thomas Tessaro, Police Chief

**Absent:** Neil Grant, Borough Clerk

**MAYOR'S STATEMENT**

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 July 7, 2003 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 faxed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003.

**MAYOR'S STATEMENT AND ANNOUNCEMENTS**

Ms. Thomas read the operative portion of the special meeting notice.

It is expected that **formal action will be taken** at this meeting.

**GENERAL DISCUSSION**

Acceptance of a grant from Bergen County Community Development for \$50,000 for a non-medical handicap transport van.

**RESOLUTIONS**

**R-1 - Endorsing Grant Agreement With Bergen County for a Non-Medical Handicapped Van - \$50,000**

**Councilwoman Voss introduced, and Councilman Villano seconded, the following resolution:**

BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$50,000 in 2003 Community Development Block Grant funds for a Non-Medical Handicapped Transport Van, Borough of Fort Lee/Parking Authority; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Mayor Jack Alter to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorized Peggy Thomas to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that The Borough of Fort Lee is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with the HUD requirements.

This resolution was adopted by the Mayor and Council of the Borough of Fort Lee at a meeting on July 9, 2003.

**R-2 - Confirming Endorsement With Bergen County For Non-Medical Handicapped Transport Van**

**Councilwoman Voss introduced, and Councilman Villano seconded,** the following Resolution:

WHEREAS, a Bergen County Community Development grant of \$50,000 has been proposed by The Borough of Fort Lee for a Non-Medical Handicapped Transport Van in the municipality of Fort Lee; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Mayor and Council, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Fort Lee, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of The Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

The Resolution was **approved unanimously**.

**GENERAL DISCUSSION CONTINUED**

Mayor Alter reported that Mayor Kaufman of Leonia had called and advised that two employees had been suspended from the Leonia Finance Office and that Leonia was requesting aid from Fort Lee. Peggy Thomas was authorized to meet with the Leonia Administrator in order to determine the extent of consulting and/or work needed by Leonia and to report to the Mayor. Leonia will compensate Fort Lee for its time.

**RESOLUTION FOR CLOSED SESSION**

Ms. Thomas read the following resolution.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss** 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:

Police Department - Hiring of Police Officers

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.

**Councilman Cervieri offered a motion, seconded by Councilwoman Voss, to reopen the public portion of the special meeting.**

**RESOLUTIONS CONTINUED**

**R-3 - Hiring of Police Officers**

**Councilwoman Voss offered a motion, seconded by Councilman Cervieri, to hire six new police officers.**

**Councilman Pohan offered to amend the motion to hire three officers. His motion was seconded by Councilman Sargenti.**

The motion to amend was **defeated** on the following roll call.

**AYES: Council Members Pohan, Villano, Sargenti**

**NAYS: Council Members Kasofsky, Voss, Cervieri**

Mayor Alter cast the tie-breaking **"NAY"** vote defeating the amended motion to hire three police officers.

WHEREAS, the Mayor and Council of the Borough of Fort Lee wishes to hire six additional police officers in order to bring the force manpower to a total of 107; and

WHEREAS, the Mayor has nominated, and the Council has consented to appointments of, the following individuals,

Richard Rochford, Brian Cullen, John Bakas,  
Chris Richter, Dennis Pothos, Deborah Siracuse

as patrolmen for the Police Department of the Borough of Fort Lee,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Richard Rochford, Brian Cullen, John Bakas, Chris Richter, Dennis Pothos, Deborah Siracuse are hereby appointed as patrolmen for the Borough of Fort Lee; and

BE IT FURTHER RESOLVED that the appointments set forth herein are subject to and conditioned upon these individuals' successful completion at the Bergen County Police Academy; and

BE IT FURTHER RESOLVED that for purposes of determining seniority, the officers are hereby appointed in the following order, from first to last in seniority:

Richard Rochford, Brian Cullen, John Bakas,  
Chris Richter, Dennis Pothos, Deborah Siracuse

; and

BE IT FURTHER RESOLVED that the patrolmen hired by the Borough herein shall be compensated in accordance with the police contract currently in effect.

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

**AYES: Council Members Kasofsky, Voss, Ceriveri**

**NAY: Council Members Pohan, Villano, Sargenti**

**Mayor Alter** cast the tie-breaking "**AYE**" vote in favor of the hiring of the six police officers.

**GENERAL DISCUSSION CONTINUED**

Mr. Muhlstock said that the Borough has received bids for labor only for installation of pavers and blocking in the municipal parking lot; that four (4) bids had been received and that the Purchasing Consultant and the Parking Authority Executive Director had indicated that the apparent low bidder had no experience, which had been required under the specifications. Therefor, a motion to accept the second low bidder, Bagnato & Sons, Inc., which firm had the requisite experience was moved by Councilman Cervieri, seconded by Councilwoman Voss

**RESOLUTIONS CONTINUED**

**R-4 - Award Bid to Bagnato & Sons, Inc. for Installation of Pavers and Blocking for the Municipal Parking Lot - \$97,209**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, the Borough of Fort Lee advertised for labor only for the installation of pavers and blocking at the Municipal Lot; and

WHEREAS, four bids were received, as follows:

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
DNL, Inc.	\$ 84,969.60
Bagnato & Sons, Inc.	97,209.00
A&J Contractors Group, Inc.	99,646.00
Diamond Construction	234,000.00

; and

WHEREAS, the apparent low bidder is not qualified to undertake the project in that the specifications required comparable work experience and DNL, Inc. has no such experience; and

WHEREAS, the second low bidder is qualified and has previously performed similar projects for the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby retain the services of Bagnato & Sons, Inc. in order to provide labor, only, for the installation of pavers and blocking at the Municipal Lot; and

BE IT FURTHER RESOLVED that the amount of the contract, which shall be in a form prepared by the Borough Attorney and signed by the Mayor, shall be in the total amount of \$97,209; and

BE IT FURTHER RESOLVED that the award of this contract is conditioned on written certification from the Chief Financial Officer as to existence of funds to cover the total cost of the project; and

BE IT FURTHER RESOLVED that the Clerk be and is hereby directed to maintain a copy of this resolution and the signed contract in the Office of the Borough Clerk for public inspection, according to law.

The Resolution was **approved unanimously**.

**GENERAL DISCUSSION CONTINUED**

Mr. Villano reminded everyone that the Police Department was going to be needing a new radio system. Mayor Alter said the cost may well exceed \$1,000,000 and that this issue would be discussed at the next council meeting.

There being no further discussion, the special meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, with no objections at 6:40 p.m.

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Steve Muhlstock  
Borough Attorney

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, June 26, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, New Jersey.

**PRESENT:** Mayor Alter, (Arrived at 8:08 p.m.) Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

Council President Voss chaired the meeting until Mayor Alter arrived.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the May 22, 2003 Regular Meeting were approved.**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the June 5, 2003 Executive Session were approved.**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the June 12, 2003 Regular Meeting were approved with Council Members Kasofsky, Voss and Cervieri abstaining.**

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-20 - Amending Chapter 388, Section 69, Handicapped Parking Space By 3040 Edwin Avenue**

**On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-20 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED "HANDICAPPED PARKING SPACES," was introduced and passed on first reading.**

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **July 24, 2003**.

**Ordinance #2003-21 - Amending Chapter 388, Section 43, to Include "No Parking" Next to 570 North Avenue Driveway**

On motion by Councilman Cervieri, seconded by Councilman Villano, and carried, Ord. #2003-21 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **July 24, 2003**.

**Ordinance #2003-22 - Amending Chapter 52, Section 2, "Film Commission" Membership to Include the Director of the Office of Cultural & Heritage Affairs**

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-22 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 52, SECTION 2, 'FILM COMMISSION' MEMBERS; COMPENSATION OF THE BOROUGH OF FORT LEE CODE," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **July 24, 2003**.

**Ordinance #2003-23 - Amending Chapter 64, Section 2, "Historic Site, Structure, Cultural and Landmark Committee" to Include the Director of the Office of Cultural & Heritage Affairs as a Member**

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-23 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 64, SECTION 2, "HISTORIC SITE, STRUCTURE, CULTURAL AND LANDMARK COMMITTEE" MEMBERS OF THE BOROUGH OF FORT LEE CODE," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **July 24, 2003**.

**Ordinance #2003-24 - Bond Ordinance for Capital Improvements - \$1,978,000**

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-24 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$1,978,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,879,100 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **July 24, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri, Voss**

PUBLIC HEARINGS

Ordinance #2003-17 - Bond Ordinance for Demolition of 540 Main Street Building - \$175,000

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-17 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR DEMOLITION OF THE BUILDING AT 540 MAIN STREET AND RELATED EXPENSES, BY THE BOROUGH OF FORT LEE, APPROPRIATING \$175,000 THEREFOR AND AUTHORIZING \$166,250 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Villano.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted on the following roll call:

AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri, Voss

Ordinance #2003-19 - Amending Chapter 388, Section 69, Handicapped Parking Spaces for 1232A Inwood Terrace and 2215 Center Avenue

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-19 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilman Sargenti.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the Ordinance was adopted unanimously.

Mayor Alter arrived at this point in the meeting at 8:08 p.m.

PROPOSED CONSENT AGENDA

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-11.

CA-1 - Payment of Claims

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$9,063,794.39
Capital	328,139.31
Trust (Accutrack)	14,424.02
Trust (Old)	n/a
Police Activity Account	3,643.35
Senior Citizen Advisory Council	410.00
Senior Citizen Computer Account	n/a
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a

ACCOUNT

Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	4,950.00
Redemption Account	25,184.85

**CA-2 - Authorizing Hiring of One Summer Seasonal Employee for the Senior Citizens and Clean Communities Departments - \$5.15 to \$7.50 Hourly**

WHEREAS, summer seasonal positions exist within the Senior Citizens Department and the Clean Communities Department, and the Mayor and Council have determined that these positions should be filled,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for summer help, at the hourly rate of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>	<u>Start</u>
Zaphia Alexander	Senior Cit.	\$5.15	June 30th
Mike Ceragno	Clean Comm.	\$6.50 - \$7.50	June 30th

**CA-3 - Opposing Bill S-2516 Prohibiting the Use of Schools as Polling Places in All Elections**

WHEREAS, bill S-2516 would prohibit the use of schools as polling places in all elections, thus forcing all Municipal Clerks to relocate current polling places to new locations; and

WHEREAS, currently there are four (4) school polling locations encompassing seven (7) school polling districts in the Borough of Fort Lee; and

WHEREAS, the majority of Fort Lee's voting districts are within residential neighborhoods, thereby restricting the choice of alternative sites for polling places; and

WHEREAS, the Borough of Fort Lee does not have sufficient space that is accessible to the public in the buildings it owns to house the polling locations; and

WHEREAS, finding suitable new locations would create hardships on Municipal Clerks by requiring them to find new locations that conform to existing criteria. This includes the fact that locations must be ADA compliant; be in close proximity to all voters within the district; and be willing to accept a \$20.00 rental payment for each election,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee does hereby strongly oppose the passage of bill S-2516, and urge the State Legislature to oppose it as well; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Bergen County Clerk, the Bergen County Board of Elections, the Bergen County Superintendent of Elections, District 38 State Legislators, and the surrounding Bergen County Municipalities.

**CA-4 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for Anderson Avenue and Columbia Avenue Drainage Project**

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:

- . Anderson Avenue and Columbia Avenue Drainage Project

**CA-5 - Awarding Bid to Central Jersey Wrecking & Recycling, Inc., North Brunswick, New Jersey, for Demolition of 540 Main Street Building - \$47,200**

WHEREAS, sealed bids were called for and received on June 4, 2003, for the demolition of property at 540 Main Street in the Borough of Fort Lee; and

WHEREAS, five (5) bids were received as follows:

Central Jersey Wrecking & Recycling, Inc.	\$47,200.00
Mazzocchi Wrecking	57,400.00
C.A.P. Services Inc.	62,000.00
Yannuzzi & Sons, Inc.	66,890.00
V. Ottilio & Sons, Inc.	74,627.00

WHEREAS, these bids were reviewed by the Purchasing Consultant and Borough Attorney for compliance, who recommends the award to the low bidder subject to the availability of funds from the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, that the bid is hereby awarded to Central Jersey Wrecking and Recycling, Inc., North Brunswick, New Jersey 08902, for the demolition of property at 540 Main Street at a cost of **\$47,200.00**; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract and the Mayor and Borough Clerk are authorized to execute the contract with Central Jersey Wrecking & Recycling, Inc.; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds through bond ordinance #2003-17 for the aforementioned project, and that such certification is available in the office of the Borough Clerk.

**CA-6 - Amending Contract of Harvey Brickman, P.E., New York, New York, for Work as an Expert Advisor With Regard to the Police Facility HVAC System - \$11,500 Increase**

WHEREAS, the Borough of Fort Lee previously retained the services of Harvey Brickman, PE, to provide an expert analysis and report of the causes for failure of the HVAC system at the police facility; and

WHEREAS, the Borough previously authorized the sum of \$8,500 for said services; and

WHEREAS, the time expended by Mr. Brickman has substantially exceeded the original estimate; and

WHEREAS, the Borough wishes to compensate Mr. Brickman for his services,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the amount payable to Harvey Brickman, PE is

hereby amended from \$8,500 to \$20,000; and

BE IT FURTHER RESOLVED that this is an amendment of a professional service contract, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that this resolution shall serve to amend the Agreement between the Borough and Mr. Brickman; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for payment of this Contract Amendment; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's Certificate of Availability of funds.

**CA-7 - Awarding Contracts to Ben Shaffer & Associates, Inc., Lake Hopatcong, New Jersey and Corby Associates, Inc., Ridgefield, New Jersey, for Materials and Installation of Resilient Tiles for Constitution Park - \$45,596.50 for Materials and \$13,935 for Installation - \$59,531.50 Total**

WHEREAS, the Borough of Fort Lee advertised for bids two times for the purchase and installation of resilient tiles for the Constitution Park playground area; and

WHEREAS, both times the bids that were received came in over the budget that the Borough had allocated for the project; and

WHEREAS, N.J.S.A {40A:11-5(3)} allows the borough to negotiate with the three original bidders when the bids were originally received; and

WHEREAS, the Purchasing Consultant negotiated with the three original bidders,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council shall award contracts as follows:

<u>Contractor for Materials Only</u>	<u>Amount</u>
Ben Shaffer & Associates, Inc. P.O. Box 844 Lake Hopatcong, New Jersey 07849-0844	\$45,596.50

<u>Contractor for Installation Only</u>	<u>Amount</u>
Corby Associates, Inc. 590 Grand Avenue Ridgefield, New Jersey 07657	\$13,935.00

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contracts and the Mayor and Borough Clerk are authorized to execute the contracts with Ben Shaffer & Associates, Inc., & Corby Associates, Inc.; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified to the availability of funds and that such certification is available in the office of the Borough Clerk.

**CA-8 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, for Construction Inspection and for an As-Built Survey for the Columbia Avenue Drainage Improvement Project - \$22,500**

WHEREAS, the Borough is desirous of resolving drainage problems along Anderson Avenue and Columbia Avenue; and

WHEREAS, the Borough has received a proposal for construction inspection and for an as-built survey for the project from Boswell McClave Engineering; and

WHEREAS, the Borough is desirous of retaining the services of Boswell for this purpose; and

WHEREAS, Bergen County shall provide the Borough with funding in an amount not to exceed \$208,000 as its share of participation in the project,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering, be and is hereby retained for the purpose of performing construction inspection and for an as-built survey as set forth in its proposal dated June 17, 2003; and

BE IT FURTHER RESOLVED that Boswell shall be paid a total sum of **\$22,500.00** for the contracted work; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient current funds for the cost of same; and

BE IT FURTHER RESOLVED that the Clerk, be and he is hereby authorized and directed to maintain a copy of this Resolution and the Contract in his offices for public inspection, according to law.

**CA-9 - Authorizing Borough Attorney to Initiate Litigation Against Palma, Inc., Bloomfield, New Jersey, for Improperly Resurfacing the Flooring in Fire Company #1**

WHEREAS, the contracting firm of Palma, Inc., Bloomfield, New Jersey, resurfaced the flooring of Fire Company #1, pursuant to a contract executed on or about May 15, 2000; and

WHEREAS, Fire Company #1 reports that the resurfacing has failed; and

WHEREAS, the contractor has refused to remedy the situation despite due demands,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the Borough Attorney be and he is hereby authorized and directed to initiate suit against Palma, Inc.

**CA-10 - Approving Renewal of Liquor Licenses for 2003/2004**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that plenary retail consumption licenses, plenary retail distribution licenses, limited retail distribution licenses, and club licenses for the year **2003/2004** 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
0219-33-001-009	PICCO INC.	DURI
0219-33-002-002	143 WEST 99TH ST. CORP	AIELLO'S HILLTOP
0219-33-004-006	SAE ROM INC.	DAE BAK RESTAURANT
0219-33-005-002	ASTER CORPORATION	PLAZA DINER
0219-33-006-011	JABADOU, INC.	TRIBECCA
0219-33-007-009	HYEYOUNG CORP.	HAN IL KWAN RESTAURANT
0219-44-009-001	BOBANELL'S LIQUORS INC.	BOBANELLS'S LIQUORS
0219-33-010-007	YOUNG JOON PARK	MASIL HOUSE
0219-44-011-004	B.L.W. WORLD INC.	BOTTLE KING LIQUORS
0219-33-012-002	CALLAHAN'S INC.	CALLAHAN'S
0219-33-013-009	DA-DO JAPANESE RESTAURANT CORP.	KUK POONG KOREAN RESTAURANT
0219-44-014-002	NIPPAN DAIDO USA INC.	DAIDO
0219-44-015-004	MADELEMILY LLC	
0219-33-016-005	CHRISOVALANTIS INC.	RED OAK DINER
0219-33-019-006	PALAVE ASSOCIATES INC.	SALLY LING'S RESTAURANT
0219-33-020-003	NEW GARDEN WEST CORP.	SILVER POND SEAFOOD RESTAURANT
0219-33-022-003	KH&Y CORP.	FORTE RESTAURANT & BAR
0219-44-023-004	GREAT ATLANTIC & PACIFIC TEA CO.	FOOD EMPORIUM
0219-33-024-002	STUNI INC.	HIRAM'S
0219-33-025-004	NESTANI, INC.	
0219-33-026-003	PIZZA CHEF, INC.	ARMANDO'S
0219-32-027-005	FRANCO B. INC.	FRANCO'S
0219-44-029-011	FAIRWAY MARKET, INC.	FAIRWAY MARKET GIFT BASKETS
0219-33-030-003	TAI KAI ENTERPRISES LLC	
0219-44-031-006	CARLO RUSSO WINE & SPIRIT WORLD	THE WINE SOURCE
0219-44-032-004	MAIN LIQUORS INC.	MAIN LIQUORS
0219-33-033-005	FORT LEE JAPANESE INVESTMENT CO., INC.	NOSHIRO JAPANESE RESTAURANT
0219-33-034-003	SLUMBER INC.	HOLIDAY INN
0219-44-035-004	SHOP-RITE LIQUORS, INC.	SHOPRITE LIQUORS

STATE LICENSE #	LICENSEE	TRADE NAME
0219-33-036-008	RISTORANTE IL LIMONCELLO LLC	IL LIMONCELLO
0219-33-037-003	177 NORTH MARGINAL ROAD INC.	SIGGY'S BAR & GRILL
0219-44-038-004	K&S DRUG & SURGICAL INC.	JUNCTION DRUGS
0219-44-039-004	GARDEN STATE DELI & LIQUOR CORP.	FOOD MART LIQUOR & CONVENIENCE STORE
0219-33-041-009	JOE & MAX INC	LATITUDE
0219-33-042-008	HANGAR INC.	THE HANGAR
0219-33-043-006	MEMRIES INC.	IN NAPOLI
0219-33-046-008	YOGI'S TWO INC.	CAFÉ BOULEVARD
0219-33-047-006	SIMIS CO., INC.	TAMAYA
0219-33-048-016	JOONHA ASSOCIATES INC.	
0219-33-049-003	GAM ME OK, INC.	GAM ME OK
0219-33-050-003	MAHARAJA, INC.	MAHARANI
0219-44-051-005	GOOD NATURE FORT LEE MARKET, INC.	GOOD NATURE FORT LEE MARKET
0219-33-052-005	MAC SPO, INC.	J.D.'S STEAK PIT
0219-31-054-001	FORT LEE ATHLETIC CLUB INC.	FORT LEE ATHLETIC CLUB
0219-31-055-001	FORT LEE ENGINE CO. #2	FORT LEE ENGINE CO. #2
0219-31-056-001	FORT LEE FIRE CO. #1	FORT LEE FIRE CO. #1
0219-31-057-001	HOOK & LADDER CO. #3	HOOK & LADDER CO. #3
0219-31-058-001	PALISADE CO. #4	PALISADE CO. #4
0219-31-061-001	VFW CAIROLA BARBER POST #2342	VFW CAIROLA BARBER POST #2342
0219-36-062-004	FORT LEE HOTEL MANAGEMENT INC.	FORT LEE HILTON

BE IT FURTHER RESOLVED that the following licenses are hereby renewed with the following condition imposed:

<b>0219-33-008-008</b>	<b>Daniel Kim</b>
<b>0219-43-018-003</b>	<b>Kostantinos &amp; Nicholas Kalogeras</b>
<b>0219-33-044-006</b>	<b>Brinker New Jersey Inc.</b>
<b>0219-44-060-012</b>	<b>Hyeseung Enterprises, LLC</b>

"These licenses shall be considered 'ineffective'." Once a Special Ruling is received from the ABC, a resolution authorizing renewal from the municipality can be effectuated. Nothing in this provision shall prevent the licensee from filing an application for place-to-place transfer with the issuing authority to permit this license to be 'effective' at an address approved by the issuing authority,

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.

**CA-11 - Authorizing Continuation of Lease Agreement With B.L.M Holding Corp., for Parking Purposes in Connection With the Operation of the Plaza Diner - \$1,800 Annually Retroactive to January 1, 2003**

WHEREAS, the Borough of Fort Lee has leased a portion of the municipal parking lot to B.L.M Holding Corp., as more particularly described in the lease agreement (available in the Office of the Borough Clerk); and

WHEREAS, the last five-year extension of such Lease Agreement expired at the end of December 2002; and

WHEREAS, the parties desire to continue and extend such lease agreement for an additional five-year term subject to the terms and conditions respecting termination set forth therein,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney, be and he is hereby authorized and directed to prepare and extension of the Lease Agreement between the Borough and B.L.M Holding Corp. For a portion of the municipal parking lot within Block 4701, Lot 8, containing square footage of +/- 1,500 square feet for a term of five year, to retroactively commence on January 1, 2003, and terminate on December 31, 2007, at the rate of \$1,800.00 per year; and

BE IT FURTHER RESOLVED that in accordance with the instructions of the Fort Lee Parking Authority, all other terms and conditions of the Lease Agreement entered into in 1992 and extended in 1998, shall be continued, with the exception that either party may cancel and terminate the lease by giving thirty (30) days, rather than ninety (90) days written notice to the other; and

BE IT FURTHER RESOLVED that the Mayor, be and he is hereby authorized and directed to execute the Lease Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED that the Clerk, be and he is hereby authorized and directed to maintain a copy of this Resolution and the Contract in his offices for public inspection, according to law.

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-11) was **approved unanimously**.

**RESOLUTIONS**

**R-1 - Awarding Bid to APS Contractors, Inc., Paterson, New Jersey for Construction of the Borough's New Recreation Center and Open Space Park on Anderson Avenue/Inwood Terrace - \$8,736,000**

Mayor Alter stated that after various public hearings, debates and discussions, this vote will change the Borough culture and lifestyle significantly. He doesn't believe that there has ever been a more important vote than this one.

**Councilman Villano introduced, and Councilwoman Voss seconded**, the following Resolution:

WHEREAS, the Borough of Fort Lee received bids on May 21, 2003 regarding the demolition of the former ShopRite building and the construction of the Borough's new recreation center; and

WHEREAS, the Borough wishes to award the contract to the lowest qualified bidder therefor; and

WHEREAS, the following base bids were received by the Borough:

APS Contractors, Inc.	\$8,736,000.00
DelSano Contracting	8,995,500.00
Century 21 Construction	9,199,000.00
La Rocca, Inc.	9,384,000.00
Daibes Brothers	9,725,125.00
Tri-Con Construction	10,992,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the contract for construction of a new recreation, park and community center be and is hereby awarded to the firm of APS Contractors, Inc., 155-161 Pennsylvania Avenue, Paterson, New Jersey 07503 in the total bid amount of **\$8,736,000.00**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this project through Bond Ordinance #2003-13; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute on behalf of the Borough, an appropriate agreement with APS Construction, Inc.; and

BE IT FURTHER RESOLVED that a copy of such contract shall be maintained in the office of the Borough Clerk, for public inspection.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

Mayor Alter added that the vote was gratifying and that this project will make a big difference in the life of many adults as well as the children of the Borough.

Mayor Alter stated that for the record, the one person applauding in the audience was his wife.

**R-2 - Authorizing the Planning Board to Prepare a Redevelopment Plan for Areas 3 and 4**

**Councilman Pohan introduced, and Councilman Villano seconded, the following Resolution:**

WHEREAS, on June 9, 2003, the Fort Lee Planning Board voted unanimously, finding that two separate areas qualify as "areas in need of redevelopment," as contemplated by N.J.S.A. 40A:12A; and

WHEREAS, the Mayor and Council wishes to accept the finding of the Planning Board and to authorize the Planning Board to prepare a redevelopment plan for these properties,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Council does hereby accept the finding that the following areas qualify as "areas in need of redevelopment," as contemplated by N.J.S.A. 40A:12A, and that the

Planning Board be and is hereby authorized and directed to prepare a redevelopment plan for said properties.

**Area 3:** Main Street forms the northern boundary of the study area, with portions of the areas bounded on the south by Jane Street. The area is bounded to the east by a series of properties in Block 4006 that front on both Main Street and Jane Street, and on the west it is bounded by properties in Block 3606 that similarly front on Main and John Streets. The nearest cross streets to the east and west are William Street and John Street, respectively. Area 3 includes Lots 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 3606; and Lots 1, 2, 3, 21 and 22 in Block 4006.

**Area 4:** Lemoine Avenue forms the eastern boundary of the study area. The area is bounded on its south by a retail shopping center that fronts on Lemoine Avenue, and on the north by an eight-story apartment house with access on Lemoine Avenue. The nearest cross streets to the south and north are Bridge Plaza North and Lincoln Avenue, respectively. Area 4 includes Lots 17 and 18 in Block 5902.

Barry J. Cohen, Esq., for Amster & Rosensweig, Esqs., P.O. Box 1, Waldwick, New Jersey, stated that he represents Washington Bridge Plaza Associates, a property owner within 200 feet of Redevelopment Area 4. He requested a thirty day postponement of the resolution to enable his client to engage a planner and review the statutory requirements in order to determine whether or not area 4 is appropriate for redevelopment. He is not sure whether his firm objects or supports the application. His client, Mr. Kugler, did appear at a recently held Planning Board meeting and requested a thirty day extension, but his request was denied.

Mayor Alter replied that if the council wishes they can raise a motion to table the resolution. He added that Mr. Cohen would have plenty of time to challenge the plan, as it now goes back to the Planning Board.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-3 - Amending Temporary Capital Budget**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, the Borough of Fort Lee desires to constitute the 2003 Temporary Capital Budget of said municipality by inserting therein the following project,

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

Section 1. The 2003 Temporary Capital Budget of the Borough of Fort Lee is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the  
Borough of Fort Lee  
County of Bergen  
Projects Scheduled for 2003  
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Capital Improvement Fund</u>	<u>Bonds</u>
Various Improvements	\$1,978,000	\$98,900	\$1,879,100

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2003 Temporary Capital Budget, to be included in the 2003 Permanent Capital Budget as adopted.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**RESOLUTION FOR EXCLUDING THE PUBLIC**

Mayor Alter requested a short closed session meeting for the purpose of discussing contracts for Borough representation of the new recreation center and open space park. Any official action would take place in open session and public view.

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of Fort Lee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12;

Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.

Contract: Borough Representative for Construction Supervision for New Recreation Center and Open Space Park

**On motion by Councilman Cervieri, seconded by Councilwoman Voss** and approved **unanimously**, the meeting moved into closed session at 8:20 p.m.

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

**On motion by Councilwoman Voss, seconded by Councilman Villano**, the regular meeting reconvened at 9:05 p.m.

**COUNCIL REPORTS**

**Councilwoman Kasofsky** - stated that the next phase of the Borough's streetscaping plan includes going west on Main Street through the Anderson Avenue intersection toward Linwood Avenue and moving south on Lemoine Avenue towards Dahill Square, and completing all of Palisade Avenue up to Tom Hunter Road.

She announced the July 4<sup>th</sup> Parking Authority bus schedule for the music and fireworks display being held at the Lewis F. Cole Middle School field.

She stated that the Borough's Website at [fortleenj.org](http://fortleenj.org) is a wealth of information and user friendly. Items such as agendas, garage sale information, recreation schedules, garbage and recycling schedules, applications for planning and zoning, history of the Borough, the Borough's code and many other items are available to look at and use.

**Councilman Pohan** - mentioned the upcoming music and films series that is being held throughout the summer at Constitution Park. The entire series can be viewed on the Fort Lee Film Commission's Website at [www.fortleefilm.org](http://www.fortleefilm.org).

**Councilman Villano** - thanked the Police Department on behalf of the Greater Fort Lee Chamber of Commerce for their help during Fort Lee's first spring celebration.

He spoke to the work that the Advisory Committee for the Disabled continues to do. Projects such as sensitivity awareness training, ramps in restaurants, curb cuts at crosswalks, Braille menus at local restaurants, increased bus service for seniors and disabled citizens are just some of the items the committee has been involved in. The committee hopes to expand its services to the disabled in the fall when a meeting will be held that will include other local municipalities.

He discussed the work that the Municipal Alliance Committee has been doing with the Teen Center which is open to all 7<sup>th</sup> and 8<sup>th</sup> graders in Fort Lee. The Teen Center, held at the Lewis F. Cole Middle School, is an after-school place for students who want to do homework, visit with friends, learn a new craft or participate in informal sports. The Police Department recently donated \$3,000 to the cause and the Police Department has solicited financial help from other organizations. The money goes for field trips and to buy equipment and supplies. He offered a special thanks to Lewis Pagano, Teen Center Administrator, and Aphrodite Microutsicos, Teen Center Advisor, for their caring and support. He thanked numerous organizations for their ongoing multi-year support of the Teen Center.

**Councilman Sargenti** - stated that the Mayor's Cup between the Fort Lee American Baseball League and National League has just been completed. The National League won this year; the American League won last year.

He had just found out to his surprise last month that Dr. Voss was retiring from the Fort Lee school system. He offered her his congratulations on her retirement.

**Councilwoman Voss** - stated that the Borough's Centennial will be taking place next year. A Centennial committee has been formed. There are many community representatives on the committee. The first meeting was held on June 17<sup>th</sup>. There will be many more meetings to follow.

She mentioned that she remembered the Borough's 50<sup>th</sup> anniversary celebration. The town had fewer than 5,000 people and the graduating high school class was fewer than 100 students. Next year will also be the 75<sup>th</sup> anniversary of the high school. She is looking forward to having coordinated activities between the high school and the Borough.

She said that the June 24<sup>th</sup> high school graduation was a dignified and memorable ceremony. She congratulated the graduating class and wished them all the best in college.

**Councilman Cervieri** - announced that The Greater Fort Lee Chamber of Commerce, in cooperation with the Commerce and Industry of New Jersey, is holding a summer networking event. The event will be held Wednesday, July 16<sup>th</sup> from 5:30 to 7:30 p.m. at the Holiday Inn in Saddle Brook. The cost for members is \$15.00 and the fee for non-members is \$25.00. For more information contact the Chamber at 201-944-7575.

He stated that Lillian Ciufu, Housing Authority Director, does a tremendous amount of work for the Housing Authority and she serves on a lot of volunteer committees. She has just completed her term as President of the Fort Lee Rotary Club. Under her leadership the Club sponsored a "Gift of Life" child from the Ukraine, raised a lot of money for the children of the less fortunate and raised the membership to forty-four dedicated active members of the Rotary. He offered her his congratulations and she will stay on as a member and will continue to do wonderful work. He also offered his congratulations to David Jordan who was sworn in as President of the Rotary last night at Sally Ling's Restaurant in Fort Lee.

He wished everyone a good July 4<sup>th</sup> celebration.

He offered good luck to his colleague Dr. Voss on her retirement.

**Councilman Sargenti** - alerted residents that milling and paving operations have commenced on Fletcher Avenue to Route 9W all the way into Tenafly. The hours of operations will be between 8:00 p.m. and 5:30 a.m. in order to minimize the impact on traffic.

**Councilman Villano** - announced that the Police Academy graduation will be held Monday, June 30<sup>th</sup> at 6:00 p.m. at the Bergen Tech Vocational School. The number one graduating student is the Borough's own Sean Peppard. He will be giving one of the commencement speeches. The other two graduating officers, Ricky Mirkovic and Richard Hernandez also received leadership and minor leadership honors.

**Ila Kasofsky** - stated that all of the parking meters on Main Street and the Municipal Lot are being replaced with pay and display type meters. The new meters will accept bills and make change. They will be more convenient for the public.

**Mayor Alter** - stated that this is the last regular meeting before the summer schedule begins. Most governmental bodies close down during the summer. Fort Lee being an exception, the government continues to go on, but in a more limited capacity. Instead of two executive sessions and two regular meetings per month, the Borough will hold one executive and regular meeting on the same day. The Fort Lee Planning Board and Board of Adjustment also meet during the summer but in a limited fashion.

#### **PUBLIC PARTICIPATION**

No one from the public came up 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 9:30 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, June 12, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Villano, Sargenti

**ABSENT:** Council Members Kasofsky, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that the Borough was prepared to make the award of the bid to construct the new recreation center tonight. However, considering the importance of the item, he thought that he would like to see all the governing body members have a chance to vote. Because three council members are missing tonight, a few items have been eliminated from tonight's agenda, including the bid for the recreation center. Those items including the bid for the recreation center will be carried over to the June 26<sup>th</sup> regular meeting.

**PRESENTATION**

Andrew Scheideler, Executive Board Member of the Bergen County Juvenile Fire Prevention Program, and former Fire Chief of the Ridgefield Park Fire Department, presented pins to Fort Lee Firefighters Steven Richter and Robert Devito, as well as to auxiliary fire member and secretary to the Fire Department Cindy Vida.

Mr. Scheideler outlined the program and explained that the pins were given for the volunteer work that they have performed for the Bergen County Juvenile Fire Prevention Program. The program aids in providing fire safety education to area youths.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilman Pohan, and carried unanimously, the minutes of the May 8, 2003 Regular Meeting were approved.**

On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the May 15, 2003 Executive Session were approved.

INTRODUCTION OF ORDINANCES

Ordinance #2003-19 - Amending Chapter 388, Section 69, Handicapped Parking Spaces for 1232A Inwood Terrace and 2215 Center Avenue

On motion by Councilman Pohan, seconded by Councilman Villano, and carried, Ord. #2003-19 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTIONS 14 AND 69 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED HANDICAPPED PARKING SPACES," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for June 26, 2003.

PUBLIC HEARINGS

Ordinance #2003-14 - Amending Chapter 261 "Land Use Procedures", Chapter 345 "Site Plan Review", Chapter 365 "Subdivision of Land" and Chapter 410 "Zoning" - Checklist for Applications for Development Made to the Planning Board and Zoning Board of Adjustment

On motion by Councilman Pohan, seconded by Councilman Sargenti and carried, the following minor amendments were made to Ordinance #2003-14:

1. Page 2, Item C, #2 - The words **administrative officer** has notified the applicant, in writing should be changed to:

The **Planning Administrator** has notified the applicant in writing...

2. Page 3, Item B, #2a - If the **officer** determines that the item is not applicable, should be changed to:

If the **Planning Administrator** determined that the item is not applicable...

There being no further discussion, the minor amendments were approved on the following roll call.

**AYES: Council Members Pohan, Villano, Sargenti, Voss, Cervieri**

On motion by Councilman Villano, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-14 entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 261, "LAND USE PROCEDURES," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 345, "SITE PLAN REVIEW," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 365, "SUBDIVISION OF LAND," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AND CHAPTER 410 "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE."

There being no discussion, the public hearing was closed on motion by Councilman Villano, seconded by Councilman Pohan.

On motion by Councilman Pohan, seconded by Councilman Villano, the Ordinance was adopted as amended on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti**

**Ordinance #2003-15 - Amending Chapter 388, Section 53, Schedule IX: Stop Intersections - Old Palisade Road**

**On motion by Councilman Villano, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-15** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 53, OF THE BOROUGH OF FORT LEE CODE ENTITLED 'VEHICLES AND TRAFFIC' - SCHEDULE IX: STOP INTERSECTIONS."

There being no discussion, the public hearing was closed **on motion by Councilman Villano, seconded by Councilman Sargenti.**

**On motion by Councilman Villano, seconded by Councilman Sargenti,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-16 - Vacating a Certain Portion of Prospect Street**

**On motion by Councilman Villano, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-16** entitled, "AN ORDINANCE VACATING A CERTAIN PORTION OF PROSPECT STREET IN THE BOROUGH OF FORT LEE."

There being no discussion, the public hearing was closed **on motion by Councilman Villano, seconded by Councilman Sargenti.**

**On motion by Councilman Villano, seconded by Councilman Sargenti,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti**

**Ordinance #2003-17 - Bond Ordinance for Demolition of 540 Main Street Building - \$175,000**

**On motion by Councilman Villano, seconded by Councilman Pohan and carried,** the public hearing relative to **Ord. #2003-17** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR DEMOLITION OF THE BUILDING AT 540 MAIN STREET AND RELATED EXPENSES, BY THE BOROUGH OF FORT LEE, APPROPRIATING \$175,000 THEREFOR AND AUTHORIZING \$166,250 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME." **was postponed** until June 26, 2003 on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti**

**Ordinance #2003-18 - Amending Chapter 410 "Zoning" so as to Regulate Placement and Screening of Antennas (Exception One and Two-Family Homes)**

**On motion by Councilman Sargenti, seconded by Councilman Pohan and carried,** the public hearing was opened relative to **Ord. #2003-18** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 410 OF THE FORT LEE CODE ENTITLED ZONING SO AS TO REGULATE PLACEMENT AND SCREENING OF ANTENNAS AND ROOFTOP EQUIPMENT."

There being no discussion, the public hearing was closed **on motion by Councilman Sargenti, seconded by Councilman Villano.**

**On motion by Councilman Villano, seconded by Councilman Sargenti,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti,**

**PROPOSED CONSENT AGENDA**

On motion by Councilman Villano, seconded by Councilman Sargenti, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-10.

**CA-1 - Approving Firefighter Membership Applications for Ricky Mirkovic for Fire Company #2 and Patrizio Peluso for Fire Company #4 and Jr. Auxiliary Membership Applications for Joseph Bozzetti and Anton Skrebets for Fire Company #2**

The firefighter membership applications for Ricky Mirkovic for Fire Company #2 and Patrizio Peluso for Fire Company #4 and jr. auxiliary membership applications for Joseph Bozzetti and Anton Skrebets for Fire Company #2 were approved.

**CA-2 - Accepting Disability Retirement of James Granquist, Parks Department - Effective July 1st**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the approval letter for Ordinary Disability Retirement from the State of New Jersey, Division of Pensions & Benefits for James Granquist, Parks Maintenance Worker, of the DPW/Parks Department, dated May 21, 2003 is hereby accepted, with an effective date of July 1, 2003.

**CA-3 - Authorizing Hiring of Summer Seasonal Employees for the Recreation Department - Termination Date August 31st**

WHEREAS, part-time seasonal positions exist with the Department of Recreation and the Mayor and Council have determined that these positions must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the attached list of personnel (available in the office of the Borough Clerk) be appointed to the positions and rates of compensation indicated with the Department of Recreation; and

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of June 30, 2003 and a termination date of August 31, 2003.

**CA-4 - Authorizing Hiring of Two Spring/Summer Seasonal Employees for the DPW/Parks Department - \$8.00 to \$9.00 Hourly**

WHEREAS, spring/summer seasonal positions exist within the DPW/Parks Department and the Mayor and Council have determined that these positions should be filled,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for spring/summer help, at the hourly rate of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>	<u>Start</u>
David Cafasso Jr.	DPW/Parks	\$8.00	June 16th
Steve Flisler	DPW/Parks	\$9.00	*June 9th

\* Denotes Retroactive Start Date

**CA-5 - Authorizing Hiring of Clean Communities Employees for 2003 Various Employees \$6.50 to \$9.50 Hourly**

WHEREAS, Clean Community positions exist within the Borough of Fort Lee for 2003,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired at the following weekly and hourly rates of compensation listed, respectively:

Richard Radoian, Coordinator	\$150.00 Weekly
Adam Kornelli Driver	\$8.50-\$9.50 Hourly
Michael Ferraro Driver	\$8.50-\$9.50 Hourly
James Rumi Driver	\$8.50-\$9.50 Hourly
Anthony Bell	\$6.50-\$7.50 Hourly
Mike Ceragno	\$6.50-\$7.50 Hourly
Robert DeVito	\$6.50-\$7.50 Hourly
Kyle Jensen	\$6.50-\$7.50 Hourly
Kevin Kleinman	\$6.50-\$7.50 Hourly
Kyle Senft	\$6.50-\$7.50 Hourly

BE IT FURTHER RESOLVED that the rates of pay will be based on funding and previous years worked in the clean community program.

**CA-6 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, for Preparation of Grant Application for the 2004 Municipal Aid Program - \$1,000**

WHEREAS, the Borough of Fort Lee wishes to obtain a grant in connection with the Municipal Aid Program,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering be and is hereby retained to prepare and file a grant application to the Municipal Aid Program in accordance with its proposal of May 28, 2003; and

BE IT FURTHER RESOLVED that Boswell McClave Engineering shall be compensated in the amount of **\$1,000** for this service; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has signed to the availability of funds for this project.

**CA-7 - Approving Change Order #2 for Allied Services of N.E. Inc., Lyndhurst, New Jersey, for Various Repairs to the HVAC System at the New Police Facility - \$1,909.50**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Fort Lee Police Facility HVAC Modifications
CONSTRUCTION MANAGER:	Calgi Construction Company
CONTRACTOR:	Allied Services of N.E., Inc.
ORIGINAL CONTRACT COST:	\$483,960.00
COST OF CHANGE ORDER:	\$ 1,909.50
COST OF PREVIOUS CHANGE ORDERS:	<u>\$ 19,705.25</u>

NEW CONTRACT SUM: \$505,574.75

CHANGE ORDER NUMBER: #2

NATURE OF CHANGES: a. Repairs to Roof Top Unit #2  
b. Repairs to Domestic Hot Water Pump  
c. Repair to Defective Outdoor Air Intake Damper Motors

CONTRACT # 900556

**CA-8 - Authorizing Purchasing Consultant to Advertise and Conduct Auction w/Assistance of Professional Auctioneers Dingman and James for Sale of Borough Property**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, to authorize and direct the Purchasing Consultant to advertise and conduct an auction with the assistance of Dingman and James professional auctioneers; for the sale of Borough property. This auction will be for the sole purpose of the disposal of various vehicles and equipment that can no longer be utilized by the Borough.

**CA-9 - Authorizing Purchasing Consultant to Advertise for Bids for Labor Only for Installation of Belgian Block and Brick Pavers for Municipal Parking Lot**

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:

- . Labor Only for Installation of Belgian Block and Brick Pavers for Municipal Parking Lot

**CA-10 - Approving Developer's Agreement for John and Antoinette Pappalardo, at 1290 Anderson Avenue, Block 1901, Lots 25-28**

WHEREAS, the Zoning Board of Adjustment of the Borough of Fort Lee adopted a resolution approving a development by John and Antoinette Pappalardo for property located at Block 1901, Lots 25, 26, 27 & 28, 1290 Anderson Avenue, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon John and Antoinette Pappalardo entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreement has been executed by John and Antoinette Pappalardo and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the Borough Attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with John and Antoinette Pappalardo.

There being no discussion, the public hearing was closed **on motion by Councilman Sargenti, seconded by Councilman Villano, the Consent Agenda (items CA-1 through CA-10) was approved unanimously.**

APPOINTMENTS

A-1 - Bergen County Community Development Regional Committee

Mayor Alter reappointed Julia Ticola as his representative to the Bergen County Community Development Regional Committee.

A-2 - Bergen County Community Development Regional Committee

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

WHEREAS, the Borough of Fort Lee has entered into a three year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30, 2003-2004.

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby appoints **James Viola** its representative to participate on the Community Development Regional Committee.

The Resolution was **approved unanimously.**

A-3 - Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund

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

WHEREAS, the Borough of Fort Lee has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq., to participate in the Bergen County Open Space, Recreation, Farmland, and Historic Preservation Trust Fund; and

WHEREAS, said agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30, 2003-2004.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby appoints **Neil Grant, Borough Clerk,** as its representative to participate on the Open State Trust Regional Committee.

The Resolution was **approved unanimously.**

A-4 - Board of Adjustment

Mayor Alter made no nomination to the Board of Adjustment tonight.

COUNCIL REPORTS

**Councilman Pohan** - stated that the Planning Board had been asked previously by the governing body to investigate certain areas in need of redevelopment. The Planning Board this past Monday night recommended that areas 3 and 4 were in need of redevelopment.

Area 3 is on Main Street across from the Metropolitan Plant Exchange. Area 4 is the abandoned office building at 2175 Lemoine Avenue across from the Food Emporium. He believes that this item will be brought back on an agenda to the Mayor and Council at a subsequent meeting.

He said that the 2003 summer music and movie series has already begun. Unfortunately, the weather has not cooperated. In the case of rain, the music and movies take place at the Fort Lee Recreation Center. On June 18<sup>th</sup> "Duck Soup" and on June 25 "Star Wars" will be aired. He welcomed all residents to attend.

**Councilman Villano** - announced that the Fort Lee Community Fund has just revised its bylaws. They are applying for tax-exempt status as a nonprofit organization. Hopefully, a thrift shop will be opened this September with the nonprofit status in place. The thrift shop will be at Madonna Church.

He said that the Department of Public Works is continuing to pave a number of streets throughout the Borough. He told residents that if they see any streets that are in disrepair to notify Borough Hall. The street will then be placed on a list for repair.

He mentioned that the Borough has received a \$100,000 grant for barrier-free curbs on Main Street from the Bergen County Community Development Program. Ms. Thomas told Mr. Villano that it is possible that the money could be used for other areas besides Main Street.

He stated that last Wednesday sixty-four third graders came through Borough Hall. Judge John DeSheplo came in and told them what it is like to be a judge. He spoke to them about what it means to be a council person in Fort Lee. He thanked Judge DeSheplo, James Carney, Fire Subcode Official, Karen Ring, Health Officer, Tom Meyers, Cultural Affairs Director, and Mr. Grant. The students toured Borough Hall and then went over to the Judge Moore House Museum. The kids sent thank you notes with pictures. It was a great day for the kids and a fun day for him.

**Councilman Sargenti** - stated that the Recreation Department's summer day camp program begins Tuesday, July 1<sup>st</sup> and ends Friday August 1<sup>st</sup> from 9:00 a.m. to 2:00 p.m. There will be no camp on July 4<sup>th</sup>. The camp is open to youngsters who are residents of Fort Lee who attend one of the Fort Lee public schools or the Christ The Teacher School. Proof of age and residency are required at the time of registration.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Allen Claire 3 Horizon Road	.Degradation of Main Street Lack of Uniformity in Stores	Mayor Alter Mr. Villano Mr. Pohan

**Mayor Alter** - invited all residents and non-residents to the Borough's fireworks display at the Lewis F. Cole Middle School Field on Friday, July 4th.

There being no further discussion, the meeting was adjourned **on motion by Councilman Villano, seconded by Councilman Pohan** and carried at 8:40 p.m.

---

Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, May 22, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that many people continue to ask what is going on with the old ShopRite location. He informed the public that bids were received yesterday. The predictability of the price has been borne out by the bids. The lowest bid was \$8,700,000 and the highest bid was approximately \$10,900,000. It had been predicted that the cost would be \$10,000,000. The bids are still being reviewed by the attorney to make sure that the responders to the bids have entered a valid bid. However, it is gratifying to see the price come in where the Borough officials thought it would. It's his hope that at the end of this process there will be a recreation facility that will be the best facility that can be built. He expects the bid to be awarded within the next few weeks.

**PRESENTATION**

Mayor Alter stated that in the life of the Fort Lee community, he has always been proud of the school system. Within the school system there are people who do a little extra. An award is going to be given tonight to one of those exceptional people, Carol Burghardt.

Ms. Voss stated that Carol Burghardt is a very special person. She is constantly thinking of ways to help people and to teach kids how to do the right thing. Carol is an inspiration to her, because she is one of the most giving and selfless people she has ever met. She is glad that she has a small part in giving Carol some credit and recognition for all the things that she has done for the children and people of Fort Lee. Carol is an advisor to the student council as well as a health teacher. She prepares kids for life. She brings people into her classes to teach the students about the dangers of drinking, drugs, unprotected sex, smoking and a myriad of other dangers that they

may encounter in life. She has worked for many years in conjunction with the Police Department to put together a series of programs with regard to what happens when one drives or becomes a victim of DWI. She believes that these programs have saved many lives over the years. She helps raise funds for the Scott Vassel scholarship. Scott was a young man from Fort Lee who was killed during the terrorist attacks on the World Trade Center on September 11, 2001. She has raised tremendous amounts of money for scholarships in so many different ways. She organized the first September 11<sup>th</sup> memorial. She has shown the kids that government is accessible and encourages them to participate in town politics. She is proud to be her colleague and friend.

Mayor Alter and Ms. Voss presented the following plaque from the Mayor and Council to Carol Burghardt.

"In Recognition for Your Generous Service to the Student Body of Fort Lee High School and the Community at Large. Your Work is in the Best Tradition of Teaching and You Are an Honor to Your Profession"

**APPROVAL OF MINUTES**

**On motion by Councilman Pohan, seconded by Councilman Sargenti, and carried unanimously, the minutes of the May 1, 2003 Executive Session were approved.**

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-16 - Vacating a Certain Portion of Prospect Street**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-16** entitled, "AN ORDINANCE VACATING A CERTAIN PORTION OF PROSPECT STREET IN THE BOROUGH OF FORT LEE," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **June 12, 2003**.

**Ordinance #2003-17 - Bond Ordinance for Demolition of 540 Main Street Building \$175,000**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-17** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR DEMOLITION OF THE BUILDING AT 540 MAIN STREET AND RELATED EXPENSES, BY THE BOROUGH OF FORT LEE, APPROPRIATING \$175,000 THEREFOR AND AUTHORIZING \$166,250 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **June 12, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**Ordinance #2003-18 - Amending Chapter 410 "Zoning" so as to Regulate Placement and Screening of Antennas (Exception One and Two-Family Homes)**

Mr. Cervieri requested that the words "and rooftop equipment" be added at the end of the title of the ordinance.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-18** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 410 OF THE FORT LEE CODE ENTITLED ZONING SO AS TO REGULATE PLACEMENT AND SCREENING OF ANTENNAS AND ROOFTOP EQUIPMENT," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **June 12, 2003**.

**PUBLIC HEARINGS**

**Ordinance #2003-11 - Amending Chapter 388, Sections 24 & 55, Loading Zones to Include New Loading Zone at a Point 120 Feet South of the Intersection of Main and Schlosser Streets and Extending 42 Feet in a Southerly Direction on Schlosser Street**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-11** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 24 OF THE FORT LEE CODE, ENTITLED 'LOADING ZONES,' AND CHAPTER 388, SECTION 55 OF THE FORT LEE CODE, ENTITLED 'SCHEDULE XI: LOADING ZONES,' SETTING SCHEDULE AND LOCATIONS OF LOADING ZONES."

Nick Berardi, 1643 Schlosser Street, stated that he's in favor of the loading zone because his salon business uses valet parking.

Mr. Cervieri asked Mr. Berardi where his valet service parks customer cars.

Mr. Berardi replied that he has a valet company that uses the Borough's off-street municipal parking lots.

Mayor Alter stated that the Borough will be looking to get more parking along Main Street for the various merchants.

Costantino Papamichael, 1630 Lemoine Avenue, stated that he is also a merchant on Schlosser Street. He complained that the parking meters on Schlosser Street are for up to three hours and it is hurting his business. In other areas right outside of Schlosser Street, the meters have a one hour time limit.

Mayor Alter replied that the regulation of parking meters is under the auspices of the Parking Authority.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**.

**On motion by Councilman Cervieri, seconded by Councilman Pohan,** the Ordinance was **adopted unanimously**.

**Ordinance #2003-13 - Bond Ordinance for Construction of a Community Center and Sports Fields and Other Related Expenses - \$13,500,000**

**On motion by Councilman Villano, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-13** entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR CONSTRUCTION OF A COMMUNITY CENTER AND SPORTS FIELDS AND OTHER RELATED EXPENSES IN

AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$13,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,500,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME."

Nina Levinson, 1560 West Street, asked if the bonding for the recreation facility is \$10,000,000, what is the extra \$2,000,000 in the bond ordinance to be used for.

Mayor Alter stated that other fees besides construction fees are included in the bond ordinance. The Borough has to make sure the financing is proper and in place before the bid for the recreation facility is awarded.

Mr. Muhlstock and Ms. Thomas both stated that the bond ordinance is an appropriation; it does not mean all the money in the ordinance will be drawn.

Ms. Thomas stated that the Borough only borrows the amount of money it needs.

Ms. Levinson spoke to the Lewis F. Cole Middle School Astroturf field question that was passed at the April 15, 2003 School Board Election. She said that the taxpayers will be taxed directly for that expenditure. She believes that the money allocated in the bond ordinance for the middle school field should not be there.

Mayor Alter stated that the Borough wants a first-class job. The Borough does not know what the construction of the entire middle school field will cost. The field was originally constructed with an equal contribution from the Borough and the school district. The Borough will do its best to see that it is the finest field to be delivered.

Ms. Levinson stated that the question on the school board ballot was for the construction of the full field.

Messrs. Sargenti and Alter both disagreed with her.

Mr. Sargenti stated that the question asked was for a portion of the field. He was involved with the Board of Education on this issue. He told Ms. Levinson, whoever told her that the question was for the whole field was mistaken. It is for where they play soccer and football only. That is where the \$860,000 was allocated for on the school ballot question. He explained that there are three baseball diamonds that were not included.

Ms. Levinson spoke to the total indebtedness of the Borough.

Mayor Alter stated that Ms. Levinson has always opposed debt. However, the Borough of Fort Lee has a better debt rating than the State of New Jersey. The Borough manages its debt very well and it turns over its debt every eleven years. That is outlined in Moody's narrative with regard to the Borough's debt.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Villano.**

**On motion by Councilwoman Voss, seconded by Councilman Villano,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

PROPOSED CONSENT AGENDA

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-11.

CA-1 - Payment of Claims

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$5,706,927.65
Capital	180,234.78
Trust (Accutrack)	8,172.35
Trust (Old)	3,283.93
Police Activity Account	8,706.65
Senior Citizen Advisory Council	70.00
Senior Citizen Computer Account	299.40
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	184.80
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	5,096.85
Redemption Account	79,307.55

CA-2 - Authorizing One Year Reappointment for Michael F. Sassano Municipal Court Judge

WHEREAS, Michael Sassano has been appointed as a second municipal judge in Fort Lee on a yearly basis by the assignment judge of the Superior Court of New Jersey, Bergen County,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee hereby appoint **Michael Sassano** to a one year term as temporary municipal judge of Fort Lee effective May 22, 2003 subject to necessary judicial approval.

CA-3 - Authorizing Hiring of Seasonal Spring/Summer Employees for Various Departments - \$7.50 to \$8.50 Hourly

WHEREAS, spring/summer seasonal positions exist within the Borough Clerk's Office, Municipal Court and Communications Department and the Mayor and Council have determined that these positions should be filled,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for spring/summer help, at the hourly rate of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>	<u>Start</u>
Kate Siccardi	Borough Clerk	\$8.50	June 23rd
Nicole Torres	Municipal Court	\$7.50	May 27th
John G. Reuter	Communications	\$8.50	

**CA-4 - Authorizing Various Appointments to the Emergency Management Council, as Required by the New Jersey State Office of Emergency Management**

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that the following appointments to the Emergency Management Council as required by the New Jersey State Office of Emergency Management are hereby confirmed as recommended by the Emergency Management Coordinator.

- |                     |  |
|---------------------|--|
| Jack Alter          | Mayor  |
| Joseph J. Licata    | OEM Coordinator/HAZ-MAT LEPC<br>Coordinator            |
| Thomas Ripoli       | 1 <sup>st</sup> Deputy Coordinator                     |
| Robert Boylan       | 2 <sup>nd</sup> Deputy Coordinator                     |
| Cathy Maida         | 3 <sup>rd</sup> Deputy Coordinator                     |
| Steven Monetti      | Deputy Coordinator/Parking<br>Authority Transportation |
| Thomas R. Tessaro   | Police Department Chief                                |
| Ralph Porrino       | Fire Chief   |
| Cathi Goldfisher    | Ambulance Corp. Chief                                  |
| Dr. Anthony Cavanna | Superintendent of Schools                              |
| Robert Neshoff      | Public Information                                     |
| Eric Swanson        | Building Department                                    |
| Anthony Lione       | Superintendent of Public Works                         |
| Jillian Raimondo    | Department of Social Services                          |
| Steve Wielkocz      | Health Department                                      |
| Peggy Thomas        | Borough Administrator                                  |
| Robert Nesoff       | Print Medias   |
| Thomas Granquist    | Shelter Coordinator                                    |
| Current President   | Chamber of Commerce                                    |
| Ralph Molinia       | Port Authority of NY & NJ                              |
| James Carney        | Fire Sub-Code Official                                 |

**CA-5 - Authorizing Purchase of Concealed Type Body Armor for the Police Department From Rays Sport Shop, North Plainfield, New Jersey, Via State Contract #T0106 - \$21,254.11 (Federal Government to Reimburse for Fifty Percent of the Cost)**

WHEREAS, the Police Department has requested the purchase of concealed type body armor; and

WHEREAS, the body armor is available through Rays Sport Shop vendor contract #A46903, via state contract #T0106; and

WHEREAS, the cost of the body armor is over the bid threshold amount of \$17,500 and the expenditure must be authorized by resolution of the governing body,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the purchase of concealed type body armor via purchase order from Rays Sport Shop, 559 Route 22 West, North Plainfield, New Jersey 07060 in the amount of **\$21,254.11**; and

BE IT FURTHER RESOLVED that the cost of the purchase will be paid through the Police Department's current operating funds with the Federal Government reimbursing the Police Department one half (1/2) of the cost; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that the funds are available for this purchase.

**CA-6 - Awarding Bid to Dakota Excavating Contractor, Bergenfield, New Jersey for Improvements to Van Fleet Park - \$454,642**

WHEREAS, the Borough of Fort Lee publicly advertised for bids with respect to the Improvement of Van Fleet Park on May 13, 2003; and

WHEREAS, the following six base (6) bids were received:

<u>Bidder</u>	<u>Amount</u>
Dakota Excavating Contractor 200 East Church Street Bergenfield, New Jersey 07621	\$454,642.00
Sita Construction Co., Inc. 7 Yankee Main Lane Goshen, New York 10924	\$456,190.00
The Land Tek Group, Inc. 235 County Line Road Amityville, New York 11701	\$474,736.50
Flanagans Contracting Group Inc. 90 Old Camplain Road Hillsborough, New Jersey 08844	\$479,627.80
JC Landscape Construction 52 Denise Drive Kinnelon, New Jersey 07405	\$597,002.00
Sanitary Construction Company, Inc. 4 Gold Mine Road Flanders, New Jersey 07836	\$684,035.32

and;

WHEREAS, Dakota Excavating Contractor, Inc. was the lowest qualified bidder; and

WHEREAS, the Borough desires to award a contract to the low bidder,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Dakota Excavating Contractor, Inc. be and is hereby awarded the contract for the improvement of Van Fleet Park at the total cost of **\$454,642.00 (Base Bid Only)**; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate agreement between the Borough and the low bidder, and the Mayor, be and he is hereby authorized and directed to execute the same on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient funds for the cost thereof (Bond Ordinance 2003-13); and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is hereby authorized and directed to maintain a copy of this resolution and the contract in his officer for public inspection according to law.

**CA-7 - Awarding Contract to Boswell McClave Engineering for Boundary and Topographic Survey and Conceptual Site Plan for Site Improvements at the New DPW Facility - \$10,000**

WHEREAS, the Borough is desirous of pursuing certain site improvements at the new DPW facility, located at the rear of 540

Main Street; and

WHEREAS, the Borough has received a proposal for civil engineering services from Boswell McClave Engineering; and

WHEREAS, the Borough is desirous of retaining the services of Boswell for this purpose,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering, be and is hereby retained for the purpose of preparing civil engineering services to include, but not be limited to, site improvement plans for the new DPW facility, as set forth in its proposal dated April 28, 2003; and

BE IT FURTHER RESOLVED that Boswell shall be paid the total sum of **\$10,000.00** for boundary and topographic survey and conceptual site plan; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate agreement with respect to the award of this contract, and the Mayor, be and he is hereby authorized and directed to execute the same on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of the contract is subject to and conditioned upon written certification from the Chief Financial Officer of the existence of sufficient current funds for the cost of same; and

BE IT FURTHER RESOLVED that the Clerk, be and he is hereby authorized and directed to maintain a copy of this Resolution and the Contract in his offices for public inspection, according to law.

**CA-8 - Amending Contract of Abeles, Phillips, Preiss and Shapiro, New York, New York for Updating and Reconciling the Borough Current Zoning Ordinance - \$25,000**

WHEREAS the Borough of Fort Lee previously entered into an agreement with Paul Phillips of the firm Abeles, Phillips, Preiss and Shapiro, Inc. on January 23, 2003 for updating and reconciling its current zoning ordinances at a cost of \$50,000; and

WHEREAS, Paul Phillips has not only undertaken services in connection with that report but has been providing additional services with respect to specific developments in the Borough including, but not limited to, the "Helmsley" site; and

WHEREAS the Borough wishes to further compensate Paul Phillips for his continuing services,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the agreement between the Borough and the firm of Abeles, Phillips, Preiss and Shapiro, Inc. for its current analysis of the Borough's zoning ordinances along with additional services as outlined by the Director of Economic Development's memo dated May 6, 2003, be and is hereby amended so that Abeles, Phillips, Preiss and Shapiro Inc., be paid an additional \$25,000; and

BE IT FURTHER RESOLVED that the award hereof is subject to and conditioned upon the availability of funding as to be certified by the Chief Financial Officer of the Borough; and

BE IT FURTHER RESOLVED that this resolution shall serve as the amendment to the existing contract, and same shall be annexed to the contract and maintained by the Borough Clerk for public inspection, according to law.

**CA-9 - Amending Contract of Schoor DePalma, Manalapan, New Jersey, as Traffic Consultants, for Analyses of Various Traffic Intersections - \$50,000**

WHEREAS the Borough of Fort Lee previously entered into an agreement with Schoor DePalma, PE on January 24, 2002 for preparation of a municipality-wide traffic analysis at a cost of \$112,000; and

WHEREAS Schoor DePalma has not only undertaken services in connection with that report but has been providing additional services with respect to specific developments in the Borough including, but not limited to, the "Helmsley" site; and

WHEREAS the Borough wishes to further compensate Schoor DePalma for its continuing services; and

WHEREAS it is expected that a portion of the additional services rendered by Schoor DePalma will ultimately be paid by applicants for developments of properties which will have benefitted from the traffic analysis prepared by Schoor DePalma,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the agreement between the Borough and Schoor DePalma, PE, for municipality-wide traffic analysis, be and is hereby amended so that Schoor DePalma shall be paid an additional \$50,000; and

BE IT FURTHER RESOLVED that the award hereof is subject to and conditioned upon the availability of funding as to be certified by the Chief Financial Officer of the Borough; and

BE IT FURTHER RESOLVED that this resolution shall serve as the amendment to the existing contract, and same shall be annexed to the contract and maintained by the Borough Clerk for public inspection, according to law.

**CA-10 - Authorizing Settlement of Litigation Known as Cellular Telephone Co., d/b/a AT&T Wireless v. Zoning Board of Adjustment**

WHEREAS, the Borough of Fort Lee has been involved in litigation in the matters of Cellular Telephone Co. d/b/a AT&T Wireless v. Zoning Board of Adjustment of the Borough of Fort Lee; and

WHEREAS, on or about October 4, 2002, the Superior Court of New Jersey, Law Division, Bergen County entered an Order reversing the Board of Adjustment's denial of a use and other variances to AT&T; and

WHEREAS, said matter is now on appeal in the Appellate Division, which appeal is docketed at A-1398-02T3; and

WHEREAS, on or about January 9, 2003, AT&T filed a second Complaint against the Board of Adjustment and the Borough regarding the denial of site plan approvals, which action is captioned Cellular Telephone Co. d/b/a AT&T Wireless v. Zoning

Board of Adjustment of the Borough of Fort Lee and the Borough of Fort Lee, and docketed at BER-L-236-03; and

WHEREAS, AT&T has asserted a claim against the Borough for an amount in excess of \$100,000.00 relative to the cost incurred by AT&T for the purchase of a five-carrier tree pole for the construction of a wireless communications facility, as well as claims for damages and attorney fees under the 1996 Federal Telecommunications Act; and

WHEREAS, AT&T, the Borough and the Board are desirous of settling these disputes; and

WHEREAS, it is in the best interest of the Borough of Fort Lee to accept the proposed settlement; and

WHEREAS, the Special Counsel, the Law Offices of Dennis J. Oury, L.L.C., has reviewed the proposed attached Settlement Agreement and have recommended the acceptance of same, in full settlement of the above two matters; and

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

1. The Mayor and Council are hereby authorized and directed to enter into said Settlement Agreement for the Borough and to execute same, along with any other documents that are necessary and incidental to placing this Settlement Agreement in full force and effect; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized and directed to publish in the official newspaper a brief notice of this Resolution and further setting forth that this Resolution and Settlement Agreement will be on file in the Clerk's Office and available for public inspection, at regular hours, in the Municipal Building; and

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to forward copies of this Resolution to the Law Offices of Dennis J. Oury, L.L.C.

**CA-11 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Traffic Signal and Intersection Improvements at Palisade Avenue & Angioletti Place**

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:

- . Traffic Signal and Intersection Improvements at Palisade Avenue & Angioletti Place

Nina Levinson, 1560 West Street, questioned CA-9, CA-7, CA-6, CA-8, CA-10 and CA-11.

Mayor Alter and Ms. Thomas responded to CA-9. Ms. Thomas spoke to CA-7, CA-6 and CA-8. Mr. Muhlstock answered CA-10 and Ms. Thomas and Mr. Cervieri spoke to CA-11.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Cervieri**, the Consent Agenda (items CA-1 through CA-11) was **approved unanimously**.

RESOLUTIONS

R-1 - Approving Saint Rocco Italian American Mutual Aid Society Festival - August 6-10, 2003 at Martha Washington Way

**Councilwoman Voss introduced, and Councilman Villano seconded,** the following Resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that consent is granted to the Saint Rocco Italian American Mutual Aid Society to conduct their annual festival on August 6th, 7th, 8th, 9th, 10, 2003 on Martha Washington Way; and

BE IT FURTHER RESOLVED that the Borough of Fort Lee shall be held harmless from any and all claims which might arise out of the St. Rocco Festival; and

BE IT FURTHER RESOLVED that for any fireworks that St. Rocco's wishes to set off, a permit must be issued by the Fort Lee Fire Prevention Bureau, and that a certificate of insurance naming the Borough of Fort Lee as additionally insured be obtained.

Mr. Cervieri stated that the Saint Rocco Italian-American Mutual Aid Society is a very worthy cause. It has a long history in Fort Lee. His great-grandfather was one of the founding members of St. Rocco's back in the 1920's. His grandmother was one of the named matrons of the St. Rocco Society. For many years that he has gone to the feast in times past, Main Street was closed down for a few days in August. As Fort Lee has grown, traffic has become one of the biggest concerns. There are places that would probably be better suited than tying up Martha Washington Way for five days. He does not have any problem with the St. Rocco's Society. He does object to inconveniencing 40,000 to 50,000 people by tying up a major thoroughfare since Lemoine Avenue would be the only other thoroughfare available for bridge traffic. With all due respect, he is voting for the people of Fort Lee and surrounding areas and will make his vote accordingly.

Mr. Villano stated that being born and raised on the Martha Washington Way property, he enjoys having the property back once a year.

Ms. Voss said that the St. Rocco's festival has been part of Fort Lee for almost seventy-five years. Everyone knows it occurs in August and knows where it is going to be. For a few days every year she believes tradition should be adhered to.

Mr. Cervieri responded that Main Street intersects with Central Road which is as long as Martha Washington Way. There are probably three or four houses in that area, along with two businesses and a parking lot. It actually goes right into the St. Rocco's Chapel. His suggestion was to move it to Central Road and extend it to the new Federspiel Street which is wide, and which would then surround the St. Rocco's Church.

Mayor Alter stated that it is an inconvenience, but Martha Washington Way didn't exist years ago. In the years that the festival has been held there, it has not obstructed traffic in a serious way. Lastly, he has had complaints involving noise that comes from the festival. He will be talking to the St. Rocco Society to cut down the noise this year.

Mr. Cervieri invited the public through e-mail or letters to Mr. Grant, Ms. Thomas and/or the elected officials to express how they feel so next year he might have a little more support.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Voss, Sargenti**

**NAY: Councilman Cervieri**

**R-2 - Amending Temporary Capital Budget**

**Councilwoman Voss introduced, and Councilman Cervieri seconded, the following Resolution:**

WHEREAS, the Borough of Fort Lee desires to constitute the 2003 Temporary Capital Budget of said municipality by inserting therein the following project,

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

Section 1. The 2003 Temporary Capital Budget of the Borough of Fort Lee is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget  
Borough of Fort Lee  
County of Bergen, New Jersey  
Projects Scheduled for 2003  
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr.</u>	<u>Capital Imp. Fund</u>	<u>Capital Surplus</u>	<u>Bonds</u>
Demolition of 540 Main St.	\$175,000			\$8,750		\$166,250

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2003 Temporary Capital Budget, to be included in the 2003 Permanent Capital Budget as adopted.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**COUNCIL REPORTS**

**Councilman Pohan** - stated that last year the governing body rezoned the block bordered by Bigler Street, Central Avenue, North Central Road and Bridge Plaza North for age-restricted housing. This past week the Planning Board approved a site plan application to build a 13 story, 152 unit age-restricted housing on that site. It will be a mix of 100 one bedroom and 52 two bedroom units. 148 parking spaces are required, but the project will have 196 spaces. The hope is that it will help the parking situation in that area.

He announced that the Fort Lee Film Commission will be commencing their summer film festival beginning Wednesday, June 4<sup>th</sup> and continuing every Wednesday through September 3<sup>rd</sup> in Constitution Park. The films will be preceded by live music. There will also be one episode of the serial "Radar Men From the Moon" shown every week. This is in 3-D and glasses will be supplied. The film festival was recognized by the New York

Times in their May 18<sup>th</sup> edition as well as in The Record on May 16<sup>th</sup>.

**Councilwoman Kasofsky** - had no report tonight.

**Mayor Alter** - noted that at last night's academic awards dinner Councilman Villano received a very high honor. Each year the Fort Lee High School picks an alumnus and includes them in their academic hall of fame. Last night Councilman Villano was added to that list. He congratulated him on his honor.

**Councilman Villano** - stated that on behalf of the Police Department, Sergeant Gary Moleta made a contribution of \$3,000 to the Municipal Alliance Committee Teen Center. This money was derived from the clothes containers in the town.

He mentioned that the Department of Public Works is in the midst of paving a number of Borough roads.

**Councilman Sargenti** - announced that registration for the Recreation Department's summer day camp will begin Monday, June 9<sup>th</sup> from 9:00 a.m. to 3:00 p.m. at the Recreation Office on Stillwell Avenue. Registration will be open for two weeks for residents. The last day for registration is Friday, June 20<sup>th</sup>. First-time residents must bring proof of age and residency. The five week summer day camp will begin Tuesday, July 1<sup>st</sup> and end on August 1<sup>st</sup>.

He also announced that the Borough's wading pools will open on June 30<sup>th</sup>. Registration will begin on Monday, June 16<sup>th</sup> and continue to Friday, June 27<sup>th</sup> from 3:00 p.m. to 7:00 p.m. at the Recreation Center. Thereafter, registration will be held at the Recreation Office from 9:00 a.m. to 3:00 p.m. weekdays for the duration of the summer. Badges are free to residents but residency will be required at the time of registration.

**Councilwoman Voss** - thanked the Mayor and Council for honoring Carol Burghardt.

She stated that on May 3<sup>rd</sup>, Fire Company #4 honored Josh Lazarus and Thomas Worner for twenty-five years of service at a dinner held at the Recreation Center.

She stated that on May 10<sup>th</sup>, Fire Company #1 had a large dinner held at the Landmark II in East Rutherford honoring Chief Ralph Porrino and members who have given at least twenty-five years of service. (List of members available in the Office of the Borough Clerk). Two \$250 scholarships were awarded in honor of the late Christian Bertram and Sam Gnasso.

She stated that at the Academic and Service Awards dinner held last night over \$65,000 was given out to eighty-two students. She thanked people for presenting awards and encouraged others to do the same in the future.

She said that Councilman Villano joined twenty others last night when he was inducted into the academic hall of fame. She added that his induction speech was very moving and meaningful. She believes that the kids got a great deal out of what he had to say.

She announced that the Senior Citizens' show will be held on Tuesday, May 28<sup>th</sup> at the Hilton Hotel in Fort Lee. The show is called "A Touch of Class Side by Side". A luncheon will commence at 12:30 p.m. followed by the cabaret at 2:00 p.m. Tickets are \$35.00. For further details call 592-3655.

She wished the best to the high school kids who are holding their Senior Prom at the Rockleigh Country Club tomorrow night.

She stated that on Memorial Day, Monday, May 26<sup>th</sup>, there will be a service in front of Borough Hall at 11:00 a.m. She added it is important to remember those who made the ultimate sacrifice for their country.

She stated that the Circle of the Arts Program was held this past Friday night at the high school. There were many outstanding performances in music and the arts from the high school kids.

She announced on behalf of Tom Meyers, Office of Cultural & Heritage Affairs, that Fort Lee artist Rudy Pezzaro donated his 1962 portrait of legendary Palisades Amusement Park Lifeguard Bunty Hill to the Borough of Fort Lee. The painting is currently on display at the Fort Lee Museum. Rudy studied under Paul Ortlip and his painting was done in the old Ortlip Studio in Fort Lee.

She said that Mr. Meyers recently accepted a Bergen County Historic Preservation award from the Bergen County Freeholder Board for the preservation of the statue of Revolutionary War soldiers in Fort Lee's Monument Park. Members of the Fort Lee Historic Committee in attendance at the awards ceremony were committee vice-chair Kay Nest, Donna Brennan, Cindy Mawn, Bert Lief and Kevin Cerragno. Also in attendance was Fort Lee Historical Society member Lou Azzollini.

She mentioned that the Fort Lee Historical Society book committee is at work on a book on Fort Lee History to be published by Arcadia in time for the 2004 Borough Centennial. The Committee is asking Borough residents to contact them if they have photos of people, places and/or events from Fort Lee's past that could be used in the book. The committee can be contacted at 201-592-3663.

**Councilman Cervieri** - read a letter dated May 12<sup>th</sup> from the Greater Fort Lee Chamber of Commerce that was sent to Thomas Tessaro, Police Chief. In short, it thanked the Police Department for their outstanding help in making Fort Lee's first spring celebration a great success. The letter specifically recognized Sergeant Jerry Conway and his community policing division. A copy of the letter was sent to the Mayor and Council as signed by Robin See, Executive Director of the Greater Fort Lee Chamber of Commerce.

He spoke to CA-5 which was approved earlier in the evening. It was this kind of concealed type of body armor that just last night saved the life of a policeman. He thought the small expenditure that the Borough pays is a small price to pay for the people who protect lives day in and day out. The Borough does everything possible for all emergency services to protect the people of the Borough.

He expressed sympathy and condolences to Tony Lione, DPW/Parks Director, and his family on the loss of his father.

He mentioned that John Pascale had the best score for the Fort Lee Firemen yesterday at the Fire Department's annual golf

outing held at the Valley Brook Club, in Rivervale.

Mr. Cervieri reminded residents that it is their right and obligation to vote at the Primary Election, Tuesday June 3<sup>rd</sup> from 6:00 a.m. to 8:00 p.m.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nick Berardi 1643 Schlosser St.	.Gilda's Club Benefit	
Christine Iannaconi 1060 Abbott Blvd.	.Abbott Boulevard Speeding	Mr. Cervieri Mayor Alter Mr. Villano
Nina Levinson 1560 West St.	.West Street Speeding .United Homeowners Meeting	

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** and carried at 9:20 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, May 8, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Cervieri

**ABSENT:** Councilwoman Voss

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that the Borough is within one year of celebrating Fort Lee's centennial (one hundred years of the incorporation of the Borough). The Borough has begun to form a committee of residents and other people who might be helpful to design what the Borough will do to commemorate the event. He's trying to keep the committee to no more than fifteen people. He asked anyone who might be able to lend something exceptional to the committee to let him know. He hopes to announce the committee members shortly.

He stated that police officer Tommy Waters is retiring and police officer Thomas Jones is taking a disability retirement. They both have given great service to the Borough. Police Officer Jones has undergone extensive rehabilitation, but it has not worked out. Police officers have been retiring quite young the past number of years. Under the system of retirement, it makes little sense from an economic standpoint to work much past twenty-five years. He believes that there is something wrong with this. Police officers are retiring at the peak of their game. He added that six new officers will be placed in the academy this summer. It takes four to six months for recruits to finish the police academy. The police force will be under strength for a while.

He mentioned that the old ShopRite property has been put out for a bid for the new recreation center going on that site. There was a pre-bid meeting which five contractors attended. The bids will be returned May 21<sup>st</sup>. On May 21<sup>st</sup> there will be some indication of how the construction community sees the cost of the project. He's looking forward to see what the numbers come in at.

He asked Mr. Grant to read a letter from Melissa Bresnan, Principal, Atascadero Fine Arts Academy, Atascadero California, (available as a permanent record with the May 8<sup>th</sup> regular meeting folder) which expressed her appreciation to the Fort Lee Fire Department for rescuing two of her students from a stuck elevator at the Holiday Inn on April 14, 2003.

Mayor Alter added his congratulations to the Fire Department.

**PROCLAMATION**

**P-1 - Fibrodysplasia Ossificans Progressiva National Bone and Joint Decade**

WHEREAS, Fibrodysplasia Ossificans Progressiva is a rare genetic condition in which the body makes additional bone in locations where bone should not form, such as within muscles, tendons, ligaments and other connective tissues; and

WHEREAS, one in every seven Americans suffers from a musculoskeletal impairment causing physical disability and severe long term pain; and

WHEREAS, the systems of Fibrodysplasia Ossificans Progressiva usually begin in the first or second decade of life, with the majority of patients diagnosed by the age of 10 depriving children of normal development; and

WHEREAS, musculoskeletal research is close to achieving major breakthroughs that likely will change and simplify the way bone and joint disorders are treated and prevented throughout the world; and

WHEREAS, numerous countries and international organizations have joined to recognize the years 2002 through 2011 as the "Bone and Joint Decade" to increase public awareness and to promote research to find the cure for musculoskeletal impairments; and

WHEREAS, at the present time, there is only one known research facility worldwide, the University of Pennsylvania, currently investigating a cure for Fibrodysplasia Ossificans Progressiva,

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Fort Lee encourage the University of Pennsylvania to continue its research and the health care community to increase the awareness of this devastating, rare genetic disorder to eliminate misdiagnosis, develop a treatment and discover a cure.

Mr. Villano stated that Mario Rosenthal, Advisory Committee for the Disabled member, has spearheaded a lot of funding for the one Fort Lee girl who has this condition.

**APPROVAL OF MINUTES**

**On motion by Councilman Pohan, seconded by Councilman Villano, and carried unanimously, the minutes of the April 10, 2003 Regular Meeting were approved.**

**On motion by Councilman Pohan, seconded by Councilman Villano, and carried unanimously, the minutes of the April 24, 2003 Executive Session were approved.**

**On motion by Councilman Pohan seconded by Councilman Villano, and carried unanimously, the minutes of the April 24, 2003 Regular Meeting were approved.**

INTRODUCTION OF ORDINANCES

Ordinance #2003-14 - Amending Chapter 261 "Land Use Procedures", Chapter 345 "Site Plan Review", Chapter 365 "Subdivision of Land" and Chapter 410 "Zoning" - Checklist for Applications for Development Made to the Planning Board and Zoning Board of Adjustment

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-14 entitled, "AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 261, "LAND USE PROCEDURES," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 345, "SITE PLAN REVIEW," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, CHAPTER 365, "SUBDIVISION OF LAND," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AND CHAPTER 410 "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE," was introduced and passed on first reading.

Mayor Alter stated that this ordinance requires the basic information for the Board of Adjustment and Planning Board when reviewing applications. The better informed that the Board members are, the better their decisions will be. It's a very important item.

Mr. Cervieri stated that this ordinance appears to give a very consistent interpretation of applications that will be submitted. He believes that this ordinance will be a good thing for the people of Fort Lee.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **June 12, 2003**.

Ordinance #2003-15 - Amending Chapter 388, Section 53, Schedule IX: Stop Intersections - Old Palisade Road

On motion by Councilman Cervieri, seconded by Councilman Pohan, and carried, Ord. #2003-15 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 53, OF THE BOROUGH OF FORT LEE CODE ENTITLED 'VEHICLES AND TRAFFIC' - SCHEDULE IX: STOP INTERSECTIONS," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **June 12, 2003**.

PUBLIC HEARINGS

Ordinance #2003-10 - Establishing Chapter 281 Providing for the Regulation, Licensing and Placement of News Racks in the Borough of Fort Lee

On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried, the public hearing was opened relative to Ord. #2003-10 entitled, "AN ORDINANCE ESTABLISHING CHAPTER 281 PROVIDING FOR THE REGULATION, LICENSING AND PLACEMENT OF NEWS RACKS IN THE BOROUGH OF FORT LEE."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti**.

Mr. Cervieri stated that this is a big improvement to further enhance the streetscape plan in the Borough.

**On motion by Councilman Cervieri, seconded by Councilman Villano, the Ordinance was adopted unanimously.**

**Ordinance #2003-12 - Amending Chapter 349, Sections 1,3,8, - "Smoke and Carbon Monoxide Detectors"**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-12** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 349 OF THE FORT LEE CODE ENTITLED SMOKE AND CARBON MONOXIDE DETECTORS."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti.**

Mr. Cervieri stated that this amendment gets the Borough in compliance with State law.

**On motion by Councilman Cervieri, seconded by Councilman Villano, the Ordinance was adopted unanimously.**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-14.

**CA-1 - Approving Raffle Licenses #936 and #937 for Church of the Madonna and Christ the Teacher Interparochial School**

WHEREAS, Church of the Madonna, 340 Main Street, Fort Lee, New Jersey, has submitted a raffle application for May 27, 28, 29, 30, 31 and June 1, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #936, pending final approval from the Legalized Games of Chance Control Commission.

and;

WHEREAS, Christ the Teacher Home School, 359 Whiteman Street Street, Fort Lee, New Jersey, has submitted a raffle application for June 1, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #937, pending final approval from the Legalized Games of Chance Control Commission.

**CA-2 - Approving Firefighter Membership Applications for Brian Kelly and Joseph Jones for Fire Company #2**

The firefighter membership applications for Brian Kelly and Joseph Jones for Fire Company #2 were approved.

**CA-3 - Accepting Disability Retirement Notice From Thomas Jones, Police Officer - Retroactive From January 1, 2003**

BE IT RESOLVED by the Mayor and Council of the Borough of

Fort Lee that the approval letter for Ordinary Disability Retirement from the State of New Jersey Division of Pensions & Benefits for **Police Officer Thomas Jones**, of the **Police Department**, dated **April 22, 2003** is hereby accepted, with an effective date retroactive to **January 1, 2003**.

**CA-4 - Accepting Retirement Notice From Thomas Waters, Police Officer - Effective June 1, 2003**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the retirement notice submitted by Police Officer Thomas Waters, of the Fort Lee Police Department, dated April 29, 2003, is hereby accepted, with an effective date of retirement from the Borough of Fort Lee of June 1, 2003.

**CA-5 - Authorizing Hiring of Richard Giacobone as an Emergency Medical Technician for the Ambulance Corps - \$13.15 Hourly**

WHEREAS, there is an Emergency Medical Technician vacancy in the Fort Lee Ambulance Corps and the Mayor and Council have determined that this vacancy must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Richard J. Giacobone, Jr., be hired to the part-time position of Emergency Medical Technician with the Fort Lee Ambulance Corps, with an effective date of May 12, 2003; and

BE IT FURTHER RESOLVED that this appointment be provisional pending certification from the New Jersey Department of Personnel. This position shall be at the wage of **\$13.15 per hour**, not to exceed 19 ½ hours per week.

**CA-6 - Authorizing Hiring of Danielle Onufrey as a Temporary Employee in the Fire Prevention Bureau - \$12.50 Hourly**

WHEREAS, a secretarial employee of the Fire Prevention Bureau is currently on medical leave; and

WHEREAS, the Fire Sub-Code Official has requested the hiring of a replacement temporary secretary to fill the void in his department,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Danielle Onufrey be hired as a part-time temporary secretary in the Fire Prevention Bureau at the rate of \$12.50 per hour effective May 19, 2003.

**CA-7 - Authorizing Hiring of Seasonal Spring/Summer Employees for Various Departments - \$7.50 to \$12.50 Hourly**

WHEREAS, spring/summer seasonal positions exist within the Administration Department, Police Department, Building Department, Fire Prevention Bureau and DPW/Parks Department, and the Mayor and Council have determined that these positions should be filled,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following individuals be hired for spring/summer help, at the hourly rates of compensation listed, respectively:

<u>Employee's Name:</u>	<u>Department</u>	<u>Hourly Rate:</u>	<u>Start</u>
Kelly Reuter	Administration	\$7.50	
Brielle Senft	Police	\$7.50	
Vanessa Ayala	Police	\$8.50	
Kevin Scrivinach	Police	\$8.50	
Lynsay Carney	Building	\$9.00	
Kimberly Martinez	Fire Prevention	\$8.50	
Dean Mirkovic	DPW/Parks	\$7.50	May 15th
Jonathan Cordova	DPW/Parks	\$7.50	May 15th
Elizabeth Sassani	DPW/Parks	\$12.50	May 15th
Brian Kelly	DPW/Parks	\$9.00	May 15th
Kyle Richter	DPW/Parks	\$8.00	May 15th
Mark Radoian	DPW/Parks	\$10.50	May 15 <sup>th</sup>
George Ruby	Parks	\$10.00	
John Paul Mugan	Parks	\$10.00	
Joseph Bozzetti	DPW/Parks	\$7.50	

**CA-8 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Body Armor for the Police Department**

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:

- . Body Armor for Police Department

**CA-9 - Authorizing Rejection of Bid for Resilient Surface Tiles at Constitution Park**

WHEREAS, the Borough of Fort Lee received a second set of bids on April 16, 2003 regarding the purchase of resilient surface tiles for the playground equipment at Constitution Park; and

WHEREAS, only one (1) bid was received by the Borough of Fort Lee from Frye's Athletic Surfaces, Inc., 244 Heilig Road, Mullica Hill, New Jersey 08062 in the amount of \$68,833; and

WHEREAS, (N.J.S.A. 40A:11-13.21.a) allows for the rejection of bids for various reasons; and

WHEREAS, the estimated budget amount for this project is \$58,692 and the bid amount exceeded the cost estimate for the goods or services by \$9,871,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby reject the bid of Frye's Athletic Surfaces, Inc., received in connection with the purchase of the resilient surface tiles because the bid exceeded the Borough's cost estimates for the goods or services; and

BE IT FURTHER RESOLVED that the Purchasing Consultant is hereby authorized to negotiate with this bidder and the previous bidders for this project.

**CA-10 - Awarding Contract to Hudson Technologies, Hillburn, New York, for Evaporator Coils Decontamination of the Police Facility HVAC System - \$12,864**

WHEREAS, Hudson Technologies has been providing certain subcontracted work in connection with the repair of the HVAC system at the Police Department facility; and

WHEREAS, the Borough desires to formalize the agreement,

NOW, THEREFORE, BE IT RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare an appropriate contract between the Borough and Hudson Technologies in order to perform services in connection with the repair of the HVAC system at the Police Department headquarters facility in accordance with the proposal attached hereto in the amount of **\$12,864.00**; and

BE IT FURTHER RESOLVED that the Mayor, be and he is hereby authorized and directed to execute such contract on behalf of the Borough; and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is hereby authorized and directed to advertise this contract in a public newspaper and maintain a copy of this resolution and the contract in his offices for public inspection, according to law.

**CA-11 - Awarding Contract to Fireworks by Grucci, Inc., Brookhaven, New York, for July 4th Fireworks' Display - \$20,000**

WHEREAS, the Borough of Fort Lee wishes to conduct a fire works display for the Fourth of July, 2003; and

WHEREAS, the Borough has negotiated with Fireworks by Grucci, Inc., for the provision of same,

WHEREAS, the Borough believes that the services to be provided are in the nature of a Extraordinary Unspecifiabile Service (EUS), and therefore need not be publicly bid,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor be and he is hereby authorized and directed to execute an agreement with Fireworks by Grucci, Inc., Brookhaven, New York who shall provide for transportation of personnel, equipment and fireworks to the Borough of Fort Lee, coordinate logistical needs and implementation of the fireworks display; and

BE IT FURTHER RESOLVED that the Mayor and Council authorize Grucci, Inc. to apply for a firework's permit from the Fire Prevention Bureau; and

BE IT FURTHER RESOLVED that the amount to be paid for the services and goods to be provided shall be in the total sum of **\$20,000**, subject to the contractor providing sufficient insurance, to be reviewed and approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this contract; and

BE IT FURTHER RESOLVED that the Borough Clerk shall advertise the awarding of this professional contract; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be maintained by the Borough Clerk for public inspection.

**CA-12 - Awarding Contract to James Hannoch, Hannoch Appraisal Company, Livingston, New Jersey, to Appraise 2029 Lemoine Avenue and 223 Main Street - \$7,500 for Both Appraisals**

WHEREAS, the Borough is interested in obtaining real property appraisal valuations for premises known as 2029 Lemoine

Avenue (Block 4701, Lot 12) and 223 Main Street (Block 4701, Lot 26); and

WHEREAS, the Borough desires to retain the services of Hanocho Appraisal Co. for such purchase,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the firm of Hanocho Appraisal Company, 11 Stonewall Drive, Livingston, New Jersey 07039, be and is hereby retained in order to prepare current fair market valuation appraisals of premises located at 2029 Lemoine Avenue and 223 Main Street; and

BE IT FURTHER RESOLVED that the aforesaid award of contract shall be in the total amount of **\$7,500** (\$3,750 each appraisal); and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Borough Attorney, be and he is hereby authorized and directed to prepare and/or review an appropriate agreement, and the Mayor, be and he is hereby authorized and directed to execute such agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED that the award of such contract is conditioned upon a written certification from the Chief Financial Officer of the existence of current funds for the payment of such services; and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is authorized and directed to maintain a copy of this resolution and the contact in his offices for public inspection, according to law.

**CA-13 - Authorizing Acceptance of \$40,000 (50-50 Match) For Round Four (4) of the Bergen County Open Space Trust Fund for Anderson Point Park**

BE IT RESOLVED, that the Mayor and Council of Borough of Fort Lee wishes to enter into a grant agreement with the County of Bergen for the purpose of using **\$40,000** for Round Four (4) Bergen County Open Space Trust Funds for Anderson Point Park in the Borough of Fort Lee; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Jack Alter to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Joseph Iannaconi, Chief Financial Officer, to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Fort Lee is liable for a dollar for dollar match for any funds awarded in accordance with the Trust requirements.

**CA-14 - Authorizing Hiring of Borris Efraimov as a Part-time Kitchen Maintenance Worker in the Senior Citizen's Department - \$9.00 Hourly**

BE IT RESOLVED by the Mayor and Council of the Borough of

Fort Lee that Borris Efraimov be hired as a part-time Kitchen Maintenance Worker in the Senior Citizen's Department at a rate of **\$9.00 per hour**, not to exceed 19 ½ hours per week; and

BE IT FURTHER RESOLVED that his hire date is retroactive to April 29, 2003.

Nina Levinson, 1560 West Street, questioned CA-6, CA-8, CA-9, CA-10 and CA-12.

Ms. Thomas responded to CA-6, CA-8 and CA-9. Ms. Thomas and Mr. Cervieri spoke to CA-10 and Messrs Alter, Cervieri and Grant responded to CA-12.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilman Sargenti**, the Consent Agenda (items CA-1 through CA-14) was **approved unanimously**.

#### APPOINTMENTS

##### A-1 - Beautification Committee

Mayor Alter nominated **Andrew Sadow** as a member of the Beautification Committee to fill an unexpired term through December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilman Sargenti**, the nomination was **confirmed unanimously**.

##### A-2 - Rent Leveling Board

Mayor Alter nominated **Pam Robbins Neimira** as a member of the Rent Leveling Board to fill an unexpired term through December 31, 2003,

**On motion by Councilman Cerveri, seconded by Councilman Sargenti**, the nomination was **confirmed unanimously**.

#### COUNCIL REPORTS

**Councilman Pohan** - mentioned as part of the Greater Fort Lee Chamber of Commerce Spring Arts Festival, on Saturday, May 10<sup>th</sup> at 7:00 p.m. the newly digitally remastered DVD of "Before Hollywood There Was Fort Lee" will be shown for free at the Fort Lee Historic Park Auditorium off Hudson Terrace.

On Sunday at 2:00 p.m. also at the Historic Park Auditorium, the Black Maria Film Festival will be held. Independent film makers works will be screened at no cost to the public. It is the only New Jersey-based film festival recognized by the Academy of Motion Picture Arts & Sciences.

**Councilwoman Kasofsky** - reminded residents not to park in fire lanes. Summonses will be issued to violators by the Parking Authority and Fire Prevention Bureau.

She stated that the Office of Emergency Management has just completed the emergency operations plan for all twenty-six buildings of Linwood Park. She explained what is included in the emergency operations plan.

She announced that on Thursday May 15<sup>th</sup>, at 2:00 p.m. the Fort Lee Library will be showing the 1994 film "Double Indemnity".

**Councilman Villano** - thanked the Mayor and Council for supporting the new Borough softball team. The Borough team is officially part of the condo-coop softball league. He thanked the Korean-American Association of Fort Lee and Bridgeview Abstract for paying for the Borough's softball uniforms.

**Councilman Sargenti** - stated that the Classic Car Show will be held this Saturday, May 10<sup>th</sup> in the Municipal Parking Lot. Proceeds will benefit the Ambulance Corps.

He announced that the first annual emergency services blood drive will be held Tuesday, May 10<sup>th</sup> from 3:00 p.m. to 8:00 p.m. at the Recreation Center.

He stated that the Fort Lee Ambulance Corps fund drive has started. All residents and businesses in the Fort Lee area have been mailed a fund drive letter and pamphlet.

He added that the Ambulance Corps has responded to over 1100 calls so far this year.

**Councilman Cervieri** - spoke to the Greater Fort Lee Chamber of Commerce's Fort Lee Spring Celebration this weekend. He mentioned all of the different events that will be held including the events that were previously mentioned by Messrs. Pohan and Sargenti.

He stated that the Chamber is holding a "Network Over Lunch" at the newly reopened and remodeled In Napoli at 116 Main Street on Thursday, May 22, 2003 at noon. Cost for this luncheon is \$15 for members, \$20 for non-members. Space is limited and reservations are required. For further information on this or any other event, contact the Chamber at 201-944-7575.

He said that the Chamber's general membership luncheon will be held at the Assembly Steakhouse & Seafood Grill in Englewood Cliffs on June 12, 2003 at noon. The Chamber will hold their installation of the Board of Directors and Beautification Awards for 2003 will be given out. The guest speaker will be Dennis McNerney, County Executive. The cost is \$25 for members, \$30 for non-members.

He stated that this past Tuesday, the Fort Lee Housing Authority was given a \$15,000 grant from Bergen County for their Learning Bridge Program which encompassed their day-care center and free school program. The grant recognized the achievements of a very successful program which enables people to help themselves get off of welfare.

He spoke to the Housing Authority's FSS (Family Self Sufficiency) Program, which has been recognized nationally. The Housing Authority currently has 63 families on the FSS Program. FSS participants receive support services from the Housing Authority to reach their goal of economic independence.

He added that on Tuesday, June 10<sup>th</sup> the Housing Authority is presenting Awards Night at the Fort Lee Recreation Center. This is in recognition of thirty-five FSS families who have successfully completed ESL, Computer, and required courses of the FSS program.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Letter Sent to Charles Feminella, President, of Certified Valuation (Revaluation Company)	
	.Number of Borough Employees	Ms. Thomas Mayor Alter Mr. Cervieri

There being no further discussion, the meeting was adjourned  
**on motion by Councilman Cervieri, seconded by Councilman  
Sargenti**, and carried at 8:45 p.m.

---

Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, April 24, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss

**ABSENT:** Councilman Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Brian Chewcaskie, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that bid packages have been prepared and that bids will be opened in the middle of May for the proposed Community Center at the old ShopRite property.

He added that there has been some discussion with regard to the Helmsley property, but things are still not perfect. He hopes to be able to have more concrete information soon.

**PROCLAMATIONS**

**P-1 - Holocaust - Days of Remembrance Program**

WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945. Jews were the primary victims - six million were murdered; Gypsies, the handicapped, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons. Millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered, grievous oppression and death under Nazi tyranny; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

WHEREAS, we the people of the Borough of Fort Lee should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and

WHEREAS, we the people of the Borough of Fort Lee should

actively rededicate ourselves to the principals of individual freedom in a just society; and

WHEREAS, the Days of Remembrance have been set aside for the people of the Borough of Fort Lee to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and

WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 27 through Sunday, May 4, 2003 including the international Day of Remembrance known as Yom Hashoah, April 29,

NOW, THEREFORE, I, Jack Alter, Mayor of Fort Lee, do hereby proclaim the week of Sunday, April 27 through Sunday, May 4, 2003, as Days of Remembrance in memory of the victims of the Holocaust, and in honor of the survivors, as well as the rescuers and liberators, and further proclaim that we, as citizens of the Borough of Fort Lee should strive to overcome intolerance and indifference through learning and remembrance.

**P-2 - Veterans of Foreign Wars - Buddy Poppies**

WHEREAS, the distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

WHEREAS, V.F.W. Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "**Honor the Dead by Helping the Living**"; therefore

**I, Jack Alter, Mayor of the Borough of Fort Lee**, do hereby urge the citizens of this community to recognize the merits for this cause by contributing generously to its support through your donations for Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

**P-3 - Person of the Year 2003 - Fred A. Daibes**

WHEREAS, **Fred A. Daibes** has been named "Person of Year 2003" by the Greater Fort Lee Chamber of Commerce in honor of his dedicated service to the community over the years; and

WHEREAS, Fred, at the age of 12 in the Year 1969, along with his parents, Assad and Mona Daibes came to the United States from Beirut, Lebanon and settled in the Borough of Edgewater; Fred's mother remained a homemaker, his father set about establishing Assad Y. Daibes & Sons, a modest construction company, and each day his father gave his customers an honest day's work for an honest day's pay, and further laid the foundation for fundamental human values and a strong sense of community in his children; and

WHEREAS, Fred, after completing Leonia High School, went off to college~an experience soon interrupted when his beloved father became terminally ill; Fred took over the family business when his father passed away; and

WHEREAS, Fred in the 1980's became actively involved in real estate, an interest which led to ownership of a real estate agency with a property management to handle outside as well as family-held properties; Fred also resolved his hometown's biggest environmental problems when the old Alcoa Factory Building was demolished, whereby Governor Whitman commended Fred on his initiative; and

WHEREAS, Fred's sense of social responsibility extends past his corporate family to his home town of Edgewater, where he has deeded parks, landscaped them; donated a fire engine, a senior citizen's bus, lights for the Little League Field, plumbing and electrical contracting for the community center; Fred Daibes quietly and consistently provides support to innumerable charitable causes~Fred's philanthropy is legend,

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee wish to recognize **Fred A. Daibes** on being selected as the Greater Fort Lee Chamber of Commerce's Person of the Year 2003", and extend best wishes for his continued happiness and success.

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-11 - Amending Chapter 388, Sections 24 & 55, Loading Zones to Include New Loading Zone at a Point 120 Feet South of the Intersection of Main and Schlosser Streets and Extending 42 Feet in a Southerly Direction on Schlosser Street**

On motion by Councilman Villano , seconded by Councilwoman Voss, and carried, Ord. #2003-11 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 24 OF THE FORT LEE CODE, ENTITLED 'LOADING ZONES,' AND CHAPTER 388, SECTION 55 OF THE FORT LEE CODE, ENTITLED 'SCHEDULE XI: LOADING ZONES,' SETTING SCHEDULE AND LOCATIONS OF LOADING ZONES" was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **May 22, 2003**.

**Ordinance #2003-12 - Amending Chapter 349, Sections 1,3,8, - "Smoke and Carbon Monoxide Detectors"**

On motion by Councilwoman Voss, seconded by Councilman Villano, and carried, Ord. #2003-12 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 349 OF THE FORT LEE CODE ENTITLED SMOKE AND CARBON MONOXIDE DETECTORS," was introduced and passed on first reading.

The Ordinance was **approved unanimously**, and the **public hearing** relative to this ordinance was scheduled for **May 8, 2003**.

**Ordinance #2003-13 - Bond Ordinance for Construction of a Community Center and Sports Fields and Other Related Expenses - \$13,500,000**

On motion by Councilman Villano, seconded by Councilwoman Voss, and carried, Ord. #2003-13 entitled, "AN ORDINANCE OF THE BOROUGH OF FORT LEE, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING FOR CONSTRUCTION OF A COMMUNITY CENTER AND SPORTS

FIELDS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF FORT LEE AND APPROPRIATING \$13,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,500,000 IN BONDS OR NOTES OF THE BOROUGH OF FORT LEE TO FINANCE THE SAME," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **May 22, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Pohan, seconded by Councilman Villano**, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-9.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$6,018,931.45
Capital	784,630.25
Trust (Accutrack)	16,901.58
Trust (Old)	157,353.72
Police Activity Account	9,984.26
Senior Citizen Advisory Council	140.00
Senior Citizen Computer Account	124.75
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	2,200.00
Fort Lee Film Commission	4,424.68

**CA-2 - Authorizing Firefighter Membership Application for Daniel Di Matteo for Fire Company #4**

The application of Daniel Di Matteo as a firefighter for Fire Company #4 was approved.

**CA-3 - Authorizing Hiring of Rose Granquist as a Part Time Kitchen Aid for the Richard A. Nest Senior Citizens' Center - \$6.25 Hourly**

WHEREAS, a temporary part-time position exists in the Richard A. Nest Senior Citizens' Center and the Mayor and Council have determined that this position should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Rose Granquist be appointed as a Kitchen Aid for the Senior Center at the wage of **\$6.25** per hour, not to exceed 19.5 hours per week retroactively from February 2003.

**CA-4 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Maintenance of Police Facility**

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:

- . Maintenance of Police Facility

**CA-5 - Authorizing Purchasing Consultant to Rebid for Lease of Municipal Property, Block 4701, Lots 2,8,10**

WHEREAS, the Borough of Fort Lee called for sealed bids on Wednesday, April 16, 2003, for a five (5) year lease of Borough property, designated as Block 4701, Lot 2, Block 4701, Lot 8 and Block 4701, Lot 10, and

WHEREAS, no bids were received by the Borough for the lease of the above property,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Purchasing Consultant is hereby authorized and directed to re-advertise for bids for the lease of the above stated block and lots.

**CA-6 - Authorizing Execution of Interlocal Health Services Partnership Agreement Between Bergen County and the Fort Lee Health Department Concerning Preparedness and Response to Bioterrorism and Other Public Threats**

WHEREAS, the Fort Lee Board of Health has adopted a resolution whereby it has indicated its intention to cooperate with the County of Bergen in connection with an Interlocal Health Services Partnership Agreement concerning preparedness and response to bioterrorism and other public threats and emergencies; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee is of the opinion that such concerns and sharing of information and personnel is of mutual aid between municipalities towards such endeavors and in the interests of the public; and

WHEREAS, there is no direct cost to the Borough as the result of entering into such Partnership Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor be and he is hereby authorized and directed to execute the attached Interlocal Health Services Partnership Agreement between the County of Bergen, the Borough of Fort Lee and the Borough of Fort Lee Health Department.

**CA-7 - Authorizing Payment to J. Fletcher Creamer & Son, Inc. for Emergency Repairs to the Collapsed Sanitary Sewer at Bluff Road and Palisade Avenue**

WHEREAS, an emergency condition existed to the safety and welfare of the public by the way of a collapsed sanitary sewer at Bluff Road and Palisade Avenue; and

WHEREAS, said repairs to the sanitary sewer was declared an extreme emergency; and

WHEREAS, on the recommendation of the Superintendent of the Department of Public Works, and the Supervisor of Sewers, J. Fletcher Creamer and Son, Inc. was immediately retained on an

emergency basis,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee authorizes payment to J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, New Jersey 07601 in the amount of **\$7,693.67**; and

BE IT FURTHER RESOLVED That the Chief Financial Officer's certificate of availability of funds is on file in the Officer of the Borough Clerk and funds are available under the capital account #04-2133-00-0012-02.

**CA-8 - Approving Change Order #1 for Allied Services of N.E. Inc., Lyndhurst, New Jersey, for Various Repairs to the HVAC System at the New Police Facility - \$19,705.25**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Fort Lee Police Facility HVAC Modifications
CONSTRUCTION MANAGER:	Calgi Construction Company
CONTRACTOR:	Allied Services of N.E., Inc.
ORIGINAL CONTRACT COST:	\$483,960.00
COST OF CHANGE ORDER:	\$ 19,705.25
COST OF PREVIOUS CHANGE ORDERS:	\$ <u>          0</u>
NEW CONTRACT SUM:	\$503,665.25
CHANGE ORDER NUMBER:	#1
NATURE OF CHANGES:	Additional Labor, Material and Equipment to Facilitate Sealed Related Issues to the HVAC Modifying Project Inclusive of Additional Controls and Decontamination of Existing Units
CONTRACT #	900556

**CA-9 - Authorizing Hiring of Anna Hawkins as a Dishwasher for the Senior Citizens' Department - \$18,000 Annually**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Anna Hawkins be hired as a full time dishwasher for the Senior Citizens' Department at the annual salary of **\$18,000**; and

BE IT FURTHER RESOLVED that her hire is retroactive to April 21, 2003.

Nina Levinson, 1560 West Street, questioned CA-4, CA-5 and CA-8.

Ms. Thomas responded to CA-4. Messrs. Alter and Grant spoke to CA-5 and Mayor Alter replied to CA-8.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti**, and the Consent Agenda (items CA-1 through CA-9) was **approved unanimously**.

RESOLUTIONS

R-1 - Making Application to Local Finance Board for its Approval of a Waiver of Down Payment in Connection With the Construction of a Community Center and Two (2) Sports Fields

**Councilwoman Voss introduced, and Councilman Sargenti seconded,** the following Resolution:

WHEREAS, the Borough of Fort Lee, in the County of Bergen, New Jersey (the "Borough"), desires to make application to the Local Finance Board for its approval of a waiver of down payment pursuant to N.J.S.A. 40A:2-7(d) and 40A:2-11(d) in connection with the adoption by the Borough of an ordinance authorizing construction of a Community Center and two (2) Sports Fields (collectively, the "Project") and bonds or notes to finance such projects; and

WHEREAS, the Borough believes:

- (a) it is in the public interest to accomplish such purposes
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the Borough
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough,

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, Auditor and Bond Counsel, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough of Fort Lee is hereby directed to file a copy of the Bond Ordinance authorizing the Projects as passed upon first reading with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes and to cause its consent to be endorsed upon the Bond Ordinances.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

R-2 - Amending Temporary Capital Budget

**Councilwoman Voss introduced, and Councilman Sargenti seconded,** the following Resolution:

WHEREAS, the Borough of Fort Lee desires to constitute the 2003 Temporary Capital Budget of said municipality by inserting

therein the following project,

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

Section 1. The 2003 Temporary Capital Budget of the Borough of Fort Lee is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget  
Borough of Fort Lee  
County of Bergen, New Jersey  
Projects Scheduled for 2003  
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Capital Surplus</u>	<u>Bonds</u>
Recreation Improvements	\$13,500,000					\$13,500,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2003 Temporary Capital Budget, to be included in the 2003 Permanent Capital Budget as Adopted.

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**COUNCIL REPORTS**

**Councilman Pohan** - stated that the Planning Board has hired Paul Phillips, of the firm Abeles, Phillips, Priess and Shapiro to do a study of two areas to see if they are in need of redevelopment. One area is across the street from the Metropolitan Plant Exchange on Main Street and the other area is across the street from the Food Emporium parking lot on Lemoine Avenue.

He stated that playing tonight and again on Saturday evening at 8:00 p.m. and Sunday afternoon at 2:00 p.m. at the Landmark Loew's Jersey Theatre in Jersey City, there will be many different viewings of "Frankenstein" including the official public re-premier of Thomas Edison's 1910 "Lost" "Frankenstein". These showings are presented by the Friends of Loew's in partnership with The Fort Lee Film Commission.

**Councilwoman Kasofsky** - asked that residents complete the library survey that will be in the next edition of the Borough's newsletter. This will give the library a better idea as to what the residents' wants and needs are with regard to using the library.

She stated that the Greater Fort Lee Chamber of Commerce spring celebration will be held during the weekend of May 10<sup>th</sup> and 11<sup>th</sup>. Saturday, May 10<sup>th</sup>, activities run from 11:00 a.m. to 5:00 p.m. and include: a Classic Car Show at the Municipal Lot; Film Premiere at Fort Lee Historic Park; Outdoor Art Show at the Public Library; Poetry Reading and Photography Exhibit at the Judge Moore House; the Cairola-Barber Post 2342's "Support Our Troops" Canteen at the 250 Main Street VFW and more! At 2:00 p.m. on Sunday, May 11<sup>th</sup>, the Fort Lee Film Commission presents

the Black Maria Film Festival at Fort Lee Historic Park. Sponsorships are still available for many of the events. Organizations and businesses in Fort Lee that would like to get involved or become a sponsor should contact the Chamber at 201-944-7575.

**Councilman Villano** - had no report tonight.

**Councilman Sargenti** - stated that this Saturday, commencing at 10:30 a.m. the American Little League will begin their baseball season at the American Little League field next to Whitey Lang Park on Anderson Avenue.

He thanked the Parks Department and specifically Mike Maresca and Tony Lione for installing the new fencing and preparing the new softball field on the southeast corner of Constitution Park. He added that there are more than 200 girls playing softball this year in Fort Lee.

**Councilwoman Voss** - announced that the Richard A. Nest Senior Center will be presenting "A Touch of Class Cabaret" at the Fort Lee Hilton on Wednesday May 28<sup>th</sup>. The luncheon will begin at 12:30 p.m. with the Cabaret commencing at 2:00 p.m. Reservations and tickets are required in advance of the event. For further information contact the Senior Center at 201-592-3670.

She stated that on Tuesday, May 6<sup>th</sup>, at the Fort Lee Library, at 7:30 p.m. Steve Wielkocz, Health Officer, will be in attendance to explain the different free health services offered by the Fort Lee Health Department. The United Homeowners is sponsoring the event.

She stated that the Fort Lee Fire Department headed up by Chief Ralph Porrino will be conducting a drill at the old ShopRite building in May. They will be using nonflammable materials and non-toxic smoke. The firefighters are in constant training. She warned the residents of the area not to get alarmed when they see firefighting equipment and men at the site.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Waiver of Down Payment on Bonding	Mayor Alter Ms. Thomas

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

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, April 10, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Voss, Cervieri

**ABSENT:** Councilman Sargenti

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter had no report tonight.

**PROCLAMATION**

**P-1 - National Organ and Tissue Donor Awareness Week**

WHEREAS, realizing the urgent need for donors around the county, the **NATIONAL ORGAN AND TISSUE AWARENESS WEEK** observance was established by Congress in 1985, to promote a greater understanding about the life-saving benefits of donation. Moreover, the need is increasing. The New Jersey Organ and Tissue Sharing Network (The Sharing Network) is committed to addressing that need through enhanced awareness; and

WHEREAS, the transplantation of organs and tissues is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. Donors not only give the gift of life, but also often restore health and sight to the recipients of the tissue and organs. People of all ages, ethnic backgrounds and religions are affected by the need for organ transplants and by the serious shortage of organ donors that exists. Currently, there are nearly 2,400 New Jerseyans and over 80,000 Americans awaiting life-saving and life-enhancing transplant operations. In 2002, the sharing Network saved the lives of over 500 people through organ and tissue donation and transplantation; and

WHEREAS, every capable person should sign a donor card and support this vital effort by learning more about donating tissue and organs filling out Donor Registry Cards, making their families aware of their wishes, and be willing to give the

precious gift of health, sight, and life to people in need; and

WHEREAS, as Mayor of Fort Lee, I recognize NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK as a great opportunity to join in the fight to save lives by giving the greatest gift.

NOW, THEREFORE, I, Jack Alter, Mayor, do hereby proclaim April 2003 as;

**NATIONAL ORGAN AND TISSUE DONOR AWARENESS MONTH**

In Fort Lee, New Jersey, and I urge all residents to join me in promoting organ and tissue donor education through the **NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK** observance.

Mr. Grant presented the proclamation to Ben Chirls, Advisory Committee for the Disabled member, who has been a recipient of a kidney organ transplant.

Mr. Chirls urged residents to sign organ donor cards.

Mr. Villano stated that his son-in-law also has received a kidney and pancreas. He would be very thankful for anyone who would sign an organ donation card.

**APPROVAL OF MINUTES**

On motion by Councilman Pohan, seconded by Councilwoman Voss, and carried unanimously, the minutes of the March 20, 2003 Executive Session were approved.

On motion by Councilwoman Voss, seconded by Councilman Pohan, and carried unanimously, the minutes of the March 27, 2003 Regular Meeting were approved.

On motion by Councilwoman Voss, seconded by Councilman Villano, and carried unanimously, the minutes of the April 3, 2003 Executive Session were approved with Mayor Alter abstaining.

**INTRODUCTION OF ORDINANCE**

**Ordinance #2003-10 - Establishing Chapter 281 Providing for the Regulation, Licensing and Placement of News Racks in the Borough of Fort Lee**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-10 entitled, "AN ORDINANCE ESTABLISHING CHAPTER 281 PROVIDING FOR THE REGULATION, LICENSING AND PLACEMENT OF NEWS RACKS IN THE BOROUGH OF FORT LEE," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for May 8, 2003.

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-11.

**CA-1 - Approving Raffle License #935 for Hackensack University Medical Center**

WHEREAS, Hackensack University Medical Center, 30 Prospect Avenue, Hackensack, New Jersey, has submitted a raffle

application for September 14, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #935, pending final approval from the Legalized Games of Chance Control Commission.

**CA-2 - Accepting Resignation Notice From Brian Martone as an EMT for the Ambulance Corps**

BE IT RESOLVED that a resignation notice, dated March 24, 2003, was received from Brian E. Martone, a part-time EMT of the Fort Lee Ambulance Corps, and the Mayor and Council have accepted same; and

BE IT FURTHER RESOLVED that Brian E. Martone's effective date of resignation from the Borough of Fort Lee shall be effective immediately.

**CA-3 - Authorizing Hiring of Lorraine Regina as a Part Time Kitchen Worker for the Richard A. Nest Senior Citizens' Center - \$5.35 Hourly**

WHEREAS, a temporary part-time position exists in the Richard A. Nest Senior Citizens' Center and the Mayor and Council have determined that this position should be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that Lorraine Regina be appointed as a temporary provisional employee, working in the kitchen of the Senior Center at the minimum wage of **\$5.35** per hour, as per the salary ordinance, not to exceed 19.5 hours per week, retroactively from her starting date of March 17, 2003.

**CA-4 - Endorsing Full Restoration of Funding for the New Jersey State Council for the Arts**

WHEREAS, the people of the Borough of Fort Lee deserve access to high quality history and cultural programs that build pride in our communities and improve its quality of life; and

WHEREAS, the Governor's fiscal year 2003/2004 budget eliminates the entire \$33.2 Million in funding for staff, operations or grants of the New Jersey State Council on the Arts, the New Jersey Historical Commission or the New Jersey Cultural Trust; and

WHEREAS, this budgetary action eliminates State support for nearly 600 local arts and history programs shifting the entire burden for their sustenance upon local government; and

WHEREAS, the non profit arts and history organizations funded by these agencies support over 17,000 jobs, return over \$90 Million in tax revenues, attract audiences that exceed 21 million and have a combined economic impact exceeding \$1.5 Billion, all of which will be severely reduced by that action and lead to the demise of important programs and organizations; and

WHEREAS, the arts and history improve our schools, attract tourists, celebrate diversity, teach tolerance, instill patriotism, revitalize our cities and towns and support local business, all of which will be undermined by that action; and

WHEREAS, these agencies provide full public accountability for expenditure of tax payer dollars and fair processes for awarding grants that help ensure quality and public benefit, which will be entirely eliminated by that action,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that we call upon the Governor and Legislature of New Jersey for full restoration of funding for the grants, staffs and operations of the New Jersey State Council the Arts, the New Jersey Historical Commission and the New Jersey Cultural Trust, under the seal of the Borough of Fort Lee this day the 10<sup>th</sup> of April in the year 2003.

**CA-5 - Objecting to the Proposed NJ Department of Environmental Protection Stormwater Regulations and Requesting Revision of Said Regulations So That It Be The Financial Responsibility of the Counties Rather Than the Municipalities**

WHEREAS, The New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Fort Lee desires to further the public interest by obtaining a grant of **\$219,145** and a loan of **\$657,436** from the State to fund the following project(s): Public green space and passive/active recreational improvements on Borough owned or operated facilities at Monument and Van Fleet Parks,

NOW, THEREFORE, BE IT RESOLVED the governing body resolves that Jack Alter or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- ©) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program and notify the applicant of the amount of funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above names project,

NOW, THEREFORE, BE IT RESOLVED by the Fort Lee Borough Council

1. That the Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as project name Fort Lee Recreational Redevelopment Project, and;
2. That the applicant has its matching share of the project if a match is required in the amount of **\$157,436**
3. That in the event the State's funds are less than the total project cost specified above the applicant has the balance of funding necessary to complete the project and;

4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project

5. That this resolution shall take effect immediately

**CA-6 - Approving Change Order #2 for Bagnato & Sons, Inc., Fairview, New Jersey, for Streetscape Phase II (-\$49,880.57)**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Streetscape Phase II
ENGINEER:	Costa Engineering Corporation
CONTRACTOR:	Bagnato & Sons, Inc.
ORIGINAL CONTRACT COST:	\$991,708.50
COST OF CHANGE ORDER:	(-\$49,880.57)
COST OF PREVIOUS CHANGE ORDERS:	<u>\$ 3,550.00</u>
NEW CONTRACT SUM:	\$945,377.93
CHANGE ORDER NUMBER:	#2
NATURE OF CHANGES:	
	Additions to Contract +22,645.00
	Reimbursement -7,005.00
	Decreases in Quantities -55,620.57
	Deletions to Contract <u>-9,900.00</u>
	(-\$49,880.57)
CONTRACT #:	900539

**CA-7 - Authorizing Rejection of Bids and Re-advertising of Same for the Phase I Combined Sewer Separation Project**

WHEREAS, the Borough of Fort Lee received the following nine (9) bids with respect to Phase I, Combined Sewer Separation Project on March 14, 2003:

<u>Company</u>	<u>Amount</u>
Hutton Construction, L.L.C. 41 Village Park Road Cedar Grove, New Jersey 07009	\$6,413,515.00
Montana Construction Corp., Inc. 80 Contant Avenue Lodi, New Jersey 07644	\$6,632,700.00
J. Fletcher Creamer & Son, Inc. 101 East Broadway Hackensack, New Jersey 07601	\$6,636,460.00
T&T Commonwealth Construction Co. 460 Faraday Avenue Jackson, New Jersey 08527	\$6,797,500.00
English Paving Company, Inc. P.O. Box 423 1087 Edgewater Avenue Ridgefield, New Jersey 07657	\$6,813,385.06

Marbell, Inc. \$6,830,900.00  
220 Broad Street  
Carlstadt, New Jersey 07072

Carbro Constructors Corp. \$7,935,500.00  
605 Omni Drive  
Hillsborough, New Jersey 08844

Persistent Construction, Inc. \$8,498,066.00  
58 Industrial Avenue  
Fairview, New Jersey 07022

Railroad Construction Company, Inc. \$9,996,800.00  
75-77 Grove Street  
Paterson, New Jersey 07503

and;

WHEREAS, the bids received were substantially in excess of the Borough's budgetary constraints; and

WHEREAS, it is the desire of the Mayor and Council to reject all of the bids and to rebid with amended specifications; and

WHEREAS, the New Jersey Department of Environmental Protection has agreed in its letter dated March 26, 2003 that the bids may be rejected on the basis of the aforesaid reasons,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the bids received by the Borough for Phase I Combined Sewer Separation, be and the same are hereby rejected; and

BE IT FURTHER RESOLVED that the Council does hereby authorize the Purchasing Consultant to rebid for said project with amended specifications, in conjunction with the advice and consent of the Borough Engineer.

**CA-8 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for Demolition of 540 Main Street**

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:

- . Demolition of 540 Main Street Building

**CA-9 - Authorizing Purchase of Three (3) Ford Interceptors From Winner Ford, Cherry Hill, New Jersey for the Police Department Via State Contract #A45069- \$60,174 (\$20,058 Per Vehicle)**

WHEREAS, the Police Department has the need to purchase three (3) new marked police vehicles;

WHEREAS, the amount requested for expenditure is over the public bidding threshold; and

WHEREAS, the police vehicles are available through Winner Ford, state contract #A45069; and

WHEREAS, the Mayor and Council hereby concur that the Police Department has an appropriate need to purchase the three (3) new marked police vehicles,

NOW, THEREFORE, BE IT RESOLVED THAT THE Mayor and Council authorize the Police Department in conjunction with the

Purchasing Department and Purchasing Consultant to prepare an appropriate Purchase Order for three (3) 2003 Ford Interceptors P71 (Crown Victoria) 4-Door Sedan Base, via state contract to Winner Ford, 250 Haddonfield - Berlin Road, Cherry Hill, New Jersey 08034, at a cost of **\$20,058** for each vehicle, (total cost **\$60,174**) for the purchase of all three vehicles; and

BE IT FURTHER RESOLVED that the award of this purchase is subject to and conditioned upon the written certification of the Chief Financial Officer of the existence of funding for the aforesaid purposes.

**CA-10 - Authorizing Execution of a Grant/Loan Application From the New Jersey Department of Environmental Protection, Green Acres Program for Various Recreation Redevelopment Projects - \$219,145 Grant and \$657,436 Loan**

WHEREAS, the Department of Environmental Protection and the State of New Jersey has requested recommendations in regard to their proposed DEP Stormwater Regulations; and

WHEREAS, the League of Municipalities has filed their recommendations objecting to the form of these regulations; and

WHEREAS, it would be in the best interest of each and every municipality in the State of New Jersey to request that the costs involved in effecting the Federal Regulations to be the obligation of the counties rather than the municipalities of the fact that these problems are regional in nature and not easily defined by municipality to municipality; and

WHEREAS, the economic effect on individual municipalities would create many hardships; and

WHEREAS, this municipality has reviewed the letter of the New Jersey League of Municipalities which was forwarded to the Department of Environmental Protection,

NOW, THEREFORE, BE IT RESOLVED that the Borough of Fort Lee hereby objects to the imposition of the proposed DEP Stormwater Regulation in its present form and requests the Department of Environmental Protection to revise said regulations so that it be the financial responsibility of the county rather than the municipalities; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to surrounding municipalities in Bergen County and to Janis E. Hoagland, Esq., Attn: DEP Docket No. 33-02-12/192. Office of Legal Affairs, Department of Environmental Protection, P.O. Box 402, Trenton, New Jersey 08625-0402.

**CA-11 - Authorizing Opening of Redemption Account With Commerce Bank for Redeemed Tax Sale Certificates**

WHEREAS, the Mayor and Council of the Borough of Fort Lee desire to process the redemption of tax sale certificate more efficiently; and

WHEREAS, New Jersey State law permits the creation of a tax collector's redemption account,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Tax Collector be authorized to establish a bank account for the purpose of redeeming tax sale certificates and the premiums of those certificates.

Nina Levinson, 1560 West Street, questioned CA-10, CA-7, CA-6, CA-5 and CA-4.

Ms. Thomas responded to CA-10, CA-7 and CA-5. Mr. Grant responded to CA-6 and Ms. Thomas and Mayor Alter spoke to CA-4.

There being no further discussion, the public hearing was closed **on motion by Councilman Villano, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-11) was **approved unanimously**.

#### COUNCIL REPORTS

**Councilman Pohan** - spoke to the rising costs of all forms of insurance in private businesses and municipalities. He stated that the Borough is part of a group that includes most of the municipalities in south Bergen County. It's known as the South Bergen Municipal Joint Insurance Fund. At their awards ceremony last week, Fort Lee was recognized for showing significant improvement in its safety program in the year 2002. This may not translate into a reduction for the cost of insurance this year but it saved the Borough in its rates. The Borough was given a certificate of achievement and a modest \$1,500 as an award.

He reminded everyone that on Thursday, April 24<sup>th</sup> at 7:00 p.m. at the Galaxy Theater in Guttenberg, there will be the first showing in ninety years of Thomas Edison's "Frankenstein". There will also be a show at the Loew's in Jersey City on Saturday night and Sunday afternoon, April 26<sup>th</sup> and 27<sup>th</sup>, which will include other Frankenstein movies that have been made.

**Councilwoman Kasofsky** - stated that as of April 15<sup>th</sup>, the Parking Authority will be summoning old expired residential parking permits. If a building is interested in having the Parking Authority issue permits in its lobby, call 201-592-3600 before April 15<sup>th</sup>.

She announced that Joseph Licata, Deputy Emergency Management Coordinator, has completed emergency plans for the following buildings: Century Towers, Horizon House, The Plaza, Linwood Park.

She stated that this past Tuesday, April 8<sup>th</sup>, a group of emergency service personnel went to Fire Company #3 for an inspection of the hazardous materials trailer. Inventory was taken of the hazardous materials with supplies being replaced as needed.

**Councilman Villano** - stated that the Fort Lee Community Fund auction was held March 28<sup>th</sup> and approximately \$5,600 was raised. He thanked businesses and individuals as a whole for making it a successful event.

He mentioned that the Advisory Committee for the Disabled hosted a conference on accessibility on April 3<sup>rd</sup>. About fifty people showed up, mostly made up of Borough employees. Five other towns also sent representatives. He thanked Bobbi Wailes, ADA Chairperson, for all of her efforts as well as all of the presenters at the conference.

**Councilwoman Voss** - stated that last week Ralph Porrino, Fire Chief, Thomas Bernard Jr., Deputy Fire Chief, and several members of the Fire Department went to Indianapolis for a week-long course for extensive training in rescue, ladder and engine

operations, high angle rescue techniques and fire investigation techniques.

She said that the Fire Department has responded to 459 incidents through March. (Fort Lee Volunteer Fire Department report included in the April 10<sup>th</sup> regular meeting folder).

She stated that on March 14<sup>th</sup> the Fort Lee Police Department and the Fort Lee faculty played a basketball game which raised money for scholarships, including the Scott Vassel scholarship. Scott was a former Fort Lee High School student, who was killed during the terrorist attacks at the World Trade Center on September 11, 2001. She commended the police officers for winning the game, but more importantly for giving of their time to play in the game.

She stated that this past Tuesday, she led 180 high school students to the Council Chambers to take part in the continuing "Dangers of DWI" program that the Police Department holds throughout the year. She commended Sgt. Jerry Conway for coordinating the program. An example of a real DWI case was presented with John DeSheplo, Municipal Court Judge, Robert Tessaro, Defense Attorney and Mark Fierro as Prosecutor. The lessons that the students learned should be very valuable to them for the future. She also expressed her thanks to Police Officer Patrick Kissane, School Resource Officer.

She stated that the School Board Election will be held this Tuesday, April 15<sup>th</sup>.

She wished everyone a happy Passover and happy Easter.

**Councilman Cervieri** - announced that the Greater Fort Lee Chamber of Commerce's annual dinner dance will be held on Saturday, April 26<sup>th</sup> at the Marriott Glenpointe in Teaneck. Reservations for this black-tie optional affair are \$125.00 per person. Fred Daibes is being honored as the Chamber's "Person of the Year". The 2003 Community Directory will be distributed at the dinner. It serves as a valuable source of information for new residents and visitors to the area. It's also an important business resource. Copies can be picked up at the Chamber's office at 210 Whiteman Street in Fort Lee.

He stated that the Greater Fort Lee Chamber of Commerce spring celebration will be held during the weekend of May 10<sup>th</sup> and 11<sup>th</sup>. Saturday, May 10<sup>th</sup>, activities run from 11:00 a.m. to 5:00 p.m. and include: a Classic Car Show at the Municipal Lot; Film Premiere at Fort Lee Historic Park; Outdoor Art Show at the Public Library; Poetry Reading and Photography Exhibit at the Judge Moore House; the Cairola-Barber Post 2342's "Support Our Troops" Canteen at the 250 Main Street VFW and more! At 2:00 p.m. on Sunday, May 11<sup>th</sup>, the Fort Lee Film Commission presents the Black Maria Film Festival at Fort Lee Historic Park. Sponsorships are still available for many of the events. Organizations and businesses in Fort Lee that would like to get involved or become a sponsor should contact the Chamber at 201-944-7575.

He echoed Ms. Voss' sentiments that Tuesday, April 15<sup>th</sup> is an important election day. School board members as well as the budget will be decided. He urged residents to come out and vote.

He recognized the Fort Lee Housing Authority again for being recognized by the federal government as an outstanding housing authority. Lillian Ciufo and her entire staff deserve applause for their efforts as well as all the members that make up the Fort Lee Housing Authority Board. There is an outstanding

Family Self Sufficiency program (FSS), which gets people off welfare and government assistance and encourages them to become actual homeowners. The Fort Lee Housing Authority has been successful in having twenty-two new homes being purchased by people who were on assistance before, but who are now self-sufficient.

**Mr. Grant** - added that the voting hours for Tuesday's School Board election are 2:00 p.m. until 9:00 p.m.

**Mayor Alter** - stated that besides the budget vote, there is also a capital expenditure question on the ballot.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Police Department Facility Litigation	Mr. Muhlstock
Harvey Sohmer 817 Glen Road	.New Jersey Transit Buses; Idling, Improper Use of Side Streets	Ms. Thomas Mayor Alter Mr. Grant

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

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, March 27, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss

**ABSENT:** Councilman Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney  
Joseph Iannaconi, CFO  
Steve Wielkocz, Borough Auditor

**MAYOR'S STATEMENT**

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

1. On January 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that some people have been asking him about the redevelopment of the ShopRite property. It involves renovation of the old building. People are seeing a lot of renovation work at the old market. The renovation work is being done by a producer of a motion picture who is using the property as a prop. They are renovating it to revive an old location in Brooklyn known as Juniors. When the film shooting is completed, the building will be taken down. The Borough is realizing some money from the movie project.

He mentioned that in a matter of weeks the specifications for the new Recreation Center and Park will be prepared and put out for public bid. He assured everyone that the old ShopRite building will not remain.

**APPROVAL OF MINUTES**

**On motion by Councilwoman Voss, seconded by Councilman Villano, and carried unanimously, the minutes of the March 6, 2003 Executive Session were approved.**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti, and carried unanimously, the minutes of the March 13, 2003 Regular Meeting were approved with Mayor Alter abstaining.**

**PUBLIC HEARINGS**

**Ordinance #2003-7 - Ordinance Accepting Redevelopment Plan as Approved by the Planning Board and Authorizing Zoning Amendments Pursuant Thereto**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti and carried,** the public hearing relative to **Ord. #2003-7** entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AREA AND ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6101, LOTS 13,14,15, AND 20 AND BLOCK 6102, LOTS 17,18,19,20 AND 21, AS DESIGNATED ON THE TAX MAP OF THE BOROUGH OF FORT LEE, AND AMENDING AND SUPPLEMENTING THE ZONING CODE SO AS TO ESTABLISH THE D-1 REDEVELOPMENT OVERLAY DISTRICT."

There being no discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti,** and the Ordinance was **adopted unanimously.**

**Ordinance #2003-8 - Correcting Ordinance to Ord. #2002-42 - Age Restricted Apartment Residential Zone (R-6A Zone)**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-8** entitled, "AN ORDINANCE AMENDING AND CORRECTING ORDINANCE #2002-42, ENTITLED AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 410, ZONING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AS ADOPTED NOVEMBER 14, 2002."

Mr. Pohan explained that this is an amendment to an ordinance that was previously passed to make the lot numbers of this rezoning conform with the official tax map of the Borough.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti.**

**On motion by Councilman Villano, seconded by Councilwoman Voss,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-9 - "CAP" Rate Ordinance to Exceed Index Rate**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti and carried,** the public hearing was opened relative to **Ord. #2003-9** entitled, "CAP Rate Ordinance to Exceed Index Rate."

Nina Levinson, 1560 West Street, asked if this ordinance raises the "CAP" rate from one percent to five percent.

Mayor Alter replied affirmatively. He added that it doesn't mean it will be five percent. It just gives authorization to do so.

Ms. Levinson mentioned other things that will increase the Borough's spending ability. She spoke to new construction that authorizes additional "CAP" increases. She believes that the "CAP" is being raised to close to ten percent.

Mayor Alter replied that the proposed budget doesn't have the kind of percentage increase that Ms. Levinson is indicating.

Mr. Wielkocz mentioned that on page 3b-1 of the budget document there was a typographical error that has been corrected and is available with the Borough Clerk. He stated that in 2003 the State mandated "CAP" is one percent. That's \$319,000 and change in the "CAP" appropriations. In addition there is a "CAP" bank in 2001 and 2002. Out of last year's "CAP" ordinance, there was a "CAP" bank of over \$700,000 that was not utilized. At this point in time with all the proposed "CAP" increases and "CAP" banks, the Borough is able to have in the "CAP" appropriations in excess of \$35,000,000. The budget as introduced has "CAP" appropriations of over \$34,000,000. The Borough is roughly

\$1,000,000 under the "CAP". All the ordinance is doing is allowing the Borough the flexibility if needed to increase the "CAP" appropriations up to \$35,000,000. It makes the most sense when planning for the next couple of years to keep the "CAP" base high. With the State giving a one percent increase and health benefits rising by twenty-five percent, the numbers don't work. The most prudent financial thing is being done to allow the Borough the most flexibility as it pertains to the "CAP" and the "CAP" law. The "CAP" has nothing to do with the amount of money to be raised by taxation. The "CAP" deals with appropriations, not taxation.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti.**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**2003 MUNICIPAL BUDGET PUBLIC HEARING**

**On motion by Councilman Villano, seconded by Councilman Pohan and carried,** the public hearing was opened relative to the **2003 Municipal Budget.**

Max Lazarus, 555 North Avenue, stated that the amount to be raised by taxation is twenty-one percent higher than it was three years ago. He spoke to last year's budget being passed in June after all the police promotions were done. He believes that along with higher insurance costs, the newly hired police officers and other new hires are a main reason the amount to be raised by taxation has increased. He stated that the size of the Police Department has not been authorized by any legitimate review. He mentioned that he gave the governing body input last year on how the Borough could save money. He added that the Borough has become a repository for ex-council people, and that the Borough does not need a redevelopment agency.

Nina Levinson, 1560 West Street, stated that she agrees with the previous speaker. She found three areas in the budget with enormous increases. She mentioned economic development salary and wages, holidays and other expenses, along with salaries and wage adjustment and the library is up \$75,000.

Mr. Iannaconi replied that the library increases are outside the "CAP".

Ms. Levinson, asked about the five-fold increase in the Capital Improvement Fund.

Mr. Wielkocz explained that's the down payment account required to do capital improvements.

Ms. Levinson stated that the Borough is paying more than twenty points in interest payments. She added that it's a very large amount.

Mayor Alter corrected Ms. Levinson and pointed out that the twenty points she's talking about is related to debt service.

Ms. Levinson asked who is outside the "CAP".

Mr. Wielkocz replied that the municipal court and elevator inspector are outside the "CAP".

Ms. Levinson stated that the Borough should start cutting expenses rather than increasing them.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss**, and **seconded by Councilman Sargenti**.

Mayor Alter stated that the budget is not done. The comments will be taken back by the governing body for review. The Borough has also applied for extraordinary aid from the State. The Borough of Fort Lee has been the leading loser in State Aid in Bergen County and possibly the State the last number of years. He believes that the Borough will work to reduce the expenditures of the Borough and/or the tax rate. He doesn't necessarily agree with the speakers tonight, but they have the right to be heard and the members of the governing body will certainly take another look at the budget. He believes that this will not be the final budget.

Mayor Alter stated that if any amendments are done, a public hearing will be held to discuss them.

Messrs. Iannaconi and Wielkocz left after this portion of the meeting.

**PROPOSED CONSENT AGENDA**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti**, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-13.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$8,516,051.02
Capital	312,804.75
Trust (Accutrack)	27,173.75
Trust (Old)	1,255.65
Police Activity Account	879.11
Senior Citizen Advisory Council	203.00
Senior Citizen Computer Account	249.50
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	60.00
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	n/a
Public Assistance Trust Fund I	1,300.00
Fort Lee Film Commission	n/a

**CA-2 - Authorizing Budget Appropriation Transfers**

BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Fort Lee, that the following 2001 budget appropriation reserve transfers are hereby made, pursuant to N.J.S. 40A:4-58, not less than two-thirds of the full membership of the Governing Body concurring:

<u>From</u>		<u>To</u>	
Borough Clerk S/W	16,000	Administration O/E	\$4,362
Group Insurance	54,798	Purchasing O/E	3,670
Ambulance Corp. S/W	10,000	Mayor & Council O/E	2,413
Fire Protection S/W	<u>40,817</u>	Borough Clerk O/E	1,859
		Legal O/E	19,491
		Engineering O/E	855
		Planning Board	2,467
		Mt. Laurel Housing Legal O/E	475
		Const. Code Official O/E	2,818
		Police O/E	8,246
		Comm. Dispatcher O/E	474
		Emergency Management O/E	9,577
		Fire Protection O/E	14,330
		Board of Health O/E	1,151
		Senior Citizen O/E	5,968
		Parks & Playgrounds O/E	48
		Special Events O/E	182
		Fire Hydrant O/E	732
		Water O/E	5,939
		Telephone O/E	33,796
		Sewer System O/E	1,324
		Municipal Court O/E	1,106
		General Services O/E	<u>332</u>
TOTAL:	121,615		121,615

**CA-3 - Authorizing Hiring of Spring Seasonal Employees for the Recreation Department - Termination Date June 30, 2003**

WHEREAS, part-time seasonal positions exist with the Department of Recreation and the Mayor and Council have determined that these positions must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the attached list of personnel (available in the office of the Borough Clerk) be appointed to the positions and rates of compensation indicated with the Department of Recreation; and

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of April 5, 2003 and a termination date of June 30, 2003.

**CA-4 - Approving Limousine Owner's License for Jin Yi Ham d/b/a Jeil Service, Inc., at 2361A Lemoine Avenue**

WHEREAS, an application has been filed by Jin Yi Ham d/b/a Jeil Service, Inc., located at 2361A Lemoine Avenue, Fort Lee, New Jersey for a license to operate a limousine business owner's license in the Borough of Fort Lee; and

WHEREAS, borough ordinance provides that only ten (10) such companies can operate with the Borough of Fort Lee and currently there are eight (8) limousine businesses operating; and

WHEREAS, the applicant has been reviewed and approved by the Fort Lee Police Department and the Building Department for an office at 2361A Lemoine Avenue,

NOW, THEREFORE, BE IT RESOLVED that upon payment of the applicable license fees, the Borough Clerk is hereby authorized and directed to issue a limousine business owner's license to Jin Yi Ham d/b/a Jeil Service, Inc., for the operation of a limousine service from 2361A Lemoine Avenue.

**CA-5 - Authorizing Person to Person Liquor License Transfer from Restaurant Yamaguchi, Inc., to Tai Kai Enterprises, LLC at a Mailing Address of 308 Hoym Street**

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption license **0219-33-030-002**, heretofore issued to **Restaurant Yamaguchi, Inc.** a New Jersey corporation located at **2165 Route 4 East, Fort Lee, New Jersey, 07024**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business; and

WHEREAS, the applicant has received a tax clearance certificate for person to person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey,

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the transfer of the aforesaid plenary retail consumption license to **Tai Kai Enterprises, LLC** (Inactive) located at a mailing address of **308 Hoym Street, Fort Lee, New Jersey, 07024** effective **March 27, 2003** and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership.

**CA-6 - Approving Change Order #1 for Integrated Access Systems, Parsippany, New Jersey, for the Audiovisual Portion of the Police Department's Camera Surveillance Project - \$21,302.35**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	Fort Lee Police Department Camera Surveillance Project
CONSTRUCTION MANAGER:	Calgi Construction Company
CONTRACTOR:	Integrated Systems, Inc. 2 Cranberry Road Parsippany, New Jersey 07054
ORIGINAL CONTRACT COST:	\$366,261.00
COST OF CHANGE ORDER:	\$ 21,302.35
COST OF PREVIOUS CHANGE ORDERS:	<u>          0</u>
NEW CONTRACT SUM:	\$387,563.35
CHANGE ORDER NUMBER:	#1
NATURE OF CHANGES:	See Below

- 1.) To Move All Audiovisual Equipment From The 1<sup>ST</sup> Floor Communication Room to the 2<sup>nd</sup> Floor Storage Room
- 2.) Additional Monitors Requested By Police Chief Thomas Tessaro

CONTRACT # 900552

**CA-7 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for a New Fire Ladder Truck**

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:

- . Ladder Truck for the Fire Department

**CA-8 - Awarding Bid to Fresh Creek Technologies, Inc., Cedar Grove, New Jersey, for Netting Trash Trap Cleaning at the Bluff Road Pump Station - \$72,360.00 for a Three Year Contract**

WHEREAS, sealed bids were called for and received on February 28, 2003 for a Three (3) Year Management Contract for the Borough's Road Pump Station's Floatable Collection System; and

WHEREAS, eight (8) bid packages were issued and one (1) bid was received as follows:

Fresh Creek Technologies, Inc.	Total: \$72,360.00
	Per Year: \$24,120.00

WHEREAS, this bid was reviewed by Borough Officials and the Borough Attorney for compliance, who recommends the award to the low bidder subject to the availability of funds from the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, that the bid is hereby awarded to Fresh Creek Technologies, Inc., 1425 Pompton Avenue, Suite 1-2, Cedar Grove, New Jersey 07009 to provide a three year management contract for the floatables at Bluff Road in the Borough of Fort Lee at a cost of **\$72,360.00 (\$24,120.00 per year)** which covers a total of seventy-two (72) change outs and 144 netting assemblies; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract and the Mayor and Borough Clerk are authorized to execute the contract with Fresh Creek Technologies, Inc.; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified to the availability of funds for the purchase.

**CA-9 - Requesting Fort Lee Planning Board to Review Tax Block 3606, Lots 8-17 and Tax Block 4006, Lots 1,2,3,21 and 22 to Determine if it Meets Legal Criteria as an Area in Need of Redevelopment**

WHEREAS, it is necessary for the Mayor and Council to provide for a preliminary investigation of the area to make said determination,

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

Section 1. The Planning Board of the Borough of Fort Lee is hereby authorized to make an investigation and, in connection therewith, to hold a public hearing to determine whether to recommend to the Mayor and Council that the area described below meets the criteria to be declared an area in need of redevelopment as defined by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended:

**Area 3**

The area consisting of Tax Block 3606, Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and Tax Block 4006 Lots 1, 2, 3, 21 and 22, as specifically described on the attached list.

Section 2. This resolution shall take effect immediately.

**STATEMENT**

Passage of this resolution will allow the Borough of Fort Lee Planning Board to conduct a preliminary investigation and hold a public hearing to determine whether to recommend to the Mayor and Council that Area 3, as described on the attached list, should be declared an area in need of redevelopment.

**CA-10 - Requesting Fort Lee Planning Board to Review Tax Block 5902, Lots 17-18 to Determine if it Meets Legal Criteria as an Area in Need of Redevelopment**

WHEREAS, the Mayor and Council of the Borough of Fort Lee has determined that the properties described on the attached list, and referred to as Area 4 below, should be preliminarily investigated by the Borough of Fort Lee Planning Board and that the Board should conduct a public hearing to determine whether to recommend to the Mayor and Council that this area meets the criteria to be declared an area in need of redevelopment as defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended; and

WHEREAS, it is necessary for the Mayor and Council to provide for a preliminary investigation of the area to make said determination,

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

Section 1. The Planning Board of the Borough of Fort Lee is hereby authorized to make an investigation and, in connection therewith, to hold a public hearing to determine whether to recommend to the Mayor and Council that the area described below meets the criteria to be declared an area in need of redevelopment as defined by the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et seq., as amended:

**Area 4**

The area consisting of Tax Block 5902, Lots 17 and 18, as specifically described on the attached list.

Section 2. This resolution shall take effect immediately.

**STATEMENT**

Passage of this resolution will allow the Borough of Fort Lee Planning Board to conduct a preliminary investigation and hold a public hearing to determine whether to recommend to the Mayor and Council that Area 4, as described on the attached list, should be declared an area in need of redevelopment.

**CA-11 - Authorizing Tax Refund for 2002 Redeemed Tax Sale Certificate at 2130 Hudson Street, Block 6102, Lot 19 - \$6,864.76**

WHEREAS, Crusader Servicing Corporation had purchased a tax sale certificate on December 4, 2002 on property located at 2130 Hudson Street, Block 6102, Lot 19; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$6,864.76** and also a Premium Trust check to be drawn in the amount of **\$8,800.00** payable to:

Crusader Servicing Corporation  
179 Washington Lane  
Jenkintown, PA 19046

M1-9012-21

**CA-12 - Authorizing Tax Refund for 2000 Redeemed Tax Sale Certificate at 2160 Center Avenue, Block 5902, Lot 4, C001T - \$13,314.58**

WHEREAS, FUNB as Custodian for Phoenix Funding Inc. had purchased a tax sale certificate on December 6, 2000 on property located at 2160 Center Avenue, Block 5902, Lot 4, C001T; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$13,314.58** payable to:

FUNB Custodian Phoenix Funding, Inc.  
First Union National Bank  
PA 1328P-123 South Broad Street  
Philadelphia, PA 19109

01-2888

**CA-13 - Endorsing Crime Victims' Rights Week in the State of Jersey and Supporting the Statewide Victims' Rights Summit to be Held on April 7, 2003**

**RESOLUTION RECOGNIZING APRIL 6 THROUGH APRIL 13, 2003 AS CRIME VICTIMS "RIGHTS WEEK IN THE STATE OF NEW JERSEY AND SUPPORTING THE STATEWIDE VICTIMS" RIGHTS SUMMIT TO BE HELD ON APRIL 7, 2003**

WHEREAS, The statewide Victims' Rights Summit to be held on April 7, 2003, marks the Crime Victims' Rights Week Kickoff event, which initiates the observance of Crime Victims' Rights Week in the State of New Jersey from April 6 through April 13, 2003; and

WHEREAS, The Borough of Fort Lee recognizes that on November 5, 1991 the voters of the State of New Jersey adopted Article 1, paragraph 22, the Victims's Rights Constitutional Amendment which promised to all victims of violent crime that they would be treated with "fairness, compassion and respect" in the criminal justice system; and

WHEREAS, the theme for Crime Victims' Rights Week in the State of New Jersey and throughout the nation for the year 2003 is "Victims Rights - Fulfill the Promise".

WHEREAS, The Borough of Fort Lee is pleased to recognize and honor all victims of crime and those activists who have demonstrated concern and compassion on behalf of their fellow citizens who have been victimized by violent crime; and

WHEREAS, The Borough of Fort Lee does hereby affirm its support of a statewide and national commitment to violence reduction and victim assistance to help bring criminals to justice, as well as increased efforts to protect citizens and safeguard the rights of those who become victims of crime; and

WHEREAS, The Borough of Fort Lee is pleased to support a statewide Victims' Rights Summit which will take place on April 7, 2003 which will bring together victims, advocates, service providers, prosecutors and legislators to celebrate the efforts made on behalf of crime victims in the past and to affirm our goals for the future,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that they hereby join in the observance of April 6 through April 13, 2003 as Crime Victims' Rights Week in the State of New Jersey, and does hereby support the promise and pay tribute to the many individuals and organizations who support and apply their resources in behalf of crime victims, and urges all citizens to do their part to stop violence by reporting crimes and refusing to tolerate injustice in their homes or in their communities; and

BE IT FURTHER RESOLVED that a duly authenticated copy of this resolution be signed by the Mayor and attested by the Clerk.

There being no comment from the public, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti**, and the Consent Agenda (items CA-1 through CA-13) was **approved unanimously**.

Mayor Alter stated that Councilman Cervieri is not here tonight because his father recently passed away in Florida. He's down in Florida helping his family with the estate.

#### **COUNCIL REPORTS**

**Councilman Pohan** - stated that in respect to the Office of Economic Development, to which he is liaison, he said to Ms. Levinson that the salary and wages numbers that she mentioned are not correct. The salary line item has not gone up to \$262,000. It's in the other expense line which includes the borough wide traffic study that's being undertaken by Schoor DePalma. It's a study that has not been done in the Borough in the last twenty-five years. It also contemplates the legal expense that will be necessary involving the existing litigation on the Helmsley property and to have something positive built there. In order to get you have to spend sometimes. It's an investment which could not only bring development to the Helmsley property but also to the skeleton building, and the area around the Tollgate Motel, which has also been declared an area in need of redevelopment. Both of these properties were recommended for redevelopment tonight. If all the properties are added up, the potential is for several billion dollars in ratables for the town. It's the only way to address the inevitable insurance costs and wage increases. The budget has wage increases that are set in stone. The Mayor and Council is trying to be prudent. The police force has been reduced from 107 to 100 officers. Three

officers have been added since the beginning of the year, but not seven. He noted that the salary of Barbara Klein who was in the Building Department is now in the salary line of Economic Development. It's an increase on one side but a decrease in another line item.

**Councilwoman Kasofsky** - noted that the Parking Authority will be enforcing the parking regulations in the Library Parking Lot at the request of the Library Board of Trustees. The parking regulations as posted in the lot will be strictly enforced.

She announced that in celebration of National Library Week, the Fort Lee Public Library will be holding an Amnesty Day on Wednesday, April 9<sup>th</sup>. On that day, no fines will be charged on overdue items. Amnesty does not apply to Quick Books; however, other materials, no matter how long overdue, will not be subject to fines during this special day.

**Councilman Villano** - announced that the Fort Lee Community Fund "Tricky Tray" auction will be held tomorrow night at the Recreation Center. Tickets will be on sale at the door for \$5.00 with the doors opening at 6:00 p.m. and the auction calling commencing at 7:30 p.m.

He stated that the Advisory Committee for the Disabled will be holding a "Working Together Positive Response" conference next Thursday, April 3<sup>rd</sup> at 10:00 a.m. at the Recreation Center. The conference has to do with accessibility for the disabled. Many people have worked hard over the last few months in preparation for next week's event.

He commended Fort Lee Police Det. James Hunt who is an ice hockey coach and recently received a prestigious award from the New Jersey Devils.

He also commended Fort Lee Police Officer Vincent Buda, who recently ran a successful youth basketball tournament amongst the four elementary schools in Fort Lee. He read a letter from the Municipal Alliance Committee on behalf of the Teen Center that was sent to Chief Tessaro expressing their gratitude on the event that raised school spirit as well as money for the Teen Center.

**Councilman Sargenti** - announced that the registration for the Fort Lee Recreation Department spring programs will be held on Monday, March 31<sup>st</sup> from 7:00 p.m. to 9:30 p.m. at the Recreation Center. Registration will continue to be held weekdays from 9:00 a.m. to 3:30 p.m. at the Recreation Office from Tuesday, April 1<sup>st</sup> until Friday April 4<sup>th</sup>. No one will be allowed to register for more than one individual outside his or her immediate family.

He added that registration for tennis identification cards will begin on April 1<sup>st</sup> at the Recreation Center from 4:00 p.m. to 8:00 p.m. on weekdays and from 9:00 a.m. to 1:00 p.m. on weekends. Applications are also being accepted for summer camp counselors and wading pool attendants. Applicants must be fifteen years old in order to work for the Recreation Department's summer programs. Applications are available in the Administration Office at 309 Main Street. For further information contact the Recreation Department at 201-592-3612.

He stated that the girls junior softball team participation has grown from 115 to close to 200 girls.

He mentioned that tickets will be issued to people who park their cars on Tenth Street who are attending the National Little League games. People who are bringing their vehicles to the field should park on Ninth Street.

He stated that a girls softball field is being placed on the southeast corner of Constitution Park. The Borough is saving some money on the construction of the field by using the Parks Department workers to do some of the work.

He stated that the Fort Lee Soccer dinner is being held this Sunday at 12:00 noon at the Marriot Hotel in Teaneck. There will be roughly 1,000 people attending the affair.

**Councilwoman Voss** - stated that the advisor to the high school student council came to her this past Monday and informed her that the students wanted do something to commemorate and honor the soldiers that are in Iraq. Many of the soldiers are between eighteen and twenty-two years old. She contacted Mayor Alter who was very receptive to the idea. She also spoke to James Viola, Post 2342 VFW Commander and Dr. Anthony Cavanna, Superintendent of Schools. This led to this afternoon when a huge yellow ribbon was tied around the tree in front of the municipal building near the World War II Monument. There's also a poster in the foyer in front of the Borough Clerk's office. Mayor Alter spoke eloquently, along with a few words from Messrs. Viola and Cavanna. A young lady from the high school sang the Star Spangled Banner. It was a very moving program.

She announced that the United Homeowner's Association is presenting a candidate's night for the school board candidates on Wednesday, April 2<sup>nd</sup> at 7:30 p.m. at the Fort Lee Library. Topics to be discussed will include the school budget, ballot questions and future plans and ambitions for the school system.

She thanked the Police Department for presenting a series of DWI programs for the high school students. They are very important and she believes that they save many lives.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Andrew Buranicz 18 Jani Court Clifton, NJ	.Against Redevelopment Plan of His Property - Block 6102, Lot 21	Mayor Alter Mr. Villano Mr. Pohan
Chris Nicholas 419 Myrtle Ave.	.Tom Meyers Library Position	Mayor Alter
Nina Levinson 1560 West St.	.Ratables .Library Parking for Certain Organizations	
	.Borough Safety Gates	Mayor Alter Ms. Voss Mr. Sargenti
Max Lazarus 555 North Ave.	.New Traffic Study Plan .Ratables	Ms. Thomas  Mr. Pohan Mayor Alter Mr. Muhlstock

**Regular Meeting**

**March 27, 2003  
Page #13**

Angie Tekirian 2161 N. Central Rd.	.Redevelopment Properties/ Traffic	Mayor Alter
	.Ferry Commute	Mayor Alter
	.Terrorism	
	.N. Central Road Traffic/ Merkle and Sylvan Streets	Mr. Villano
Roy Lippin 5 Horizon Rd.	.Terrorism - Possible Weak Areas of Borough Should Not be Announced Over Airwaves	Mayor Alter

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Sargenti,** and carried at 9:20 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, March 13, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Council Members Pohan, Kasofsky, Villano,  
Sargenti, Voss

**ABSENT:** Mayor Alter, Councilman Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Council President Voss chaired the meeting in the Mayor's absence.

**PROCLAMATION**

**P-1 - Fort Lee Rotary "Person of the Year for 2003" - Sam Cereste**

WHEREAS, Saverio "Sam" Cereste has been named "Person of the Year 2003" by the Fort Lee Rotary Club in honor of his dedicated service to the community over the years; and,

WHEREAS, Sam, who joined the Fort Lee Rotary Club in 1972, and where his service to the organization has mirrored his career as an attorney in the Borough of Fort Lee, will officially be honored as "Person of the Year" by the Fort Lee Rotary Club on Sunday, March 16, 2003 at the Fort Lee Hilton; and,

WHEREAS, Sam has served as a past President of the Fort Lee Rotary, and in this capacity has chaired the Scholarship Awards Committee, as well as the Rotary Youth League Awards Committee, recipient of the Walter Head Foundation Award for community service and has also been the recipient of the Rotary's highest award, the Paul Harris Fellow; serves as attorney for the Greater Fort Lee Chamber of Commerce, a position he held for nearly twenty-five years; Chamber President in 1986; named "Man of the Year" in 1984; and,

WHEREAS, Sam was born in Portland, Maine; raised in Newark and Hillside; graduated from Seton Hall University and Law School; he then served in the United States Peace Corps in Ethiopia from 1965 to 1967; and,

WHEREAS, Sam has been honored by the Saint Rocco Italian American Society of Fort Lee, with an Honorary Membership in 2001 for his dedicated service and legal assistance to the Society; and,

WHEREAS, Sam has been married to his lovely wife, Mary for twenty-nine years, and they are the proud parents of four children - Sam, Jr. Adriana, Justin and Alex,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Council of the Borough of Fort Lee wish to recognize Saverio "Sam" Cereste on being selected as the Fort Lee Rotary "Person of the Year for 2003", and extend best wishes for his continued happiness and success.

**APPROVAL OF MINUTES**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the February 13, 2003 Regular Meeting were approved.**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the February 20, 2003 Executive Session were approved.**

**On motion by Councilman Villano, seconded by Councilman Sargenti, and carried unanimously, the minutes of the February 27, 2003 Regular Meeting were approved.**

**PUBLIC HEARINGS**

**Ordinance #2003-7 - Ordinance Accepting Redevelopment Plan as Approved by the Planning Board and Authorizing Zoning Amendments Pursuant Thereto**

Mr. Grant explained that the public hearings for Ordinance #2003-7 and Ordinance #2003-8 will not be heard tonight because the Planning Board has not made comment yet. The Mayor and Council cannot legally act until at least thirty-five days has passed.

**On motion by Councilman Pohan, seconded by Councilman Sargenti and carried, the public hearing relative to Ord. #2003-7 entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AREA AND ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6101, LOTS 13,14,15, AND 20 AND BLOCK 6102, LOTS 17,18,19,20 AND 21, AS DESIGNATED ON THE TAX MAP OF THE BOROUGH OF FORT LEE, AND AMENDING AND SUPPLEMENTING THE ZONING CODE SO AS TO ESTABLISH THE D-1 REDEVELOPMENT OVERLAY DISTRICT," was postponed unanimously until March 27, 2003.**

**Ordinance #2003-8 - Correcting Ordinance to Ord. #2002-42 - Age Restricted Apartment Residential Zone (R-6A Zone)**

**On motion by Councilman Pohan, seconded by Councilman Sargenti and carried, the public hearing relative to Ord. #2003-8 entitled, "AN ORDINANCE AMENDING AND CORRECTING ORDINANCE #2002-42, ENTITLED AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 410, ZONING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AS ADOPTED NOVEMBER 14, 2002," was postponed unanimously until March 27, 2003.**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Villano, seconded by Councilman Pohan,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-12.

**CA-1 - Approving Raffle License #933 for Madonna R.C. Church**

WHEREAS, Madonna R.C. Church, 340 Main Street, has submitted a raffle application for March 28, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #933, pending final approval from the Legalized Games of Chance Control Commission.

**CA-2 - Approving Raffle License #934 for Christ The Teacher Home School Association**

WHEREAS, Christ The Teacher Home School Association, 359 Whiteman Street, has submitted a raffle application for March 28, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffle application #934, pending final approval from the Legalized Games of Chance Control Commission.

**CA-3 - Authorizing Firefighter Membership Application for Dennis Pothos and Auxiliary Membership Application for Thomas Ripoli for Fire Company #2 and Jr. Auxiliary Membership Application for Robert DeVito for Fire Company #4**

The firefighter membership application for Dennis Pothos and auxiliary membership application for Thomas Ripoli for Fire Company #2 was approved and the jr. auxiliary membership application for Robert DeVito for Fire Company #4 was approved.

**CA-4 - Authorizing Hiring of James Burke as a Mechanic, Grade 13, Step C, for the Department of Public Works - \$44,667 Annually**

WHEREAS, the Department of Public Works is in need of an additional employee in the Mechanics Division, due to a retirement, and the Mayor and Council of the Borough of Fort Lee have determined that the position be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that James Burke be hired as an employee of the Department of Public Works, with the title of Mechanic, Grade 13, Step C, at a salary of **\$44,667** which is in accordance with the Blue Collar Bargaining Unit Contract; and

BE IT FURTHER RESOLVED that James Burke's appointment is provisional pending certification from the New Jersey Department of Personnel, and shall be effective on March 17, 2003.

**CA-5 - Authorizing Advertising of Bids for Synthetic Playing Surface for Van Fleet Park, Backstop and Fencing for Constitution Park and Lease of Municipal Property, Block 4701, Lots 2,8,10**

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:

- . Synthetic Playing Surface for Van Fleet Park
- . Backstop and Fencing for Constitution Park
- . Lease of Municipal Property, Block 4701, Lots 2,8,10
- . Construction of Anderson Point Park (1355 Inwood Terrace)  
(Between Anderson Avenue and Edsall Boulevard)

**CA-6 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, to Update the Borough's Tax Maps - \$14,500**

WHEREAS, the Borough of Fort Lee wishes to upgrade its tax maps; and

WHEREAS, the Borough's engineering firm, Boswell McClave Engineering, has the ability to do so in accordance with its February 21, 2003 proposal,

NOW, THEREFORE, BE IT RESOLVED that Boswell McClave Engineering be and it is hereby engaged to prepare the updating of the Borough's tax maps, including all 2002 changes as well as the numbering of the entire block system, in accordance with its proposal of February 21, 2003; and

BE IT FURTHER RESOLVED that Boswell shall be paid a total lump sum fee in the amount of **\$14,500** for this project; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute an appropriate agreement to be prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED that this contract is contingent upon certification from the Chief Financial Officer of the existence of current funds for payment thereof; and

BE IT FURTHER RESOLVED that this contract is awarded on the basis of it being a professional service, for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract, together with the Chief Financial Officer's certificate of availability of funds, shall be maintained in the Office of the Borough Clerk for public inspection.

**CA-7 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, to Prepare Design Specifications and for Oversight and Inspection Services of the Renovation and Implementation of a Synthetic Type Surface at Van Fleet Park - \$25,000**

WHEREAS, there exists a need for the service of a professional engineer to design specifications and for oversight and inspection services of the renovation and implementation of a synthetic surface at Van Fleet Park in the Borough of Fort Lee; and

WHEREAS, a proposal has been received from Boswell McClave Engineering, dated March 6, 2003 to provide for such services; and

WHEREAS, the maximum amount of contract for such service to be awarded is **\$25,000.00**, and funds are available for such contract; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1, et seq., requires that a resolution authorizing the award of contracts for professional services without competitive bidding must be available of public inspection; and

WHEREAS, the Borough Council desires Boswell McClave Engineering to prepare design plans in accordance with the proposal for engineering services dated March 6, 2003,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that a contract is hereby awarded to Boswell McClave Engineering, in an amount not to exceed the sum of **\$25,000.00**, for preparation of design plans, specifications and oversight of the renovation and implementation of a synthetic surface at Van Fleet Park as more specifically set for in Boswell McClave's engineering proposal of March 6, 2003; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a professional service, in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law, as this contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law; and

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute a contract, in a form prepared by and/or reviewed by the Borough Attorney; and

BE IT FURTHER RESOLVED that the award of this contract is conditional upon the Chief Financial Officer's written certification of availability of current funds for this purposed; and

BE IT FURTHER RESOLVED that notice of this action shall be printed once in an official newspaper for the Borough of Fort Lee; and

BE IT FURTHER RESOLVED that a copy of this resolution and the proposal shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's certificate of availability of funds.

**CA-8 - Authorizing Rejection of Bids for Resilient Surface Tiles at Constitution Park and Authorizing Rebid of Same**

WHEREAS, the Borough of Fort Lee received bids on February 26, 2003 regarding the purchase of resilient surface tiles for the playground equipment at Constitution Park; and

WHEREAS, only one (1) bid was received by the Borough of Fort Lee from Corby Associates, Inc., 590 Grand Avenue, Ridgefield, New Jersey 07657 in the amount of \$73,051; and

WHEREAS, (N.J.S.A. 40A:11-13.21.a) allows for the rejection of bids for various reasons; and

WHEREAS, the estimated budget amount for this project is \$58,692 and the bid amount exceeded the cost estimate for the goods or services by \$14,358,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby reject the bid of Corby Associates, Inc., received in connection with the purchase of the resilient surface tiles because the bid exceeded the Borough's cost estimates for the goods or services; and

BE IT FURTHER RESOLVED that the Purchasing Consultant is hereby authorized to rebid and re-advertise for this project.

**CA-9 - Authorizing Rejection of Bid for a 4-Wheel Drive Yukon and Authorizing Purchase of a 2003 Ford Excursion From Warnock Automotive Via State Contract for the Ambulance Corp - \$27,326**

WHEREAS, the Borough of Fort Lee received bids on February 28, 2003 for a four-wheel drive GMC Yukon for the Ambulance Corp; and

WHEREAS, only one (1) bid was received from Beyer Bros., Corp., 109 Broad Avenue, Fairview, New Jersey 07022 in the amount of \$32,195; and

WHEREAS, in accordance with N.S.J.A. C.40a:11-21(d.&f.) allows for the rejection of bids because the Borough has revised its specifications for this procurement,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby reject the bid of Beyer Bros., Corp., received in connection with the purchase of the four-wheel drive GMC Yukon; and

BE IT FURTHER RESOLVED that the Mayor and Council authorizes the purchase of a 2003 Ford Excursion XLT, four-wheel drive vehicle for the Ambulance Corp from Warnock Automotive, d/b/a/ Warnock Ford, 175 Route 10, East Hanover, New Jersey 07936 via state contract #A53132 in the amount of \$27,326; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified to the availability of funds for this purchase.

**CA-10 - Authorizing Amendment to License Agreement for Placement of Police Surveillance Equipment at the Property Owned by Palisade A/V Company, LLC**

WHEREAS, the Borough of Fort Lee and the Fort Lee Police Department are in the process of effectuating a certain camera surveillance project; and

WHEREAS, Palisades A/C Company, LLC is the owner of one of the properties at which camera equipment is to be installed; and

WHEREAS, the property owner has requested an amendment to the Borough's form of license agreement; and

WHEREAS, the Borough Attorney has reviewed same and recommended execution of such agreement and amendment,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor be and he is hereby authorized and directed to execute an amendment to license agreement for placement of surveillance equipment at the property owned by Palisades A/V Company, LLC, including the first amendment thereto.

**CA-11 - Authorizing Lease Renewal of Certain Property for Twenty (20) Years Between the Palisades Interstate Parkway Commission and the Borough of Fort Lee**

WHEREAS, the Palisades Interstate Park Commission leased to the Borough of Fort Lee certain property under the terms of a lease agreement dated January 8, 1990; and

WHEREAS, the Borough has not in any fashion breached said terms; and

WHEREAS, the Borough desires to extend the terms of said lease for twenty (20) years at this time,

NOW, THEREFORE, BE IT RESOLVED, for one dollar (\$1.00) and other good consideration the Mayor and Council of the Borough of Fort Lee and the Palisades Interstate Parkway Commission agree to extend the current lease for a term of twenty (20) years beginning on the 13<sup>th</sup> day of March, 2003.

**CA-12 - Authorizing Tax Refund for 2002 Redeemed Tax Sale Certificate at 1 Route 5, Block 706, Lot 15, - \$1,026.31**

WHEREAS, Emtrust Properties, LLC, had purchased a tax sale certificate on December 4, 2002 on property located at 1 Route 5, Block 706, Lot 15; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$1,026.31** payable to:

Emtrust Properties, LLC  
528 Lafayette Avenue  
Hawthorne, N.J. 07506

01-2888

There being no discussion, the public hearing was closed **on motion by Councilman Villano seconded by Councilman Sargenti**, and the Consent Agenda (items CA-1 through CA-12) was **approved unanimously**.

**COUNCIL REPORTS**

**Councilman Pohan** - stated that the Fort Lee Film Commission has been very active with HBO in regard to the production that they are doing at the former ShopRite property. This is the first film being shot in Fort Lee in the last fifty-five years. HBO will be paying the Borough in excess of \$30,000 for use of the property while shooting the film in the next two months. Susan Stover is producing the film. She has also produced the critically acclaimed "Laurel Canyon".

He stated that the Borough's Office of Cultural Affairs is meeting with the curator of the Thomas Edison National Historic site for a possible display of Thomas Edison material at the Fort Lee Museum. This is in conjunction with the April showing of Thomas Edison's "Frankenstein".

**Councilwoman Kasofsky** - announced that the grace period for the 2000-2002 Residential Parking Permits will be expiring shortly. Residents must have a valid 2003-2006 Residential Parking Permit on their vehicle by April 1<sup>st</sup>. The Parking Authority will begin issuing summonses for expired permits on April 15<sup>th</sup>.

She mentioned that the Fort Lee Library will be showing the digital images of artist Bob Brown in the Atrium gallery during the month of March. The gallery is open to the public during

regular library hours.

She stated that the library will also host a lecture and book signing by author Florence Ditlow on Saturday, April 5<sup>th</sup> at 2:00 p.m. Her book, "Long in the Tooth: Surviving Chronic Illness with a Sense of Humor," is an incredible story which will both inspire and delight. For additional information regarding these programs contact Bill Camal, program coordinator for the library, at 592-3627.

**Councilman Villano** -stated that on March 17<sup>th</sup> and 19<sup>th</sup>, beginning at 6:00 p.m., the Community Policing Department is running an elementary school basketball tournament for the four public schools at the Lewis F. Cole Middle School. Admission is \$2.00.

He announced that on Saturday, March 22<sup>nd</sup> at the Fair Lawn High School gymnasium, the Fort Lee Police Department will participate in a basketball tournament benefitting the Make-A-Wish Foundation. In the past four years over \$50,000 has been raised.

He said that the Fort Lee Community Fund will be running a Chinese Auction (tricky trays) on March 28<sup>th</sup> with the doors opening at 6:00 p.m. at the Recreation Center. The auction will begin at 7:00 p.m. Tickets are \$5.00. This fund raiser helps Fort Lee individuals and families who do not qualify for welfare, but who have an immediate crisis in their families. Over \$20,000 has been raised in the past thirty months.

He stated that the Advisory Committee for the Disabled (ADA)Board has put together a countywide conference scheduled for April 3<sup>rd</sup> from 9:30 a.m. until 2:00 p.m. at the Recreation Department to educate and share ideas with other members of the county. All the Mayors and Borough Clerks in the county have been invited.

He thanked Commerce Bank for their generous donation to the Teen Center which is co-sponsored by the Municipal Alliance Committee and the Mayor and Council.

**Councilman Sargenti** - stated that the score board has come in for the Babe Ruth League. People will now know the score when they arrive at the game.

He mentioned that a synthetic type surface is going to replace the existing surface at Van Fleet Park. While Van Fleet Park is being repaired, it looks like a grass field with a backstop and fencing will soon be available to the girls at the southeast corner of Constitution Park.

He sent his condolences to Councilman Cervieri and his family on the loss of his father.

**Councilwoman Voss** - also extended her condolences to Joseph Cervieri and family on the passing of his father.

She stated that right at this moment, there is a basketball game being played at the high school gym between the Police Department and faculty members of the high school. This is an annual event that raises money for scholarships. It's a great interaction between the Police Department and the school community.

She stated that this year's high school thespian production will be "A Funny Thing Happened on the Way to the Forum". The shows will be performed on March 20th through March 22nd. The Thursday and Friday shows begin at 7:00 p.m. with the Saturday show commencing at 2:00 p.m. Tickets are \$7.00 for adults, \$5.00 for senior citizens and \$2.00 for students and children.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Roy Lippin 5 Horizon Rd.	.Tax Maps (Use of PC Platform)	Ms. Thomas Mr. Villano
Charles Sobel 2175 Hudson St.	.Rent Increases From Five Percent (5%) to MAP Formula	
	.Traffic Flow on Merkle and Sylvan Streets	
Angie Tekirian 2161 N. Central Rd.	.Car Alarms at 1 Bridge Plaza	Ms. Thomas Ms. Voss Mr. Pohan
	.Dirt and Debris on Hoyt and Hudson Streets	
Joseph Plaut 2165 N. Central Rd.	.Merkle and Sylvan Streets Traffic Lanes	

There being no further discussion, the meeting was adjourned **on motion by Councilman Villano, seconded by Councilman Sargenti,** and carried at 8:30 p.m.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, February 27, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Villano, Sargenti, Voss, Cervieri

**ABSENT:** Councilwoman Kasofsky

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, Borough Attorney  
Joseph Iannaconi, CFO  
Steve Wielkocz, Borough Auditor

**MAYOR'S STATEMENT**

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

1. On January 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter pointed out the dedication to duty with regard to Councilman Villano whose father just passed away. He thanked him for serving the Borough and coming this evening. Condolences for the family are being offered this Sunday.

He added that before the regular meeting agenda commences, there was a matter that could not be foreseen at the time of the preparation of the agenda. He asked Mr. Grant to read the required notice so that the matter may be discussed in closed session.

**RESOLUTION FOR EXCLUDING THE PUBLIC**

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Fort Lee has deemed it necessary to go into closed session certain matters to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12

1. Potential Litigation/Contract Matter Regarding Van Fleet Park

On motion by Councilwoman Voss, seconded by Councilman Sargenti, with no objections from the governing body, the above resolution was **approved unanimously**.

Mayor Alter added that for the benefit of the public that the above item should not be a long discussion.

On motion by Councilwoman Voss, seconded by Councilman Cervieri, the regular meeting reconvened at 8:15 p.m.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the February 6, 2003 Executive Session were approved.

**INTRODUCTION OF ORDINANCE**

**Ordinance #2003-9 - "CAP" Ordinance To Exceed Index Rate**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-9 entitled, "AN ORDINANCE TO EXCEED INDEX CAP RATE," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **March 27, 2003**.

**AYES: Council Members Pohan, Villano, Sargenti, Voss, Cervieri**

**INTRODUCTION OF 2003 MUNICIPAL BUDGET**

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

BE IT RESOLVED that the following statements of revenues and appropriations (available in the office of the Borough Clerk) shall constitute the Municipal Budget for the year 2003; and

BE IT FURTHER RESOLVED, that said budget be published in The Record in the issue of March 4, 2003.

The Governing Body of the Borough of Fort Lee does hereby approve the following as the Budget for year 2003 (available in the office of the Borough Clerk):

Mr. Grant announced that the total anticipated general appropriations for 2003 is expected to be **\$47,485.625.00**

The introduced budget was **approved** on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti, Voss, Cervieri**

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Fort Lee, County of Bergen, on February 27, 2003. A hearing on the Budget and Tax Resolution will be held at Borough Hall, on March 27, 2003 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2003 may be presented by taxpayers or other interested persons.

**PUBLIC HEARING**

**Ordinance #2003-6 - Amending Salary Ordinance #2002-14 - Salaries and Wages for Certain Non-Union Employees for 2002-2005**

On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried, the public hearing was opened relative to Ord. #2003-6 entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14, ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES AND CERTAIN NON-UNION EMPLOYEES."

There being no discussion, the public hearing was closed on motion by Councilman Cervieri, seconded by Councilwoman Voss.

On motion by Councilman Villano, seconded by Councilman Sargenti, the Ordinance was adopted on the following roll call:

**AYES: Council Members Pohan, Villano, Sargenti, Voss, Cervieri**

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-11.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$10,438,089.41
Capital	484,908.32
Trust (Accutrack)	14,231.15
Trust (Old)	n/a
Police Activity Account	16,698.48
Senior Citizen Advisory Council	270.00
Senior Citizen Computer Account	1,050.00
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	16.80
Public Assistance Trust Fund I	n/a
Fort Lee Film Commission	1,579.10

**CA-2 - Authorizing Firefighter Membership Application for Dean Mirkovic for Fire Company #2**

The firefighter membership application for Dean Mirkovic for Fire Company #2 was approved.

**CA-3 - Authorizing Hiring of Paul DePalma as a Mechanic, Grade 13, Step C, for the Department of Public Works - \$44,667 Annually**

WHEREAS, the Department of Public Works is in need of an additional employee in the Mechanics Division, due to a retirement, and the Mayor and Council of the Borough of Fort Lee

have determined that the position be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Paul DePalma be hired as an employee of the Department of Public Works, with the title of Mechanic, Grade 13, Step C, at a salary of **\$44,667** which is in accordance with the Blue Collar Bargaining Unit Contract; and

BE IT FURTHER RESOLVED that Paul DePalma's appointment is provisional pending certification from the New Jersey Department of Personnel, and shall be effective on March 3, 2003.

**CA-4 - Authorizing the Adoption of Workers' Compensation Procedures for the Borough of Fort Lee**

**A RESOLUTION REGARDING ADOPTION OF WORKERS' COMPENSATION PROCEDURES FOR THE BOROUGH OF FORT LEE**

WHEREAS, the Borough desires uniform procedures to record, confirm and monitor the use of Workers' Compensation time by the employees of the Borough of Fort Lee which are important to maintain effective methods to deal with occupational illness or injury; and

WHEREAS, the Borough believes to properly insure and maintain uniform procedures applicable to all full-time and part-time employees of the Borough of Fort Lee, there is a need to develop comprehensive procedures regarding Worker's Compensation; and

WHEREAS, the Borough Administrator and the Labor Attorney have prepared the Workers' Compensation and recommended the adoption of same to the Mayor and Council,

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

The Borough of Fort Lee hereby adopts as its policy the Workers' Compensation Procedures dated February 2003, which shall become an Addendum to the Employee Handbook of the Borough of Fort Lee (Available in the Office of the Borough Clerk); and

BE IT FURTHER RESOLVED that a copy of the Workers' Compensation procedures shall be forwarded to all Borough Employees within a reasonable time after adoption of this Resolution.

**CA-5 - Authorizing Execution of Loan Application From the New Jersey Department of Environmental Protection, Green Acres Program for Various Recreation Redevelopment Projects - \$500,000**

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Fort Lee desires to further the public interest by obtaining a loan of \$500,000 from the State to fund the following project(s): Public green space and passive/active recreational improvements on Borough owned or operated facilities. This includes, but is not limited to,

facilities at Monument and/or Van Fleet Parks,

NOW, THEREFORE, the governing body/board resolves that Jack Alter or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project,

NOW, THEREFORE, BE IT RESOLVED BY THE Fort Lee Borough Council

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as project name Fort Lee Recreational Redevelopment Project, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$N/A.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

**CA-6 - Authorizing the Lease/Purchase and Preventative Machine Package for a Canon Copy Machine From Cannon USA Inc., Paramus, New Jersey, for Emergency Management Via State Contract #A51144 for - \$21,492.60 (\$1.00 Buy-Out at the End of the Five Year Lease)**

WHEREAS, the Office of Emergency Management has requested the lease/purchase of a new Canon IR5000 Digital Copy Machine; and

WHEREAS, the copy machine is available through Canon Business Solutions, Northeast-Inc. via state contract #A51144; and

WHEREAS, the cost of the copy machine is over the bid threshold amount of \$17,500 and the expenditure must be authorized by resolution of the governing body,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the Office of Emergency Management to lease/purchase one (1) Canon IR5000 Digital Copy Machine by purchase order from Canon Business Solutions, Northeast-Inc., 115 Century Road, Paramus, New Jersey 07652 in

the amount of **\$304.21 per month** for sixty months totaling **18,252.60** with a **\$1.00 buy-out** at the end of the sixty month lease; and

BE IT FURTHER RESOLVED that the governing body authorizes an all inclusive service package be purchased for the copy machine at a cost of **\$54.00 per month** for sixty months totaling **\$3,240**.

**CA-7 - Authorizing the Purchase of PC/Workstations With Monitors and Other Related Computer Equipment From Compaq Computer Corp., Houston, Texas, Via State Contract for the Building Department - \$20,422**

WHEREAS, the Building Department has requested the purchase of eight (8) PC/Workstations w/17" flat monitors along with associated computer peripheral equipment; and

WHEREAS, the computer equipment is available through Compaq Computer Corp., via state contract #A81249; and

WHEREAS, the cost of the computers are over the bid threshold amount of \$17,500 and the expenditure must be authorized by resolution of the governing body,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the Building Department to purchase eight (8) PC/Workstations w/17" flat monitors along with associated computer peripheral equipment by purchase order from Compaq Computer Corp., 20555 State Highway 249, Houston, Texas, 77070 in the amount of **\$18,996.00**; and

BE IT FURTHER RESOLVED that the governing body authorizes the purchase of a network switch, 24-port and rack mount ups for the Building Department from Westwood Computer Corp., 11 Diamond Road, Springfield, New Jersey 07081 via state contract #A81195 in the amount of **\$1,426.00**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this purchase.

**CA-8 - Awarding Contract to Boswell McClave Engineering, South Hackensack, New Jersey, for Engineering Design and Construction Oversight Services for Improvements to Cumbermeade Road - Fee Not to Exceed \$27,700**

WHEREAS, the Borough wishes to effect certain improvements to Cumbermeade Road; and

WHEREAS, the Borough will receive a state aid grant in the amount of \$125,000 toward the total estimated cost of \$161,700; and

WHEREAS, the Borough desires that the firm of Boswell McClave Engineering prepare roadway construction plans and specifications, act as coordinator of construction meetings and provide inspection services during the construction phase,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering, 330 Phillips Avenue, South Hackensack, New Jersey, 07606 be and is hereby retained in connection with the Cumbermeade Road improvement project to provide engineering services pursuant to Boswell's proposal of February 5, 2003, a copy of which is available in the office of the Borough Clerk; and

BE IT FURTHER RESOLVED that Boswell McClave shall perform the services as outlined in its proposal for an estimated fee not to exceed **\$13,000** for the design phase and a fee not to exceed **\$14,700** for the construction phase, with billing to be based upon the engineering firms hourly rates; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is one for professional services, for which no public bidding is necessary or required; and

BE IT FURTHER RESOLVED that the aforesaid award of contract be and hereby subject to and conditioned upon the written certification of the Chief Financial Officer as to availability of funds in the current budget for this project; and

BE IF FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized and directed to advertise the award of the contract and to maintain a copy of this resolution in his offices, for public inspection, according to law.

**CA-9 - Approving Developer's Agreement for Exxon Mobil Corporation, State Highway Route 5, Block 1304, Lots 1-3**

WHEREAS, the Zoning Board of Adjustment of the Borough of Fort Lee adopted a Resolution approving a development by Exxon Mobil Corporation for property located at Block 1304, Lots 1, 2, and 3, State Highway Route 5 and Palisade Avenue, Fort Lee, New Jersey; and

WHEREAS, the Resolution was conditioned upon Exxon Mobil Corporation entering into a Developers Agreement with the Borough of Fort Lee and the posting of the necessary performance guarantees; and

WHEREAS, a Developers Agreement has been prepared by the Borough Attorney; and

WHEREAS, such Developers Agreement has been executed by Exxon Mobil Corporation and the necessary performance guarantees, cash deposits and insurance certificate has been reviewed and approved by the borough attorney,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor and Borough Clerk be and are hereby authorized to execute the Developers Agreement with Exxon Mobile Corporation.

**CA-10 - Authorizing Execution of Treatment Works Approval (TWA) Application, for the State of New Jersey, DEP, With Regard to Exxon On The Run and Canopy, State Highway Route 5, Block 1304, Lots 1-3**

WHEREAS, Exxon On The Run & Canopy, located at New Jersey State Highway Route #5 and Palisade Avenue, Block 1304, Lots 1 through 3, has a need for a extinguishment of an existing sewer easement and the need for the relocation of the existing sanitary sewer transversing the Exxon On The Run Property; and

WHEREAS, in order to install the new sanitary sewer, a New Jersey Department of Environmental Protection permit is required; and

WHEREAS, Boswell McClave Engineering, has reviewed a Treatment Works Application (TWA) on behalf of the applicant for the Borough of Fort Lee,

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Fort Lee authorizes the Mayor or Borough Administrator to execute a Treatment Works Approval application, to the New Jersey Department of Environmental Protection for Exxon On The Run and Canopy.

**CA-11 - Authorizing Tax Refund for 2002 Redeemed Tax Sale Certificate at 201 Bridge Plaza North, Block 5902, Lot 24, C014F - \$655.81**

WHEREAS, P.A.M. Investors, Inc. had purchased a tax sale certificate on December 4, 2002 on property located at 201 Bridge Plaza North, Block 5902, Lot 24, C014F; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$655.81** and a premium to be drawn in the amount of **\$2,500.00** payable to:

P.A.M. Investors, Inc.  
127 S. Washington Avenue  
Bergenfield, N.J. 07621

01-2888

Nina Levinson, 1560 West Street, had questions pertaining to CA-3, CA-4, CA-5, CA-6, CA-7 and CA-10.

Ms. Thomas spoke to all of her inquiries.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, and the Consent Agenda (items CA-1 through CA-11) was **approved unanimously**.

**COUNCIL REPORTS**

**Councilman Pohan** - stated that the Borough is getting ready to issue pension refunding bonds. This was approved last year in order to cover the Borough's existing obligation to the New Jersey Pension Fund. The bonds to be issued will reduce the Borough's long-term obligation to the pension fund. In connection with the bonds, Moody's Investor Services has given Fort Lee once again a AA3 rating which is about as good as it gets for New Jersey municipalities.

He stated that the Teaneck Public Library sent a very nice letter praising the February 14<sup>th</sup> screening of Oscar Micheaux's "Symbol of the Unconquered". He read a part of the letter that praised Tom Meyers, Fort Lee Film Commission Chairman, along with Professor Richard Koszarski, Film Commission member, who both presented an excellent program. The same program that was supposed to be held at the Fort Lee Library last week was cancelled because Mr. Koszarski was unable to attend. The program will be held later this year.

**Councilman Villano** - stated that on March 17<sup>th</sup> and 19<sup>th</sup>, the Community Policing Department is running an event that will consist of the four elementary public schools competing in a basketball tournament. Admission is \$2.00.

He announced that the Fort Lee Community Fund will be running a Chinese Auction (tricky trays) on March 28<sup>th</sup> commencing at 7:00 p.m. at the Recreation Center. Tickets are \$5.00. Donations for prizes are still being accepted.

He stated that the Advisory Committee for the Disabled (ADA) Board has put together a countywide ADA meeting that has been scheduled for April 3<sup>rd</sup> at the Recreation Department. All the Mayors and Borough Clerks in the county have been invited. There are only a few ADA Boards in Bergen County, and Fort Lee has one of the most active ADA Boards. He explained the program that is being offered. He commended the ADA Board, along with Sharon Scheiner and Barbara Bicocchi of the Borough Clerk's office and Maryanne Sutera of the Administration office, for putting the brochure together. Through his years as a liaison to the ADA Board, he has learned a great deal about what disability is all about.

**Councilman Sargenti** - stated that the Police Department has asked that due to snow expected to begin tonight, all cars and vehicles be removed from the streets so that the streets can be properly plowed. He commended all the personnel involved in doing a great job in removing the snow and taking care of the residents after last week's storm.

**Councilwoman Voss** - stated that Stephen Wielkocz, Health Officer, sent her the following list of simple precautions that Fort Lee residents can take in preparation for an act of terrorism.

1. Make a plan for contacting family members in an emergency. Designate a meeting place, in case phone service is knocked out or if your home is wiped out.
2. Find out where your spouse and children would be evacuated to in the event of an attack.
3. Keep life, property, health and other insurance policies current. Stash copies of important documents such as identification, deeds and wills in a watertight container.
4. Keep some cash handy.
5. Have a plan for pets because shelters do not allow them.
6. Assemble a disaster supply kit. It should have bottled water, food and emergency supplies. Also include prescription drugs, extra pairs of glasses and a first aid kit.

For further information, see [www.dhs.gov](http://www.dhs.gov).

Councilwoman Voss stated that Robin See of the Greater Fort Lee Chamber of Commerce is leading a group, including the Historic Committee, to work on a cultural weekend in Fort Lee on May 10<sup>th</sup> and 11<sup>th</sup>. The purpose is to bring about a greater awareness of the cultural groups and activities in Fort Lee. Many events are planned and more information will be forthcoming as the event date draws nearer.

She announced that the Fort Lee Historic Committee has initiated a living history program. Fort Lee residents are encouraged to contact the Historic Committee so they can be videotaped and their memories of Fort Lee archived and stored in the Fort Lee Museum for use as a reference source for historians. The first interview was taped on January 25, 2003 with Lou Gallo, a former waiter at Fort Lee's famous Riviera Nightclub.

She said that the Fort Lee Historic Committee and Historical Society are working on a book on Fort Lee history to be released in time for the Borough's centennial in 2004. They are asking anyone with photos of Fort Lee events to contact the Historic Committee at 201-592-3633.

She mentioned that there was a recent article in the "Village Voice" that did a close-up of Fort Lee. It showed what a great town Fort Lee is.

She sent her condolences to Councilman Villano on the loss of his father.

**Councilman Cervieri** - acknowledged the passing of Councilman Villano's father.

He stated that Ira Tendler, long-time postal worker, and commander of the Jewish War Veterans, also passed away this week. He had served valiantly in World War II. He was also a Democratic Committee person.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Ralph Porrino Fort Lee Fire Chief	.Impending Snow Storm .Non-Use of Candles	
	.March 16 <sup>th</sup> St. Patrick's Party at Fire Co. #1 Benefit George Laughtenschlager Scholarship Fund	
Anna Lypinski 400 Park Place	.DPW - Excellent Snow Removal Services After Last Storm	
	.Issuance of Summonses for People Who Don't Clean and Clear Their Sidewalks of Snow	Ms. Thomas Ms. Voss Mayor Alter Mr. Cervieri
Chris Nicholas Myrtle Avenue	.Hiring of Tom Meyers .Library Board Of Trustees	Mayor Alter Mr. Villano
Tom Meyers 2467 Hammett Avenue	.Noted Full Time Status and Qualifications for His Position	Mr. Cervieri
Nina Levinson 1560 West St.	.Unfunded Bond Ordinance for Pension Liabilities	Mr. Pohan
	.Revaluation	Ms. Thomas Mr. Muhlstock
	."CAP" Rate Index Ord.	Mr. Wielkotz
	.Tax Points	

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** and carried at 8:55 p.m.

\_\_\_\_\_  
Neil Grant, Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, February 13, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter had no special report tonight.

He stated that before the regular meeting agenda commences, there was a matter that could not be foreseen at the time of the preparation of the agenda, which is a contract matter that will be discussed in closed session. He asked Mr. Grant to read the required notice so that the matter may be discussed in closed session.

**RESOLUTION FOR EXCLUDING THE PUBLIC**

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Fort Lee has deemed it necessary to go into closed session certain matters to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

1. Contract Matter Regarding the Lease of Municipal Property

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, with no objections from the governing body, the above resolution was approved unanimously.**

Mayor Alter added that for the benefit of the public, the above item should not be a long discussion. After the regular meeting convenes, hopefully an announcement will be made

as to what exactly occurred in the closed portion of the meeting.

On motion by Councilman Pohan, seconded by Councilwoman Kasofsky, the regular meeting reconvened at 8:25 p.m.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the December 12, 2002/January 1, 2003 Recessed Meeting were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the January 9, 2003 Regular Meeting were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the January 16, 2003 Executive Session were approved.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the January 23, 2003 Regular Meeting were approved.

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-6 - Amending Salary Ordinance #2002-14 - Salaries and Wages for Certain Non-Union Employees for 2002-2005**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-6 entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2002-14, ESTABLISHING SALARIES FOR WHITE COLLAR EMPLOYEES AND CERTAIN NON-UNION EMPLOYEES," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for February 27, 2003.

**Ordinance #2003-7 - Ordinance Accepting Redevelopment Plan as Approved by the Planning Board and Authorizing Zoning Amendments Pursuant Thereto**

On motion by Councilman Pohan, seconded by Councilman Villano, and carried, Ord. #2003-7 entitled, "AN ORDINANCE ESTABLISHING A REDEVELOPMENT AREA AND ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6101, LOTS 13,14,15, AND 20 AND BLOCK 6102, LOTS 17,18,19,20 AND 21, AS DESIGNATED ON THE TAX MAP OF THE BOROUGH OF FORT LEE, AND AMENDING AND SUPPLEMENTING THE ZONING CODE SO AS TO ESTABLISH THE D-1 REDEVELOPMENT OVERLAY DISTRICT" was introduced and passed on first reading.

The Ordinance was approved on the following roll call, and the public hearing relative to this ordinance was scheduled for March 13, 2003.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**Ordinance #2003-8 - Correcting Ordinance to Ord. #2002-42 - Age Restricted Apartment Residential Zone @-6A Zone)**

On motion by Councilman Pohan, seconded by Councilman

**Villano and carried, Ord. #2003-8** entitled, "AN ORDINANCE AMENDING AND CORRECTING ORDINANCE #2002-42, ENTITLED AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 410, ZONING OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FORT LEE, AS ADOPTED NOVEMBER 14, 2002," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **March 13, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**PUBLIC HEARINGS**

**Ordinance #2003-4 - Amending Chapter 86, Section 4, Residency Requirements for New Employees**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-4** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 86, SECTION 4, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED RESIDENCY REQUIREMENTS FOR NEW EMPLOYEES."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Villano, seconded by Councilman Cervieri,** the Ordinance was **adopted unanimously.**

**Ordinance #2003-5 - Amending Chapter 360, Sections 3-7, Removal of Snow and Ice on Sidewalks**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-5** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 360, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED STREETS AND SIDEWALKS."

There being no discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted unanimously.**

**PROPOSED CONSENT AGENDA**

**On motion by Councilwoman Voss, seconded by Councilman Sargenti,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-19.

**CA-1 - Approving Raffle License #932 for Madonna R.C. Church**

WHEREAS, Madonna R.C. Church, 340 Main Street, has submitted a raffle application for March 22, 2003; and

WHEREAS, the governing body has determined that their license application is complete in all respects,

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby approves raffles application #932, pending final approval from the Legalized Games of Chance Control Commission.

**CA-2 - Approving Firefighter Membership Applications for Jacqueline Onufrey and Wesley Hudson-Black and Auxiliary Application for Julie Franz for Fire Company #1**

The firemen membership applications for Jacqueline Onufrey and Wesley Hudson-Black and auxiliary membership application for Julie Franz for Fire Company #1 were **approved**.

**CA-3 - Accepting Disability Retirement Notice for Roberta Sohmer, Tax Assessor's Office - Retroactive to February 1st**

BE IT RESOLVED that a notice received by the State of New Jersey - Division of Pensions & Benefits, dated November 20, 2002, which grants approval for an Ordinary Disability Retirement for Roberta Sohmer, from the Tax Assessor's Officer,

NOW, THEREFORE, BE IT RESOLVED that Roberta Sohmer's effective date of retirement from the Borough of Fort Lee shall be retroactive to February 1, 2003.

**CA-4 - Accepting Resignation Notice From Kerry Kosuda, Police Department - Retroactive to January 28th**

BE IT RESOLVED that a resignation notice, dated January 28, 2003, was received from Kerry A. Kosuda, of the Police Department, and the Mayor and Council have accepted same,

NOW, THEREFORE, BE IT RESOLVED that Kerry A. Kosuda's effective date of resignation from the Borough of Fort Lee shall be retroactive to January 28, 2003.

**CA-5 - Authorizing Hiring of Bruce Bonaventuro, as a Licensed C-3 Wastewater Operator for the DPW - \$8,500 Annually**

WHEREAS, on or about February 14, 2002, the Mayor and Council of the Borough of Fort Lee entered into a contact with Bruce Bonaventuro to provide licensed, certified services with respect to operation of the collection system wastewater on behalf of the Department of Public Works; and

WHEREAS, the Mayor and Council have decided to retain Bruce Bonaventuro as a C-3 Wastewater Operator and borough employee for the year 2003,

NOW, THEREFORE, BE IT RESOLVED that the Borough shall pay Bruce Bonaventuro, for his services in the amount of **\$8,500** annually, and this resolution shall be effective immediately.

**CA-6 - Awarding Contract to Mark Sokolich of the Law Firm of Sokolich & Macri, Esq. as Zoning Board of Adjustment Attorney for 2003 - \$20,000**

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for Professional Service as follows:

**Zoning Board of Adjustment Attorney**

Mark Sokolich of the Law Firm of Sokolich & Macri, 1223 Anderson Avenue, Fort Lee, New Jersey 07024

Fee \$20,000 Annually + \$125.00 Hourly for Any Additional Litigation

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey this contract is awarded without competitive bids as a "Professional Service under the provisions of the Local Public Contract Law"; and

BE IT FURTHER RESOLVED that the \$20,000 annual fee to be paid to Mark Sokolich of the law firm of Sokolich and Macri will be paid through the payroll of the Borough of Fort Lee less FICA and Medicare expenses at 7.65%; and

BE IT FURTHER RESOLVED that this contract is subject to the availability of funds in the 2003 Municipal Budget as certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that notice of this action shall be printed in an official newspaper of the Borough of Fort Lee, as required by law within ten (10) days of its passage.

**CA-7 - Awarding Contract to Maureen Holtje, d/b/a Administrative Purchasing Consultants, as the Borough's Purchasing Consultant for One Year - \$75,000**

WHEREAS, the Borough of Fort Lee approved a resolution dated June 22, 2000, awarding a one year contract to Maureen Holtje, d/b/a Administrative Purchasing Consultants to be the Borough's Purchasing Consultant; and

WHEREAS, Ms. Holtje continued to perform as the Borough's Purchasing Consultant without a contract since June 30, 2001; and

WHEREAS, the Borough Administrator has reviewed the proposal submitted by Maureen Holtje; and

WHEREAS, the Chief Financial Officer also recommends that Ms. Holtje be continued to be retained as the Borough's Purchasing Consultant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough hereby wishes to continue to retain the services of Maureen Holtje, d/b/a Administrative Purchasing Consultants, as the Borough's Purchasing Consultant in accordance with her proposal submitted to the Borough Administrator; and

BE IT FURTHER RESOLVED that Ms. Holtje shall be retained for a period of one year, from February 13, 2003 to February 12, 2004, at the total sum of \$75,000, payable on a monthly basis in the amount of \$6,250 each month; and

BE IT FURTHER RESOLVED that the award of this contract be and is hereby declared to be in the nature of a professional service for which no public bidding is required; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract and the Mayor be and he is hereby authorized and directed to execute same; and

BE IT FURTHER RESOLVED that a copy of this resolution and the publication notice shall be filed in the office of the Borough Clerk, for public inspection.

**CA-8 - Authorizing Purchasing Consultant to Obtain Specifications and Advertise for Bids for an Underground Sprinkler System for Constitution Park**

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:

- . Underground Sprinkler System for Constitution Park

**CA-9 - Awarding Bid to 4-Clean Up Inc., North Bergen, New Jersey, for Roadway Improvements to Euclid Road - \$41,030**

WHEREAS, bids were received on Wednesday January 8, 2003 at 11:00 AM in Borough Hall in the Borough of Fort Lee for the Improvement to Euclid Road Project; and

WHEREAS, present at the bid opening were Maureen Holtje, Borough of Fort Lee Purchasing Consultant and Boswell McClave Engineering, Borough Engineer Representative Edward J. Mignone; and

WHEREAS, the following bids were received:

- |    |   |  |
|----|---|--|
| 1. | 4-Clean Up Inc.<br>P.O. Box 5098<br>North Bergen, NJ 07047                                | <u>\$41,030.00</u> -Base<br>\$41,030.00 -Total |
| 2. | A.J.M. Contractors, Inc.<br>71 Liberty Street<br>Passaic, NJ 07055                        | <u>\$47,570.00</u> -Base<br>\$47,570.00 -Total |
| 3. | Cifelli & Son General<br>Construction Inc.<br>4 Coppola Street<br>Nutley, NJ 07110        | <u>\$50,320.00</u> -Base<br>\$50,320.00 -Total |
| 4. | Concrete Construction Corp.<br>P.O. Box 4063<br>South Hackensack, NJ 07606                | <u>\$50,800.00</u> -Base<br>\$50,800.00 -Total |
| 5. | English Paving Co., Inc.<br>P.O. Box 423<br>1087 Edgewater Avenue<br>Ridgefield, NJ 07657 | <u>\$62,790.00</u> -Base<br>\$62,790.00 -Total |
| 6. | Smith Soudy Asphalt<br>Construction Co.<br>150 Anderson Avenue<br>Wallington, NJ 07057    | <u>\$68,408.00</u> -Base<br>\$68,408.00 -Total |

;and

WHEREAS, the Chief Financial Officer, Joseph Iannaconi, Jr. has certified to the existence of sufficient funds in the appropriate account for this expenditure; and

WHEREAS, Borough Engineering Representative Edward J. Mignone, P.E., and other appropriate Borough Officials have reviewed the bids and recommend award of contract for this project to the lowest responsible bidder, 4-Clean Up Inc. in the amount of **\$41,030.00**; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the Borough of Fort Lee,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fort Lee, Bergen County, New Jersey that a contract is hereby awarded to 4-Clean Up Inc., P.O. Box 5098, North Bergen, NJ 07047, for the Improvement to Euclid Road Project; and

BE IT FURTHER RESOLVED that Borough Attorney Steven Muhlstock is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and Borough Clerk.

**CA-10 - Authorizing Payment to Gothold Paving, LLC., Edgewater, New Jersey for Emergency Sewer Pipe Repairs to Buckingham Road - \$31,350**

WHEREAS, an emergency condition existed to the safety and welfare of the public by the way of a collapsed clay sewer pipe of approximately 196 feet 1140-1152 Buckingham Road on January 10, 2003; and

WHEREAS, said repairs to the sewer pipe was declared an extreme emergency; and

WHEREAS, on the recommendation of the Superintendent of the Department of Public Works, and the Superintendent of Sewers, Gothold Paving was immediately retained on a emergency basis,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fort Lee authorizes payment to Gothold Paving in the amount of **\$31,350** with additional payment to be determined for rock removal; and

BE IT FURTHER RESOLVED that the Chief Financial Officer's certificate of availability of funds is on file in the Office of the Borough Clerk and funds are available under the capital account.

**CA-11 - Authorizing Boswell McClave Engineering to Prepare Engineering Metes and Bounds Description for Utility Easement to be Granted to United Water Which Will Run From the New DPW Garage to the Borough's Water Main at the Intersection of Ponsi and Christie Streets**

WHEREAS, the Borough of Fort Lee is in the final stages of completing the construction of the new DPW garage structures at 540 Main Street; and

WHEREAS, in order to provide sprinkler and domestic water service to the buildings, the Borough must grant an easement to United Water; and

WHEREAS, the Borough desires that Boswell McClave Engineering prepare the necessary metes and bounds description of the utility easement,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Boswell McClave Engineering be and is hereby authorized and directed to prepare engineering metes and bounds description for a utility easement to be granted to United Water which will run from the new DPW building at 540 Main Street to the Borough's water main located at the intersection of Ponsi and Christie Streets; and

BE IT FURTHER RESOLVED that the cost for Boswell McClave's engineering work shall be billed in accordance with Boswell's rates established for the year 2003 pursuant to contract; and

BE IT FURTHER RESOLVED that the award of this contract is a professional service for which no public bidding is necessary; and

BE IT FURTHER RESOLVED that the Contract awarded to Boswell McClave Engineering be and is hereby contingent upon written certification by the Chief Financial Officer of the availability of funding; and

BE IF FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute the easement agreement after the same is prepared by the Borough Attorney; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby directed to maintain a copy of this Resolution in his office for public inspection.

**CA-12 - Authorizing Lee Cohen, Esq., to Defend Amended Denial Application in Litigation Known as V&R Developers, Inc., vs. Board of Adjustment et al.**

WHEREAS, because of conflicts involving other attorneys, JS Lee Cohen, Esq. was retained by the Mayor and Council to represent the Borough in litigation entitled V&R Developers, Inc. v. Borough of Fort Lee, et als., filed under Docket No. BER L 8403-02; and

WHEREAS, the plaintiff in that matter has filed a new complaint challenging a subsequent denial of an amended application involving the same property; and

WHEREAS, the Mayor and Council wishes to have JS Lee Cohen defend the newly filed complaint,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that JS Lee Cohen, Esq., and the firm of DeCotiis, Fitzpatrick, etc., Esqs. be and are hereby retained to defend the litigation entitled V&R Developers, Inc. v. Borough of Fort Lee, et als., under Docket No. BER L 9856-02, upon the same terms and conditions and pursuant to the same contractual arrangement as was embodied in the agreement concerning the previously filed action of the same name, under Docket No. BER L 8403-02.

**CA-13 - Authorizing Jurisdictional Highway Maintenance Agreement With the New Jersey DOT With Regard to the Borough's Streetscaping of Schlosser St. and Lemoine Ave. (Route 67)**

WHEREAS, the State of New Jersey Department of Transportation has requested that an Agreement be entered between the Borough of Fort Lee and the State of New Jersey, which would allocate the Jurisdictional responsibilities for highway maintenance and control between the Borough of Fort Lee and the State of New Jersey with reference to certain intersections of Route 67 and streets within the Borough of Fort Lee; and

WHEREAS, maps outlining the jurisdictional limits of each have been reviewed and approved by the Borough,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Borough Council of the Borough of Fort Lee that the Mayor and Borough Clerk, are hereby authorized to execute the Agreement between the Borough and the State of New Jersey.

**CA-14 - Establishing Internet and E-Mail Usage Policy for All Borough Employees**

WHEREAS, it is the desire of the Mayor and Council to implement an internet and e-mail usage policy within all offices of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that all municipal offices, all personnel working within the Borough and all employees with access to the Borough's computer system shall comply with the internet and e-mail usage policy annexed hereto (available in the Office of the Borough Clerk); and

BE IT FURTHER RESOLVED that copies of such policy shall be forwarded by the Borough Administrator to all Borough personnel.

**CA-15 - Authorizing Liquor License Person to Person/Place to Place Transfer From Fort Lee Saloon Inc., at 1645 Palisade Avenue to Young Joon Park t/a Masil House at 400 Main Street**

WHEREAS, an application has been filed for a person to person and place to place transfer of plenary retail consumption license **0219-33-010-006**, heretofore issued to **Fort Lee Saloon, Inc.**, a New Jersey corporation for premises located at 1645 Palisade Avenue, **Fort Lee, New Jersey**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business,

WHEREAS, the applicant has received a tax clearance certificate for person to person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey,

WHEREAS, said application has been approved by the Building Inspector and the Fire Inspector,

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the person to person and place to place transfer of the aforesaid plenary retail consumption license to **Young Joon Park t/a Masil House @ 400 Main Street, Fort Lee, New Jersey 07024** effective **February 13, 2003** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership.

**CA-16 - Authorizing Liquor License Person to Person Transfer From J. Clores & Son, Inc. to Madelemily, LLC @ 1566 Lemoine Avenue**

WHEREAS, an application has been filed for a person to person transfer of plenary retail distribution license **0219-44-015-003**, heretofore issued to **J. Clores & Son, Inc.**, a New Jersey corporation for premises located at **1566 Palisade Avenue, Fort Lee, New Jersey**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business; and

WHEREAS, the applicant has received a tax clearance certificate for person to person transfer from the State of New Jersey, Department of the Treasury, Division of Taxation, Trenton, New Jersey,

NOW, THEREFORE, BE IT RESOLVED that the Fort Lee Governing Body does hereby approve the transfer of the aforesaid plenary retail distribution license to **Madelemily, LLC.** at the same business address, effective **February 13, 2003** and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership.

**CA-17 - Awarding Contract to Harvey Brickman, P.E., New York, New York, as an Expert Advisor With Regard to the Police Facility HVAC Problems - \$200.00 Hourly (Fee Not to Exceed \$8,000)**

WHEREAS, the Borough of Fort Lee, by its Mayor and Council, desires to pursue litigation in order to recoup all costs and expenses in connection with the repairs and modifications necessary to the Borough's Police Department HVAC system and determine liability therefore; and

WHEREAS, the Borough desires to hire Harvey Brickman, P.E. as its construction consultant in order to review and analyze the cause of the failed HVAC system; and

WHEREAS, the contract for these services is one for professional services for which no public bidding is necessary,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Harvey Brickman, P.E., 400 East 56<sup>th</sup> Street, New York, New York 10022, be and is hereby retained by the Borough in order to investigate the design and construction of the Fort Lee Police Department facility, and render a report concerning the cause and fault of the HVAC system therein; and

BE IT FURTHER RESOLVED that Harvey Brickman shall be paid the sum of \$200.00 per hour, with a maximum payment of **\$8,000.00** in accordance with his proposal dated February 12, 2003, (available in the Office of the Borough Clerk); and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract and the Mayor be and he is hereby authorized and directed to execute the same; and

BE IT FURTHER RESOLVED that the award of this contract is one for professional services, for which no public bidding is required; and

BE IT FURTHER RESOLVED that the award of contract is subject to written certification from the Chief Financial Officer of the

existence of current funds in order to pay the amounts authorized herein; and

BE IT FURTHER RESOLVED that the Borough Clerk, be and he is hereby authorized and directed to maintain a copy of this resolution and the contract in his offices for public inspection.

**CA-18 - Adoption of Borough Tax Map**

WHEREAS, the Borough is desirous that all of its offices and departments utilize the same tax map; and

WHEREAS, there has been certain discrepancy between maps approved by the Division of Taxation and those being utilized by the Tax Assessor, in terms of Block and Lot designations; and

WHEREAS, the Borough previously received approval from the Division of Taxation to utilize, for purposes its real property tax revaluation process, maps which indicate Blocks and Lots different than those actually approved by the Division of Taxation; and

WHEREAS, the revaluation firm, Certified Valuations, has performed certain updating the Borough's tax maps, without changing Block and Lot designations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the tax maps to be utilized for all purposes within the Borough, until further resolution of the Mayor and Council, shall be the maps not formally approved by the Division of Taxation, but as amended by the Borough's revaluation firm and/or the Borough Engineer; and

BE IT FURTHER RESOLVED that no office of the Borough, including its Borough Engineers, shall disseminate the tax maps approved the Division of Taxation, or indicate to any third parties that such maps represent the official tax map of the Borough, until further resolution of the Mayor and Council.

**CA-19 - Authorizing Execution of Water Type Easement to United Water for New DPW Garage**

WHEREAS, the Borough has recently constructed new DPW garage structures; and

WHEREAS, it is necessary to provide water/sprinkler service to those buildings, located at 540 Main Street; and

WHEREAS, the Borough Engineer has provided a metes and bounds description for the water pipe easement given to United Water Company,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Mayor, be and is hereby authorized and directed to execute an Easement Agreement across lands owned by the Borough at 540 Main Street, which will allow water/sprinkler service to the new DPW garage structure located at that property.

Nina Levinson, 1560 West Street, had questions pertaining to CA-6, CA-7, CA-12, CA-17 and CA-18.

Mayor Alter responded to CA-6. Ms. Thomas spoke to CA-7 and CA-12. Mayor Alter and Ms. Thomas spoke to CA-17, and Ms. Thomas answered CA-18.

There being no further discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilwoman Kasofsky**, and the Consent Agenda (items CA-1 through CA-19) was **approved** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**APPOINTMENT**

**A-1 - Historical Site, Structural, Cultural & Landmark Committee**

**Mayor Alter nominated Kevin Cerragno** to serve as a member of the **Historic Site, Structural, Cultural & Landmark Committee** for an unexpired term through December 31, 2004.

**On motion by Councilman Villano, seconded by Councilwoman Voss**, the nomination was **confirmed unanimously**.

**RESOLUTION**

**R-1 - Awarding Location Contract With Brooklyn USA Film Corp., for Temporary Usage of the ShopRite Facility - Borough to Receive \$31,875 for Seventy (70) Days Use of the Facility**

Mayor Alter stated that the following resolution came out of the closed session discussion held earlier in the evening.

**Councilman Cervieri introduced, and Councilwoman Voss seconded**, the following Resolution:

WHEREAS, the Borough owns certain real property referred to as the "ShopRite Property", upon the Borough intends to construct a recreation center and park; and

WHEREAS, demolition of the ShopRite facility and initiation of the park project will not occur for several months; and

WHEREAS, the Borough desires to allow the temporary usage of the facility for filming purposes; and

WHEREAS, the Borough will receive the sum of \$31,875.00 for allowing Brooklyn USA Film Corp. to utilize the premises for a period of seventy (70) days; and

WHEREAS, the temporary usage will not affect the progress or initiation of the park project,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Mayor, be and is hereby authorized and directed to execute a Location Contract with Brooklyn USA Film Corp. in a form approved by the Borough Attorney for the temporary usage of the ShopRite facility located on Inwood Terrace between Anderson Avenue and Edsall Boulevard; and

BE IT FURTHER RESOLVED that the Borough shall be paid the sum of \$31,875.00 in return for usage of the facility for a period of seventy (70) days temporary usage.

The Resolution was **approved unanimously**.

**COUNCIL REPORTS**

**Councilman Pohan** - announced that in conjunction with "Black History Month" the Fort Lee Film Commission will be at the Teaneck Library tomorrow at 10:00 a.m. for a program saluting the first African American film director Oscar Micheaux, who filmed many of his works in Fort Lee from 1920 through 1948. This same program will also be held on Tuesday, February 25<sup>th</sup> at 7:00 p.m. at the Fort Lee Public Library. A screening of one of his films, "Symbol of the Unconquered", will be screened at both locations.

He announced that the original "Frankenstein" will be shown at the Galaxy Theater on April 23<sup>rd</sup>. Also, on the weekend of May 10<sup>th</sup> and 11<sup>th</sup>, the Black Maria Film Festival will be in Historic Park, where short films will be shown. This is in conjunction with Fort Lee Cultural Weekend. On that weekend there will be a showing of the DVD "Before Hollywood There was Fort Lee" which is a history of the early filmmaking in Fort Lee.

He added that the summer film festival has been set for Monday nights. Some of the movies being shown will be "Star Wars", "Duck Soup", "The Mummy" and "Bye-Bye Birdie". If anyone is interested in sponsoring a movie they should contact Steve Monetti at 201-592-3600. There will also be live entertainment along with the showing of the movies.

**Councilwoman Kasofsky** - announced that the Bergen County Utilities Authority will be holding household waste collection days beginning Sunday March 30<sup>th</sup> in Paramus. They will be held in Paramus, Moonachie and Mahwah throughout the year. The service is free of charge for Bergen County residents.

**Councilman Villano** - stated that the ribbon-cutting for the new DPW garage at 550 Main Street should be occurring soon. The garage is about 95% completed.

He stated that the Fort Lee Community Fund will be holding a fund raiser on March 28<sup>th</sup> at the Fort Lee Recreation Center. Tickets are \$5.00 each. Further details will be forthcoming in future council reports.

He stated that on April 3<sup>rd</sup> there will be a countywide Advisory Committee for the Disabled (ADA) meeting. There are only a few ADA boards in the entire county. The goal is to get some accessibility, for other communities. All of the Bergen County municipalities mayors will be invited. Speakers have been lined up for the event that will go all day from 10:00 a.m. until 3:00 p.m. A sensitivity awareness workshop will be held in the afternoon.

**Councilman Sargenti** - had no report tonight

**Councilwoman Voss** - congratulated Howard Joh, as the newly installed President of the Fort Lee Korean-American Association.

She sent her sympathy to the Vida and Ferraro families on the loss of their mothers in the past week.

She stated that the Fort Lee High School observed Diversity Week this week. Assemblyman Matt Ahearn spoke about legislation pertaining to harassment and the students participated in many activities both in and out of class celebrating diversity.

She stated that on the news this evening many New York schools were concerned about emergency plans in case of an emergency. Jay Berman, high school principal, has instituted a policy where everyone associated with the school wears identification tags.

She read from a report from the National Association of School Resource Officers. Police Officer Patrick Kissane is the Fort Lee's school system resource officer. Their organization called upon Congress to enact an "Education Homeland Security Act". The law would provide terrorism training for school officers and educational staff, strengthen funding for school law enforcement officers to prevent school terrorist attacks, and create national standards and funding for school security assessments, emergency planning and security-related information sharing with public safety officials.

She said Deputy Fire Chief Thomas Bernard Jr., has informed her that the Fire Department has responded to numerous broken water pipe incidents over the last few weeks. The very low temperatures and the subsequent thawing have caused many pipes to crack, and has caused significant water damage to the properties. The Fire Department has asked residents that if a structure is going to be unoccupied for a significant amount of time during the winter months, that water lines be turned off or that heat be turned on to ensure that pipes do not crack from freezing.

She stated that the Historic Committee met with the Greater Fort Lee Chamber of Commerce and plans are under way for a Cultural Festival the weekend of May 10th and 11th. Any groups interested in participating or in becoming a sponsor can contact the Chamber at 201-944-7575 or the Historic Committee at 201-592-3633.

**Councilman Cervieri** - added that the Cultural Festival is scheduled for May 10<sup>th</sup> with a rain date of May 17<sup>th</sup>. Activities will include a classic car show, a film festival, an outdoor art show, poetry reading and more. Sponsorships are still available for many of the events.

He stated that The Greater Fort Lee Chamber of Commerce selected Fred A. Daibes of Daibes Enterprises as their 2003 Person of the Year. He will be honored at the Chamber's Annual Dinner Dance on April 26<sup>th</sup> at the Marriott at Glenpointe in Teaneck. Space is available in the 2003 edition of the Community Journal Directory. Ad forms are available in the Chamber office.

He said last week the Chamber and the Fort Lee Police Department made a presentation at a town hall meeting that was a seminar on security and fraud prevention. He thanked all the people who participated in the event.

He also offered his congratulations to Howard Joh as President of the Fort Lee Korean-American Association. At the event that honored Mr. Joh this past Tuesday, plaques were presented to Kay Nest, Parking Authority, Erik Swanson, Building Department, James Carney, Fire Prevention and Steve Wielkocz, Health Department. The presentations were to show appreciation for the recipients' openness with the Korean-American Association. A very nice speech was given by Mayor Alter who talked about the openness of Fort Lee towards immigrants and the fact that Fort Lee is a town of inclusion. It was a chance for the next generation to meet with the Borough government. He told Howard that is leadership his being looked forward to and that he has friends in the Fort Lee government.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Nina Levinson 1560 West St.	.Identify Theft Posters  .Free Credit Rating Reports  .Revaluation	   Ms. Thomas Mr. Cervieri
Roy Lippin 5 Horizon Road	.Harvey Brickman Contract Praised Mayor and Council	

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Sargenti** and carried at 9:00 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, January 23, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter stated that an article in today's "Record" has him misquoted. The paper indicated that he was in favor of a State income tax increase. Mayor Alter said that he unequivocally opposes a State income tax increase. It's the wrong thing at the wrong time. Unfortunately, the Speaker of the Assembly has proposed an income tax on upper income individuals. Mayor Alter is also opposed to that idea. For the record he will send a letter out stating his position. He can't foresee raising income taxes, particularly in this current climate.

Mayor Alter stated that the rest of the meeting in Trenton consisted of the Governor speaking to mayors. From his viewpoint, it was not a happy meeting as the Governor indicated there's still a major deficit in the State budget and that the mayors should not look forward to any additional aid. Fort Lee, unfortunately, during the past administration lost about \$5,000,000 in State aid. So each year when the new governor states that he's going to keep the same aid as the year before, Fort Lee continues to get no State aid. He said that along with Councilman Pohan, he has looked at the Borough's upcoming budget and he doesn't believe that the Fort Lee taxpayers will be that unhappy with the municipal budget. The preliminary numbers look good. For the past four years with increased health, garbage and other costs, the Borough has been averaging a 2% a year increase in its tax rate. With frozen court-ordered tax assessments in the Borough, that's a good solid number. The Borough also collects the County and Board of Education taxes. They haven't done as well as the Borough has. He reminded the residents that he along with the Council only controls the municipal portion of the budget. These are rough times for a lot of people and he will continue to do his best to keep taxes as low as possible.

**RESOLUTIONS**

**R-1 - Hiring of Police Officers (Two)**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, the Mayor and Council of the Borough of Fort Lee have determined the need to authorize the hiring of Police Officers for the Police Department, based on retirements; and

WHEREAS, it has been determined that the following individuals be appointed to the position of Police Officer, with an effective date of January 24, 2003:

Ricky J. Mirkovic  
Richard R. Hernandez

NOW, THEREFORE, BE IT RESOLVED that these appointments are in accordance with a New Jersey Department of Personnel Certification of Eligibles for Appointment List, for the title of Police Officer, and the salary shall be **\$28,920**, in accordance with the current P.B.A. Contract.

The Resolution was **approved unanimously.**

**R-2 - Hiring of Police Officer (One)**

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

WHEREAS, the Mayor and Council of the Borough of Fort Lee have determined the need to authorize the hiring of Police Officers for the Police Department, based on retirements; and

WHEREAS, it has been determined that the following individual be appointed to the position of Police Officer, with an effective date of February 14, 2003:

Ryan Marsh

NOW, THEREFORE, BE IT RESOLVED that this appointment is in accordance with an Interlocal Transfer Agreement with the New Jersey Department of Personnel, and pursuant to a N.A.A.C.P. List, and the salary shall be **\$40,970**, for a **Police Officer, 5<sup>th</sup> Grade**, in accordance with the current P.B.A. Contract.

The Resolution was **approved unanimously.**

**OATHS OF OFFICE**

Mayor Alter swore in Police Officer Ricky Mirkovic. His mother Corina held the Bible, and his father Zelko pinned on his badge.

Mayor Alter swore in Police Officer Richard Hernandez. His mother Mia held the Bible, and his father Rene pinned on his badge.

Mayor Alter swore in Police Officer Ryan Marsh. His daughter Zarrria held the Bible, and his girlfriend Tawana pinned on his badge.

Chief Tessaro thanked the Mayor and Council for hiring the new additions to the Police Department. He said it's important

for the Police Department not to go stagnant, but to continue to grow and continue to have new young officers to keep the Borough as safe as they can.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the January 2, 2003 Executive Session were approved.

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-4 - Amending Chapter 86, Section 4, Residency Requirements for New Employees**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-4 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 86, SECTION 4, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED RESIDENCY REQUIREMENTS FOR NEW EMPLOYEES," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for February 13, 2003.

**Ordinance #2003-5 - Amending Chapter 360, Sections 3-7, Removal of Snow and Ice on Streets & Sidewalks**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-5 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 360, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED STREETS AND SIDEWALKS," was introduced and passed on first reading.

The Ordinance was approved unanimously, and the public hearing relative to this ordinance was scheduled for February 13, 2003.

**PUBLIC HEARINGS**

**Ordinance #2003-1 - Amending Chapter 360, Section 39, Streetscape Improvement Project - Removal of Snow and Ice on Brick Pavers**

On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried, the public hearing was opened relative to Ord. #2003-1 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 360 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED STREETScape IMPROVEMENT PROJECT."

Nina Levinson, 1560 West Street, stated that the ordinance indicates that no salt of any kind can be used; however, calcium chloride is a salt.

Mr. Cervieri replied that there's a clarification of the ordinance further down the page.

Mayor Alter asked Ms. Levinson how she would have written the ordinance.

She replied that the language should have indicated sodium chloride or calcium chloride could be used.

She wanted to know why calcium chloride can be used, but not

sodium or potassium chloride.

Mr. Villano replied that calcium chloride doesn't destroy the brick pavers when used.

Steve Monetti, Parking Authority Executive Director, said that the calcium chloride does not break down lime in the brick pavers like sodium chloride does.

Ms. Levinson asked if sand can be used.

Mayor Alter replied affirmatively.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Ordinance was adopted unanimously.**

**Ordinance #2003-2 - Amending Chapter 388, Section 43, "No Parking" - From a Point Beginning at the Center Avenue Apex on Main Street to Linwood Avenue Westbound - North Side of Street**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss and carried,** the public hearing was opened relative to **Ord. #2003-2** entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING."

Michael Feiler, 2431B Second Street, asked why the meters are being taken away in front of the Municipal Building.

Mr. Villano stated that the turn onto Main Street from Center Avenue was a dangerous turn. This creates more space for the buses to pull forward by the Richard A. Nest Senior Citizens' Center. This lets traffic flow much better along Main Street at this point.

Mr. Cervieri added that this prevents cars from backing up behind buses who were not able to get all the way over to the right side of the road when dropping and picking up people at the old bus stop at Hudson City Savings Bank.

Mr. Feiler stated that he hopes this doesn't set a precedent to remove more street meters in the Borough. The businesses need the metered spots.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Ordinance was adopted unanimously.**

**Ordinance #2003-3 - Amending Salary Ordinance #2002-51 - Superintendent of Recreation/Coordinator of Public Events**

**On motion by Councilwoman Voss, seconded by Councilman Cervieri and carried,** the public hearing was opened relative to **Ord. #2003-3** entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51 ESTABLISHING SALARIES AND WAGES FOR DEPARTMENT HEADS AND OTHER NON-UNION PERSONNEL."

There being no public discussion, the public hearing was closed **on motion by Councilwoman Voss, seconded by Councilman Sargenti.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Ordinance was **adopted** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**PROPOSED CONSENT AGENDA**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-16.

**CA-1 - Payment of Claims**

BE IT RESOLVED that the following claims, the details for which are attached hereto and made a part hereof, are hereby authorized to be paid, having been audited and found correct by the Borough Administrator and Chief Financial Officer.

<u>ACCOUNT</u>	<u>AMOUNT</u>
Current	\$8,112,839.89
Capital	356,022.59
Trust (Accutrack)	41,765.53
Trust (Old)	7,000.00
Police Activity Account	23,775.05
Senior Citizen Advisory Council	2,841.00
Senior Citizen Computer Account	249.50
Disability Insurance Trust	n/a
Unemployment Compensation Trust	n/a
Centennial Fund	n/a
Wedding Fees	n/a
Trip Admissions	n/a
Multiple Dwelling	n/a
Construction Fees	n/a
Special Dog Account	71.40
Public Assistance Trust Fund I	2,200.00
Fort Lee Film Commission	n/a

**CA-2 - Accepting Retirement Notice of Alan McGoldrick, DPW Mechanic, Effective March 1<sup>st</sup>**

BE IT RESOLVED that a retirement notice dated December 3, 2002, has been received by Charles Alan McGoldrick, of the Department of Public Works, accepted by the Mayor and Council; and

BE IT FURTHER RESOLVED that Charles Alan McGoldrick's retirement from the Borough of Fort Lee shall be effective as of March 1, 2003.

**CA-3 - Authorizing Hiring of Thomas Conway as a School Crossing Guard**

BE IT RESOLVED by the governing body of the Borough of Fort Lee that the following be appointed as a **school crossing guard** in the Borough of Fort Lee without authority to carry a firearm:

Thomas Conway  
47 Irving Avenue  
Englewood Cliffs, New Jersey 07632

**CA-4 - Opposing S-2106/A-2699 Amending the Law for Nonconforming Uses by Providing that any Change in Intensity of Use of a Nonconforming Building or Structure Would Not Constitute an Expansion of a Nonconforming Use**

WHEREAS, Senate Bill S-2106 and Assembly Bill A-2699 would amend the law of nonconforming uses by providing that any change in intensity of use of a nonconforming building or structure would not constitute an expansion of a nonconforming use; and

WHEREAS, the Mayor and Council opposes S-2106/A2699 for the following reasons:

- Nonconforming uses are inconsistent with current zoning law and should be discouraged, not encouraged; and
- The expansion of nonconforming uses will result in extra demands on local services, such as road, water and sewer; and
- These bills are contrary to sound planning and violate the principle of home rule; and
- Numerous Supreme Court cases describe the nature of nonconforming uses which are viewed with disfavor; and
- These bills would place fewer restrictions on nonconforming uses than a conforming use, thus giving nonconforming uses a special status and an advantage contrary to present law,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, County of Bergen and State of New Jersey that the Borough of Fort Lee opposes S-2106/A-2699 and urges the State Legislature to vote against this ill-conceived legislation; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor McGreevey, the Borough's State Legislators, the New Jersey State League of Municipalities, the Fort Lee Planning Board and other surrounding municipalities.

**CA-5 - Approving Change Order for Security Structures, Inc., Basking Ridge, New Jersey, for Installation of Water and Sprinkler Feed for the New DPW Garage at 540 Main Street - \$31,037**

BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following Change Order be approved:

GENERAL CONSTRUCTION:	DPW Garage at 540 Main St.
CONTRACTOR:	Security Structures, Inc. 125 Martinville Road Basking Ridge, NJ 07920
ORIGINAL CONTRACT COST:	\$ 952,026.00
COST OF CHANGE ORDER:	\$ 31,037.00
COST OF PREVIOUS CHANGE ORDERS:	\$ <u>0</u>
NEW CONTRACT SUM:	\$ 983,063.00
CHANGE ORDER NUMBER:	#1
NATURE OF CHANGES:	

1.) Installation of Water Service and Sprinkler Feed for the  
New Department of Public Works Garage at 540 Main Street

CONTRACT # 900533

**CA-6 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for a Four Wheel Drive Vehicle for the Ambulance Corp.**

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:

- . Four Wheel Drive Vehicle for the Ambulance Corp.

**CA-7 - Awarding Bid to Beyer Brothers, Fairview, NJ for a Four-Wheel Drive Mason Dump Truck With Snowplow for the Department of Public Works - \$35,818.61**

WHEREAS, sealed bids were called for and received on January 8, 2003 for a Four-Wheel Drive Mason Dump Truck with Snowplow for the Department of Public Works in the Borough of Fort Lee; and

WHEREAS, ten (10) bid packages were issued and one (1) bid was received as follows:

Beyer Bros. Corporation	\$35,818.61
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WHEREAS, this bid was reviewed by Borough Officials and the Borough Attorney for compliance, who recommends the award to the low bidder subject to the availability of funds from the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, that the bid is hereby awarded to Beyer Bros. Corporation, 109 Broad Avenue, Fairview, New Jersey 07022 for a four-wheel drive mason dump truck with snowplow for the DPW at a cost of **\$35,818.61**; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract and the Mayor and Borough Clerk are authorized to execute the contract with Beyer Bros. Corporation; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified to the availability of funds for the purchase.

**CA-8 - Awarding Bid to Beyer Bros., Fairview, New Jersey, for a Mason Dump Truck for the DPW - \$135,959**

WHEREAS, sealed bids were called for and received on January 8, 2003 for a Roll-Off Truck for the Department of Public Works in the Borough of Fort Lee; and

WHEREAS, ten (10) bid packages were issued and two bids were received as follows:

Beyer Bros. Corporation	\$135,959.00
Deluxe International Trucks	\$159,900.00

WHEREAS, these bids were reviewed by Borough Officials and the Borough Attorney for compliance, who recommends the award to the low bidder subject to the availability of funds from the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, that the low bid is hereby awarded to Beyer Bros. Corporation, 109 Broad Avenue, Fairview, New Jersey 07022 for a roll-off truck for the DPW at a cost of **\$135,959.00**; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract and the Mayor and Borough Clerk are authorized to execute the contract with Beyer Bros. Corporation; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified to the availability of funds for the purchase.

**CA-9 - Awarding Contract to Carolyn Kristal, Esq., as Planning Board Attorney for 2003 - \$20,000**

BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for professional service as follows:

**Planning Board Attorney**

Carolyn Kristal - Fee \$20,000 Annually + \$125.00 Hourly For Any Additional Litigation

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, County of Bergen, State of New Jersey this contract is awarded without competitive bids as a "Professional Service under the provisions of the Local Public Contract Law;" and

BE IT FURTHER RESOLVED that this contract is subject to the availability of funds in the 2003 Municipal Budget as certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that notice of this action shall be printed in an official newspaper of the Borough of Fort Lee, as required by law within ten (10) days of its passage.

**CA-10 - Awarding Contract to Paul Phillips of the Firm Abeles, Phillips, Preiss & Shapiro, New York, New York, to Undertake a Complete Review of the Borough's Zoning and Land Use Ordinances - \$50,000**

WHEREAS, the Borough of Fort Lee is interested in updating and reconciling its current zoning ordinances; and

WHEREAS, the Borough wishes to engage the services of a professional planner in order to accomplish the foregoing; and

WHEREAS, the award for such appraisal services is in the nature of professional services for which no public bidding is necessary,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Paul Phillips, of Abeles, Phillips, Preiss & Shapiro, Inc., 434 Sixth Avenue, New York, New York 10011, be and he is hereby appointed and directed to undertake a complete review and reconciliation of the Borough's zoning ordinances, in accordance with its proposal of December 19, 2002, attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the fee to be paid for said services shall be in the total amount of **\$50,000** for the two phases of this project, to be completed within estimated period of six month; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is a specific exception to the public bidding laws as a professional service contract, thereby dispensing with the necessity of public bidding; and

BE IT FURTHER RESOLVED that the aforesaid award of this contract is subject to and conditioned upon written certification from the Chief Financial Officer of the current availability of funds; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, an appropriate contract for the aforesaid purpose; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be kept on record in the Borough Clerk's Office for public inspection, pursuant to law.

**CA-11 - Awarding Contract to Basil Taha of the Firm Lawless & Mangione, Yonkers, New York, to Effectuate Repairs to the Borough Hall Dome - \$13,500**

WHEREAS, the Borough of Fort Lee wishes to effectuate repairs to the Borough Hall dome; and

WHEREAS, it is necessary to engage the services of an architect for such purpose; and

WHEREAS, the award of such contract is one for professional services, for which no public bidding is required,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough does hereby retain Basil F. Taha and the firm of Lawless & Mangione, LLP, 480 North Broadway, Yonkers, New York, 10701, with respect to investigating the integrity of the Borough Hall dome, preparation of a report thereon, preparation of contract specification documents and contract administration, all as set forth in the proposal of October 31, 2002; and

BE IT FURTHER RESOLVED that the architect shall be paid the sum of **\$7,500** for the investigation and report phase and a lump sum fee of **\$6,000** for the preparation of contract documents; and

BE IT FURTHER RESOLVED that contract administration services shall be charged at the rate as set forth in the architect's proposal dated December 9, 2002; and

BE IT FURTHER RESOLVED that the aforesaid award of contract is a specific exception to the public bidding laws a professional service contract, thereby dispensing with the necessity of public bidding; and

BE IT FURTHER RESOLVED that the aforesaid award of this contract is subject to and conditioned upon written certification from the Chief Financial Officer of the current availability of funds; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, an appropriate contract for the aforesaid purpose; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract shall be kept on record in the Borough Clerk's Office for public inspection, pursuant to law.

**CA-12 - Authorizing Three Month Extension of Contract to Fresh Creek Technologies, Inc., Cedar Grove, New Jersey, for Netting Trash Trap Cleaning at the Bluff Road Pump Station - Fee Not to Exceed \$3,015**

WHEREAS, the Borough of Fort Lee requires continued services regarding the management, maintenance and servicing of the Bluff Road pump station and its netting trash trap floatable collection system; and

WHEREAS, the Borough wishes to extend the contract with Fresh Creek Technologies, Inc., for a three-month period in order to allow sufficient time for public bidding,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the contract of Fresh Creek Technologies, Inc., 1425 Pompton Avenue, Cedar Grove, New Jersey 07009, for provision of netting trash trap cleaning at the Bluff Road Pump Station, be and is hereby extended for a period of three months, from February 1<sup>st</sup> through April 30, 2003; and

BE IT FURTHER RESOLVED that the Borough shall pay Fresh Creek Technologies, Inc., a fee not to exceed \$3,015 during this period (\$825.00 per change-out plus 180.00 for two nets per change out) without further resolution of the governing body; and

BE IT FURTHER RESOLVED that the Borough's Purchasing Consultant be and she is hereby directed to advertise for a three-year contract, including alternate, for provision of an optional, additional two-year extension with regard to the servicing of the netting trash trap at the Bluff Road Pump Station.

**CA-13 - Amending Contract With Calgi Construction Company, Inc., New Rochelle, New York, for Extended Project Management/ Owner's Representative Services for the HVAC Modification Project and the Camera Surveillance Project for the Police Department - \$115,286**

WHEREAS, Calgi Construction Co., Inc. has acted as the Borough's representative with respect to the completion of the Police Department facility and the HVAC modifications required thereafter; and

WHEREAS, the Mayor and Council of the Borough of Fort Lee wishes to continue the services of Calgi Construction until such time as all modifications have been completed; and

WHEREAS, Calgi has submitted a proposal of December 4, 2002,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the contract of Calgi Construction Co., Inc., 221 Union Avenue, New Rochelle, New York 10801 with respect to project management and owner's representative oversight of the police facility and HVAC modification project, including the camera surveillance project, is hereby extended in accordance with its proposal, dated December 4, 2002; and

BE IT FURTHER RESOLVED that the award of this contract is one for professional services and for which no public bidding is required; and

BE IT FURTHER RESOLVED that Calgi shall be paid at the hourly rate of **\$125** for project principal, **\$110** for project manager and **\$30** for administrative clerical services, in an amount not to exceed the sum of **\$115,286** for the remaining five-month projected duration of both projects; and

BE IT FURTHER RESOLVED that the award/extension of the contract is subject to the Chief Financial Officer providing written certification that funds are available for payment of the contract extension; and

BE IT FURTHER RESOLVED, that a copy of this resolution and the original contract, along with the amended proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's Certificate of Availability of funds.

**CA-14 - Authorizing Tax Refund for 2000 Redeemed Tax Sale Certificate at 560I North Avenue, Block 3404, Lot 43, C560I - \$10,606.13**

WHEREAS, Robert Rothman had purchased a tax sale certificate on December 6, 2000 on property located at 560I North Avenue, Block 3404, Lot 43, C5601; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$10,606.13** payable to:

Robert Rothman  
409 Grand Avenue  
Englewood, New Jersey 07631

01-2888

**CA-15 - Authorizing Tax Refund for 2001 Redeemed Tax Sale Certificate at 1636 Kaufers Lane, Block 4305, Lot 12 - \$17,476.96**

WHEREAS, P.A.M. Investors had purchased a tax sale certificate on December 5, 2001 on property located at 1636 Kaufers Lane, Block 4305, Lot 12; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$17,476.96** payable to:

P.A.M. Investors, Inc.  
127 South Washington Avenue  
Bergenfield, New Jersey 07621

M1-9012-21

**CA-16 - Authorizing Payment of Marriage Fees to the State of New Jersey for Period Covering October 1st - December 30, 2002 - \$900**

BE IT RESOLVED, that the Tax Collector-Treasurer be authorized to draw a check from the Current Account, Fleet Bank payable to the Treasurer, State of New Jersey, in the amount of **\$900.00** to cover fees collected for marriage licenses for the period covering October 1, 2002 through December 31, 2002 fees are to be forwarded on a quarterly basis to the Department of Human Services.

M0-9000-22

Nina Levinson asked about the legal remedies with regard to CA-13. She also had questions pertaining to CA-8 and CA-4.

Mr. Muhlstock responded to CA-13. Ms Thomas spoke to CA-8, and Messrs. Muhlstock, Cervieri and Pohan replied to CA-4.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the Consent Agenda (items CA-1 through CA-16 ) was **approved unanimously.**

#### COUNCIL REPORTS

**Councilman Pohan** - confirmed the Mayor's earlier statements that the municipal budget is in reasonably good shape, despite large increases in health insurance and salary increases which are pursuant to collective bargaining agreements that are set in stone. He added that the budget process is not finished yet.

He announced that the Fort Lee Film Commission is a recipient of a 2003 Grant Award from the Bergen County Arts Grant Program and the New Jersey Council for the Performing Arts. Particularly being cited is the "Movies and Music Under the Stars" summer film and music series. This is the first time that the Film Commission has received a grant from Bergen County. This also entitles the Film Commission to use the logo of the New Jersey Council of the Performing Arts.

He stated that the Film Commission is sponsoring in February a salute to the pioneer African-American filmmaker Oscar Micheaux, who shot his films in Fort Lee. There will be a program at the Teaneck Library on February 14<sup>th</sup> at 10:30 a.m. and at the Fort Lee Library meeting room on February 25<sup>th</sup> at 7:00 p.m.

He said that on April 24, 2003 at 7:00 p.m. at the Galaxy Theater in Guttenberg, under the auspices of the Film Commission, the premiere of Thomas Edison's "Frankenstein" will be shown. There is one known existing print of this film. It's believed that the movie was filmed in Fort Lee. Also being shown that night will be Eclair Studio's "Robin Hood" which was shot in Fort Lee in 1912.

**Councilwoman Kasofsky** - stated that the new residential parking stickers are currently being handed out by the Parking Authority. For further information call 201-592-3600.

She announced that the Board of Trustees of the Fort Lee Public Library, at their January reorganization meeting, elected the following officers to serve in 2003: Bert Rosenbluth, President; James Harbilas, Vice President; Michael Santimauro, Treasurer; and Audrey Mann, Secretary. The Board will hold its meetings on the third Tuesday of every month, at 7:30 p.m. in the library's meeting room.

She said that on January 14<sup>th</sup> there was a staff meeting of the Office of Emergency Management. Several new volunteers joined the staff. All volunteers who attended completed an updated application and were given a new set of identification tags.

**Councilman Villano** - stated that the workshop that was held last Wednesday for the new police officers hired last year was a

success. He thanked Judge John DeSheplo for going over court procedures with the officers. He thanked Lt. Ronald Orso for organizing the workshop. He thanked Sgt. Jerry Conway for doing the community policing portion of the workshop.

He stated that the Department of Public Works garage is almost completed, and that the affordable housing structure on Kaufers Lane is being constructed rapidly.

On February 6, 2003 from 6-8 p.m. at the Fort Lee Recreation Center the Fort Lee Police along with the Fort Lee Chamber of Commerce will be hosting a Public Safety Night. The program will have many different features available to the residents of Fort Lee. Officers will be there to fingerprint and photograph the children, as there will be a home security lock and alarm display.

In addition there will be a presentation given on Home Security, Fraud and Telemarketing Scams. The presentation will explain these areas, give clues on how to spot scams, and tips on prevention. All in all, it will be an interesting and informative night for everyone.

He announced that on March 28, 2003 the Community Fund will be hosting its fourth Chinese (tricky tray) Auction at the Recreation Center. The Community Fund is looking for donations of new items, collectibles, baskets, etc. Also of special value are gift coupons for such things as dinner for two at local restaurants, theater tickets, sports event tickets, movie passes, etc.

For further information contact the Department of Human Services at 201-592-3581.

He said that on March 11<sup>th</sup> the Fort Lee Police Department will once again be presenting its **Citizens Policy Academy**. The academy provides insight to the public on the operations of numerous units within the police department. Most of the instructors are Fort Lee Police Officers. The academy allows citizens to experience firsthand the methodology and techniques used daily by police officers within Fort Lee. The academy is scheduled to begin classes on Tuesday March 11<sup>th</sup> and continues for 12 weeks with graduation on the final week. The classes will run every Tuesday from 7:00 p.m. to 10:00 p.m. with fifteen minute breaks every hour. The classes will be held at the Fort Lee Police Department.

**Councilman Sargenti** - thanked the Fort Lee Ambulance Corps. He stated that last night he rode a full shift with them. It was quite an experience. The members get totally involved with the people that they are dealing with and the equipment that they have to use. They are a well-trained staff.

He mentioned that the Ambulance Corps has had over 175 calls this year. Thanks to the Greater Fort Lee Chamber of Commerce, the Corps was able to purchase an ice machine to be utilized at the scenes of major accidents and mass gatherings. The machine will also be available for use by various Borough Departments. On behalf of the Ambulance Corps members, he thanked all of the businesses and individuals who contributed to the ice machine.

He stated that the Fort Lee Recreation Department's winter programs began January 21<sup>st</sup>. Preschool crafts and basketball clinic for those youngsters five through seven years old filled quickly. Karate and drawing were popular with those over eight years of age.

He mentioned that the Recreation Department is offering a Safe Boat Course starting February 25<sup>th</sup>. Instructors from the Oritani Power Squadron will give the course, which is approved by the US Coast Guard. For further information, contact the Recreation Department at 201-592-3612.

He said that the Fort Lee Girls Jr. Basketball League just received a new portable scoreboard for their games.

**Councilwoman Voss** - stated that she had hoped to hire a few more officers than were hired tonight; nevertheless, she's very happy with the three officers that were hired tonight, two of them being Fort Lee High School graduates. It makes her proud when new officers are hired from the town who want to give back to the community.

As liaison to the Beautification Committee, she stated their meetings will be held the second Tuesday of every month. She welcomed Ilene Liebowitz and Marsha Cooper, two new members, of the committee who are sitting in the audience tonight. They are very enthusiastic and they have a lot of great ideas.

One of the items discussed at their first meeting was the beautification of the Route 5 Triangle by the Exxon Station. The committee would like high school students during the summer to work on different projects. They would like to see if there are any beautification grants available to them and everyone is very interested in what's happening in Ridgewood and in Englewood and the goal is to emulate them to a great degree.

**Councilman Cervieri** - announced that the Greater Fort Lee Chamber of Commerce is proud to announce their selection of 2003 Person of the Year, Fred A. Daibes of Daibes Enterprises. Mr. Daibes will be honored at the Chamber's Annual Dinner Dance on April 26<sup>th</sup> at the Marriott Glenpointe in Teaneck. Space is still available in the 2003 edition of the Community Journal Directory. Ad forms are available in the Chamber office, or call 201-944-7575.

He announced that the Chamber and the Fort Lee Police Department are presenting a Town Hall Meeting, Thursday, February 6<sup>th</sup>, from 6:00 p.m. to 8:00 p.m. at the Fort Lee Recreation Center on Stillwell Avenue. The Police Department will present a seminar on security and fraud prevention. Children can be fingerprinted at the event. The event is open to the public. Refreshments will be served.

He wished former chamber president Anthony Clores and his wife Julie good luck on their retirement which will take place at the end of the month.

**Councilman Villano** - mentioned that the Advisory Committee for the Disabled (ADA) will be holding a countywide conference in March. A letter will be sent to all of the mayors in Bergen County asking them or a representative to attend the event. It will be held in the Recreation Center. It's been discovered that as far as he knows that there are only two ADA committees in Bergen County. They are in Fort Lee and in Teaneck. He thanked Fort Lee's Chairman Bobbi Wailes for doing a bang-up job in Fort Lee.

#### **PUBLIC PARTICIPATION**

No one from the public spoke during this portion of the meeting.

There being no further discussion, the meeting was adjourned on motion by Councilwoman Voss, seconded by Councilman Cervieri, and carried at 8:55 p.m.

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Neil Grant  
Municipal Clerk

**REGULAR MEETING**

**MAYOR AND COUNCIL**

**Thursday, January 9, 2003**

The Regular Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Steve Muhlstock, 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 1, 2003, 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 2, 2003, a copy of said schedule was posted at 309 Main Street, Fort Lee, NJ. On the same date, a copy of said schedule was mailed to THE RECORD, JERSEY JOURNAL, PALISADIAN 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 2003 to cover the cost of providing notice.

**MAYOR'S REPORT AND ANNOUNCEMENTS**

Mayor Alter had no special report tonight.

**SPEECH BY OUTGOING FIRE CHIEF**

Outgoing Fire Chief Josh Lazarus stated that in 2002 the Fire Department responded to 1,599 calls. Only one was a serious fire which did serious damage to the house where the fire originated. In the twenty-five years that he has been a member, he could not recollect any other year where there were so few major fires. He believed that the work of the Public Safety Education Unit and the Fire Prevention Bureau, the recent construction boom in town that replaced old houses with houses that have new fire prevention features that the older houses lacked, and finally, the dedication of the members of the Fire Department with their advanced training and up-to-date equipment, are the main reasons why there were so few serious fires. The department responded to one fatal incident this year, the carbon monoxide related death of a resident in the Avalon complex.

He said that it was his pleasure to work with the Mayor and Council and specifically council liaison Joan Voss and the Borough Administrator Peggy Thomas. Their support shown to the department is unmeasurable and greatly appreciated.

He made the following recommendation to the Mayor and Council for 2003.

1. The immediate replacement of Fire and Ladder Truck #1.
2. Requesting the Borough to petition to the State to relax its rules with regard to purchasing fire equipment.

3. The undertaking of an independent review of the Fire Department's regulations similar to the study that was done for the Police Department a few years ago.
4. Stringent requirements should be in place for selecting Fire Officers and Chiefs.

In closing, he wished the incoming Chiefs and Officers good luck and success for 2003, and he wished the residents a Happy New Year.

#### PRESENTATION

Fire Chief Ralph Porrino on behalf of the residents, and the Mayor and Council and the members of the Fire Department, presented outgoing Chief Josh Lazarus with a small bronze firefighter's helmet with his name inscribed and shields placed inside the helmet.

#### Fire Chiefs' Swearing in Ceremony

Mayor Alter administered the Oaths of Office to the newly elected Lieutenants, Captains, Battalion Chief, Deputy Chief and Chief for the Fort Lee Volunteer Fire Department.

Lieutenants: Richard Onufrey, Ernesto Szabo, Jeffrey Bernard, Phillip Craddock, Steve Curry, Joseph Piemonte, William Chiapanne

Captains: Jack Siccardi, Jeff Silver, Jason Criscione and Steven Richter

Battalion Chief: Corey Parker. His wife Lori held the Bible and pinned on his badge. His daughter Samantha was present at the dais.

Deputy Chief: Thomas Bernard Jr. His mother Linda held the Bible and his father Thomas Bernard pinned on his badge.

Chief: Ralph Porrino. His wife Diane held the Bible and pinned on his badge. His grandchildren Tom, Tyler and Nicholas were present at the dais.

Chief Porrino stated that he couldn't think of any other moment in his entire service that he was more proud of than tonight. He, along with the Battalion and Deputy Chief, are going to lead an organization that is part of a select group of people across this great nation which put their lives on the line as volunteer firefighters. The Fire Department had always had one of the finest records of training and performance by its members. In order to ensure the safety of the community, it's imperative to train and retrain the members. The technology today allows the members to go into structures further and deeper than was ever dreamed of. He's asking the officers and members of the training staff to go back to basics in 2003. The administration has always been there to support the Fire Department in requests for training and equipment. Safety Officer training will be expanded under Deputy Chief Thomas Bernard. The creation of a confined space rescue team will be headed by Battalion Chief Corey Parker. He mentioned that he was one of a number of members that just recently finished training in a first responders course that certified them to give emergency first aid care at any scene.

In closing he mentioned that some of his priorities for 2003 are to replace a ladder truck and pumper, the upkeep and

improvement to the communications systems, and a health and wellness program for all members.

He thanked the members of the administration for their ongoing support and he looks forward to working with them in 2003. He also thanked the residents for supporting them whenever their assistance has been asked for and he assured them that they have one of the finest Fire Departments in this area, if not the State, to keep them safe. He thanked the members of Company #1 and the entire department for their confidence in him this year, and finally he thanked his wife and family for their support and patience.

**Ambulance Corps Swearing in Ceremony**

**Chief:** Cathy Goldfischer. Her nieces Jodi, Rebecca and Rachel held the Bible, and Jodi pinned on her badge.

**INTRODUCTION OF ORDINANCES**

**Ordinance #2003-1 - Amending Chapter 360, Section 39, Streetscape Improvement Project - Removal of Snow and Ice on Brick Pavers**

On motion by Councilwoman Voss, seconded by Councilman Sargenti, and carried, Ord. #2003-1 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 360 OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED STREETScape IMPROVEMENT PROJECT," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **January 23, 2003**.

**AYES:** Council Members Pohan, Kasofsky, Villano, Sargenti, Voss

**ABSENT:** Councilman Cervieri

**Ordinance #2003-2 - Amending Chapter 388, Section 43, "No Parking" - From a Point Beginning at the Center Avenue Apex on Main Street to Linwood Avenue Westbound - North Side of Street**

On motion by Councilwoman Voss, seconded by Councilman Sargenti, and carried, Ord. #2003-2 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 388, SECTION 43, OF THE CODE OF THE BOROUGH OF FORT LEE, ENTITLED NO PARKING," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **January 23, 2003**.

**AYES:** Council Members Pohan, Kasofsky, Villano, Sargenti, Voss

**ABSENT:** Councilman Cervieri

**Ordinance #2003-3 - Amending Salary Ordinance #2002-51 - Superintendent of Recreation/Coordinator of Public Events**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried, Ord. #2003-3 entitled, "AN ORDINANCE AMENDING SALARY ORDINANCE #2002-51 ESTABLISHING SALARIES AND WAGES FOR

DEPARTMENT HEADS AND OTHER NON-UNION PERSONNEL," was introduced and passed on first reading.

The Ordinance was **approved** on the following roll call, and the **public hearing** relative to this ordinance was scheduled for **January 23, 2003**.

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced and the public hearing was opened relative to items CA-1 through CA-10.

**CA-1 - Authorizing Hiring of Winter Seasonal Employees for the Recreation Department - Termination Date April 4, 2003**

WHEREAS, part-time seasonal positions exist with the Department of Recreation and the Mayor and Council have determined that these positions must be filled,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the attached list of personnel (available in the office of the Borough Clerk) be appointed to the positions and rates of compensation indicated with the Department of Recreation; and

BE IT FURTHER RESOLVED that the attached list of appointments are part-time seasonal positions with an effective date of January 2, 2003 and a termination date of April 4, 2003.

**CA-2 - Authorizing Retention of Site Engineers, Radio Frequency Engineers, Traffic Engineers and Planner for Use by the Zoning Board of Adjustment and Planning Board - Fees to be Paid for by Applicants**

WHEREAS, the Borough of Fort Lee wishes its Planning Board and Zoning Board of Adjustment to be afforded the benefit of sufficient expert testimony and reports on which the Boards may rely in their decision-making deliberations; and

WHEREAS, the Municipal Land Use Law authorizes such development boards to refer applications to experts; and

WHEREAS, the fees or charges to be paid to professionals serving the municipality are to be established by resolutions pursuant to N.J.S.A. 40:55d-53.2; and

WHEREAS, the Mayor and Council desire that its developmental boards have ready access to professionals such as traffic consultant, planning consultant, engineering consultation, architect and radio frequency consultant,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the following professional may be retained by the Planning Board and/or the Zoning Board of Adjustment, as hereinafter designated:

- |                 |                                    |                        |
|-----------------|------------------------------------|------------------------|
| Site Engineers: | Boswell McClave                    | Zoning/Planning Boards |
|                 | Schoor DePalma                     | Zoning/Planning Boards |
| Rf Engineers:   | Richard Wold                       | Zoning/Planning Boards |
|                 | Dick Comi                          | Zoning/Planning Boards |
|                 | The Center for Municipal Solutions | Zoning/Planning Boards |

(Monroe Telecom Associates, LLC IN  
Association with Comi Telecommunication Services

Traffic Engineers: Judd Rocciola                   Zoning/Planning Boards  
                          Schoor DePalma                   Zoning/Planning Boards

Planner:                   Abeles, Phillips,           Zoning/Planning Boards  
                                  Preiss & Shapiro

BE IT FURTHER RESOLVED that a schedule of fees for the above-named experts shall be negotiated by the Borough in certain uses and paid for by applicants appearing before the Zoning and Planning Boards, and thereafter shall be made available for information.

**CA-3 - Authorizing Purchasing Consultant to Prepare Specifications and Advertise for Bids for Safety Tiles for Playground Area at Constitution Park**

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:

- . 2-1/4" Safety Tiles for Constitution Park Playground Area

**CA-4 - Authorizing Purchase of Playground Equipment for Constitution Park From Ben Shaffer & Associates, Inc., Lake Hopatcong, New Jersey, Via State Contract #A47860 (BCI Burke Co.) - \$43,047.90 to be Paid for by Bergen County Community Development Block Grant**

WHEREAS, the Borough of Fort Lee is upgrading the playground area in Constitution Park and wishes to purchase new playground equipment; and

WHEREAS, the playground equipment is available through vendor Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, New Jersey 07849-0844 via state contract #A47860 through BCI Burke Co; and

WHEREAS, the cost of the playground equipment is over the bid threshold amount of \$17,500 and the expenditure must be authorized by resolution of the governing body,

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Fort Lee authorizes the Parks Department to issue a purchase order to BCI Burke Co., P.O. Box 549, Fond du Lac, Wisconsin 54396-0549 in the amount of **\$43,047.90**; and

WHEREAS, the Borough applied for and has been awarded a \$100,000 Bergen County Community Development Block Grant for playground improvements to Constitution Park; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for this purchase under Capital Ordinance #2002-46.

**CA-5 - Amending Contract for Costa Engineering Corporation, Fort Lee, New Jersey, for Construction Supervision/Inspection of Phase II Streetscape Project - \$20,000**

WHEREAS, the Borough retained the services of Costa Engineering Corporation, 1636 Route 46 East, Fort Lee, New Jersey, by resolution dated June 27, 2002, at a cost of \$60,000 in order to provide professional engineering services for the

Borough's Pedestrian Improvement Project Phase II; and

WHEREAS, Costa Engineering Corporation has an outstanding bill of \$7,469 as well as additional time to be billed for the Construction Supervision/Inspection of the Phase II Streetscape Project; and

WHEREAS, Costa is requesting an amendment to their contract in a proposal dated December 4, 2002 in the amount of \$20,000, which they feel is sufficient to cover the costs of their outstanding bill and remaining engineering services related to the supervision, sign-off and successful completion of the project,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Costa Engineering Corporation contract, be amended by **\$20,000** to cover the remaining costs for the Borough's Phase II Streetscape Project; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds shall be available for payment of this contract under bond ordinance #2002-35; and

BE IT FURTHER RESOLVED that a copy of the amending resolution and original executed contract, shall be kept on file in the Borough Clerk's Office.

**CA-6 - Amending Contract for Costa Engineering Corporation, Fort Lee, New Jersey, for Construction Supervision and Layout of the Main Street Municipal Parking Lot - \$18,000**

WHEREAS, the Borough retained the services of Costa Engineering Corporation, 1636 Route 46 East, Fort Lee, New Jersey, by resolution dated June 27, 2002, at a cost of \$27,000 in order to provide professional engineering services for the upgrade and renovation of the Main Street Municipal Parking Lot; and

WHEREAS, Costa Engineering Corporation has an outstanding bill of \$1,024 as well as additional time to be billed for the Construction Supervision and Layout of the Municipal Parking Lot; and

WHEREAS, Costa is requesting an amendment to their contract in a proposal dated December 4, 2003 in the amount of \$18,000, which they feel is sufficient to cover the costs of their outstanding bill and remaining engineering services related to the supervision, and successful completion of the project,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that Costa Engineering Corporation contract, be amended by **\$18,000** to cover the remaining costs for the upgrade and renovation of the Municipal Parking Lot; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified that funds shall be available for payment of this contract under bond ordinance #2002-35; and

BE IT FURTHER RESOLVED, that a copy of the amending resolution and original executed contract, shall be kept on file in the Borough Clerk's Office.

**CA-7 - Awarding Contract to Costa Engineering Corporation, Fort Lee, New Jersey, for Engineering Services for Phase IIA Streetscape Downtown Pedestrian Improvement Project-\$30,000**

WHEREAS, the Borough of Fort Lee wishes to upgrade and

renovate its downtown area in a Pedestrian Improvement Project, Phase IIA to include, but not be limited to, design, field and office work, etc; and

WHEREAS, the Borough wishes to retain the services of Costa Engineering Group in order to perform the aforesaid work, as more specifically outlined in its proposal dated December 5, 2002,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, a contract retaining Cost Engineering Corporation, 1636 Route 46 East, Fort Lee, New Jersey, to perform such engineering services and all necessary field and office work, including preparation of federal grant package, bid specifications and project design, as more specifically described in its proposal dated December 5, 2002; and

BE IT FURTHER RESOLVED that Costa Engineering Corporation shall be paid a total fee not to exceed the amount of **\$30,000** without prior authorization of the Council; and

BE IT FURTHER RESOLVED that this retention is in the nature of a professional contract and that no bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funds are available for payment of this contract; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract, along with any proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's certificate of availability of funds.

WHEREAS, the Borough of Fort Lee wishes to upgrade and improve its traffic signalization at the intersection of Palisade Avenue and Angioletti Place; and

**CA-8 - Awarding Contract to Schoor DePalma, Manalapan, New Jersey, for Professional Engineering Services for Placement of a Traffic Signal at Palisade Avenue & Angioletti Place - \$22,000**

WHEREAS, the Borough wishes to retain the services of Schoor DePalma, as engineering consultants in order to perform the aforesaid work, including field survey and base map preparation, specifications and bid package, inspection and oversight, and as more specifically outlined in its proposal dated December 17, 2002,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, a contract retaining Schoor DePalma, 200 State Highway 9, Box 900, Manalapan, New Jersey, to perform such professional services, as more specifically described in its proposal dated December 17, 2002; and

BE IT FURTHER RESOLVED that Schoor DePalma, shall be paid a total fee not to exceed the amount of **\$22,000** without prior authorization of the Council and

BE IT FURTHER RESOLVED that this retention is in the nature of a professional contract and that no bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for payment of the contract; and

**CA-9 - Authorizing Tax Refund for 2002 Redeemed Tax Sale Certificate at 138 Morningside Lane, Block 112, Lot 6 - \$708.64**

BE IT FURTHER RESOLVED that a copy of this resolution and the contract, along with any proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's certificate of availability of funds.

WHEREAS, Emtrust Properties, LLC had purchased a tax sale certificate on December 4, 2002 on property located at 138 Morningside Lane, Block 112, Lot 6; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$708.64** and a premium check to be drawn in the amount of **\$600.00** payable to:

Emtrust Properties, LLC  
528 Lafayette Avenue  
Hawthorne, New Jersey 07506

M1-9012-21

**CA-10 - Authorizing Tax Refund for 2002 Redeemed Tax Sale Certificate at 275 Hoym Street, Block 4102, Lot 20, C002H - \$1,318.06**

WHEREAS, Robert Rothman had purchased a tax sale certificate on December 4, 2002 on property located at 275 Hoym Street, Block 4102, Lot 20, C002H; and

WHEREAS, the property owner has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$1,318.06** and a premium check to be drawn in the amount of **\$2,800.00** payable to:

Robert Rothman  
409 Grand Avenue  
Englewood, New Jersey 07631

01-2888

Nina Levinson, 1560 West Street, had questions pertaining to CA-4, CA-7 and CA-8. Ms. Thomas responded to her inquiries.

There being no further discussion, the public hearing was closed **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-10) was **approved unanimously**.

**RESOLUTIONS**

**R-1 - Authorizing Tax Refund for 2000 Redeemed Tax Sale Certificate at 1512 Palisade Avenue, Block 3203, Lot 4.214 - \$1,908.84**

**Councilman Villano introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, P.A.M. Investors, Inc. had purchased tax sale certificates on December 2, 1998, December 6, 2000, December 5, 2001, and on December 4, 2002 on property located at 1512 Palisade Avenue, parking space 214, Block 3203, Lot 4.214; and

WHEREAS, the property owners has redeemed the lien, a refund is due to the lienholder,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Tax Collector-Treasurer be authorized to issue a check drawn from the Current Account, Fleet Bank in the amount of **\$1,908.84** payable to:

P.A.M. Investors, Inc.  
127 S. Washington Avenue  
Bergenfield, New Jersey 07621

M1-9012-21

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

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss**

**ABSTENTION: Councilman Cervieri**

**R-2 - Awarding Contract to James Hannoch, Hannoch Appraisal Company, Livingston, New Jersey, to Appraise Various Properties in Connection With the Realignment of Main Street/Hudson Terrace - \$9,000**

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

WHEREAS, the Borough of Fort Lee is working with the County of Bergen and the Port Authority to realign Main Street at its eastern terminus; and

WHEREAS, the realignment may require condemnation of several properties, partial in nature, which properties are either commonly owned and/or owned by related parties, and which consist of the following: Lots 2 through 8 in Block 4806; and Lots 2,3 & 4 in Block 4805; and

WHEREAS, the Borough wishes to retain the services of Hannoch Appraisal Company as appraisers, as more specifically outlined in its proposal dated January 9, 2003,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the Borough Attorney be and he is hereby authorized and directed to prepare, and the Mayor to execute, a contract retaining Hannoch Appraisal Co., 11 Stonewall Drive, Livingston, New Jersey, to perform such professional services, as more specifically described in its two proposals dated January 9, 2003; and

BE IT FURTHER RESOLVED that Hannoch Appraisal Co. shall be paid a total fee of \$9,000 for the two appraisals described in those proposals; and

BE IT FURTHER RESOLVES that this retention is in the nature of a professional contract and that no bidding is necessary; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for payment of this contract; and

BE IT FURTHER RESOLVED that a copy of this resolution and the contract, along with any proposal, shall be kept on file with the Borough Clerk, together with the Chief Financial Officer's certificate of availability of funds.

The Resolution was **approved unanimously**.

#### COUNCIL REPORTS

Councilman Pohan - stated that the Office of Economic Development is currently working on over a dozen initiatives. Two of the more important issues are its involvement of the realignment of the eastern portion of lower Main Street. This roadway has been a traffic mess for time and in memorial. There should only be a minimal cost to the Borough to get the roadway realigned as Bergen County should be paying the majority of the cost of the project. Back in the fall the Council asked the Planning Board to study the possible declaration of the area of the "Steel Skeleton Building" as an area in need of redevelopment. It didn't require much effort to determine that it was an area in need of serious redevelopment. The steel building has sat for over ten years. The Planning Board recommended to the Council that the area be declared an area in need of redevelopment and the Council made that declaration before the end of 2002. The matter is now before the Planning Board which has received from the Borough Planner a redevelopment plan. The plan will be considered by the Planning Board at its next meeting on January 27<sup>th</sup>. If the redevelopment plan is approved by the Planning Board it will come before the Council.

He stated that the Fort Lee Film Commission held its first meeting this year. Its meeting schedule has been set and meetings will be held the first Tuesday of every month at 7:00 p.m. in Executive Conference Room #201. The public is invited to attend the meetings. There is always a need for volunteers and people who have ideas and input. There is going to be another thirteen-week film program this summer. This is one of the great new initiatives that the Council has undertaken the past couple of years. Fort Lee is the birthplace of films, and the people who live here should be aware of that fact and proud of that fact.

Councilwoman Kasofsky - announced that the 2003-2006 residential parking stickers are available at the Parking Authority Office on Monday 8:30 a.m. to 8:00 p.m. and Tuesday through Friday, 8:30 a.m. to 4:00 p.m. If a person lives in a multiple dwelling building, the building manager can contact the Parking Authority, which will make arrangements, beginning in February, to visit buildings, homeowner group, co-op groups or any multiple dwelling building in the Borough.

She stated that the Main Street shuttle is available to all residents of the Borough. It runs from Main Street to the Path-Mark Supermarket at Plaza West with return trips. The shuttle makes numerous stops along Main Street and in front of the 475 Senior Building. The shuttle runs Monday through Friday from 9:00 a.m. until 4:00 p.m. For further information, call the Parking Authority at 201-592-3600.

She stated that the Fort Lee Office of Emergency Management (OEM) continues to work on the high-rise evacuation plans. These are plans designed for each individual building. All Horizon

House buildings, Century Towers and the Plaza have been completed at this time.

She added that there will be an OEM staff meeting on January 14<sup>th</sup>. Their goal for this meeting is to update identifications and other information for staff members and to reorganize their staff into more specified groups so operations run more efficiently.

She said that the Fort Lee Department of Human Services continues to assist Fort Lee residents with food, information and special needs. She thanked all of the volunteers who have helped in a variety of ways throughout the year. She acknowledged the Girl Scout troops and high school students who helped with the food pantry and Thanksgiving holiday activities.

She announced that on March 28, 2003 the Community Fund will be hosting its fourth Chinese (tricky tray) Auction at the Recreation Center. The Community Fund is looking for donations of new items, collectibles, baskets, etc. Also of special value are gift coupons for such things as dinner for two at local restaurants, theater tickets, sports event tickets, movie passes, etc.

For further information contact the Department of Human Services at 201-592-3581.

**Councilman Villano** - announced that there will be a workshop for the Police Department on Friday, January 17<sup>th</sup>. Items to be discussed are court procedures and community policing. There will also be a historic bus tour of Fort Lee. Some of the highlights of the tour will be the Fort Lee Historic Park, Judge Moore House Museum, Coytesville Cemetery and the Madonna Church. The last time the tour was given the Police Officer got a good feeling for what Fort Lee is all about. The workshop and tour for the most part is geared for the new police officers.

**Councilman Sargenti** - stated that he met with Cheryl Westeyn, Recreation Director, with regard to the sports programs in town. All of the sports league heads were at the meeting. A very good understanding of what everyone's needs are came out of the meeting. The main goal is to have a program that suits the children of the town.

He announced that the Recreation Department is having registration for their 2003 winter program. Registration commences Monday evening, January 13<sup>th</sup> from 7:00 p.m. to 9:30 p.m. Registration is on a first come, first served basis. Thereafter, registration will be held weekdays from 9:00 a.m. to 3:30 p.m. at the Recreation Office from Tuesday January 14<sup>th</sup> through Friday, January 17<sup>th</sup>. No one will be allowed to register for more than one individual outside his or her immediate family. For further information contact the recreation officers at 201-592-3612.

**Councilwoman Voss** - stated that the work of the Historic Committee is very important, begin that Fort Lee is a very historic town.

She congratulated outgoing Fire Chief Josh Lazarus for doing a wonderful job in his year as Chief. She also congratulated incoming Chief Porrino, Deputy Chief Thomas Bernard Jr., and Battalion Chief Corey Parker. As liaison to the Fire Department for many years she has learned a great deal from the volunteer members as she has gained a tremendous amount of respect for what

they do. She spoke to an accident that one of the fire ladder trucks was involved in the day before Thanksgiving in Palisades Park. The truck, which is almost twenty years old had extensive damage done. She said that she will be asking the Mayor and Council shortly to consider the purchase of a new ladder truck.

**Councilman Cervieri** - echoed Ms. Voss' sentiments with regard to the nee officers for the Fire Department for 2003. He thanked them along with all of the Borough's emergency services for their efforts. This is just one of the reasons why Fort Lee is a terrific place to work and grow up in.

**PUBLIC PARTICIPATION**

<u>Speaker</u>	<u>Subject</u>	<u>Response</u>
Bert Lief Century Towers	.Using Borough Stationary That Indicates Fort lee was the Birthplace of the Motion Picture Industry	Mayor Alter
Nina Levinson 1560 West St.	.Ord. #2002-3 - No Parking on Main Street from Center Ave. to Linwood Avenue Westbound	Mr. Grant
	.Revaluation Contract	Mayor Alter Mr. Muhlstock
	.Mediterranean North Evacuation - Praise of Emergency Management	Mayor Alter

**Councilwoman Voss** - added that Steve Wielkocz, Health Official, and Joseph Licata, Emergency Management Coordinator, did a wonderful job in assisting over 135 families that needed help during the on-going emergency situation at Mediterranean North. The situation is supposed to be remediated by Sunday. Mr. Licata has made arrangements with the Hilton Hotel and Holiday Inn for people to be temporarily housed until the situation is completed.

**Mayor Alter** - told Mr. Lief that his idea will be discussed by the Mayor and Council.

**Councilman Pohan** - added that Ray Levy is working on town branding. Film would be one of the principal tags that may be used to brand the town. This is important as Fort Lee is going into its centennial year.

There being no further discussion, the meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri,** and carried at 9:05 p.m.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk

**REORGANIZATION MEETING**

**MAYOR AND COUNCIL**

**Thursday, January 1, 2003**  
**5:40 p.m.**

The Reorganization Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

**PRESENT:** Mayor Alter, Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri

**ALSO PRESENT:** Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Brian Chewcaskie, for 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:

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 December 13, 2002 a written notice of the time, place and proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

On the same date a copy of said written notice was mailed to THE RECORD, THE BERGEN NEWS/SUN BULLETIN, PALISADIAN and a copy was filed with the Borough Clerk.

On the same date, copies were mailed to all persons who have requested copies of such notices, and have prepaid the fee fixed for the year 2002.

**INVOCATION**

Mayor Alter stated that this great country is at peace and he hopes it can stay at peace. He has no doubt that the United States Government will do the right thing. His wish is for peace.

**PRESENTATIONS**

Kay Nest, Democratic Party Chairwoman, offered her congratulations and welcomed Councilmen Armand Pohan and Michael Sargenti. She thanked the people of Fort Lee for coming out and voting for them. She wished them good luck in the coming years. She stated that outgoing Councilmen Jan Goldberg and Tom Meyers will both be missed. They served the community well, and she was proud of both of them.

James Viola, Democratic Party Vice-Chairman, on behalf of the Democratic Party presented flowers to Kay Nest.

**OATHS OF OFFICE**

Michael Sargenti was sworn in as a Councilman by Fort Lee Municipal Court Judge John DeSheplo. His wife, Christine held the Bible, and his children Christen and Michael were present as he took his Oath of Office.

Armand Pohan was sworn in as a Councilman by Fort Lee Municipal Court Judge John DeSheplo. Mayor Alter held the Bible as he took his Oath of Office.

**MAYOR'S REPORT**

Mayor Alter stated that the issues that were before him in 2002 are still there, but major progress is being made right now. He reviewed the Fort Lee scene as it has existed and will probably always exist to some extent.

He discussed the following items in more detail below: traffic, taxes, services that the Borough provides, private development such as the "Helmsley Tract" and governmental property acquisitions, capital costs and the Borough's debt. He stated that the finances of the community have been well served by this governing body.

Traffic - The George Washington Bridge, the world's busiest, isn't moving to a new location, and neither is the Borough of Fort Lee. There are improvements, which will soon come about, such as camera surveillance at the major intersections of Fort Lee, so that the Police may respond better to difficult traffic situations. He has recently heard from State Legislators Joseph Coniglio and Matt Ahearn that Fort Lee will be in receipt of a grant of \$100,000 for the camera surveillance project. A lot of the other money for the project will be paid out of the Police Department's confiscated fund accounts.

Ferry Service - He has been working with the Mayor of Edgewater. It appears to him that both communities will be able to put this project together. There was considerable opposition about putting in the service at Ross' Dock. Fort Lee Parking Authority buses will be used to transport residents to wherever the ferry service is placed in Edgewater. New York Waterways is soon to provide bus service to the Fort Lee residents to the existing ferry in Weehawken.

The Lower Main Street Interim Configuration - The temporary configuration was placed there by Bergen County due to the number of accidents that had been occurring there. Condemnation of property, straightening of the road, and reduction of the grade of the road are some of the things that will have to be done. He expects that the permanent construction of a new Main Street will take approximately two years.

Long-term improvements to Traffic - A new ramp connecting the Palisades Interstate Parkway to the lower level of the George Washington Bridge is in the midst. It is a major capital project, but when finalized should greatly enhance traffic congestion.

Helmsley Tract - Word is that the Helmsley property has been sold as of last week. There is a still unresolved lawsuit between Helmsley and the Borough. He is not sure of the current status of the lawsuit. The Borough always looked forward to working with Leona Helmsley on the old tract of land but the Borough never got that chance for some reason, but the Borough is prepared to work with new ownership. The property is an eyesore. The goal is to have it built nicely so that it serves the people of Fort Lee. It would be quite a boost to the tax rate in Fort Lee.

The new Shopping Center at Main and Schlosser Street is scheduled to open its first store, Borders Books, in mid-January, with many other businesses to follow. There are close to 300 parking spaces available in the mall on two decks.

There have been three areas in Fort Lee that have been declared "blighted" - these are areas "in need of redevelopment". The governing body and Planning Board have agreed that the conditions to be considered a blighted area have been met. This means that the Borough may ask developers for requests for proposals and may pick the winning designs. It is not necessarily the lowest bid, but who can do the job best. Amongst these areas is the "Skeleton Building" on Bridge Plaza North.

Municipal Parking Lot - The model for the parking lot was supposed to be Palmer Square in Princeton. The addresses in Palmer Square look inward and that is the eventual goal for any improvement to the municipal lot. The Borough stopped work for a number of reasons. There are so many other things going on that the governing body did not want to tilt the tax rate upwards. He does not want to see people hurt while the town is being improved. The Borough had been and is still in negotiations with the Port Authority about having their land in the parking lot donated to the Borough of Fort Lee.

Main Street Redevelopment - The Borough has received a lot of nice comments with regard to the streetscaping of Main Street. The Borough could have done the streetscaping in one fell swoop, but it was decided to do the streetscaping in different sections so that taxes would not be raised inordinately to hurt people.

ShopRite Property - The Borough never condemned the ShopRite property until ShopRite moved and then it was decided to take the property. It was taken for the benefit for the people of Fort Lee. The cost to build a decked parking lot and recreation facility was high so the project has been scaled down; however, nothing is being spared to give Fort Lee a great indoor meeting place and recreation center.

New Public Works Yard - For years the Borough paid for very expensive equipment that sat outside in all types of weather conditions because there was no place to put it. Contiguous to the Borough's public works yard, a piece of land became available and it was bought a couple of years ago. A prefabricated building along with other improvements are now underway.

Taxes - Fort Lee's tax rates have not gone up very much, despite purchases of property, collective bargaining agreements and a major increase in the cost of health insurance. Just in collective bargaining agreements, salaries have gone up \$700,000 to \$800,000 per year.

The Borough's tax rate was \$1.10 in 1999, and was less than \$1.20 in 2002. The rate each year over these past four years has gone up approximately 2% a year.

The Borough's property assessments have been frozen by County action as the Borough undergoes a revaluation.

The development of the Helmsley property and the Town Center, will help the Borough's tax rate in future years.

The debt of the Borough of Fort Lee was assigned a rating of Aa3 by Moody's Investor Service. This rating enabled the Borough to borrow \$18,000,000 long term, at the lowest rate in Fort Lee's history. The rate for short-term notes is 1.5%.

Moody's narrative states, "the Aa3 rating reflects Fort Lee's stable financial position with adequate reserve levels, modestly growing sizable tax base, and management debt position."

The amount of total debt has changed little during Mayor Alter's tenure despite the considerable land acquisitions listed

below.

1. New Police Facility
2. ShopRite Park
3. New Public Works Yard
4. Improvements to Park Land
5. Upgrading of Main Street

Fort Lee turns over its debt every eleven years.

Services - Fort Lee remains a high service community. Borough services now include a new garbage pickup contract, which has been expanded to five day pickup for high-rises. Garbage and sewer costs are included in the taxes people pay. In a lot of other New Jersey municipalities those items are billed separately.

Senior services are considerable, and include the following transportation services which the Parking Authority provides at no cost:

1. Business shopping
2. Non-medical transportation
3. A well-staffed Senior Citizens Center with many senior activities

For people who need help with low-income housing and public assistance, services are provided by the Borough's Human Services Department and outside organizations that are not run by the Borough such as the Fort Lee Housing Authority. Many of the departments that the Borough has could be eliminated and be turned over to Bergen County. It has always been the decision of this government not to save this money. The Borough wants its residents to call their town to have their needs taken care of.

The Fort Lee Health Department is large with a big budget. As an aside, Morris County has no Health Department. Fort Lee's annual health fair gets bigger and bigger every year with many different types of medical screenings and testing available.

The Borough's emergency services continue to grow. The Police Department is 150% larger than it would need to be if it was somewhere other than by the George Washington Bridge. They are very professional and probable the best traffic managers in the world. Also, the volunteer Fire Department provides a great service. They put their lives on the line for a small stipend. If they did not receive a stipend a lot of the fire members would have to move out of Fort Lee. There is a great volunteer Ambulance Corps with many dedicated members who answer the call when needed day and night. There is no cost when the Ambulance Corps is dispatched.

He said that the Borough taxpayers provide financial support to the 2500 young men and women who are involved in the Borough's formal sports programs. One of the reasons more recreation facilities are needed is that the existing fields cannot handle the use that they get. Artificial turf may be needed on some of the fields in Fort Lee and the cost is not cheap. The new recreation facility will also result in a cultural expansion that will be a first for Fort Lee. Art shows, antique shows, and movies will just be some of the things occurring. The facility will be used by all different people in Fort Lee from the youngsters to the senior citizens.

Members of the governing body of Fort Lee continue to change. The Borough is losing Councilman Tom Meyers and Councilman Jan Goldberg and their experience. Tom is the town's cultural expert and historian, and Jan had a wealth of

fiscal experience, but the Borough will have the participation of new Councilmen Mike Sargenti and Armand Pohan, who have their own areas of talent and interest. Mike has been a positive influence on the town's recreation and youth development. Armand has a deep knowledge of the town, having served as Fort Lee Borough Attorney in the past. He also has a major league business background.

The underlying philosophies of the Borough government do not change, though his council colleagues are very different in personality. There is a lot of debate, even some arguments; however, the end result will usually be one which he believes is in the best interests of the community. He expects that the 2003 Council will have the same philosophy and that's good for the people of the town.

This town was built by waves of immigrants, new to America and enriching Fort Lee and society for decades. The diversity of the town is the rich fabric of life in Fort Lee. The people are friendly to each other and everyone works to keep it that way.

He wished everyone a happy New Year.

**REORGANIZATION**

**1-1 - Seating Arrangement and Order of Voting**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the **seating arrangement** and **order of voting** of the Borough Council for the year **2003** shall be as follows:

- Council Members: Armand Pohan
- Ila Kasofsky
- Michael Villano
- Michael Sargenti
- Joan Voss
- Joseph Cervieri

The Resolution was **approved unanimously**

**1-2 - Appointment of Borough Attorney**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of an attorney for the year **2003** to provide legal representation for the borough; and

WHEREAS, funds will be available by way of budget and bond ordinances to compensate said attorney; and

WHEREAS, NJSA 40A:11-1 et seq. exempts professional services from any requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, Mayor Alter has nominated **Steven Muhlstock** and the firm of **Gittleman, Muhlstock, & Chewcaskie L.L.P.** to serve as Borough Attorney, for the year **2003,**

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Fort Lee that said attorney be and is hereby appointed

as Borough Attorney for the year **2003** without public advertisement for bids in accordance with NJSA 40:87-16; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year **2003** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

**1-3 - Time and Place of Meetings for 2003**

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

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

1. The schedule listed below of regular meeting of this public body is hereby adopted for the year **2003**.

2. A copy of the schedule shall be:

(A) posted and maintained through the year on the bulletin board at the following location:

**Memorial Municipal Building  
309 Main Street  
Fort Lee, New Jersey 07024**

(B) mailed at no cost to the following newspapers:

The Record, Jersey Journal, Palisadian  
as well as Time Warner Cable

©) filed in the Office of the Borough Clerk

(D) mailed to those who have requested same and have prepaid the sum of \$10.00 fixed to cover the cost of providing such notice.

(E) official action may be taken

**R E O R G A N I Z A T I O N**  
**January 1, 2003 - 5:00 pm.**

**EXECUTIVE SESSIONS**  
**1st & 3rd Thursday**  
**7:00 p.m.**  
**Mayor's Conference Room #201**

January	2 - 16
February	6 - 20
March	6 - 20
April	3 - 24 *
May	1 - 15
June	5 - 19
July	24 *
August	21
September	4 - 25 *
October	2 - 16
November	6
December	4

**REGULAR MEETINGS**  
**2nd & 4th Thursday**  
**8:00 p.m.**  
**Council Chambers**

January	9 - 23
February	13 - 27
March	13 - 27
April	10 - 24
May	8 - 22
June	12 - 26
July	24
August	21 **
September	11 - 25
October	9 - 23
November	13
December	11

There will be **no meetings** on the following Thursdays:

January 30th - April 17th - May 29th - July 3rd,10th,17th,31st -  
August 7th,14th,28th - September 18th - October 30th -  
November 20th,27th - December 18th,25th

\* April 24<sup>th</sup>, July 24<sup>th</sup>, and September 25<sup>th</sup> Executive Sessions  
will be held on the Fourth Thursday of the Month commencing  
at 7:00 p.m.

\*\* August 21<sup>st</sup> Executive Session will commence at 7:00 p.m.  
followed by a Regular Meeting commencing at 8:00 p.m.  
(Note that the Regular Meeting is being held on the third  
Thursday of the month)

The Resolution was approved unanimously.

1-4 - Selection of Council President

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

BE IT RESOLVED, by the governing body of the Borough of Fort  
Lee that Council Member Joan Voss be and is hereby appointed to the  
position of **Council President** for the year **2003**.

The Resolution was approved unanimously.

1-5 - Committee Assignments

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

BE IT RESOLVED, by the governing body of the Borough of Fort  
Lee that the following be and the same are hereby designated as  
liaisons of the following **committees** of the Borough of Fort Lee for  
the year **2003**:

- Ambulance.....Michael Sargenti
- Americans With Disabilities.....Michael Villano
- Beautification.....Joan Voss
- Board of Education.....Michael Villano
- Buildings and Construction.....Joseph Cervieri
- Buildings and Grounds.....Joseph Cervieri
- Communications.....Michael Villano
- Economic Development.....Armand Pohan & Joseph Cervieri
- Emergency Management.....Ila Kasofsky
- Film Commission.....Armand Pohan
- Finance.....Armand Pohan
- Fire.....Joan Voss
- Health.....Joan Voss
- Historic.....Joan Voss
- Holidays.....Joan Voss
- Housing Authority.....Joseph Cervieri
- Insurance.....Armand Pohan
- Library.....Ila Kasofsky
- Local Assistance.....Ila Kasofsky
- Municipal Court.....Armand Pohan
- Parking Authority.....Ila Kasofsky
- Parks/Recreation.....Michael Sargenti
- Planning Board.....Armand Pohan
- Police.....Michael Villano
- Public Works.....Michael Villano  
(Sewers-Sanitation-Roads-Engineering-General Services)
- Rent Leveling.....Michael Sargenti

Senior Citizens.....Joan Voss  
 Street Lights.....Joseph Cervieri

**Reorganization Meeting**

**January 1, 2003  
 Page #8**

**2-1 - Introduction of Temporary Budget**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the adoption of the **2003 Municipal Budget, temporary appropriations** should be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is written the first thirty (30) days of January 2003; and

WHEREAS, said temporary appropriations are limited to **26.25%** of the total appropriations in the 2002 Municipal Budget, exclusive of any appropriations made for the Debt Service, Public Assistance (State Aid Agreement,) and Capital Improvement Fund in said 2002 Municipal Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for the Borough records:

<b><u>General Government</u></b>	<b><u>Salaries &amp; Wages</u></b>	<b><u>Other Expenses</u></b>
Mayor & Council	\$17,500.00	\$2,000.00
Borough Clerk	\$35,250.00	\$4,500.00
Administration	\$40,000.00	\$8,000.00
Purchasing	\$21,500.00	\$2,000.00
Personnel & Data Processing	\$30,000.00	\$5,000.00
Collection of Taxes	\$45,000.00	\$5,000.00
Legal Services & Costs	\$0.00	\$55,000.00
Municipal Court (Inside CAP)	\$0.00	\$12,000.00
Engineering Services & Costs	\$0.00	\$5,000.00
Public Buildings & Grounds	\$75,000.00	\$18,000.00
Planning Board	\$0.00	\$1,000.00
Board of Adjustment	\$0.00	\$1,000.00
Senior Citizens Special Services	\$0.00	\$5,000.00
Rent Leveling Board	\$12,000.00	\$500.00
Insurance: Other	\$0.00	\$700,000.00
Insurance: Group	\$0.00	\$690,325.00
Elections	\$0.00	\$1,500.00
Financial Administration	\$0.00	\$10,000.00
Assessment of Taxes	\$45,000.00	\$5,000.00
Municipal Court O/C	\$99,000.00	\$14,000.00

<b><u>Public Safety</u></b>	<b><u>Salaries &amp; Wages</u></b>	<b><u>Other Expenses</u></b>
Fire Prevention	\$75,000.00	\$ 5,000.00
Fire Protection	\$30,000.00	\$40,000.00
Aid to Volunteer Fire Company	\$0.00	\$0.00
Department of Communications	\$100,000.00	\$ 5,000.00
Police	\$4,077,323.00	\$100,000.00
Ambulance Corps	\$4,000.00	\$11,000.00
E M T	\$16,000.00	\$500.00
Construction Code Official	\$60,000.00	\$4,000.00
Emergency Management	\$10,000.00	\$2,000.00
Communications-Repairs	\$25,000.00	\$8,000.00

<b><u>Public Works</u></b>		
Streets & Roads	\$250,000.00	\$15,000.00
Street Lighting	\$0.00	\$50,000.00

Garbage & Trash Removal	\$0.00	\$1,033,944.00
Sewers	\$45,000.00	\$4,000.00

**Reorganization Meeting**

**January 1, 2003**

**Page #9**

Bergen County Utility O/C	\$0.00	\$708,682.00
Auto Repair	\$0.00	\$30,000.00
Prior Year Bills	\$0.00	\$7,406.00

**Health, Welfare & Recreation**

Board of Health	\$85,000.00	\$10,000.00
Recreation	\$75,000.00	\$10,000.00
Administration of Human Services	\$15,000.00	\$1,000.00
General Services	\$65,000.00	\$3,500.00
Parks	\$95,000.00	\$4,000.00
Maintenance of Free Public Lib.	\$0.00	\$550,000.00
Celebration of Public Events	\$0.00	\$10,000.00
Senior Citizens	\$10,000.00	\$5,000.00
Elevator Inspections	\$10,000.00	\$0.00

**Utilities**

Gasoline	\$0.00	\$40,000.00
Fuel Oil	\$0.00	\$5,000.00
Electricity	\$0.00	\$85,000.00
Water	\$0.00	\$10,000.00
Telephone	\$0.00	\$50,000.00
Fire Hydrant	\$0.00	\$40,000.00

**Contributions to:**

Public Employees Retirement System	\$0.00	\$24,883.00
F I C A	\$0.00	\$250,000.00
Consolidated Police & Fireman's Pension	\$0.00	\$48,371.60
Police & Fireman's Retirement System	\$0.00	\$200,000.00

**TOTALS:** \$5,467,573.00 \$4,916,112.12

**GRAND TOTAL:** **\$10,383,685.00**

**Debt Service**

Payment of Bond Principal	\$4,000,000.00
Payment of Bond Interest	\$1,175,000.00
Payment of Interest on Notes	\$522,100.00
Green Trust Principal & Interest	\$31,100.00
Bergen County Improvement Authority Payment	<u>\$71,671.00</u>

**TOTAL DEBT SERVICE:** **\$5,799,871.00**

**Capital Improvements**

Capital Improvement Fund	\$50,000.00
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The Resolution was **approved** on the following roll call:

**AYES: Council Members Pohan, Kasofsky, Villano, Sargenti, Voss, Cervieri**

**3-1 - Borough Auditor**

**Mayor Alter nominated Steve Wielkocz, of the firm Ferraioli, Wielkocz, Cerullo & Cuva, to serve as Borough Auditor,**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

**Reorganization Meeting**

**January 1, 2003  
Page #10**

WHEREAS, it is necessary for the Borough of Fort Lee to engage the services of a registered municipal accountant; and

WHEREAS, NJSA 40A:11-1 et seq. Exempts auditing services from any requirement of public advertisement for bids provided a notice of the appointment be printed in a newspaper of general circulation within the municipality,

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

1. **Steve Wielkocz**, of the firm **Ferraioli, Wielkocz, Cerullo & Cuva**, 16 Pompton Avenue, Pompton Lakes, New Jersey as registered municipal accountant, is hereby appointed as **Borough Auditor** for the year **2003** without public advertisement for bids; and

2. The compensation for said Borough Auditor for the year **2003** shall be claimed, approved and paid in accordance with an agreement to be entered into between the parties.

3. The Borough Clerk shall cause a copy of a notice of the adoption of this Resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

### **3-2 - Borough Engineer**

**Mayor Alter nominated Boswell McClave Engineering** to serve as **Borough Engineer**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of an engineer for the year **2002** to provide general engineering representation for the Borough; and

WHEREAS, funds will be available by way of budget and bond ordinance to compensate said engineer; and

WHEREAS, NJSA 40A:11-1 et seq. Exempts professional services from any requirement of public advertisement for bids provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, Mayor Alter has nominated **Boswell McClave Engineering** to serve as **Borough Engineer** for the year **2003**,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee that said engineer be and hereby is appointed as Borough Engineer for the year **2003** without public advertisement for bids and in accordance with NJSA 40:87-16; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer shall be commensurate with engineering services rendered by said engineer during the year 2002; said compensation to be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 and pursuant to an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper

within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

**Reorganization Meeting**

**January 1, 2003  
Page #11**

**3-3 - Borough Prosecutors**

**Mayor Alter nominated Matthew Fierro and Philip Tornetta** to serve as **Borough Prosecutors**.

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

WHEREAS, it is necessary for the Borough of Fort Lee to engage the services of Borough Prosecutors for the year 2003 to provide legal services which are necessary for the operation of the Municipal Court of said Borough; and

WHEREAS, compensation will be available by way of budget appropriations to compensate said attorney; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids must be publicly advertised,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that **Matthew Fierro** and **Philip Tornetta** be and are hereby appointed as **Borough Prosecutors** for the year **2003**; and

BE IT FURTHER RESOLVED that this contract is awarded without public bidding as professional services under the Local Contracts Law by virtue of N.J.S.A. 40A:11-1 et seq. which specifically exempts such contracts from the requirements of public bidding; and

BE IT FURTHER RESOLVED that the compensation for the Borough Prosecutors shall be the same as in 2001 for **2002**; said compensations to be paid in accordance with an agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

**3-4 - Public Defender**

**Mayor Alter nominated Matthew Skelley** to serve as **Public Defender**.

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

WHEREAS, it is necessary for the Borough of Fort Lee to engage the professional services of a Public Defender for the year **2003** to provide general legal representation for the Borough; and

WHEREAS, funds will be available by way of budget to compensate said Public Defender; and

WHEREAS, NJSA 40A:11-1 et seq. Exempts professional services from any requirement of public advertisement for bids provided a notice of appointment is printed in a newspaper of general circulation within the municipality,

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

1. **Matthew Skelley** be and is hereby appointed as **Public**

**Reorganization Meeting**

**January 1, 2003**

**Page #12**

**Defender** for the year **2003** without public advertisement for bids,

2. Compensation for said Public Defender shall be the same as in 2002 for **2003**; said compensation to be paid in accordance with an agreement to be entered into between the parties.

3. The Borough Clerk shall cause a notice of passage of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

### 3-5 - Bond Counsel

**Mayor Alter nominated** the law firm of **DeCotiis, Fitzpatrick, Gluck, Hayden & Cole, LLP** to serve as **Bond Counsel**.

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

WHEREAS, it is desirable that the Borough of Fort Lee engage bond counsel to represent the Borough of Fort Le on bonding matters; and

WHEREAS, funds will be available by way of budget and bond to compensate said bond counsel; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. Exempts professional services from any requirement of public advertisement for bids provided a notice be printed in a newspaper of general circulation within the municipality,

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

1. **DeCotiis, Fitzpatrick, Gluck, Hayden & Cole, LLP**, Trenton and Teaneck, New Jersey, is hereby retained as **Bond Counsel** to represent the Borough of Fort Lee; and

2. Compensation for said bond counsel for **2003**; shall be claimed, approved and paid in accordance with an agreement to be entered into between the parties; and

3. The Borough Clerk shall cause a notice of the passage of this resolution to be published in a qualified newspaper within ten (10) days after passage thereof.

4. A copy of this resolution as well as the contract shall be placed on file in the office of the Borough Clerk.

The Resolution was **approved unanimously**.

### 3-6 - Special Tax Counsel

**Mayor Alter nominated Joseph Marinello** to serve as **Special Tax Counsel**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, it is desirable that the Borough of Fort Lee engage special tax counsel to represent the Borough on tax appeals; and

WHEREAS, funds will be available by way of budget and bond or demands to compensate said attorney; and

**Reorganization Meeting**

**January 1, 2003  
Page #13**

WHEREAS, NJSA 40A:11-1 et seq. exempts professional services from any requirement of public advertisement for bids provided a notice be printed in a newspaper of general circulation within the municipality,

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

1. **Joseph Marinello** be appointed **Special Tax Counsel** to represent the Borough of Fort Lee; and

2. Compensation for said Tax Counsel shall be the same as in 2002 for **2003**; claimed, approved and paid in accordance with NJSA. 40A:5-18 and pursuant with an agreement to be entered into between the parties; and

3. The Borough Clerk shall cause a notice of passage of this Resolution to be published in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

**3-7 - Labor Negotiations Attorney**

**Mayor Alter nominated J.S. Lee Cohen** of the law firm of **DeCotiis, Fitzpatrick, Gluck, Hayden & Cole, LLP** to serve as **Labor Negotiations Attorney**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded**, the following Resolution:

WHEREAS, there exists a need for a **negotiator** on behalf of the governing body of the Borough of Fort Lee with regard to various personnel matters and labor negotiations; and

WHEREAS, the Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that a resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised,

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

1. The Mayor and the Borough Clerk are authorized and directed to execute an agreement with **J.S. Lee Cohen** and the firm of **DeCotiis, Fitzpatrick, Gluck, Hayden & Cole, LLP** for the above stated purpose.

2. Compensation for said **labor negotiator** for **2003** shall be approved and paid in the manner set forth in NJSA 40A:5-18 and pursuant to an agreement to be entered into between the parties.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law, NJSA 40A:11-5(1), since this contract is for services performed by a person authorized by law to practice a recognized profession; and

4. The Borough Clerk shall cause a notice of the passage of this resolution to be published in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

**3-8 - Municipal Court/Police Department Accountant**

**Reorganization Meeting**

**January 1, 2003  
Page #14**

**Mayor Alter** nominated **Michael Condosta** to serve as **Municipal Court Accountant**.

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

WHEREAS, the **Municipal Court** requires the assistance of an accountant on a one or two day a month basis to reconcile bank accounts for bail, fines and costs accounts, review of open bail scheduled and generally assist Municipal Court personnel with accounting matters,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **Michael Condosta, CPA** is hereby retained for **2003** as Municipal Court Accountant at compensation of **\$100.00 hourly** not to exceed **\$8,000 annually**; and

WHEREAS, the **Police Department** requires the assistance of an accountant on an as needed basis to reconcile the Police Department grant and forfeiture revenue accounts as recommended by the Borough Auditor,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **Michael Condosta, CPA**, is hereby retained for **2003** as an Accountant for the Police Department at compensation of **\$100.00 hourly** not to exceed **\$10,000 annually**; and

BE IT FURTHER RESOLVED, that notice of the award of both contracts shall be published in a qualified newspaper within ten (10) days as provided by the Local Public Contracts Law.

The Resolution was **approved unanimously**.

**3-9 - Rent Leveling Board Attorney**

**Mayor Alter** nominated **Karl Marquardt** to serve as **Rent Leveling Board Attorney**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **Karl Marquardt** be and is hereby appointed as **Rent Leveling Board Attorney** for the year **2003**; and

BE IT FURTHER RESOLVED, that compensation for said Rent Leveling Board Attorney shall be approved and paid in the manner set forth in agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that notice of the award of this contract shall be published in a qualified newspaper within (10) days as provided by the Local Public Contracts Law.

The Resolution was **approved unanimously**.

**3-10 - Treasurer**

**Mayor Alter** nominated **Joseph Iannaconi** to serve as **Treasurer**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution.

BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **Joseph Iannaconi** be and hereby appointed as **Treasurer** for the year **2003**.

**Reorganization Meeting**

**January 1, 2003**  
**Page #15**

The Resolution was **approved unanimously**.

**3-11 - Building Department and Fire Prevention Bureau Accountant**

**Mayor Alter nominated William Katchen** to serve as **Building Department and Fire Prevention Bureau Accountant**.

**Councilman Cervieri introduced, and Councilwoman Voss seconded**, the following Resolution

WHEREAS, the **Building Department and Fire Prevention Bureau** requires the assistance of an accountant on a periodic basis to reconcile bank accounts and other services deemed necessary and to generally assist the Building Department and Fire Prevention Bureau personnel with accounting matters,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fort Lee that **William Katchen, Cliffside Park, New Jersey** be retained for the year **2003** as Building Department and Fire Prevention Bureau Accountant at compensation of **\$100.00** hourly not to exceed **\$15,000** annually; and

BE IT FURTHER RESOLVED, that notice of the award of this contract shall be published in a qualified newspaper within ten (10) days as provided by the Local Public Contracts Law.

The Resolution was **approved unanimously**.

**3-12 - Special Counsel to the Office of Economic Development**

**Mayor Alter nominated Dennis Oury, Esq.** to serve as **Special Counsel** for the Borough of Fort Lee.

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

WHEREAS, the Mayor and Council of the Borough of Fort Lee is desirous of appointing an attorney to act as special counsel to the Office of Economic Development; and

WHEREAS, certain legal projects will be assigned to the attorney on an as-needed basis by the governing body,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee that **Dennis Oury, Esq.** be appointed as **Special Counsel**, to the Office of Economic Development to be compensated at the hourly rate of **\$150** not to exceed **\$50,000** for the year; and

BE IT FURTHER RESOLVED that a notice of the award of contract shall be published in a qualified newspaper within ten (10) days as provided by the Local Public Contracts law; and

BE IT FURTHER RESOLVED that the Borough Attorney be and he is hereby authorized and directed to prepare an appropriate contract for the aforesaid purpose.

The Resolution was **approved unanimously**.

**4-1 - Designation of Depositories**

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

WHEREAS, NJSA 40A:5-14 requires the governing body to

**Reorganization Meeting**

**January 1, 2003**

**Page #16**

designate a **depository** or **depositories** for its monies; and

WHEREAS, the Chief Financial Officer of the Borough of Fort Lee recommended that the following **banks** be named as depositories:

**Bridgeview Bank, Fort Lee, NJ**  
**Commerce Bank, Fort Lee, NJ**  
**Fleet Bank, Fort Lee, NJ**  
**PNC Bank, Fort Lee, NJ**  
**Hudson United Bank, Cliffside Park, NJ**  
**Bank of New York, Englewood, NJ**  
**JP Morgan Chase, Fort Lee, NJ**  
**First Union Bank, Fort Lee, NJ**  
**Pan Asia Bank, Fort Lee, NJ**  
**State of New Jersey Cash Management Fund**  
**The Trust Company of New Jersey, NJ**

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the above named banks are hereby designated as depositories for the Current, Trust, Capital and Welfare sections of the accounts of the Borough of Fort Lee for **2003**.

BE IT FURTHER RESOLVED, as follows:

1. The custodian of said funds or accounts shall be the Borough Treasurer or such other officials as the governing body may designate.
2. All disbursements from said accounts shall be made by checks signed by the Mayor and Treasurer of the Borough of Fort Lee or such other officials as the governing body may designate.

The Resolution was **approved unanimously**.

#### **4-2 - Designation of Tax Receiving Agency**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, NJSA 54:4-122.3 became effective February 8, 1980, allowing municipalities to designate a bank or trust company to receive current tax payments, current water and sewer rents, as well as other public monies under the supervision of the tax collector.

WHEREAS, the Chief Financial Officer of the Borough of Fort Lee has recommended that **JP Morgan Chase, Fort Lee, New Jersey** be designated as the "Official Tax Receiving Agency" of the municipality;

WHEREAS, the Director of the Division of Local Government Services must give his approval for the authorization of awarding of this contract,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee that **JP Morgan Chase, Fort Lee, New Jersey** be named the Official Tax Receiving Agency of the Borough of Fort Lee for **2002**; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to prepare said contract, and the Mayor and Borough Clerk

are authorized to execute the contract for the "Official Tax Receiving Agency".

The Resolution was **approved unanimously**.

**Reorganization Meeting**

**January 1, 2003  
Page #17**

**4-3 - Designation of Newspapers**

**Councilman Cervieri introduced, and Councilwoman Voss seconded, the following Resolution:**

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that pursuant to NJSA 40:53-1, the following **newspapers** are hereby designated as official advertisements and notices required by law to be published by the Borough of Fort Lee:

**The Record  
Jersey Journal  
Palisadian**

The Resolution was **approved unanimously**.

**COUNCIL APPOINTMENTS**

**5-1 - Planning Board - Class III**

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

WHEREAS, Borough Ordinance 261-1 of the codified ordinances of the Borough of Fort Lee, provides that the Borough Council shall designate and appoint a member of the Borough Planning Board, pursuant to such ordinance and to New Jersey Statutes in such cases made and provided; and

WHEREAS, the Borough Council does, in its judgement deem it to be in the best interest of the Borough that such appointment be made,

NOW, THEREFORE, BE IT RESOLVED, that **Councilman Armand Pohan** be and is hereby designated and appointed by the Borough Council and as the **Borough Council Member** of the **Borough Planning Board** pursuant to Borough Ord. 261-1 et seq of the codified ordinances of the Borough of Fort Lee and pursuant to New Jersey Statutes in such cases made and provided, the term of such appointment to be for the period of **one year** in accordance with the foregoing ordinance and statutes.

The Resolution was **approved unanimously**.

**5-2 - Multiple Dwelling Commission**

**Councilman Pohan introduced, and Councilwoman Voss seconded, the following Resolution:**

WHEREAS, Borough Ordinance 321-3 requires the appointment of a Council Appointee to act as chairman of the Fort Lee Multiple Dwelling Emergency Commission; and

WHEREAS, it is deemed in the best interest of the Borough to make such appointment,

NOW, THEREFORE, BE IT RESOLVED, that **Councilman Joseph Cervieri** be and is hereby appointed to the **Fort Lee Multiple Dwelling Emergency Commission** to act as **Chairman** thereof pursuant to Borough Ordinance, and in particular Ord. 321-3 of such

appointment to be in accordance with such Ordinance for a period of **one year**.

The Resolution was **approved unanimously**.

**Reorganization Meeting**

**January 1, 2003**

**Page #18**

**5-3 - Parking Authority**

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

WHEREAS, Borough Ordinance 79-2 of the codified ordinances of the Borough of Fort Lee provides that the Borough Council shall designate and appoint a member of the Borough Parking Authority, pursuant to such ordinance and pursuant to New Jersey Statutes in such cases made and provided and in particular , RS 40:11A-4 et seq.; and

WHEREAS, the Borough Council does, in its judgement, deem it to be in the best interest of the Borough that such appointment be made,

NOW, THEREFORE, BE IT RESOLVED, that **Richard Weiner-Clark** be and hereby is designated and appointed by the Borough Council as a **member of the Parking Authority** pursuant to Borough Ordinance 79-1 et seq of the codified ordinances of the Borough of Fort Lee and pursuant to New Jersey Statutes in such cases made and provided, the **term** of such appointment to be for a period of **five (5) years** in accordance with the foregoing ordinance and statutes.

The Resolution was **approved unanimously**.

**MAYOR'S NOMINATIONS TO BOARDS**

**6-1 - Board of Adjustment**

**Mayor Alter nominated Michael Horton** to serve as a member on the **Board of Adjustment** for a four (4) year term expiring December 31, 2006.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously**.

**Mayor Alter nominated Jay Scheiner** to serve as a member on the **Board of Adjustment** for a four (4) year term expiring December 31, 2006.

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the nomination was **confirmed unanimously**.

**Mayor Alter nominated John Criscione** to serve as a member on the **Board of Adjustment** for a four (4) year term expiring December 31, 2006.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously**.

**Mayor Alter nominated Peter DeSheplo** to serve as an alternate member on the **Board of Adjustment** for a two (2) year term expiring December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously**.

## 6-2 - Beautification Committee

Mayor Alter nominated Anthony Clores, Howard Joh, Richard Radoian and Marcia Cooper to serve as members of the **Beautification Committee** for three (3) year terms expiring December 31, 2005.

Reorganization Meeting

January 1, 2003

Page #19

On motion by Councilman Cervieri, seconded by Councilman Villano, the nominations were **confirmed unanimously**.

## 6-3 - Advisory Committee for the Disabled

Mayor Alter nominated Patricia Ciccone, Eileen Goff, Roy Lippin, Sandra Pinkerton and Roberta Wailes to serve as members of the **Advisory Committee for the Disabled** for three (3) year terms expiring December 31, 2005.

On motion by Councilman Villano, seconded by Councilman Cervieri, the nominations were **confirmed unanimously**.

## 6-4 - Fort Lee Film Commission

Mayor Alter nominated Armand Pohan to serve as **Council Liaison** to the **Fort Lee Film Commission** for the year 2003.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the nomination was **confirmed unanimously**.

Mayor Alter nominated Tom Meyers and Marc Perez to serve as members of the **Fort Lee Film Commission** for two (2) year terms expiring December 31, 2004.

On motion by Councilman Cervieri, seconded by Councilman Sargenti, the nominations were **confirmed unanimously**.

## 6-5 - Board of Health

Mayor Alter nominated Dr. Paul Friedman and Harris Levine to serve as members of the **Board of Health** for three (3) year terms expiring December 31, 2005.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the nominations were **confirmed unanimously**.

## 6-6 - Historic Site, Structural, Cultural and Landmark Committee

Mayor Alter nominated Joan Voss to serve as a member of the **Historic Site, Structural, Cultural & Landmark Committee** for a one (1) year term expiring December 31, 2003.

On motion by Councilman Cervieri, seconded by Councilman Pohan, the nomination was **confirmed unanimously**.

Mayor Alter nominated Donna Brennan, Bert Lief and Kay Nest to serve as members of the **Historic Site, Structural, Cultural & Landmark Committee** for three (3) year terms expiring December 31, 2005.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the nominations were **confirmed unanimously**.

**Mayor Alter nominated Tom Meyers** to serve as a member of the **Historic Site, Structural, Cultural & Landmark Committee** for an unexpired term through December 31, 2004.

**On motion by Councilman Cervieri, seconded by Councilman Sargenti,** the nomination was **confirmed unanimously.**

**Reorganization Meeting**

**January 1, 2003  
Page #20**

**6-7 - Housing Authority**

**Mayor Alter nominated Kay Nest** to serve as a member of the **Housing Authority** for a five (5) year term expiring **December 31, 2007.**

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously.**

**6-8 - Library Board of Trustees**

**Mayor Alter nominated James Harbilas** to serve as a member of the **Library Board of Trustees** for a five (5) year term expiring December 31, 2007.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously.**

**6-9 - Local Assistance Board**

**Mayor Alter nominated Sam Lipp** to serve as a member of the **Local Assistance Board** for a four (4) year term expiring December 31, 2006.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously.**

**Mayor Alter nominated Beverly Rosas** to serve as a member of the **Local Assistance Board** for a one (1) year term expiring December 31, 2003.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously.**

**Mayor Alter nominated Patricia Rumi** to serve as a member of the **Local Assistance Board** for an unexpired term through December 31, 2003.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nomination was **confirmed unanimously.**

**6-10 - Rent Leveling Board**

**Mayor Alter nominated Charles Sobel and Edith Tunick** to serve as members of the **Rent Leveling Board** for three (3) year terms expiring December 31, 2005.

**On motion by Councilman Cervieri, seconded by Councilwoman Voss,** the nominations were **confirmed unanimously.**

**6-11 - Senior Citizens' Council**

**Mayor Alter nominated Kay Nest** to serve as **Director** of the **Senior Citizens' Council** for a one (1) year term expiring December 31, 2003.

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the nomination was confirmed unanimously.

Mayor Alter nominated Molly Licata and James Viola to serve as members of the Senior Citizens' Council for two (2) year terms expiring December 31, 2004.

Reorganization Meeting

January 1, 2003  
Page #21

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the nominations were confirmed unanimously.

#### MAYOR'S APPOINTMENTS

##### 7-1 - Planning Board

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

Byong J. Suh	Class II - One (1) Year Term Through 2003
Janet Cooney	Class IV - Four (4) Year Term Through 2006
Cheryl Karpman	Class IV - Unexpired Term of John Criscione Through December 31, 2004
Noel Albert	Class IV - Unexpired Term of Armand Pohan Through December 31, 2005
Harvey Sohmer	Class IV Alternate - Two (2) Year Term Through 2004

##### 7-2 - Emergency Management

Mayor Alter reappointed Joseph Licata as Emergency Management Coordinator for a three year term through December 31, 2005.

#### RESOLUTIONS

##### 8-1 - Part-time Police Officer - Board of Education

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

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that Patrick Moran is hereby appointed as part time school security guard for the year 2002, without authority to carry a firearm.

BE IT FURTHER RESOLVED, that said part time police officer be employed by and paid by the Board of Education of the Borough of Fort Lee.

The Resolution was approved unanimously.

##### 8-2 - Police Physicians

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

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the following are hereby appointed as Police Physicians for the year 2003:

Dr. Louis Angioletti	Dr. Richard Finizio
Dr. Raymond Darakjian	Dr. Gregory Pappas

Dr. Richard Salb  
Dr. Anthony Maggiano  
Dr. Robert Monahan  
Dr. Mark Hagopian  
Dr. Neil Kolsky  
Dr. George Azzariti  
Dr. Michael Vincent  
Dr. Jerome Goldfischer

Dr. Richard Weiner  
Dr. Kenneth Kutner  
Dr. Barry Herstik  
Dr. Clemens Loew  
Dr. Kevin Basralian  
Dr. Gene Rosenberg  
Dr. Patricia Farrell  
Dr. Joseph Holzapfel

**Reorganization Meeting**

**January 1, 2003**

**Page #22**

Dr. Jeffrey Rappaport  
Dr. Alan Barry Port  
Dr. Samuel Suede

Dr. Alfred D. Kulik  
Dr. Michael Friedman  
Dr. Anna J. Lavotshkin

The Resolution was **approved unanimously**.

**8-3 - School Crossing Guards**

**Councilman Villano introduced, and Councilwoman Voss seconded,** the following Resolution:

BE IT RESOLVED, by the governing body that the following be appointed as **School Crossing Guards** in the Borough of Fort Lee without authority to carry a firearm:

Badian, Leonard	Barriero, Lidia	Bassi, Nidia
Bianchetto, Dennis	Bianchetto, Ezio	Boccia, Joseph
Bove, Patrick	Breiner, Sol	Cabrera, Yolanda
Campolongo, Ronald	Cennerazzo, Rudolph	Cerchio, Mary
Chin Mee Kam	D'Ambrosio, Lucia	D'Annucci, Lucia
Davidson, Fred	DiPerna, Vito	Egues, Margarita
Flaim, Candido	Gonzalez, Simeon	Guglielmo, Giuseppe
Harris, Faye	Karabastos, Dionysiso	Kim, Hyun
Ko, Ellie	Licitro, Rosario	McNery Charles
Mancino, Michelle	Medaglia, Joseph	Melendez, Jesus
Muhammad, Sadiq	Mulle, Anthony	Occhipinti, Joan
Ok, Bong Hi	Ok, Young Sun	Oliver, Hyman
Oliver, Joan	Pospisil, Ray	Puccio, Orlando
Pulice, Fiore	Rojas, Pedro	Ruby, George
Schnorrbusch, Dan	Scrivanich, Yolanda	Segarra, Ana
Silvia, Barbara	Simone, Antonia	Strezou, Leo
Waxenbaum, Leon		

The Resolution was **approved unanimously**.

**8-4 - Police Guards (Matrons)**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

BE IT RESOLVED, by the governing body of the Borough of Fort Lee that the following are hereby appointed as **Police Guards (Matrons)** in the Borough of Fort Lee for the year **2003**:

Kathy Patrick	Anna Guevara
Elizabeth Connell	Janice Pagano
Charlene Ortiz	Melissa Ardito
Catherine Blue	Jaime Tripodi

The Resolution was **approved unanimously**.

**9-1 - Establishing Rate of Interest for Tax Delinquencies**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, the provisions of NJSA 54:4-67 direct that the governing body of each municipality may **fix the rate of interest** to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent, and may further provide that no interest shall be charged if on payment of any installment is made within the tenth calendar day following the date upon which the same became payable; and

WHEREAS, NJSA 54:4-67 further provides that the rate of

**Reorganization Meeting**

**January 1, 2003**

**Page #23**

interest so fixed **shall not exceed eight (8%) on the first one thousand five hundred dollars (\$1,500) of the delinquency and eighteen percent (18%) per annum on any amount in excess of one thousand five hundred dollars (\$1,500),**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee do hereby fix, in accordance with the provisions of NJSA 54:4-67 the rate of interest to be charged for the non-payment of taxes or assessments at eight (8%) per annum on the first one thousand five hundred dollars (\$1,500) of the delinquency, provided, however, that no interest shall be charged if payment of any installation is made within the tenth calendar day following the date upon which the same became payable.

The Resolution was **approved unanimously.**

### **9-2 - Re-establishing Petty Cash Fund**

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Fort Lee do hereby authorize and establish a **petty cash fund for the Borough Treasurer** and other various departments; and

WHEREAS, the Mayor and Council authorize the Borough Treasurer to draw a check from the current account in the amount of **\$500.00** payable to Joseph Iannaconi Jr. Petty cash, and various authorized amounts for the other various departments,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with NJSA 40A:5-21 said petty cash funds be established.

The Resolution was **approved unanimously.**

### **9-3 - Cash Management Plan**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, N.J.S.A. 40A:5-14 requires the Borough of Fort Lee to adopt a Cash Management Plan; and

WHEREAS, the Borough of Fort Lee adopts its Cash Management Plan annually; and

WHEREAS, this Cash Management Plan shall be designated to assure the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in Federal or State law or regulations; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Fort Lee Cash Management Plan be continued for 2003.

The Resolution was **approved unanimously.**

**9-4 - Insurance Risk Manager**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, the Borough of Fort Lee is a member of the South Bergen Joint Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund; and

**Reorganization Meeting**

**January 1, 2003  
Page #24**

WHEREAS, the bylaws of said funds require that the municipality appoint a Risk Management consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the bylaws for the Municipal Excess Liability Joint Insurance Fund and the South Bergen Municipal Joint Insurance Fund indicate a minimum fee equal to six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and is included in the assessment for these funds; and

WHEREAS, the judgmental nature of the Risk Management consultant's duties renders comparative bidding impractical,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Fort Lee does hereby appoint David J. Voza of the Voza Agency, Inc. As its Risk Management Consultant in accordance with the Fund's bylaws for the period of January 1, 2003 to January 1, 2004; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the consultant's agreement annexed hereto and to cause a notice of this decision to be published according N.J.S.A 40A:11-5(1) (a) (i).

The Resolution was **approved unanimously.**

**9-5 - Borough Clerk - PACO Officer**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, the Borough of Fort Lee is required to designate a Public Agency Compliance Officer to insure that proper forms are distributed and completed before contracts are awarded by the Borough and documents and manuals are made available to prospective contractors,

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk is hereby appointed to serve as the Public Agency Compliance Officer (PACO) for the year 2003 in the Borough of Fort Lee.

The Resolution was **approved unanimously.**

**9-6 - Authorizing Hiring of Radio Frequency Engineer**

**Councilman Cervieri introduced, and Councilwoman Voss seconded,** the following Resolution:

WHEREAS, the Director of Economic Development and the Borough Attorney, Labor Attorney, Special Counsel for Economic Development, Planning Board Attorney, Board of Adjustment Attorney and Borough Planner have indicated the need for an expert in the field of Radio Frequency Engineering is necessary for the Borough of Fort Lee for the year **2003** to provide expertise in the field of Radio Frequency engineering; and

WHEREAS, funds will be available by way of budget to compensate said radio frequency engineer; and

WHEREAS, Richard M. Wolf Associates, L.L.C. has made a proposal to the Borough dated December 12, 2002 at a fee of \$150.00 hourly plus expenses,

WHEREAS, NJSA 40A:11-1 et seq. exempts professional services from any requirement of public advertisement for bids provided a notice of the appointment be printed in a newspaper of general

**Reorganization Meeting**

**January 1, 2003**

**Page #25**

circulation within the municipality,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Fort Lee that said radio frequency engineer be and hereby is appointed for the year **2003** without public advertisement for bids and in accordance with NJSA 40:87-16; and

BE IT FURTHER RESOLVED, that compensation for said radio frequency engineer shall be paid \$150.00 hour plus expenses during the year 2003; said compensation to be claimed, approved and paid in the manner set forth in NJSA 40A:5-18 and pursuant to an agreement to be entered into between the parities; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

The Resolution was **approved unanimously**.

#### **COUNCIL REPORTS**

**Councilman Pohan** - stated that he has received a number of honors in his life, academic and professional, but no honor is as high as his fellow citizens having bestowed upon him the opportunity to serve as a Councilman in the Borough of Fort Lee. He thanked former Mayor Burt Ross for his confidence in him when he was appointed Borough Attorney back in the 1970's. He was equally grateful to former Mayor Richard Nest in continuing with Burt's confidence in him as Borough Attorney and then as a Planning Board member. Both former mayors had a very clear, honest way of doing business and he felt he was well taught and trained by them. He thanked Kay Nest and Ray Levy for twisting his arm and getting him involved again in local government. He thanked Mayor Alter for appointing him to the Planning Board last year. He forgot how much he enjoyed being involved in local government and he's looking forward to continuing. He thanked the people in the town for voting for him. They weren't all voting for him, but they were expressing their confidence in the government of the town. The Mayor and previous councils have run a good town. There are many things and challenges out there including the redevelopment of some major areas in Fort Lee, which thirty years later still includes the Helmsley property. He's honored to be sitting in former councilman Tom Meyers' seat and to be liaison to the Film Commission. Tom has done great work, and he hopes to be able to continue on with that work, to develop the historical and cultural sense of the town. He again thanked the citizens of the Borough and he told them he will work hard for them as the citizens have reposed confidence in him and he will discharge that confidence to the very best of his ability.

**Councilwoman Kasofsky** - welcomed Council Members Armand Pohan and Michael Sargenti. She stated to the residents of Fort Lee that the government has the needs of everyone in Fort Lee in mind and that this government will be responsive to those needs. She wished everyone a happy New Year.

**Councilman Villano** - wished everyone a happy, peaceful, serene and prosperous New Year.

He stated that he served as liaison to the Recreation and Parks Department this past year. He has been on the committee for the past two years for the proposed park at the former ShopRite property. He's hoping there will be a shovel in the ground by March of this year.

**Reorganization Meeting**

**January 1, 2003**

**Page #26**

As liaison to the Municipal Alliance Committee, the Teen Center is running every Tuesday and Thursday at the Lewis F. Cole Middle School. There are 125-175 students participating in the program.

He stated that the Fort Lee Community Fund, of which he is a member, has about \$33,000 in their account with an ultimate goal of \$100,000. The fund has done some great work and as a councilman it's the one thing he's most proud of. The money is usually given out on an one-time emergency basis.

He mentioned that the DPW garage should be completed within the next couple of months.

He stated that as liaison to the Advisory Board for the Disabled, the board has worked very hard on accessibility. The board has also discovered that there might be only two disability committees in Bergen County. They are aware of one committee in Teaneck and, of course, the one in Fort Lee. They are planning to hold a countywide conference the first week of April. He invited his niece who was sworn in earlier today as a councilwoman in Waldwick. Fort Lee has done an admirable job in bringing accessibility to its disabled, and the goal is to bring the same accessibility to all the residents in Bergen County.

He said that the town has been sending out four newsletters per year over the last few years. The newsletter has grown from a few pages to about six pages per issue. It's a very informative newsletter.

He said that Mayor Alter spoke about issues such as the Steel Structure and Helmsley Property with which he's also very concerned.

He again wished everyone a happy and healthy New Year.

**Councilman Sargenti** - thanked everyone for their trust and confidence in him. He hopes with Armand to continue the good job that the previous Mayor and Councils have done.

He stated that he's council liaison to the Recreation Department, Ambulance Corps and Rent Leveling Board for 2003. He looks forward to working with those groups as well as everyone in the community.

He thanked his family for their support. Without them he would not be in the position he's in right now. He also thanked friends and Fort Lee students Spencer Gottlieb and Danielle Ciccone for their support. He believes it is important for the young people in town to take a step forward and get involved in their community.

He wished everyone a good and happy 2003.

**Councilwoman Voss** - offered her congratulations to Armand and Mike.

She looks forward to working with both of them.

She stated that Sam Lipp was reappointed as a member of the Local Assistance Board earlier this evening. He's in charge of an antisemitism program that is being run by the Fort Lee Palisades B'nai B'rith. The program is being done in conjunction with Father Ryan of Madonna Church and Reverend Allison Moore of the Church of the Good Shepherd on Thursday, January 9<sup>th</sup> at 7:30 p.m. at the Fort Lee Jewish Community Center. There is no charge for the program. She looks forward to seeing many people attending in light of the world situation.

**Reorganization Meeting**

**January 1, 2003  
Page #26a**

She wished everyone a happy, healthy and peaceful New Year.

She stated that this is a great council and she believes a great deal will be accomplished for the people of Fort Lee this year.

**Councilman Cervieri** - stated that this evening a number of people were nominated and appointed to various boards and committees. A lot of those people take a great deal of time out of their lives to volunteer for the benefit of Fort Lee. He thanked all the volunteers for giving of their time and for all the people who have just come off those boards for their participation.

He stated that all of the governing body is concerned about the quality of life for all of the residents in Fort Lee. He believes that the senior citizens are treated well and that the youth of the town is thought of highly. He encouraged the youth to get involved in government. Over the last couple of years there was a youth in government day and that gave the governing body some good insights as to how the students and the next generation view Fort Lee and the government.

He thanked everyone for coming out and participating in anyway that they can. It makes Fort Lee a great place to live. He added that Fort Lee is a great place to raise a family, to work and to enjoy life.

He also thanked all of the Borough employees and volunteer service people who make Fort Lee such a great place.

He praised the Parking Authority employees for getting the streetscape program up and running and in helping with the off-street parking and to making Fort Lee's business district better so that people want to walk through the town.

He stated that Fort Lee has vehicular traffic, but the goal is to increase its pedestrian traffic. He encouraged everyone to shop in Fort Lee.

He surmised that the two new council members will assist the Borough in making sure that the decisions being made are the right ones for the residents of the Borough.

He thanked Tom Meyers and Jan Goldberg for the years of service they put in as council members.

He wished everyone a happy, prosperous and healthy New Year.

**CLOSING INVOCATION**

Mayor Alter stated that Rabbi Konikov is a great member of the Fort Lee community from the Lubavitch Temple in Fort Lee.

Rabbi Konikov gave the closing invocation and stated that everyone who tries to do something should succeed in doing it.

He wished former Councilman Jan Goldberg well. He added that the government of Fort Lee has been very helpful to his community. He wished everyone well and offered everyone a happy New Year.

There being no further discussion, the meeting was adjourned **on motion by Councilman Cervieri, seconded by Councilwoman Voss,** and carried at 7:20 p.m.

---

Neil Grant  
Municipal Clerk

**RECESSED MEETING**

**MAYOR AND COUNCIL**

**Thursday, December 12, 2002/  
January 1, 2003 @ 5:00 p.m.**

The Recessed Meeting of the Mayor and Council of the Borough of Fort Lee was held on the above date in the Council Chambers, Memorial Municipal Building, 309 Main Street, Fort Lee, NJ.

PRESENT: Mayor Alter, Council Members Meyers, Kasofsky, Villano, Goldberg, Voss, Cervieri

ALSO PRESENT: Peggy Thomas, Borough Administrator  
Neil Grant, Borough Clerk  
Brian Chewcaskie, for Borough Attorney  
Joseph Iannaconi, CFO

**SPECIAL MEETING STATEMENT**

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 December 13, 2002 a written notice of the time, place and proposed agenda of this meeting was posted at the Municipal Building, 309 Main Street, Fort Lee, New Jersey.

On the same date a copy of said written notice was mailed to THE RECORD, the BERGEN NEWS/SUN BULLETIN, PALISADIAN and a copy was filed with the Borough Clerk.

On the same date, copies were mailed to all persons who have requested copies of such notices, and have prepaid the fee fixed for the year 2002.

Let the minutes reflect that this is a continuation of the regularly scheduled Mayor and Council meeting of December 12, 2002.

**PRESENTATIONS**

Mayor Alter stated that all council members who serve Fort Lee have the best interests of the community in their hearts.

Mayor Alter presented the following plaque from the Mayor and Council to outgoing Councilman Tom Meyers.

"Presented to Tom Meyers"

WITH GRATITUDE FOR HIS DEDICATED SERVICE TO THE BOROUGH OF FORT LEE

COUNCILMAN

1997-1999  
2000-2002

Mr. Meyers wished Mike Sargenti and Armand Pohan the best of luck. He's expecting great things from them for the Borough of Fort Lee. He said that when he ran with Jan Goldberg back in 1996, he and Jan were lucky to have been selected by the Democratic Committee headed up by the late former Mayor Richard Nest. He spoke to the campaign of 1996 and how out of the Democrats' defeat in 1994, came him and Jan Goldberg in 1996, under the guidance of Mayor Alter and Kay Nest. It was not an easy election to win. He said that government in 1996 was unified by Mayor Alter. Mayor Alter has always fought for parks

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #2**

and other things that are important to the people of Fort Lee. He stated that the Mayor and other governing body members have fought very hard for affordable housing in Fort Lee. They have fought for the rights of tenants and in particular the residents of the old Aspen Gardens. He thanked the Democratic Municipal Committee, all of his co-council members including his 1996 and 1999 running mate Jan Goldberg. He thanked former Councilman Larry Goldberg for all of his help over the last ten years, and he thanked former Councilwoman Cathy LoFaro for getting him involved in Democratic Committee work. He also thanked the Fort Lee Historical Society, which is a volunteer organization. They preserve a heritage that otherwise would be scattered to the four winds. He thanked them along with the late Thomas Hanlon who always hoped there would be a museum in Fort Lee, and the Mayor and Council for getting behind the idea of starting the Fort Lee Film Commission and making it a great success. He also thanked Robert Donohue who is leaving the Historic Committee this year. He brought a lot of expertise on a daily basis to the renovation of the Judge Moore House which is now the museum. Between his work and the General Services staff headed up by Joseph Vaccaro, it has become the shining star in Fort Lee and it's a place that is only getting bigger and better. He also thanked Lou Azzollini as an outgoing Film Commission Member for his work. He thanked his family and particularly his mother for instilling in him his interest in film.

Mayor Alter stated that he convinced Jan Goldberg that a job as a council member would take a night a week. Jan has been a very positive influence on the government of Fort Lee.

Mayor Alter presented the following plaque from the Mayor and Council to outgoing Councilman Jan Goldberg.

"Presented to Jan Goldberg"

WITH GRATITUDE FOR HIS DEDICATED SERVICE TO THE BOROUGH OF  
FORT LEE

COUNCILMAN

1997-1999  
2000-2002

Mr. Goldberg thanked everyone for coming out in the bad weather. He thanked Mayor Alter for getting him involved in municipal government.

Mayor Alter recognized State Senator Joseph Coniglio, and Assemblyman Matt Ahearn. He said that both legislators have always taken a great interest in the Borough of Fort Lee.

**APPROVAL OF MINUTES**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, and carried unanimously, the minutes of the December 12, 2002, Special Executive Session were approved with Mayor Alter abstaining.

On motion by Councilwoman Voss, seconded by Councilman Goldberg, and carried unanimously, the minutes of the December 12, 2002 Regular Meeting were approved with Mayor Alter abstaining.

Recessed Meeting

December 12, 2002/  
January 1, 2003  
Page #3

**PROPOSED CONSENT AGENDA**

On motion by Councilman Cervieri, seconded by Councilwoman Voss, the Proposed Consent Agenda was introduced relative to items CA-1 through CA-3.

**CA-1 - Approving Budget Transfers**

<u>From</u>	<u>To</u>	
Salary & Wage Adj. Program \$200,000	Administration S/W	1,045
	Administration O/E	3,611
	Purchasing S/W	18,313
Legal O/E \$200,000	Mayor and Council	625
	Payroll/Data Procession S/W	5,071
	Collection of Taxes S/W	5,753
	Assessor of Taxes	9,472
Garbage \$200,000	Assessor of Taxes	9,472
	Engineering	5,702
Group Insurance \$100,000	Planning Board O/E	36,700
	Mt Laurel Housing	12,853
	Rent Leveling Board S/W	3,544
	Road Repair S/W	27,800
Economic Development O/E \$80,000	NJ Economic Dev Auth	334
	Interest on Bonds	378,400
Mayor & Council S/W \$25,000	Construction Code Off. S/W	6,621
	Police S/W	191,654
Street Lights \$97,406	Comm/Disp S/W	5,753
	Comm/Disp O/E	10,615
	Emergency Mgt S/W	2,669
	EMT S/W	2,224
	Fire Prev	4,375
	Road Repairs S/W	31,800
	Public Building & Grounds	4,200
	Commercial Repair S/W	9,700
	General Services S/W	8,400
	General Services O/E	2,000
	Board of Health S/W	15,700
	Board of Health O/E	5,100
	Human Services S/W	400
	Senior Citizen O/E	12,100
	Parks & Playgrounds S/W	6,600
	Parks & Playgrounds O/E	5,700
	Special Events O/E	9,100
Water O/E	5,400	
Telephone O/E	14,300	

Sewer System S/W	14,300
PERS	772
Police & Fire R.S	9,000
Municipal Alliance	12,800
Municipal Court O/E	<u>1,900</u>

**Total: 902,406 Total: 902,406**

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #4**

**CA-2 - Approving Cancellation of Outstanding Debits and Credits on the Tax Collector's Books for 2001 in the Amount of \$10.00 and Less**

WHEREAS, there are a number of outstanding debits on the Tax Collector's books for the period January 1 through December 31, 2001 in the amounts of ten dollars (\$10.00) or less,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that all debits of ten dollars (\$10.00) or less be and are hereby canceled, as per listing kept in the office of the Tax Collector-Treasurer.

**CA-3 - Authorizing the Chief Financial Officer to Cancel Outstanding Open Checks in Various Accounts for 2001 and Prior Years - \$14,143.86**

WHEREAS, there remain checks outstanding on the Borough of Fort Lee's banking records for 2001; and

WHEREAS, every attempt has been made by the Chief Financial Officer to have the checks cleared,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Chief Financial Officer is hereby authorized to cancel the following outstanding amounts in the various accounts in the total amount of **\$14,143.86**

WHEREAS, there remain checks outstanding on the Borough of Fort Lee's banking records for 2001; and

WHEREAS, every attempt has been made by the Chief Financial Officer to have the checks cleared,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fort Lee, that the Chief Financial Officer is hereby authorized to cancel the following outstanding amounts in the various accounts in the total amount of **\$14,143.86**

<u>Account Name</u>	<u>Amount</u>
Current Account	\$ 9,874.79
Developers Escrow	\$ 167.00
Police Activity Trust Fund	\$ 3,965.47
Public Assistance Trust II	<u>\$ 136.00</u>
<b><u>Grand Total:</u></b>	<b>\$14,143.86</b>

**SCHEDULE A**

<u>Account</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
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Current Account	2/2001	41436	\$325.00
	3/2001	41829	447.71
	4/2001	41879	20.00
		42070	87.90
	5/2001	42387	165.00
	6/2001	42684	300.00
	7/2001	42808	15.00
		42854	112.80
		42855	171.80
		42857	65.00
	8/2001	43070	150.00
		43155	250.00

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #5**

<u>Account</u>	<u>Date</u>	<u>Check #</u>	<u>Amount</u>
	9/2001	43469	28.00
		43523	1,405.99
	10/2001	43561	42.00
		43569	35.00
		43598	68.70
		43784	148.57
	11/2001	44045	480.00
		44150	405.82
	12/2001	44220	150.00
		44370	50.00
		44449	3,880.00
		44478	<u>1,070.50</u>
			<b>\$9,874.79</b>
Developers Escrow	2/2001	91853	<u>\$167.00</u>
			<b>\$167.00</b>
Police Activity Trust Fund	6/2001	1382	\$2,955.50
	10/2001	1437	650.00
		1441	<u>359.97</u>
			<b>\$3,965.47</b>
Public Assistance II	12/2001	237	<u>\$136.60</u>
			<b>\$136.60</b>
<b>GRAND TOTAL:</b>			<b>\$14,143.86</b>

There being no discussion, **on motion by Councilman Cervieri, seconded by Councilwoman Voss**, the Consent Agenda (items CA-1 through CA-3) was **approved unanimously**.

**COUNCIL REPORTS**

**Councilman Meyers** - thanked Peggy Thomas and her staff for all of her help. He stated that Ms. Thomas has been a pleasure to work with. One of the things that he's most proud of is having Peggy as the Borough Administrator. He thanked all of the Borough employees and said none of the council members would be able to accomplish anything without the help of the Borough's fine employees. They will continue to serve the Borough of Fort Lee very proudly.

**Councilwoman Kasofsky** - stated that she's enjoyed working with Tom and Jan and she wished them continued success.

**Councilman Villano** - wished Tom and Jan well. He stated that Jan has been a quiet leader on the council. He helped maintain the

municipal tax rate for the last four years as Finance Chairman. He was a prime motivator in getting a \$250,000 grant for the Borough from the State for the streetscaping project. Jan was the first councilman to reach out to him when he became a councilman four years ago. Tom's heart is always in Fort Lee. He fought battles that a lot of the Council was unaware of. He was instrumental in passing an ordinance to reduce the size and the look of the houses in the Borough. It's a quality of life issue in Fort Lee. He also helped pass a sign ordinance. He thanked both Tom and Jan for their efforts and wished them well.

He stated that he attended the Borough of Waldwick reorganization meeting earlier in the day. His niece took her

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #6**

oath of office as a councilwoman. He wanted to publicly wish her well, and he's looking forward to working with her in the future.

**Councilman Goldberg** - stated that he looked back at the 2002 reorganization minutes, and he saw in his speech that he wanted labor peace and long-term contracts, which the Borough has. He wanted cameras on the streets, which the Borough will be getting soon from forfeiture funds, and he wanted to get into shared services. He said that his biggest disappointment as a councilman was that the shared municipal court services with Leonia fell apart. He believes it needs to be looked at again. It's important to have new revenue streams.

He stated that as liaison to the Police Department for five years, it's been very gratifying for him to see police officers walking on the streets and riding bicycles; however, he hopes that the program will be expanded to different parts of town. In the last five years, three Korean-speaking police officers were added to the force. There was a language problem in town and this has made things a lot better. At the last work session, it was agreed that six new replacement police officers who are Fort Lee residents would be hired. With the new hires there will be fifteen police officers who live in town. When the terrorist attacks occurred on September 11, 2001 it was impossible to get officers into town because of all the congestion. He believes the town is better prepared in case of another such attack.

He stated that he's been liaison to the Municipal Court for six years, and it's one of the busiest in Bergen County, if not the entire State. It's been a pleasure to work with Judge John DeSheplo and Barbara Martinetti, Court Administrator, who both streamlined the procedures to reduce the police overtime in the court with better scheduling. Fort Lee's court became the first court in Bergen County to have videoconferencing capabilities. It saves the Borough money and enhances safety by not having the police shuffling inmates back and forth from the jail.

He stated that the Borough employees work hard, they keep the town moving forward and many of the tasks that were originally contracted for outside contractors are being done in-house. It saves the taxpayers money.

He stated that the last two years have been very trying for the Borough, its residents, and the nation as a whole. After the events of September 11<sup>th</sup>, everyone's life changed. In Fort Lee, the crisis demonstrated to the residents the Borough's preparedness and dedication of its emergency personnel and of all the employees in general.

He mentioned that over the last six years he has had the opportunity to meet some very dedicated state and federal elected

officials who have always been there to help Fort Lee. He stated that Messrs. Ahearn and Coniglio, along with Congressman Steve Rothman, Senator Byron Baer and Assemblywoman Loretta Weinberg have become very good friends. Even after redistricting was completed in 2000, Senator Baer and Assemblywoman Weinberg added their support to the Borough when asked. He stated that Republican Senators Joseph Kyrillos and John Matheussen helped Steve Monetti and him secure the \$250,000 ISTEAs Grant for the streetscape renovation.

He spoke to the vigil that was held September 11, 2002. He found it odd that he was asked to host the event. Most people thought he wasn't the type of person to get involved in an event like that. He said it was a great event and he felt very proud

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #7**

to be involved in it. He thanked Rabbi Meir Berger and Father John Ryan for putting the event together.

He concluded by thanking the people of Fort Lee for allowing him to experience elected office. He thanked all of the council members he's worked with and wished council members elect Armand Pohan and Mike Sargenti good luck. He thanked Mayor Alter for getting him involved, along with Kay and Richard Nest, and the Democratic Committee. He thanked his wife for all of her patience over the last six years.

**Councilwoman Voss** - stated that it has been a pleasure working with Tom and Jan, both of whom have given a tremendous amount of time and energy to the people of Fort Lee. Tom's film festivals and his knowledge of Fort Lee's history have given the community a sense of pride in the town. Jan has been a wonderful asset to the council. His business acumen and his ability to work with people have been invaluable over the past six years. As police liaison, he helped negotiate two police contracts which were acceptable to both sides. He found things in the budget that could be adjusted downward benefitting the taxpayers of Fort Lee. He helped Fort Lee receive the \$250,000 ISTEAs grant for the Borough's streetscaping project. She spoke to Jan's performance as Master of Ceremonies at the September 11<sup>th</sup> vigil. It was one of the most touching ceremonies that she ever attended. Both Tom and Jan will be greatly missed. She hopes this is not an end but only a hiatus.

**Councilman Goldberg** - also thanked Ms. Thomas, along with Messrs. Iannaconi, Grant and Monetti for their help during the past six years.

**Councilman Cervieri** - stated that the accolades are just the tip of the iceberg on what accomplishments Tom and Jan have brought forth for the betterment of the people of Fort Lee. They combine a sense of history and a vision toward the future. He personally thanked both of them on behalf of the citizens for the honest hard work they have done. Their hearts have always been in the right place. He thanked them for the opportunity to have worked with them over the last five years that he has been a council member. Tom and Jan are going to be missed, but he's also looking forward to working with Messrs. Pohan and Sargenti who have two big pairs of shoes to fill. He wished both Tom and Jan the best in their careers, and he thanked them for moving Fort Lee forward in the right direction.

**Councilman Meyers** - also thanked Steve Monetti for doing a lot for him personally and professionally. He added that Kay Nest and Steve made a lot of the work the Film Commission did get accomplished.

**PRESENTATION**

Thomas Tessaro, Police Chief, on behalf of the officers and civilian staff of the Police Department presented Mr. Goldberg a plaque which recognized the work and time he has put in as police liaison for the last five years.

He stated that Jan always had the interest of the community as his priority, but he also recognized the needs and concerns of the Police Department, which is not always an easy task, but which Jan accomplished.

**Recessed Meeting**

**December 12, 2002/  
January 1, 2003  
Page #8**

**Mayor Alter** - noted that the reorganization meeting will commence in approximately ten minutes.

There being no further discussion, the recessed meeting was adjourned **on motion by Councilwoman Voss, seconded by Councilman Cervieri** and carried at 5:40 p.m.

\_\_\_\_\_  
Neil Grant  
Municipal Clerk